

SECTOR FOR CONTROL AND SURVEILLANCE ANNUAL REPORT 2011



РЕПУБЛИКА СРБИЈА
МИНИСТАРСТВО ЖИВОТНЕ СРЕДИНЕ,
РУДАРСТВА И ПРОСТОРНОГ ПЛАНИРАЊА

REPUBLIC OF SERBIA
MINISTRY OF ENVIRONMENT,
MINING AND SPATIAL PLANNING



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Introduction

Sector for control and surveillance's tasks are:

- protection of environment from pollution;
- protection and use of natural goods and resources;
- protection from chemical accident at Seveso installations, control of chemicals and biocidal products;
- water pollution protection and fishery;
- protection from ionizing and non-ionizing radiation;
- waste management;
- adjusting of environmental inspection work at all levels in Republic of Serbia to requirements of EU with aim of enforcement of Recommendation of the European Parliament and of the Council providing for Minimum criteria for environmental inspection in the Member States;
- making reports and evidences on inspection conduction;
- participation in preparing of professional bases for regulations creation;
- inspection in the field of construction;
- inspection in the field of urbanism;
- inspection in the field of mining;
- inspection in the field of geology;
- inspection of communal infrastructure and communal services;
- other tasks from the field of Sector.

Annual report for the year 2011 presents work of nine departments in Sector for control and surveillance. It is important to point out that in 2011, the number of employees in the Sector is increased, so in this moment Sector has 130 employees. This number of employees is the result of reconstruction of the Government of RS, when the Ministry assigned a new area - mining and geology. Also, with the adoption of the new Law on Communal Services, it is envisaged the establishment of the republic communal inspections. All this has led to a new organizational scheme of the Sector. Priority in the work of the Sector was the enforcement of environmental laws, adopted in May 2009 (so called "green package"), as well as enforcement of the Law on Planning and Construction, adopted in August 2009; we would like to emphasize that one of the priorities was the implementation of the Law on Water, adopted in May 2010. In the autumn of 2011 were adopted new laws: the Law on Communal Services and the Law on Mining and Geological Exploration.

Due to the decentralization of competences to local level in all fields, great attention was paid to work with local authorities.

We also emphasize an important role of the inspection in the implementation of Regulation related to specific waste streams and collection of fees to the Fund for Environmental Protection, as well as granting of incentives to operators. This will be shown with more details in the report of each department. Republic environmental inspection also participates at the beginning of the year in implementation of the Regulation “polluter pays”. It is also important role of inspection in cooperation with the Agency for Environmental Protection in implementing the Rulebook on the methodology for the development of a national and local pollution sources registry, and methodology for types, methods and deadlines for data collection. Republic inspection, i.e. Sector for control and surveillance has an important role in harmonizing the work of inspectors at all levels and one of results ensued from these activities are various manuals, guidebooks, brochures etc. which were prepared by the Sector in cooperation with colleagues from other sectors.

International Cooperation of the Sector reflects in participation in work of international networks and projects (ECENA, IMPEL-TSF, INECE, INTERPOL), while cooperation with the OSCE, SCTM (Standing Conference of Towns and Municipalities), Association of Prosecutors of Serbia, Association of Magistrates etc. was established during realization of trainings in the country. Currently Sector works on the implementation of a two-year IPA Twinning project “Strengthening the Serbian Environmental Inspection and Relevant Stakeholders”. Austrian Environmental Agency was selected as a Twinning partner, while the implementation of Twinning started in February of 2011. As part of the project it was completed procurement of equipment for inspection at all levels, worth 500 000 euros, including the procurement of equipment for Eco – toxicological laboratory for the Public Health Institute in Čuprija.

Representatives of the Sector participated in two round tables - the first was organized by UNDP and committed to reform of inspection, while at second one (the regional meeting of OSCE) it was discussed about “Challenges in the Balkans for the better implementation of environmental legislation”.

In the second half of the year Sector for control and surveillance started with one-day trainings - meetings of republic, provincial, city and municipal environmental inspectors and environmental employees, regarding the enforcement of environmental laws. On this occasion was clarified application of certain articles of the Law on Air Protection, Law on Waste Management, the Law on Non-Ionizing Radiation Protection, and it were also presented a guidance that was prepared by the Sector.

In the field of construction inspection it was continued work on the removal of illegally constructed buildings in protected areas (National Park Djerdap; and everything was prepared for removal of all illegally constructed buildings in the National Park Tara - location Perućac), as well as intensive control of local inspectors’ actions. There were also a large number of citizen complaints on the work of local authorities responsible for this field. In the field of urban planning inspection work, besides everyday work on large number of citizen complaints and regular controls in accordance with the Law on Planning and Construction, it was ordered by decisions to local self-governments to make plans in accordance with

the Law. The inspection had also compiled a set of analysis concerning the number of applications for legalization, the number of issued location and building construction permits.

In the field of mining and geology there were performed intensive inspections, including health and safety issues in mines. In 2011, five miners died in the mines.

It is important to stress that laws in the field of environmental protection as well as the Law on Planning and Construction, and the Law on Mining and Geological Exploration decentralized competences to the local level.

IPA 2010 Project

In February this year was launched the IPA 2010 twinning project “Strengthening the Serbian Environmental Inspection and Relevant Stakeholders”, jointly conducted by the Sector for control and surveillance and the Austrian Environment Agency. The value of the project is 2 million euro.

The overall objective of this project is to improve the quality of the environment and public health through effective implementation of environmental regulations. The specific objective is to improve the capacity and effectiveness of environmental inspection of Serbia at the republic, provincial and local level and to improve cooperation with relevant stakeholders. The project is based on trainings, preparation of manuals, guidebooks, inspection programs, and special emphasis will be put on industrial pollution, chemical accidents, waste management, water discharge, and endangered species.

It is important to note that within the IPA 2010 project was acquired inspection equipment worth half a million euro.

As regards project activities, until December 2011 were held following trainings:

- 2 seminars regarding the Seveso facilities
- “Training needs assessment” workshop in relation to the IPPC Directive
- A three-day workshop for the IPPC, including a visit to the operator
- Study visit to Seveso facilities in Austria
- Seminar on transboundary movement of waste
- CITES seminar

Seminars related to the protection of chemical accidents at Seveso facilities in the Republic of Serbia and related to the enforcement of the Seveso Directive provisions in national legislation were intended to inspectors and operators. In April and May 2011 two seminars were held on the theme “Inspection of lower tier Seveso facilities in the Republic of Serbia”, which were attended by inspectors of the Department for chemicals, biocides and Seveso. Aims of these trainings were education of inspectors and inspection capacity building in a systematic approach to inspections of lower tier Seveso establishments.

Joint seminar for environmental inspectors, operators and other stakeholders regarding the inspection of lower tier Seveso establishments in the Republic of Serbia was held in Jun 2011, in the Serbian Chamber of Commerce. It was intended to give an overview both to industry and to other stakeholders on the recent developments in Serbia with respect to the inspection of Major Accident Prevention Policies and Lower Tier “Seveso” Establishments, which will start in July 2011. The seminar was attended by international experts for the Seveso II Directive, who introduced participants with the implementation of the Seveso Directive in the Netherlands, Austria and Bulgaria and gave their answers to the questions related to the development of Policy of prevention of accidents, Report on safety and Plan for the protection of accidents.

Within the project was carried out creating of tools for inspection in the field (a check list for inspection) as well as tools for prioritizing inspections of lower tier Seveso establishments. Also, it was done a detailed analysis of the implementation of the Seveso Directive provisions in national legislation.

After adaption of 2010/75/EU Directive of the European Parliament and the Council of 24 December 2010 on industrial emissions (which replaced many of the directives in the field of industrial pollution, including the EU Directive on Integrated Pollution Prevention and Control), which defines by Article 23 not just greater powers of environmental inspector but also much greater responsibilities, it became necessary for environmental inspectors (republic, provincial and local) to introduce with new issues and educate, especially because of the fact that Law on Integrated Pollution Prevention and Control is implemented at all levels.

In that sense, in this part of IPA project, focus is put to proposals for development of procedures for planning and carrying out inspections of installations for which integrated permits are required with an emphasis on emissions into the air. It was prepared the draft of checklist for control of continuous measurement of emission and checklist for control of individual measurements of emission, and their applicability was conducted during the study visits to “U.S. Steel Serbia” Radinac, “Titan Cement Factory” Kosjerić, Cement Factory “Holcim” Popovac and TENT - Unit A1 Obrenovac. The objective of those trainings was to prepare inspectors to control the conditions prescribed in integrated permits.

Currently is in preparation Guidelines for determining the criteria in the preparation of the annual inspection plan based on risk assessment as the basis of inspection. This document, among other, aims to assist the environmental inspectorate to determine control priorities for those IPPC installations which at their site perform very complex activities, which are a source of great emissions and have a negative impact on the

environment. It is prepared unique basis - a List of all legal entities which are listed in a national register of sources of environmental pollution, with data on the type of IPPC activities, type of Seveso facility or type of waste management activities.

In addition, within the IPA twinning project, in cooperation with selected experts were found non-compliance of existing regulations in waste management comparing to EU legislation, it was prepared and held three-day training in relation to the control of transboundary waste shipment, with the practical application of acquired knowledge at the border crossing “Horgoš” and also was made the first version of the two manuals intended for inspectors who control the management of waste. Besides these main activities, representatives of the Department for hazardous and other waste management control actively participated in the Project.

