

# SECTOR FOR CONTROL AND SURVEILLANCE ANNUAL REPORT 2010



РЕПУБЛИКА СРБИЈА  
МИНИСТАРСТВО ЖИВОТНЕ СРЕДИНЕ  
И ПРОСТОРНОГ ПЛАНИРАЊА

REPUBLIC OF SERBIA  
MINISTRY OF ENVIRONMENT  
AND SPATIAL PLANNING



По мери природе

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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;
- proceeding in case of chemical accident;
- 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;
- other tasks from the field of Sector.

Annual report for the year 2010 presents work of eight departments in Sector for control and surveillance. It is important to point out that in 2010, the number of employees in the Sector is reduced, in accordance with the overall reduction of the number of employees in public administration, so in this moment Sector has 122 employees. Because of this transfer of jurisdiction to AP Vojvodina, a number of employees moved to the Provincial Secretariat for Environmental Protection and Sustainable Development. 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. Due to the decentralization of competences to local level in all fields, great attention was paid to work with local authorities.

During 2010, in accordance with the Government Work Plan and NPI document (National Programme for Integration), considerable activity of the Ministry was focused on passing bylaws, wherein employed in the Sector extensively participated. Implementation of new laws at all levels is a difficult task, especially if we consider the number of regulations, and the relatively low capacities at the local level. Regarding law enforcement, the priority of the entire Ministry was the Law on Waste Management and the Law on Packaging and Packaging Waste. We would like to emphasize the

important role of inspection in the enforcement of regulations relating to specific waste streams and charging fees that go to the Fund for Environmental Protection. This will be presented with more details in a report of each department. Also, at the beginning of the year republic environmental inspection participated in the enforcement of Regulation "Polluter pays".

In cooperation with the Environmental Protection Agency in enforcement of the Rulebook on the integral cadastre of polluters inspection had important role.

Republic inspection, i.e. Sector for Control and Surveillance has very important role in the harmonization of work of inspectors at all levels and one of results ensued from these activities are various manuals, guides, brochures etc, issued by the Sector. International Cooperation of the Sector reflects in participation in work of international networks and projects (ECENA, IMPEL-TSF, 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. In the second half of the year was carried out a tender for a two-year IPA project intended for inspection. Project is financed by the EU and is worth two and a half million euros. Austrian Environmental Agency was selected as a Twinning partner, while the implementation of Twinning starts immediately at the beginning of 2011. The project also anticipates procurement of equipment for inspection at all levels, worth 500 000 euros, including the procurement of equipment for ecotoxicological laboratory for the Public Health Institute in Cuprija.

As a great success and an example of coordinated cooperation of the republic inspection and Fund for Environmental Protection we would like to show the amount of waste (mostly hazardous), collected at locations in Serbia. The owner of the waste is unknown, or it is a question of sites of companies-operators that are in bankruptcy. On that occasion, at different locations in the territory of the Republic of Serbia, was collected and properly stored 174 102 kilogrammes of hazardous waste. Especially we would like to single out the removal of 550 tones of carbon disulfide from the site "Viskoza" in Loznica, which was conducted in a safe manner.

In the field of construction inspection it was continued work on the removal of illegally constructed buildings in protected areas, as well as intensive control of local inspectors' actions. It was prepared a great number of decisions for the execution, but is awaiting completion of the legalization procedure. There is 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 has also compiled a set of analysis concerning the number of applications for legalization, the number of issued location and building construction permits.