In October 2011, the inspectors of the Department for chemicals, biocides and Seveso were on a study visit to Austria, where they were introduced with the way of implementation of the Seveso Directive in this country. As a part of this trip, they visited 6 different Seveso facilities in Austria and the inspectors had a chance to introduce with implementation of the Directive through concrete examples (through the visit of sections and review of documentation). Also, it was presented the organization of the provincial authorities responsible for control of Seveso establishments, and they visited the Environment Agency and were introduced with its work, focusing on the implementation of the Seveso II Directive.

At the end of November it was held the first meeting of the Working Group for planning of inspections based on environmental risk, whose conclusions will be included on the proposal for amendment of the Law on Environmental Protection and the new by-law on planning and reporting of environmental inspection at all levels.

Between 7th and 9th December, at Mokra Gora, within the Twinning project was also held CITES seminar. The speakers were experts from Spain and Portugal and participants of seminar were republic inspectors of the Section for protection and use of natural goods, as well as provincial inspectors in the field of nature.

In addition, in June was held kick-off meeting in the National Assembly of Serbia, which was opened by Head of EU Delegation to Serbia, Mr. Vincent Degert, the Austrian Ambassador Mr. Clemens Kojca and Minister of Environment, Mining and Spatial Planning, Mr. Oliver Dulic.

At the official website of the Ministry is set up a link to the website of the project, which also provides information on project activities (<http://www.ekoplan.gov.rs/sei/en/>).

SECTOR FOR CONTROL AND SURVEILLANCE

Section for legal and administrative issues in the field of control and surveillance

DEPARTMENT FOR PROTECTION AND USE OF NATURAL GOODS AND RESOURCES

Section for protection and use of natural goods

Section for protection and use of natural resources

DEPARTMENT FOR ENVIRONMENTAL POLLUTION PROTECTION

5 sections for environmental pollution protection (Beograd, Šabac, Kraljevo, Kragujevac, Vranje)

Section for ionizing and non-ionizing radiation protection

DEPARTMENT FOR CHEMICALS, BIOCIDES AND SEVESO

Group for chemicals, biocides and Seveso Beograd

Group for chemicals, biocides and Seveso Niš

Group for chemicals, biocides and Seveso Pančevo

DEPARTMENT FOR COOPERATION OF INSPECTION WITH INTERNATIONAL NETWORKS, LOCAL SELF-GOVERNMENT AND INTEGRATED APPROACH ON BORDER

DEPARTMENT FOR WATER POLLUTION PROTECTION AND FISHERY

DEPARTMENT FOR HAZARDOUS AND OTHER WASTE MANAGEMENT CONTROL

Section for hazardous and other waste management control Vranje

Group for inspection of communal infrastructure and communal services

DEPARTMENT OF REPUBLIC URBAN PLANNING INSPECTION

Group of republic urban planning inspection Beograd

Group of republic urban planning inspection Niš

DEPARTMENT OF REPUBLIC CONSTRUCTION INSPECTION

Group of republic construction inspection Beograd

Group of republic construction inspection Niš

Group for dams and execution of decisions

SECTION OF REPUBLIC MINING AND GEOLOGICAL INSPECTION

Summary Data

| Department for | No. of inspections | No. of decisions | Files for minor offenses | Files for economic offenses | Files for criminal offenses |
|---|---------------------------|-------------------------|---------------------------------|------------------------------------|------------------------------------|
| environmental pollution protection | 4 574 | 1 325 | 76 | 27 | 3 |
| protection and use of natural goods and resources | 2 382 | 362 | 98 | 11 | 3 |
| water pollution protection and fishery | 1 555 | 258 | 162 | 9 | 1 |
| chemicals, biocides and Seveso | 1 368 | 465 | 14 | 11 | 0 |
| cooperation of inspection with international networks, local self-government and integrated approach on the border | 654 | 204 | 5 | 1 | 0 |
| hazardous and other waste management control | 1 057 | 171 | 19 | 13 | 1 |
| construction inspection | 876 | 58 | 2 | 0 | 2 |
| urban planning inspection | 561 | 60 | 0 | 0 | 0 |
| mining and geological inspection | 139 | 125 | 0 | 0 | 0 |
| In total | 13 166 | 3 028 | 376 | 72 | 10 |

Department for cooperation of inspection with international networks, local self-government and integrated approach on the border

As in previous years in 2011, in cooperation with the Ministry of Justice, the Association of Magistrates and the OSCE Mission to Serbia the Department for cooperation of inspection with international networks, local self-government and integrated approach on the border organized the new, fourth training cycle designed for magistrates, prosecutors and environmental inspectors at all levels. In the period from April to October, there have been five such trainings, which included 462 participants.

In January, the project “Municipal Infrastructure Support Programme” (supported by the EU) organized “Training of Trainers ”, which was attended by three representatives of the Department.

Also, two representatives of the Department participated in February in training for designing of projects - project proposals in accordance with the requirements of the EC, in cooperation with CBIB (EC project in Serbia).

Within the project IPA 2010 “Strengthening the Serbian Environmental Inspection and Relevant Stakeholders”, representatives of the Department participated actively in all activities, from participation in the organization of formal presentation of the project (kick-off), the Project Steering Committee meetings, through contributions and participation in trainings, workshops and meetings.

In April, Department organized training for employees of the Public Enterprise for electric energy transmission and transmission system control “Elektromreža Srbije” with reference to the implementation of new environmental laws.

In organization of a network RENA, representative of the Department attended the First regional workshop of the new European legislation, within the RENA Working Group 1, held in Zagreb at the end of May. It was presented the application of Directive 2008/99/EC on environmental protection through criminal law and the Directive 2004/35/ES on environmental responsibility in the EU.

Representatives of the Department also participated in the workshop about communication strategy, organized within the IPA twinning project for hazardous waste, in June.

International Law Enforcement Academy (ILEA) in Budapest, in cooperation with the U.S. Agency for Environmental Protection organized in July a course for the environmental inspection, police and judicial authorities - “Conducting inspection on environmental safety”. The course was attended by representatives of relevant institutions from Hungary, Macedonia, Croatia and Serbia, among whom were representatives of the Department.

In September, Delegation of the European Union in Serbia, organized training “Basics of communication and visibility ”, intended for civil servants who participate in implementation of the IPA projects, where representative of the Department also participated.

Also in September, the representative of the Department participated in the workshop “Preparation for the negotiations in the process of accession of the Republic of Serbia to the EU”, organized by the Ministry of Environment, Mining and Spatial Planning and the Swedish Environmental Agency.

At the beginning of October, at the invitation of ILEA and supported by the U.S. Embassy, the representative of the Department participated in training “Judicial review of cases which damage the environment”. During the three-day course, experts of the U.S. Agency for Environmental Protection held presentations on the importance of the environmental issues, basic legal postulates that are important in processing and decision making in criminal cases, and within individual sessions were held group exercises in criminal cases, as well as their analysis for the successful criminal proceedings.

The same month, representative of the Department participated in the second annual meeting of the Working Group IV ECENA in Skopje, Macedonia.

In November, the Ministry organized one-day education about the implementation of the Law on Air Protection, where, among other employees of the Ministry, the organizers and presenters were employees in the Sector for control and surveillance (one representative of Department). Training was designed for representatives of city administrations for environmental protection, heads of local administration of inspection and to authorized bodies for measuring the emission of pollutants into the air.

At the initiative of the management in the Drina-Lim hydroelectric power stations, representatives of the Department organized, also in November, one day training course for employees of the hydroelectric power stations, with reference to implementation of environmental protection.

Also in November, Government Human Resources Management Service of the RS has organized training, “Management skills for employees in state bodies ”, which was attended by one representative of the Department.

In December, the OSCE Mission to Montenegro and the Montenegrin Agency for Environmental Protection organized the workshop “The prosecution of the eco-offenses and eco-crime and inter-agency cooperation in this field - the existing system, deficiencies and recommendations”, where representative of the Department was one of presenters.

Representatives of the Department participated in the joint inspection control of transboundary shipment of waste at the border with the Republic of Romania.

During 2011 it was made a total of 938 inspections as follows: in the field of transboundary shipment of waste and substances that deplete the ozone layer - 236, control of import of chemicals into the Register of chemicals - 136, waste management - 74, to supervise the bodies which are responsible for the activities in the field of environmental protection (local self-government units and autonomous province) 474 and other – 18. Under supervision of the local government, was made 75 preventive integrated supervisions, on the 104 requests for information, while a total of 295 local governments were in control in different areas (impact assessment, non-ionizing radiation, a local register of pollution sources, IPM information system, budget Fund, waste, air, noise, strategic assessments, etc.).

Department for chemicals, biocides and Seveso

During the 2011, republic inspectors for chemicals, biocides and Seveso carried out non-routine inspections of all cases of accident that occurred on the territory of the Republic of Serbia. From a total of 13 accidents, as happened in the past year, six occurred during the transport of hazardous goods (about 46%). These are mainly minor spills or leaks of hazardous materials.

As a major accident that occurred during the past year, we can single out a fire at the landfill of waste plastics and tires in Jagodina, which took place in April 2011. Firefighting lasted less than three days (covering the landfill with soil). After the outbreak of fire in Jagodina Crisis Committee was formed, headed by Mayor of Jagodina, and members were representatives from the Ministry of Interior and the Department for Emergency Situations, republic environmental inspectors, Public Health Institute from Čuprija, police and all other relevant institutions that play a role in the case of chemical accidents. Crisis Committee had taken all decisions relevant to the rehabilitation of fire and important for the protection of human health and the environment. Decisions were made on the basis of the results of measurements of air pollution, which was conducted by an authorized professional house - Public Health Institute from Čuprija, at the request of republic environmental inspector.

During 2011, on the basis of the information which operators submitted to the Ministry of Environment, Mining and Spatial Planning in accordance with the Law on Environmental Protection, it was formed the preliminary list of the Seveso II establishments. On this list there are total of 102 Seveso establishments of which 45 is upper tier, that should develop and obtain approval of the Ministry to Report on the safety and Plan for the Protection of Accidents, and 57 lower tier Seveso establishments that are obliged to develop Accident prevention policy.

In the second half of 2011 it was carried out the action of inspections of all lower tier Seveso establishments. Operators who have not fulfilled their legal obligation to do the policy of prevention of accidents within six months from the date of notification, it was ordered to do so by the end of 2011.

With reference to the Law on Chemicals, inspections of manufacturers, importers and further users of chemicals, has been conducted in four actions that are defined according to certain priority areas, namely: Registration of chemicals, Action control of placing asbestos products on the market Phase I and II, and Action control of classification and labeling of chemicals.

In the first half of 2011, it was conducted control of 422 operators which during the 2010 imported or manufactured chemicals, and who have not made their entry in the Register of chemicals, in accordance with the Law on Chemicals. On that occasion, to controlled enterprises was ordered to submit by a certain date to the Agency for chemicals application on registration of chemicals for all chemicals that are imported or manufactured and placed on the market of the Republic of Serbia in 2010.

Control of operators who manufactured or imported asbestos products, and enforcement of the provisions of the Rules of restrictions and bans the production, marketing and use of chemicals that represent an unacceptable risk to human health and the environment, was carried out in two campaigns: in the first quarter when was conducted control of 22 operators and in the last quarter of 2011 when was controlled a total of 30 operators who were putting asbestos products on the market of Republic of Serbia in 2011.

In the last quarter of 2011, it was made the action control of safety data sheet for certain chemicals. Special emphasis was on controlling the classification and labeling of substances and mixtures in accordance with the Regulation on classification, packaging, labeling and advertising of a product and chemicals as well as the Regulation on classification, packaging, labeling and advertising of a product and chemicals in accordance with the globally harmonized system for classification and labeling of the UN. In this action was performed control of safety data sheets and labels for the 30 chemicals in 18 different operators.

In August 2011 was conducted inspection of the five companies in the Republic of Serbia that have the obligation of implementation of the provisions of the Law on Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Inspections were carried out to check the data necessary for preparing the Annual Report on Companies that produce or processed certain chemicals in the prescribed quantities, and that the Agency for Chemicals and Ministry of Foreign Affairs, deliver to the Organization for the Prohibition of Chemical Weapons (OPCW). Also, in October 2011 the international inspections conducted two-day inspection of the operator "Kemobriksoil" Vrsac, in order to control the production of substances which belong to discrete organic substances. Members of the following team of international inspections were inspectors of the Department and representatives of the Agency for Chemicals.

Inspectors of the Department in the first half of 2011 were members of working group for the design of Protection and rescue strategy which holder is the Ministry of Interior. Also, during the 2011, our inspectors have participated in two exercises organized by the Ministry of Interior.

Throughout the 2011 were held a wide variety of seminars, trainings and workshops related to the implementation and enforcement of the Law on chemicals and biocidal products that are thematically harmonized with the planned inspection actions.

In Belgrade, in March was held one-day training and in April and September 2011 was held two-day training about control and inspections pursuant to the Law on chemicals and biocidal products. Besides environmental inspectors, participants of the seminar were also market inspectors, and in September sanitary inspectors as well, who got, according to the newly adopted amendments to the Law on chemicals and Law on biocidal products, competence in inspection of the enforcement of the mentioned laws. Training sessions were held under the IPA project and bilateral project of Swedish Agency for Chemicals - Kemi and Chemicals Agency of the Republic of Serbia – "Risk Management of Chemicals in Serbia".

Very useful trainings related to the control of Seveso facilities and implementation of provisions, were held under the IPA project “Strengthening the Serbian Environmental Inspection and Relevant Stakeholders”, in April and May 2011, and in June 2011 was held a one-day seminar for operators on the protection of chemical accident in Seveso facilities.

In October 2011, the inspectors of the Department for chemicals, biocides and Seveso were on a study visit to Austria, where they were introduced with the way of implementation of the Seveso Directive in this country. As a part of this trip, they visited 6 different Seveso facilities in Austria and the inspectors had a chance to introduce with implementation of the Directive through concrete examples (through the visit of sections and review of documentation). Also, to inspectors was presented the organization of the provincial authorities responsible for control of Seveso facilities, and they visited the Environment Agency and introduced with its work, focusing on the implementation of the Seveso II Directive.

Department for environmental pollution protection

Priorities in the work of the republic environmental inspection in 2011 were inspections of existing instalationas, who are obliged to obtain an integrated permit in accordance with the Law on Integrated Pollution Prevention and Control (“Official Gazette of RS”, no. 135/04). Inspector decisions were brought to operators who have the obligation to submit the request in accordance with the Regulation on determining the dynamics of the application for issuance of integrated permit (Paper factory “Božo Tomić” Čačak, “Padika sistem” Ltd. Preljina, Čačak, “Agroživ” Ltd. Vranići, Čačak, “Varvarinsko polje” Varvarin, “Stočar” Ltd. Varvarin and others). First integrated permit is issued to operator “Titan Cement Kosjerić” Ltd. Kosjerić and it was brought a decision which determines the scope and content of environmental assessment study of the Project of temporary storage and use of solid fuel from waste (SRF) for their combined combustion with basic fossil fuels in rotary kiln. Against this decision was lodged a complaint by the Municipal Administration Kosjerić, because there is great public resistance for use of portion of municipal waste as fuel in the cement factory.

Databases of IPPC operators were made and regularly submitted to Department for integrated permissions of Sector for Planning and Management. Currently at the list there are are 176 operators.

In the first quarter of 2011 the priority in the work of the republic inspection was the inspection of IPPC operators, who have an obligation to submit information on the annual quantities of waste, emissions of SO₂ and/or NO₂ and/or particulate matters, in accordance with the Regulation on types of pollution, the criteria for calculating fees for polluting the environment and taxpayers, the amount and method of calculation and payment of fees (“Official Gazette of RS”, no. 113/05, 6/07, 8/10 and 102/10). On the basis of submitted data, reports are made to determine the fee in accordance with the Regulation and are submitted to the Fund for Environmental Protection.

In cooperation with the Agency for Environmental Protection, republic environmental inspection gave its great contribution to the development of the National Registry of pollution sources in accordance with the Regulation on the methodology for the development of a national and local registry of pollution sources, as well as the methodology for the types, methods and terms of data (“Official Gazette of RS”, no. 91/10).

In accordance with the Law on Waste Management (“Official Gazette of RS”, no. 36/09 and 88/10) and Regulation on products which after use become special waste streams, the daily records form of the quantity and type of produced and imported products and annual report, the method and terms of submitting of annual reports, fee payers, the criteria for the calculation, the amount and method of calculation and payment of compensation (“Official Gazette of RS”, no. 54/10 and 86/11), republic environmental inspection conducted inspections of manufacturers and importers of the following: products containing asbestos, electrical and electronic products, tires or vehicles which integral part are tires, and, finally, batteries. After performed surveillance to the manufacturers and importers of products which after use become special waste streams, it was ordered to them by decision to submit to the Agency for Environmental Protection annual report for the previous year.

Manufacturers or importers of products that become special waste streams pay a fee. Funds generated from the fee are revenue of the budget of Republic of Serbia and are specifically used for investment and operational costs of managing specific waste streams through the Fund for Environmental Protection, in accordance with the Regulation on the amount and conditions for the granting of incentives (“Official Gazette of RS”, no. 88/2009, 67/2010, 101/2010, 16/2011). Granting of incentives based on open competition carry out Fund for Environmental Protection. Only operators of plants for reuse i.e. waste treatment, which have permits in accordance with law, can apply for the competition.

Republic environmental inspection issued decisions which ordered to local self-government units to develop projects of rehabilitation and recultivation of irregular landfills, and obtain approval from the Ministry of Environment, Mining and Spatial Planning.

In accordance with the Law on Packaging and Packaging Waste (“Official Gazette of RS”, no. 36/09) and the Regulations on the forms of reports on the management of packaging and packaging waste (“Official Gazette of RS”, no. 21/10), republic environmental inspection issued a decision which order to operators to provide permission for their own management of packaging waste, or transfer the obligation to authorized operators and submit an annual report for 2010 to the Agency for Environmental Protection.

For example, to all the quarries is ordered measuring of levels of pollutants i.e. measurement of total suspended particles in the impact zone. From the reports of authorized legal entities, it is evident that the quarries, which in 2011 worked at full capacity, had excess. On this basis were submitted applications for initiating the procedure for commercial offenses and applications for misdemeanours.

At the territory of City of Belgrade there are three thermoelectric power plants whose activities significantly affect the state of the environment. One of the fields of control is air pollution i.e. compliance with legislation in the field of air protection. During 2011 within IPA 2010 twinning project together with foreign experts republic environmental inspectors of the Section in Belgrade visited, TENT “A” in order to acquire skills for integrated inspection. Emphasis was placed on air monitoring.