# 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 AND SOIL PROTECTION

Section for protection and use of natural goods

Section for protection and use of natural resources and soil

## DEPARTMENT FOR ENVIRONMENTAL POLLUTION PROTECTION

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

Section for ionizing and non-ionizing radiation protection

## DEPARTMENT FOR ENVIRONMENTAL PROTECTION IN THE FIELD OF CHEMICAL MANAGEMENT, BIOCIDES AND SEVESO FACILITIES

Group for chemical management, biocides and Seveso facilities Beograd

Group for chemical management, biocides and Seveso facilities Nis

Group for chemical management, biocides and Seveso facilities Pancevo

## 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

## DEPARTMENT OF REPUBLIC URBAN PLANNING INSPECTION

Group of republic urban planning inspection Beograd

Group of republic urban planning inspection Nis

## DEPARTMENT OF REPUBLIC CONSTRUCTION INSPECTION

Group of republic construction inspection Beograd

Group of republic construction inspection Nis

Group for dams and execution of decisions

### Summary Data

<b>Department for</b>	<b>No. of inspections</b>	<b>No. of decisions</b>	<b>Files for minor offenses</b>	<b>Files for economic offenses</b>	<b>Files for criminal offenses</b>
<b>environmental pollution protection</b>	5 020	1 422	98	39	1
<b>protection and use of natural goods and resources</b>	2 784	285	125	21	3
<b>water pollution protection and fishery</b>	1 711	171	157	3	0
<b>chemical accidents</b>	1 669	525	8	26	11
<b>cooperation of inspection with international networks, local self-government and integrated approach on the border</b>	751	67	1	0	0
<b>hazardous and other waste management control</b>	975	180	14	9	0
<b>construction inspection</b>	1 351	118	4	0	13
<b>urban planning inspection</b>	1 063	222	0	0	0
<b>In total</b>	<b>15 324</b>	<b>2 991</b>	<b>406</b>	<b>97</b>	<b>28</b>



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

In 2010 continued some of activities which started in 2009. For example, at the invitation of the Union of Employers of Serbia, it was organized participation of the employees from Sector for control and surveillance in training for operators in the pharmaceutical industry.

Also in 2010, Sector organized a new, third cycle of trainings designed for magistrates, prosecutors and environmental inspectors at all levels, named "Support to environmental laws enforcement". Trainings were organized in cooperation with the Ministry of Justice, the Association of Magistrates and the OSCE. In the period from April to September, there have been five trainings, which included more than 500 participants.

In the organization of Association of Public Prosecutors and Deputy Public Prosecutors of Serbia, with support of OSCE, during the period from April to December 2010 were held five trainings for public prosecutors with aim of strengthening environmental law enforcement. Training topic was "Strengthening the capacity of public prosecutors in implementing the Law on Environmental Protection", and was attended by 100 public prosecutors and deputy public prosecutors.

Representatives of the Sector participated in the second and third "ECENA Exchange Programme", intended for environmental protection employees in state institutions and organizations, in the first place to environmental inspectors. First Exchange Programme was organized in February, in Zagreb and second one in April, in Istanbul.

In cooperation with the ECENA Secretariat, Sector organized at the end of March in Prohor Pcinjski second National ECENA training on Seveso II Directive, the directives relating to waste and RMCEI (Recommendation of the European Parliament and the Council on minimum criteria for environmental inspection). The training was attended by 30 environmental inspectors at all levels (national, provincial and local).

With the aim of strengthening the administrative capacity in local self-governments in enforcement of new environmental laws, i.e. with the aim of creating conditions for effective and quality planning and reporting, and effective inspection control in this field, representatives of the Sector participated in the training of local self-governments in the organization of SCTM (Standing Conference of Towns and Municipalities). Three trainings titled “The role of local self-government in environmental protection”, intended for local decision makers, environmental inspectors and employees, were held in April, May and June, and the emphasis was on supporting the implementation of RMCEI and regulations in the field of waste management.

With the help of TAIEX instrument Sector for Control and Surveillance organized in April workshop on water pollution and the effects of pollution and in May workshop on crime in the area of nature protection. The first workshop was held with the aim to enhance participants' knowledge on efficient detection of the perpetrators in the field of water pollution, as well as on remediation of caused damage and the second workshop was organized in order to strengthen the cooperation of all those who implement laws on nature protection, to influence the increase of penalties in this area, as well as to significantly reduce illegal construction and illegal activities in protected areas, prevent illegal trade and smuggling of protected and strictly protected species in the Republic of Serbia.

Republic environmental inspectors carried out in late April and early May supervision of work of local self-government units, towns and municipalities in order to determine whether delegated tasks conduct at local level. The first task of the inspectors was to determine the conduction of delegated tasks in accordance with Law on Waste Management. The next task of the inspectors was to collect data on the formation of budgetary funds for environmental protection and in relation to that determine whether the towns and municipalities have adopted a program of using the fund's resources and obtained the approval of the Ministry whether they created a program for environmental protection, and whether they prescribed fee for the protection and improvement of environment and obtained the opinion of the Ministry.