One of the fields controlled by the inspectors was control of import and/or exports and places on the market of ozone depleting substances and fluoridated greenhouse gases, in accordance with the Regulation on the handling of substances that deplete the ozone layer, and the conditions for issuance of permits for import and export of these substances (“Official Gazette of RS”, no. 22/10) i.e. control of the permits for import and /or exports and places on the market issued by the Ministry of Environment, Mining and Spatial Planning. Controls have shown that importers/exporters comply with the legislation regulating this field, as it was confirmed by the data submitted to the Ministry about completed cross-border shipment of ozone depleting substances and fluoridated greenhouse gases, which are submitted quarterly by the Customs Administration.

In 2011 republic inspectors carried out joint inspections with the environmental inspectors from local self governments (LSG). Some of results of joint work with LSG inspectors are certainly the education and development of local registers of sources of pollution and setting up data on waste generated (DEO1) in generators of waste.

Inspectors have conducted joint inspections with the inspectors from other ministries as well.

Republic environmental inspection during January 2011 obtained data for modeling and dispersion of emissions of sulfur dioxide emitters in Belgrade and surroundings of Belgrade (Obrenovac, Veliki Crljeni and Pančevo). The data were made for thermoelectric power plants “Nikola Tesla A”, “Nikola Tesla B”, “Kolubara”, “Oil Refinery Pančevo” and boilers for liquid fuel - crude oil in the PUC “Belgrade power plants”. Data were needed for development of a pilot study “Contribution of different sources to air pollution with sulfur dioxide in Belgrade”, which is developing within the fourth component of the twinning project “Strengthening of administrative capacities in the field of air quality management”.

During January 2011 was prepared proposal for activity plans of the Sector for control and surveillance, with the estimated amount of funds needed for their implementation, taking into account the approved Law on Budget of the Republic of Serbia in 2011.

Within the fourth component of the twinning project “Management of hazardous waste” which deals with the “hot spots of pollution”, republic environmental inspection participated in the workshops where were jointly determined certain directives of work for the next two years. It was presented summary of responsibilities related to the “hot spots of pollution”, as well as the data that republic environmental inspection has.

Republic environmental inspection has participated in workshops on the preparation of secondary legislation of Regulation on limit values of volatile organic compounds due to the use of organic solvents. Workshops were organized in the framework of cooperation with the Ministry of Environment and Public Health of Federal State of Bavaria and within the twinning project “Strengthening of administrative capacities in the field of air quality management”. Also, inspection prepared a preliminary list of operators who perform activities in which are used organic solvents.

Republic environmental inspection participated in drafting of Rulebook on technical measures and requirements related to allowable mission factors for volatile organic compounds originating from the process of storage and distribution of oil and oil products.

Also, republic inspection took part in the preparation of Instruction for the application of Article 56 of Law on Air Protection. The need for developing Instruction appeared due to different interpretations of Art. 56 of the Law on Air Protection, and it is very important that we have the same way of acting at all levels in the process of enforcement of environmental protection regulations. Republic inspection also participated in

drafting of instruction for the control of facilities for the production of charcoal - charcoal kilns and control facilities for motor vehicle fuel supply - gas stations.

In 2011 there were approximately 90 inspections on the control of soil quality. Besides the imposition of administrative measures, the aim of control was also collection of data on the zones of influence, prevention of pollution and the establishment of self-monitoring of the operators that has the obligation to obtain an integrated permit (IPPC installations). In this sense, it was carried out surveillance of facilities of electrical industry - thermoelectric power plants "Nikola Tesla A" and "B", pits "Kolubara", "Oil Refinery Belgrade", and "NIS Petrol", "Oil Refinery Pančevo", HIP "Petrohemija", HIP "Azotara", PUC "Belgrade heating plants", industrial zones of Mladenovac and Smederevo. Based on the results provided by this monitoring for assess of emission, identification of sensitive and loaded areas as well as assess of the complexity of some activity, it will be conducted determination of monitoring category, evaluation and scoring of the operator. This will allow the recording of compliance with legislation and management systems of operators.

Control of the operators in the inner zone of sanitary protection of the Belgrade waterworks (PUC "Belgrade power plants", City Transportation Company "Belgrade") continued on the City of Belgrade territory. Special subject of surveillance were agricultural complexes, thermoelectric power plants and pits ("Kolubara" Ltd. Lazarevac), which have a direct impact on the quality of soil and groundwater.

Research and analytical activities were related to giving opinions on:

- the report of "D. Apollonia" on environmental studies of 12 manufacturing plants of NIS; plan of measures and activities on environmental protection in Oil refinery: Pančevo, Novi Sad, The Port of Smederevo, LPG Novi Sad, warehouses in Belgrade, for 2011 - 2016
- the process of privatization of "Nitex", the assessment of the status quo, selection of remediation measures and action plans for "Benetton"
- remediation plan of NIS for Port of Pančevo
- establishing of baseline conditions and the plan of measures and activities for environmental protection in the process of ownership transformation in privatization of company "PIM"
- comment on Passport of projects: Closed drainage system from production and Sampling in production of NIS "Oil Refinery Novi Sad"
- comments of the action plan and projects of MSC Bor
- the analysis of the results of chemical analysis of soil, made by City Institute for Public Health "Belgrade"
- and monitoring of remediation procedure within the Post closing plan of "SGS Italy"; in the FAS Kragujevac.

Sector for control and surveillance is responsible for national coordination of the implementation of the UN Convention to Combat Desertification. In 2011 the cooperation of this convention with GEF was established on the expanded constituent meeting, held in Kiev. The

main objective of this meeting was the establishment of financial mechanisms in the field of land degradation, and the possibility of receiving of funds for the harmonization of national strategies with a ten-year strategy of the UNCCD.

At the meeting with World Bank representatives, it was made an agreement about the scope and content of Regional Program for protection against droughts and floods in Serbia, Montenegro and the BH Federation.

In November the III session of the Steering committee of the Centre for Drought Control in South-Eastern Europe (DMCSEE) was held in Ljubljana. The role of Sector for control and surveillance in the work of this Center is to coordinate and facilitate the development, definition and implementation of policy instruments for drought control in Southeastern Europe. The main goal of the Center is to increase preparedness for drought and reduce its uncontrolled effects.

In 2011 Sector for control and surveillance took over responsibility for the transposition of Environmental Liability (2004/35EC) Directive, made IQ and TOC and summary for the European Commission.

Protection from ionizing radiation

In 2011, there were carried out intensive activities on the implementation of prescribed provisions and compliance of users of ionizing radiation with the Law on Protection against Ionizing Radiation and the Nuclear Safety („Official Gazette of RS”, no. 36/09) and adopted regulations, which expires at the end of May of 2012. The inspection of the implementation of measures for protection against ionizing radiation was performed by the Ministry of Environment, Mining and Spatial Planning - Sector for control and surveillance, while regulatory tasks were performed by the Agency for ionizing radiation protection and nuclear safety of Serbia. Ministry of Environment, Mining and Spatial Planning took part in the development of prescribed programs for which is responsible Agency for ionizing radiation protection and nuclear safety of Serbia. For the purpose of effective and coordinated implementation of protection of life and human health and the environment from the harmful effects of ionizing radiation in the performance of radiation activity with ionizing radiation sources, it was concluded agreement between the Ministry (Sector for control and surveillance) and the Agency, which full implementation is expected during the 2012. Also, in 2011 activities on taking, transportation and storage of radioactive waste detected in a metal waste during procedure of collection are continued by an authorized legal entity for decontamination operations.

Protection from non-ionizing radiation

During 2011 the Ministry of Environment, Mining and Spatial Planning - Sector for control and surveillance, actively cooperated with the authorities of local self-government and autonomous province, in implementation of the Law on Non-Ionizing Radiation Protection ("Official

Gazette of RS", no. 36/09) and regulations made on the basis of the Law. For the first time the realization of Systematic testing of non-ionizing radiation levels in the environment for 2011 was carried out, which included measurements at 149 locations in the Republic of Serbia, in zones of increased sensitivity of low frequency and high frequency areas. Systematic testing of non-ionizing radiation levels in the environment for 2011 will be submitted to the Ministry by 31st March 2012, and will be available to the public in the first quarter of 2012. In 2011 there were brought 10 more decisions to the companies and other legal entities for performing professional duties in the protection of non-ionizing radiation.

Department for protection and use of natural goods and resources

In the period from 1st January until 20th December 2011, republic inspectors of the Department for protection and use of natural goods and resources, carried out 2402 inspections, issued 351 decisions, submitted 88 requests for minor offenses, 10 for initiating the procedure for commercial offenses and three criminal charges.

In accordance with Art. 92 and Art. 123 of the Law on Nature Protection, republic inspectors in the field of protection and use of natural goods, temporarily confiscated from the company “Stella invest” in Belgrade following parts and derivatives of protected animal species: *Strombus gigas* - 4 individual pieces of shell, 2 pieces - parts of lamps for lighting; *Tridacna squamosa* - 2 pieces of whole species and 4 pieces of one lid, *Hippopus hippopus* - 7 pieces of whole species, 6 pieces of a lid, 16 pieces of stand for lamps for lighting, *Hippopus porcellanus* – one whole species. This company displayed in the store aforementioned parts and derivatives of snails and shells, which were imported from Montenegro without the appropriate CITES permits.