At the end of May, representatives of the Sector have traveled to study visit to the Czech Ministry of Environment and their inspection service. Study visit was organized by the mentioned Ministry, with the aim of strengthening the capacity of environmental inspection in Serbia.

Within the educational program “EU policy in the field of environmental protection” which Centre for European Integration of the Belgrade Open School conducted in partnership with the Office for European Integration of the Republic of Serbia and consulting company in Brussels - European Competence LTD., within the project “Strengthening the administrative capacity to integrate Serbia into the EU”, representatives of the Sector participated in training intended to employees in local self-government (30 participants employed in central government, local self-

governments, the Executive Council of Vojvodina and institutions), who work on tasks related to the enforcement of policy in environmental protection, in the process of European integration of Serbia. The training was held in May in Belgrade.

In organization of SME, Kraljevo, under the “Municipal Support Programme” (funded by the Government of Switzerland through the Swiss Agency for Development and Cooperation), in June 2010 Sector representatives participated in two-day course which was aimed to local self-governments.

In the beginning of September, at the invitation of the REC, representative of Department participated in “Asia Europe Environment Forum” in Munich, in order to present the activities of Serbia within the network ECENA and enforcement of acquired knowledge.

In early October, in Belgrade, representatives of the Sector participated in the second session of the Working Group “Ecology” of National Convention of the European Union organized by the European Movement in Serbia.

In the second half of October, in Becici, it was held the first plenary meeting of Working Group 4 - ECENA within the new network RENA, where representatives of the Sector took part. It was discussed about activities within the proposed Work Plan, as well as about priorities of the network member countries.

Also at the invitation of the REC representatives of the Sector, together with colleagues from the Directorate of Forests and Republic Public Prosecutor's Office, participated in the conference on illegal logging and environmental crime, which was held in late November 2010, in Budapest. On that occasion was formed THEMIS network - an informal network of national authorities responsible for managing and protection of natural resources and combating environmental crime in the candidate and potential candidate countries.

Republic inspectors of the Department involved in the action of the Sector for control and surveillance - control of registration of chemicals imported in the period June-December 2009 (since the Law on chemicals entered into force until the end of the year) in the Register of chemicals, and issuing decision to those who have not obtained it. Activities started in October, resumed in November and December.

In early December representatives of the Sector participated in a two-day TAIEX Workshop “Protection of environment through environmental law” which was held in Skopje.

During the year Department prepared or participated in preparation, in cooperation with colleagues from other relevant departments, the following publications of the Sector:

- “Guideline on minimum requirements for environmental protection”, created to serve as an aid in prescribing such minimum conditions of environmental protection for objects, for which the competent authority decides not to require the environmental impact study.
- “Guideline for Operators Part II” which is a continuation of the “Guideline for Operators Part I”, and which include so-called “green package” - a set of laws adopted in 2009, harmonized with European legislation. Like in the first publication, the aim of the Guideline is to help operators to introduce environmental legislation as easy as possible, but also this Guide is intended for judges, prosecutors and other law enforcers who have need for such information.



#### **Department for environmental protection in the field of chemical management, biocides and Seveso facilities**

During 2010, republic inspectors for chemical management, biocides and Seveso facilities were conducted non-routine inspections of all accident cases that occurred in the territory of the Republic of Serbia. From a total of 20 accidents, which happened last year, eight occurred during the transport of hazardous substances (40%).

Among major accidents that occurred during the last year, we can point out next accidents:

- May 2010, on the road Belgrade - Obrenovac near Mala Mostanica, due capsizing of tanker of LC "NIS Petrol - Traffic", it has spilled 5820 l of diesel fuel. Road channel was contaminated in the length of 300 m, as well as surrounding land;
- August 2010, in the company "Imlek" Padinska Skela, Belgrade, through the separator valve occurred leakage of ammonia. During the accident three workers asked for medical assistance;
- September 2010, there was a fire in the circle of company "Viskoza" in Loznica. The fire occurred due to cutting pieces of equipment covered with plastic, in the company "Kord", which is in bankruptcy.

In order to control measures for prevention and protection from accidents, at the beginning of 2010, were carried out inspections of the six factories for targeted production which work for the Army. The above mentioned inspections were carried out in cooperation with inspections of other ministries. Beside republic environmental inspectors, inspection was carried out by fire protection inspectors, labor inspectors and inspectors from the Inspectorate of Defense.