Republic inspectors were at the Customs Office of the Belgrade Railway Station, at the border crossing Bogojevo and at the border crossing Batrovci, temporarily confiscated from physical person one specimen of cockatoos (*Cacatua sulphurea*), one specimen of Burrowing Parrot (*Cyanoliseus patagonus patagonus*), one specimen of Blue fronted Parrot (*Amazona aestiva*) and 11 kg of eel (*Anguilla anguilla*) for import or export without proper CITES permits. Live specimens were confiscated and placed in a shelter. It was also confiscated one specimen of buzzard (*Buteo buteo*) as it was kept in captivity, and it is a strictly protected species. At the border crossing Nikola Tesla from physical persons were confiscated 12 individuals of strictly protected species of European goldfinch (*Carduelis Carduelis*). All specimens were transported to the shelter.

In the vicinity of Mladenovac from physical person there were temporarily confiscated 10 species of European goldfinch (*Carduelis carduelis*). The specimens were placed in the zoo in Jagodina.

Also, from the physical person from Umka there were temporarily confiscated 11,284 kg of vineyard snails, because snails were collected at the time of the prohibition of collecting. From enterprise from Zemun republic inspectors temporarily confiscated 41,263 kg of dog rose, due to the lack of import permit from the competent Ministry.

During the 2011, in accordance with independent art. 56 of the Law Amending the Law on Nature Protection (“Official Gazette of RS”, no. 88/2010), it was carried out registration to the competent ministry, for introduction into evidence of protected species of wild animals kept in captivity, so inspection conducted controls of persons who reported animals and animal traffic is forbidden to these persons until they obtain permits for keeping of animals.

During November there were carried out inspections at the Zoo in Belgrade and in Jagodina, and it was noted the number of protected species and their origin. It was ordered to zoos to act in accordance with Regulations on conditions of keeping, method of marking and recording of wild animals in captivity.

In this period there were also carried out inspections in protected areas and inspectors pronounced the following prohibitions: prohibition of execution of works on the lake Međuvršje in the second level of protection zone, in the protected area Ovčar-Kablar gorge; to the company “Fornet” Ltd. is prohibited the execution of works on reconstruction of the road in protected area Pčinja Valley; to Hydroelectric power station “Elektromorava” was prohibited the disposal of communal waste in the riverbed of the West Morava river in the protected area Ovčar-Kablar gorge; to physical person from Čačak was prohibited execution of works in protected area Ovčar-Kablar gorge; to the company “KBM plus” was prohibited uncontrolled disposal of solid waste in the area of NP Kopaonik; to physical person from Dobra was prohibited to perform the smelting of aluminum slag in the NP Djerdap.

Also, during 2011 it was noted that physical persons in larger number reported violations of strictly protected species of birds to veterinary service and inspection, which was probably a result of information received through the media. In 2011 there were reported three injured individuals of strictly protected species of bird - Buzzard (*Buteo buteo*) and one injured individual of strictly protected species of bird - Common Kestrel (*Falco tinnunculus*). After the veterinary assistance individuals of protected species were sent to a shelter “Palic Zoo” in Palic.

During 2011, inspectors for the protection and use of natural resources concluded that the number of infringement actions is noticeably reduced, which has resulted in a very small number of submitted applications to the court.

It was conducted 530 controls of facilities that use/exploit groundwater for its own needs - thirty companies of which:

- was controlled forty PC Waterworks and Sewerage,
- seven of spa resorts that use ground water as part of its activities, and the rest are companies that conduct investigations to determine and verify groundwater reserves and receive approval for the use of natural resources.

Next problems were identified during the fieldwork:

- Farms, which use ground water for irrigation of agricultural land, greenhouses etc. and do not have the approval of our Ministry. Mentioned farms are not registered as legal entities, but as physical persons.
- Private dairies that exploit underground water from wells for their own needs and wells are located on parcels owned by physical persons and do not have the necessary documentation.

It is necessary to organize trainings for companies which provide design, execution of research activities, and companies that execute exploitation of underground water in accordance with the new Law on Mining and Geological Exploration (“Official Gazette of RS”, no. 88/2011).

In 2011 there were conducted joint controls with colleagues from the Department for environmental pollution protection, with the Group for protection of soil from contamination at sites of Novo Selo, Mining Basin “Kolubara”, “Oil refinery Belgrade”, “Gas Station Obrenovac”, “Strela” Ltd Obrenovac. With city environmental inspectors of Pozarevac, Raska and Belgrade were carried out inspections, about the exploitation of sand and gravel from river Velika Morava around discharges from septic tanks, use of hydrogeological resources in approved exploitation area of “EEC Evelyn” by company “Autokomerc” from Belgrade.

During 2011 in cooperation with mining inspection it was conducted controls of companies “EEC Evelyn” and “Autokomerc” from Belgrade and of the Special Hospital for Rehabilitation “Merkur” from Vrnjačka Banja.

It was also carried out control of hydrogeological exploration and exploitation of underground water in NP “Kopaonik” NP “Djerdap” and a protected natural good Golija.

Department for hazardous and other waste management control

In 2011, the activities of the Department for hazardous and other waste management control were developed in the following directions:

- inspection of compliance with environmental conditions for the transboundary shipment of waste
- inspection of dealing with waste materials in the process of obtaining permits for waste management, on request of issuer of permits
- inspection of dealing with special waste streams, on request of the operator for granting of incentives
- inspection of dealing with medical waste in the process of obtaining permits for waste management, on request of issuer of permits
- work within the IPA twinning project “Strengthening the Serbian Environmental Inspection and Relevant Stakeholders”
- working within the IPA twinning project “Strengthening institutional capacity in hazardous waste management”
- training of operators, local self-government units, judges and public prosecutors on the implementation of the Law on Waste Management and following by-laws, as well as Law on Packaging and Packaging Waste and its following by-laws
- joint inspections with provincial and local environmental inspectors and representatives of other ministries (Customs Administration, Ministry of Interior)
- acting on requests and orders of superior
- training of inspectors who conduct inspections in this field
- joint inspection of transboundary shipment of waste with the relevant authorities of the Republic of Romania
- active participation in the work of IMPEL TFS Cluster, in the control of transboundary shipment of waste
- active participation in the INTERPOL Pollution Crime Project, combating the illegal transboundary shipment of waste
- it was made database of all the operators who were subject of control of republic inspector of this Department
- activities related to incineration of solid controlled psychoactive substances and tobacco products and cooperation with state authorities in the final disposal of waste and scrap resulted in activities of these organs.

Analysis and comments

During 2011 it was carried out a total of 1074 inspections of operators whose activities have an impact on waste management. Most of all non-routine inspections were inspections on request of the operator (738 controls, 68.7%). Within non-routine inspections, predominate were inspections related to the transboundary shipment of waste (358 controls, 48.5%). Comparing to previous years, inspections were conducted for specific treatment of waste streams, on request of the operator for granting of incentives. It was carried out 36 inspections in total (4.8%). Also, inspections of operators who apply for permission for waste management at the request of the permit writer, were intensified (11.1%). The general approach to surveillance was informative and educational, but even so, it was issued 153 decisions (20.8%), i.e. approximately in every fifth inspection it was necessary to order corrective measures by decision. Some operator activities required more rigid approach, and in that case

there were issued a total of 78 prohibitions (10.6%). For flagrant violation of existing legislation, it was submitted a total of 34 applications to the court, among which 20 for minor offenses, 13 for initiating the procedure for economic offenses and one criminal charge. The competent public prosecutor's offices were informed on waste management activities that can have elements of criminal act (2). In accordance with the goals and recommendations given by the Annual Work Plan of the Sector for control and surveillance, it was carried out a total of 108 joint inspections (10.7%).

In addition to stressed informative and educational approach, during inspections in 2011 there were realized a number of trainings of operators, local self-governments, judges and public prosecutors. The trainings aimed to clarify the provisions of the Law on Waste Management and the Law on Packaging and Packaging Waste, as well as obligations that result from these laws. Representatives of the Department participated in a total of 24 trainings, whereby were spent 32 working days. Also, one representative of the Department was on a study trip to Austria, within the IPA twinning project "Strengthening institutional capacity in hazardous waste management".

Within the IPA twinning project "Strengthening the Serbian Environmental Inspection and Relevant Stakeholders", in cooperation with selected experts were found non-compliance of existing regulations in waste management comparing to EU legislation, it was prepared and held three-day training in relation to the control of transboundary waste shipment, with the practical application of acquired knowledge at the border crossing "Horgoš" and also it was made the first version of the two manuals intended for inspectors who control the management of waste. Besides these main activities, representatives of the Department for hazardous and other waste management control actively participated in the Project.

The Department actively participates in the work of the IPA twinning project "Strengthening institutional capacity in hazardous waste management" not just in preparatory activities, but also in realized workshops related to management of specific waste streams.

It was realized a joint inspection of transboundary shipment of waste at the border crossing of Republic of Romania. Surveillance was carried out in cooperation with the relevant inspection services, as well as with the border police and customs. Besides these activities, it was carried out the control of transboundary shipment of waste, at the place of loading, on the road and at the border crossing.

The Department has actively participated in the IMPEL TFS Cluster within the IMPEL network of inspection services of the European Union. Cluster activities are focused on control of transboundary shipment of waste and prevention of illegal shipment within the current EU legislation. Activities are carried out through interactive training and field work. For participation in the work of IMPEL TFS Cluster Organization for the Prohibition of the Use of Chemical Weapons (OPCW), it was spent a total of 14 working days. Experience and knowledge gained in working in IMPEL TFS Cluster and INTERPOL - Pollution Crime Project, are successfully applied in the work of the Department.

The database of operators under the jurisdiction of the Department was formed at the end of 2009. In 2010 and 2011 base was complemented by

new data. The database contains all records, decisions, letters and official records, reports, sentences and photographs relevant for operator.

Activities related to incineration of solid controlled psychoactive substances and tobacco products are in final phase. It was made and verified impact study of this project on the environment. It was prepared the conclusion of the Serbian Government, which defines operator thermoelectric power plant "Nikola Tesla A" Obrenovac, as an installation for the final disposal of solid controlled psychoactive substances. It was intensified cooperation with other ministries, in the final disposal of waste and scrap resulting in activities of these organs.

Analysis of cross-border shipment of waste

By analyzing the statistics of cross-border shipment of waste it can be concluded that the export of waste and scrap is dominant over import.

Besides export of metal waste and scrap, it was significant export of hazardous waste. Import of paper and paperboard waste and scrap was dominant in relation to export. By restrictive measures, the export of waste and scrap of paper and paperboard was reduced only on unsold copies, for which there were no processing facilities in the Republic of Serbia.

Import of plastic scrap and waste was minor, and the subject of import was pure waste which is then used for production, mostly of pipes. Export was mostly reserved for PET, and there were also other types of plastic waste (PE, PVC, plastics waste from computer...). Requirements for the import of PET bottles waste have been rejected as unfounded.

Import of whole waste tires for retreading was reduced to the real needs of active retreading.

Cross-border shipment of other types of waste and scrap was at regular level. According to the submitted requirements for transboundary shipment of waste, it was realized a total of 358 surveillance. From this number it was given negative opinion for 30 requests i.e. 8.38%.

Department for water pollution protection and fishery

During 2011 Department enforced measures prescribed by the Law on Environmental Protection, Law on the Protection and Sustainable Use of Fish Fund and the Law on Water as well as all regulations adopted on the basis of these laws.

Inspectors carried out routine and non-routine inspections, actively participated in trainings of judges and public prosecutors with direct participation in clarifying of specific arguable situations. With the adoption of bylaws related to the Law on Waters, they actively educated operators for implementation of these laws.

Inspectors controlled work of users of fishing areas (who got waters to use in tender procedure), as well as work of trustees of protected natural goods (who declared fishing areas), furthermore, inspectors controlled enforcement of measures prescribed by fishery improvement programs (stocking with fish etc.), issued fishing licenses for electro-fishing, fishing for scientific research purpose, translocation and rehabilitation fishing, as well as fish turnover in fisheries and markets, with special emphasis on work of service for keeping of fish, in order to prevent fish poaching and provide best conditions for natural spawning and preserve of fish stocks.

Inspectors also conducted surveillance of operators in the field of water pollution, the legal entities that discharge their waste water into the recipient (running and stagnant water and soil). They controlled ordered measures in terms of quantity and quality of wastewater discharged into the recipient.

Provincial Secretariat for Urban Planning, Construction and Environmental Protection carry out delegated tasks in the field of protection and sustainable use of fish stocks. Delegated tasks in the field of water pollution carried out Provincial Secretariat for Urban Planning, Construction and Environmental Protection and City of Belgrade. In addition to these activities the inspectors had persistent attitude to conduct joint controls of the operators, so cooperation with city, provincial and communal inspectors was at high level.

U 2011 the Department was enlarged with three inspectors, so in this moment it consists of 11 inspectors. This year they recorded a total of 1486 files. Inspectors conducted 1620 inspections among which 1057 according to the Law on the Protection and Sustainable Use of Fish Fund and 563 according to the Law on Waters, and on that occasion brought 261 decisions, submitted 163 requests for minor offenses, 9 for initiating the procedure for economic offenses and two criminal charges.

Inspectors carried out different activities, all in accordance with the plan for 2011 as follows: acting on complaints of citizens, cooperation with public and media, preparation of information for the ministry intranet and internet site, participation of inspectors in trainings related to implementation of newly adopted laws and by-laws in the field of fishery, realization of monthly and annual work plan - the number of

inspections, decisions, submitted applications to the court and informing about processed applications, control of the medium-term and annual programs for improvement of fishery, control of sold licenses for recreational and commercial fishing, control of payments to the 10th day of the month, development of work plan for 2011 in accordance with the guidelines of the Ministry, making of list of the operators for control in 2011 per inspector, making of monthly reports and plans and other activities on request of superiors, providing professional assistance, coordination of work and supervision of civil servants in section and evaluation of their work, education of prosecutors and judges after the adoption of a set of new laws (Law on the Protection and Sustainable Use of Fish Fund) – continuation of trainings of judicial organs and the beginning of training of magistrates (and prosecutors), reduction of pollution and fish mortality, better informing of the public in accordance with the Law on Access to Information of Public Importance, effective enforcement of regulations, reduction of environmental pollution, conservation of fish stocks, prevent of fish catch contrary to the Order of the closed season and minimum prescribed size of the fish, exact state of payments into the budget and user revenues, income to the budget of the Republic, organized and efficient work of the inspectors, creating a database, more effective protection of waters against pollution and conservation of fish stocks, increased the number of processed applications and adequate punishment of perpetrators.

Payment of fees for permits for commercial and recreational fishing

| Name of user | D1 No. of pieces | D1* fee 15% | D2 | D2* fee 10% | D3 | D3* fee10% | D4 | D4* fee 10% | Total fees paid to the Fund |
|--|------------------------|----------------|------|----------------|------|------------|-----|-------------|-----------------------------------|
| 1. "River`s Guarda" Jagodina | 19 | 253.650 | 7874 | 3.622.040 | 1836 | 422.280 | 643 | 6.430 | 4.304.400 |
| | 1 | 3.750 | 0 | 0 | 0 | 0 | 0 | 0 | 3.750 |
| | 38 | 438.900 | 0 | 0 | 0 | 0 | 0 | 0 | 438.900 |
| PC NP "Djerdap" Donji Milanovac | 46 | 483.000 | 321 | 147.660 | 52 | 11.960 | 4 | 40 | 642.660 |
| "Ribarstvo Dunavac Kostolac" | 41 | 473.550 | 4419 | 2.032.740 | 1015 | 233.450 | 89 | 890 | 2.740.630 |
| | 6 | 22500 | 0 | 0 | 0 | 0 | 0 | 0 | 22.500 |
| PC "Srbijašume" Belgrade | 111 | 1.332.000 | 7637 | 3.513.020 | 3864 | 888.720 | 320 | 3.200 | 5.736.940 |
| | 34 | 331.500 | 0 | 0 | 0 | 0 | 0 | 0 | 331.500 |
| | 16 | 84.000 | 0 | 0 | 0 | 0 | 0 | 0 | 84.000 |
| "Gradac" Valjevo | | 0 | 71 | 32.660 | 3 | 690 | 5 | 50 | 33.400 |
| PC NP "Tara" Bajina Bašta | | 0 | 82 | 37.720 | 18 | 4.140 | 5 | 50 | 41.910 |
| „Eko Drina“ Ljubovija | | 0 | 336 | 154.560 | 68 | 15.640 | 17 | 170 | 170.370 |
| „Eko ribarstvo“ Valjevo | | 0 | 5109 | 2.350.140 | 924 | 21.2520 | 127 | 1.270 | 2.563.930 |

| | | | | | | | | | |
|---|-----|-----------|-------|------------|-------|-----------|------|--------|------------|
| “Južna Morava dva“ Ltd. Niš | | 0 | 5220 | 2.401.200 | 983 | 22.6090 | 375 | 3.750 | 2.631.040 |
| “Plus sport“ Kraljevo | | 0 | 1948 | 896.080 | 440 | 101.200 | 54 | 540 | 997.820 |
| “Tourist organization Čačak“ Čačak | | 0 | 472 | 217.120 | 134 | 30.820 | 20 | 200 | 248.140 |
| Reservation “Uvac“ Nova Varoš | | 0 | 193 | 88.780 | 36 | 8.280 | 7 | 70 | 97.130 |
| “Rasina plus“ Kruševac | | 0 | 3139 | 1.443.940 | 632 | 145.360 | 141 | 1410 | 1.590.710 |
| “Ecologic“ Ltd. Čačak | | 0 | 4630 | 2.129.800 | 923 | 212.290 | 175 | 1750 | 2.343.840 |
| “Timočka Krajina“ Zaječar | | 0 | 2910 | 1.338.600 | 535 | 123.050 | 160 | 1600 | 1.463.250 |
| “Association Veternica-Vlasina“ Ltd. Leskovac | | | 2204 | 1.013.840 | 371 | 85.330 | 53 | 530 | 1.099.700 |
| PC “Directorate for Land and Roads“ Surdulica | | 0 | 94 | 43.240 | 16 | 3.680 | 9 | 90 | 47.010 |
| Protected natural area “Dolina Pčinje“ | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Σ | 312 | 3.422.850 | 46659 | 21.463.140 | 11850 | 2.725.500 | 2204 | 22.040 | 27.633.530 |

| | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|
| * | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|

D1 - The number of sold permits for commercial fishing

D2 - The number of sold annual permits for recreational fishing (4.600, 00 RSD)

D3 - The number of sold annual permits for recreational fishing (2.300, 00 RSD)

D4 - The number of sold annual permits for recreational fishing (100, 00 RSD)

In 2011, users of fishing areas in the Republic of Serbia, excluding Vojvodina, sold 312 permits for commercial fishing, 46 659 annual permits for recreational fishing (4.600, 00 RSD), 11 850 annual permits for recreational fishing (2.300, 00 RSD), 2204 annual permits for recreational fishing (100, 00 RSD), and fee which has been paid to the Fund for Environmental Protection is 27,633,530 RSD.

Department of republic urban planning inspection

Department of republic urban planning inspection carry out tasks defined by the provisions of the Law on Planning and Construction (“Official Gazette of the Republic of Serbia”, No. 72/09 No. 81/09 - correction, No. 64/10 - decision of the Constitutional Court and No. 24/11) contained in Art.173 and 174 of mentioned Law.

Urban planning inspector checks according to the above Law:

- 1) a company or other legal entity i.e. entrepreneur who creates spatial and urban plans, or perform other duties prescribed by this Law and fulfill prescribed requirements;
- 2) planning document relating to the organization, planning and landscaping completed and adopted in accordance with law and regulations adopted pursuant to law;
- 3) the location permit and urban planning project made and issued pursuant to this Law;
- 4) main project, based on which has been issued building permit, made in accordance with the location permit and planning document;
- 5) changes in space that is being conducted in accordance with this Law and the regulations adopted on the basis of it, i.e. whether changes in space are made in accordance with the rules and professional standards;
- 6) a company or other legal entity or a public company or other organization which establishes specific requirements for the construction and landscaping, as well as technical details for connection to the infrastructure, provided the necessary conditions for the preparation of planning document and location permits in prescribed time limits.

A company or other legal entity which produces spatial and urban plans, or perform other duties prescribed by this Law, a company or other legal or physical person that make changes in space, as well as the competent municipal or city, i.e. the management of the City of Belgrade are obliged to provide complete and undisturbed access to all documentation to urban planning inspector.

In the mentioned period ten urban planning inspectors, on the territory of Republic of Serbia (without Vojvodina and Kosovo and Metohija), carried out:

- **205 regular inspections** in the municipal or city administrations, made records with findings of the situation and ordered measures in the field of urban and spatial planning;
- **356 extra and control inspections** in municipal and city administrations, in order to verify the allegations of complaints of citizens and social and legal persons, as well as checks of ordered measures from previously made records.

After inspection carried out in three cases it was found that the detailed regulation plan was not adopted in accordance with the Law about what is informed minister and the body which issued the same plan, in 5 cases the decisions were adopted and it was ordered the annulment of urban

projects, in 31 cases were made decisions which order the annulment of location permits (Excerpts from the urban plan-Act on urban conditions). Since the inspection determined that the preliminary and detailed projects were not prepared in accordance with the law and issued location permit (Excerpt-Act), inspection launched 24 initiatives for the annulment of building permits (approval for building).

In addition to carrying out inspections in the reporting period, the urban planning inspectors have processed about 128 cases with different content, in which were given, in large numbers, instructions on specific matters of municipal administration on further acting, especially after adoption of Law on Construction.

In the period until 11th March (when the term for legalization ended), urban planning inspectors in the inspection procedure followed the implementation of the Law on Construction and generally acted instructive and preventively, while after this period they made a detailed control of the implementation of the Law on Planning and Construction of the competent authorities in part related to the number of applications, and after that, they controlled the number of solved cases in the process of legalization, as well as monitoring and detection of aggravating circumstances during processing of legalization cases.

Urban planning inspectors, during the reporting period, also participated in the preparation of monthly work plans of urban planning inspections and monthly reports, then making of different information, constantly giving mandatory instructions, technical instructions and explanations of municipal administrations and urban planning organizations, attended working meetings in Belgrade, held four regular meetings of inspectors, actively participated in the process of control and assistance regarding the legalization of buildings in the municipalities for which were in charge etc.

Balance of legalization

| | The territory of Central Serbia | Number of submitted applications Law on Planning and Construction 2003 | Number of submitted applications Law on Planning and Construction 2009 | In total |
|--|---------------------------------|---|---|---------------|
| No. | Districts | | | |
| 1. | Niš District | 9.913 | 26.317 | 36.230 |
| 2. | Raška district | 16.898 | 19.289 | 36.187 |
| 3. | Zlatibor district | 11.830 | 20.971 | 32.801 |
| 4. | Moravica district | 15.549 | 13.556 | 29.105 |
| 5. | Šumadija district | 7.364 | 19.562 | 26.926 |
| 6. | Podunavlje district | 10.743 | 12.156 | 22.899 |
| 7. | Braničevo district | 11.253 | 8.831 | 20.084 |
| 8. | Pomoravlje district | 2.155 | 17.253 | 19.408 |
| 9. | Mačva district | 2.786 | 13.690 | 16.476 |
| 10. | Kolubaradistrict | 6.842 | 9.235 | 16.077 |
| 11. | Расински district | 6.485 | 7.807 | 14.292 |
| 12. | Jablanica district | 2.446 | 10.530 | 12.976 |
| 13. | Bor district | 2.888 | 8.196 | 11.084 |
| 14. | Pčinja district | 2.047 | 8.237 | 10.284 |
| 15. | Pirot district | 2.687 | 5.893 | 8.580 |
| 16. | Zaječar district | 2.739 | 5.007 | 7.746 |
| 17. | Toplica district | 1.873 | 5.053 | 6.926 |
| For the territory of central Serbia is submitted a total of 328 081 application for legalization, of which 211 583 in the period from 11.09.2009 to 11.03.2010 | | | | |
| No. | Cities | | | |
| 1. | Niš | 8.000 | 21.627 | 29.627 |
| 2. | Čačak | 14.100 | 7.000 | 21.100 |
| 3. | Kragujevac | 6.266 | 13.600 | 19.866 |
| 4. | Smederevo | 9.341 | 8.865 | 18.206 |
| 5. | Kraljevo | 8.391 | 7.900 | 16.291 |
| 6. | Novi Pazar | 5.080 | 8.640 | 13.720 |
| 7. | Požarevac | 9.081 | 3.800 | 12.881 |

| | | | | |
|---|-------------------------|---|---|-----------------|
| 8. | Užice | 5.562 | 5.000 | 10.562 |
| 9. | Valjevo | 5.077 | 5.315 | 10.392 |
| 10. | Kruševac | 4.792 | 3.000 | 7.792 |
| No. | City of Belgrade | Number of submitted applications Law on Planning and Construction 2003 | Number of submitted applications Law on Planning and Construction 2009 | In total |
| 1. | Belgrade | 94.932 | 119.225 | 214.157 |
| | Vojvodina | Number of submitted applications Law on Planning and Construction 2003 | Number of submitted applications Law on Planning and Construction 2009 | In total |
| No. | Districts | | | |
| 1. | South Bačka District | 31.385 | 6.856 | 38.241 |
| 2. | Srem District | 6.529 | 2.767 | 9.296 |
| 3. | South Banat District | 7.454 | 1.625 | 9.079 |
| 4. | North Bačka District | 5.377 | 1.561 | 6.938 |
| 5. | Central Banat District | 4.733 | 1.507 | 6.240 |
| 6. | North Banat District | 3.356 | 444 | 3.800 |
| 7. | West Bačka District | 4.631 | 590 | 5.221 |
| For the territory of Vojvodina is submitted a total of 75 420 applications for legalization, of which 15 248 in the period from 11.09.2009 to 11.03.2010 | | | | |
| No. | Cities | | | |
| 1. | Novi Sad | 19.037 | 5.502 | 24.539 |
| 2. | Subotica | 4.836 | 1.294 | 6.130 |
| 3. | Zrenjanin | 3.821 | 1.310 | 5.131 |
| 4. | Pančevo | 3.640 | 879 | 4.519 |
| 5. | Stara Pazova | 3.569 | 550 | 4.119 |
| For the territory of Serbia (excluding Kosovo) is submitted a total of 617 658 applications for legalization, of which 346 056 in the period from 11.09.2009 to 11.03.2010 | | | | |

Department of republic construction inspection

Department of republic construction inspection performed tasks relating to:

- Inspection in the field of construction and use of buildings of importance for the Republic of Serbia;
- Creating and forwarding of administrative acts within the powers prescribed by law;
- Surveillance of inspection tasks in the construction and use of buildings that are entrusted to local self-government units;
- Enforcement of laws and regulations within the competence of the Department and initiation of amendments;
- Acting on complaints against decisions of the construction inspector;
- Carrying out other activities from the sphere of activity of the Department.

In 2011 the Department realized the following activities:

- Inspection in the field of construction and use of buildings of importance for the Republic of Serbia, as well as the buildings being built in accordance with the Law on inducing of construction industry of RS during the economic crisis;
- Internal control of holders of public authority as regards their performance of delegated tasks in state administration;
- Acting with aim of strict and efficient enforcement of the Law on Planning and Construction;
- Removal of structures according to the decisions of republic construction inspection within the limits of national parks, protected natural goods and cultural heritage of great importance, as well as in their protected environment, in cooperation with local authorities;
- Successful cooperation with other subjects (Autonomous province of Vojvodina, municipalities, towns, City of Belgrade, the prosecutor's offices, the agencies) in order to enforce Law on Planning and Construction efficiently.

In the process of inspection in the field of construction and use of buildings of importance for the Republic of Serbia, it was made 279 records, issued 58 decisions for the removal of buildings and 62 conclusions on permitting the execution, of which were removed 21 buildings. Special attention is given to surveillance of the construction and use of dams and water conservation projects, and structures for energy production from renewable energy sources.

In the process of internal control of holders of public authority in carrying out delegated tasks in state administration, it was carried out the 274 regular and 323 extra inspections. By acting in accordance with request of the clients, it was issued 481 orders, sent 585 letters, issued 196 instructions and 79 urgencies. Identified are gaps in certain administration bodies, which relates to omission of making programs and removing of buildings. This was monitored but not resolved during the 2011 (mostly due to lack of budget). In this regard, the inspection shall, against the responsible person at the competent administrative authority, take measures in accordance with the provisions of Art. 209 Paragraph 1, items 5 of the Law on Construction.

Faced with the problem of illegal construction, and aiming to protect natural and cultural heritage of great importance, the republic construction inspection undertook activities to remove illegal structures until December 2011.

It was completed removal of buildings at Zavojsko Lake (6); started or already constructed buildings in the area of NP "Djerdap" were removed (10) and undertook all activities, in cooperation with the director of National Park "Tara" and Fund for Nature Protection, for removal of 72 constructions, illegally built near Lake Perućac. In cooperation with township Stari Grad it was removed 6 objects in the protected cultural and historical sites in Belgrade (Belgrade fortress and Knez Mihailova Street).

It is important to mention very successful cooperation with prosecutors, Agency for the Fight Against Corruption, Commissioner for information of public importance and protection of personal data, other sectors of the Ministry, state inspectors of other ministries (water resources management, occupational safety), the Secretariat for Property Rights, Construction and Urban Planning Inspection, and the Secretariat for the legalization of buildings of the City of Belgrade, as well as with city municipalities.

It is emphasized that the republic construction inspection brought two criminal charges and submitted two requests for minor offenses against the persons who acted contrary to the prescribed provisions of the Law on Planning and Construction.

Also, in the reporting period, representatives of the Department were participated in:

- The Project for better business conditions – "USAID", which inter alia, predict improvement of work and the system organization of inspection;
- The seminar, held at Tara, in May 2011, with inspectors for environmental protection;
- The work of the Review commission and the Commission for a licenses, established by the Ministry;
- The Working Group for verification of situations submitted by the contractor and the project proponent, approved in accordance with the Law on inducing of construction industry of RS during the economic crisis;
- Preparation of amendments for Rulebook on technical and other requirements for reinforcing steel ("Official Gazette of RS", no. 49/2011), in cooperation with the IMS Institute in Belgrade.

It was carried out preparation for participation in a working group for preparation of regulation draft on landfills of ash and slag from thermal power plants and their use in road construction and civil engineering.

Section of republic mining and geological inspection

Regarding mining and geological inspection – they worked in Sector for control and surveillance from the first half of this year. After initial adjustment, mining and geological inspection was fully involved in the work of the Sector.

Inspection work in this Section develops in two ways, through:

1. Control and surveillance of the mining facilities, in accordance with existing legislation and
2. Work of the labour inspectorate for mining facilities in the case of death and collective injury as well as serious damage to mining facilities. The part of the work related to the heavy and light injuries is transferred to the occupational safety and health at work services for mining facilities, according to the Law on Mining.

Besides these activities according to the way of long-term functioning in mining and geology, inspections participate in the preparation of plans, planning the necessary documentation, trainings, and training personnel for work, continuous education of technical supervisory staff for the recognition and enforcement of laws and regulations etc.

Due to the multidisciplinary character and size of objects and their inter-relationship, inspections of mining and geological objects are usually linked to a continuous multi-day tour (3 to 5 days), as well as a number of control visits (e.g. currently in RTB “Bor” the exploitation of the “T” object in the pit “Bor” is conducting once a month, according to the inspection decision). Therefore the decisions within such inspections have from 5 to 50 items.

A particular problem is the number of inspectors (in total 7) comparing to the number of objects. In Serbia there are more than 200 mining facilities and 200 research areas. Therefore, work with this number of people is organized according to selection of most neuralgic facilities. The daily growth of wild exploitation increases the need for site visits and reduces visits of legal facilities.

In the future period we expect increased work on education of technical supervisory staff at mining facilities about new adopted Law on Mining and Geological Surveys, as well as participation in making of the whole set of bylaws.

Provisions of this new Law introduce a number of new ways of work and types of objects which are part of control carried out by the Section (for example: introduce the municipal level of inspection and analysis, introduce mining objects in areas outside exploitation fields etc.).

In last year, mining inspection has worked mostly as planned, but also had a range of extraordinary inspection visits.

Section for legal and administrative issues in the field of control and surveillance

The administrative tasks of the Section for legal and administrative issues in the field of control and surveillance carried out in 2011 are the result of determined goal set up by the Plan for 2011. In deciding in the administrative procedure for the parties were used the most favorable means to accomplish the purpose and the goal of law provisions. We also provided public access to our work and thus fulfilled the state obligation on public informing about Sector work.

Here are the results of activities realized in 2011:

1. Preparation, recording, classification of administrative files and updating of database with head office in Belgrade

It was prepared, recorded and classified administrative files and updated database - Belgrade for the following departments:

a) Urban planning - 202 administrative files,

b) Construction - 971 administrative files and 15 administrative files (together with other departments), for a total of 986 administrative files; from a total of administrative files 386 are decisions on the building permit, 38 are registration papers and 547 are submissions

c) Environmental protection - 575 administrative files

d) Mining and geology - 80 administrative files.

2. Deciding on submissions (applications, reports, requests) and other notifications which parties send to the Ministry

a) Within prescribed time it was decided and submitted 195 submissions, which parties sent to the Ministry in writing.

The number and types of submissions:

In the communal field - 111 administrative files, in the field of water - 4 administrative files, air pollution - 11 administrative files, the area of noise pollution - 26 administrative files, transportation - 6 administrative files, different fields- 37 administrative files.

Number of administrative files by the parties: physical persons - 165 submissions, state authorities and institutions and citizens' association - 3 submissions, local self-government units (LGU) - 11 submissions.

3. Continual communication (via phone, email) with citizens in order to provide information about address and competent authority where should be sent request for resolving the underlying problems.

4. Collection and processing of work reports for the past year made by environmental inspector of local self-government.

5. Technical support to seminars and workshops organized by the Sector for control and surveillance, preparing of materials, scheduling a conference rooms, sending letters of invitation and agenda, with invitations to professional meetings, presentations and trainings:

- "Support to the enforcement of environmental laws" (Kladovo, Vršac, Tara, Soko Banja, Divčibare)
- "Law on Environmental Impact Assessment, Law on Non-Ionizing Radiation, Law on Air Protection, Law on Waste Management" (Belgrade, Niš, Kraljevo, Kragujevac)

6. Data collection for the presentation "Condition of the regional landfills in Republic of Serbia" and presentation in Kikinda, Pirot and Paraćin.

7. Constructive cooperation with the inspectors and the courts

Cooperation with the inspectors in order to prepare decisions in accordance with the laws and bylaws in the field of environmental protection, construction, urban planning, mining and geology; submitting of criminal charges in accordance with Criminal Code, as well as applications for initiating the procedure for economic offenses and requests for minor offenses; cooperation with the regular courts, the commercial courts and prosecutors' offices in order to monitor the court proceedings, all with the aim to obtain information on procedures and performance of the procedure.

8. Cooperation for the preparation of opinions and participation in the drafting of laws

It was prepared opinions and guidelines on laws and by-laws, in order to eliminate the professional dilemmas. Employees of the Section participated in drafting the Law on Market Surveillance, the Law on Communal Services, Amendments to the Law on Environmental Protection, Rulebook on obligation of environmental inspection planning and reporting and other regulations within the competence of the Ministry.

9. Keeping the list of published laws and regulations

In 2011 in the Official Gazette of the Republic of Serbia have been published:

- a. Law on Communal Services, Law on Mining and Geological Research
- b. Amendments to the Law on Planning and Construction, Law on Chemicals, Law on Biocidal Products and to the Law on Maintenance of Residential Buildings
- c. 99 by-laws including: regulations, statutes, decisions (in this number are recorded all amendments to bylaws). Publication of these by-laws has contributed to a better understanding of the enforcement of certain laws and regulations.

10. Record keeping of:

- submitted and processed applications in order to know at any time the number of criminal charges, the applications for an economic offense and requests for minor offenses; these information can be found on the website of the Ministry;
- all work prohibitions, the use of technology, technological processes, products, intermediate products or raw materials, prohibitions of use of natural goods and resources;
- prohibitions of entering and cultivation of flora and fauna of foreign origin;

- prohibition of destruction and damage of wild flora and fauna;
- prohibition of the import and export of endangered and protected species of wild flora and fauna, and their development forms and parts which turnover is forbidden by international treaties and whose distribution is allowed if done without permission;
- Prohibition of the production and turnover of vehicles that do not meet requirements regarding emissions of mobile sources of pollution; prohibition of discharges of pollutants and hazardous substances, waste water or energy into the air, water and soil, which inspectors order by decision.

Reports of all inspectors of the departments are consolidated for a comprehensive inspection reports.

11. Data Processing

It was processed data on fuel consumption by inspector and forwarded gasoline coupons by departments. It was also processed data on consumption of toll coupons by inspector and coupons were forwarded to inspectors. Travel orders are issued for all the employees of the Sector.

12. Technical preparation for the work of the Sector

Employees of the Section participated in the technical preparation of the work of the Sector, for best efficiency.