Also, in order to apply measures of prevention and protection from accidents, during 2010 were carried out dislocation of 540 tons of carbon disulphide which was unsafely stored in tanks of “Viskoza” Loznica. The whole job of drawing these hazardous substances from corroded tanks under water, in containers of tank car as well as its transportation to the train station in Loznica, was conducted during the summer 2010 under the supervision of the republic environmental inspectors. The above mentioned hazardous substances were exported to India and Indonesia. The Ministry of Environment and Spatial Planning gave financial support, and environmental inspectors participated in the coordination of work and provided assistance in obtaining necessary permits to operators who were engaged to carry out this work.

Inspectors of the Department participated in the preparation of bylaws which regulate the field of protection from chemical accidents. These bylaws were adopted in July 2010, on the basis of the Law on Environmental Protection. By adopting three new Regulations, provisions of the Seveso II Directive are fully implemented into national legislation.

During the summer in 2010 were carried out inspection of companies which are on the preliminary list of Seveso II facilities. On this occasion, it was conducted control of the 133 operators which at their site have larger quantities of hazardous substances. It was ordered to controlled companies to carry out the identification of the quantity of hazardous substances on their locations, in accordance with newly adopted legislation, and to determine the type of document (Policy of accidents prevention or Report on the safety and Accident protection plan) which they have obligation to develop. Also, it was ordered to companies to submit to the Ministry until the end of the year Information on Seveso facility and Report with necessary data about the used criteria on the basis of which the operator recognized the obligation to create these documents, with the calculation of the quantity of hazardous substances.

In 2010, inspectors of the Department were also members of working groups for developing of Strategy of fire protection and Strategy of protection and rescue, for which development was in charge the Ministry of Interior. Given that within the Ministry of Interior was formed Sector for emergency situation, in April 2010 was carried out taking of the 5 inspectors who were employed in the Ministry of Environment and Spatial Planning, and who worked on the protection of chemical accidents.

In May 2010, in Belgrade, it was held two day training about the subject - how to control and carry out inspections according to the Law on Chemicals and Biocidal Products. Participants in the seminar were the republic environmental and market inspectors who control the enforcement of these laws, according to the national legislation. The training was held as part of bilateral project “Management of chemicals risk in Serbia” of the Swedish Chemicals Agency - Kemi and the Agency for Chemicals of the Republic of Serbia. Also, one-day training on this subject was held in October 2010.

During the year was carried out education and informing of operators with the newly adopted regulations regarding the management of chemicals and biocidal products. In the second half of 2010 were conducted control of 353 companies which in 2009 carried out import of chemicals and didn't record them in Register of chemicals, in accordance with the newly adopted Law on Chemicals. On that occasion, to the

controlled enterprises was ordered to submit application to the Agency for Chemicals by a certain date, on recording in Register of chemicals of all chemicals that they imported or manufactured and put them on the market of the Republic of Serbia in 2009.

In July 2010 was conducted inspection of five companies on the territory of Republic of Serbia, who have obligation to implement the provisions of the Law on Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Inspections were conducted in order to verify the information necessary for the Annual report of companies that produce or process certain chemicals in prescribed quantities, which the Agency for Chemicals and the Ministry of Foreign Affairs, submit to the Organization for the Prohibition of Chemical Weapons (OPCW).



#### **Department for environmental pollution protection**

Priority in the work of the republic environmental inspection in 2010 was the inspection of existing plant operators, who in accordance with the Law on Integrated Pollution Prevention and Control (IPPC) and Regulation on the contents of the measures of adjustment for work or activities of existing facilities according to prescribed conditions, have to obtain an integrated permit, as follows: Oil Refinery Pančevo, Petrohemija, Azotara (factories in South industrial zone in Pančevo), U.S. Steel Smederevo, Mining and Smelting Complex Bor (MSC Bor), thermal power plants (TPP Nikola Tesla Obrenovac, TPP Kolubara, TPP Morava, thermal power plants and pits Kostolac, heating-power plants, heating plants, Titan Cement Factory Kosjerić, Lafarge Beočin Cement Factory, Holcim Serbia Cement Factory, dog-pound in Čuprija etc.

Republic environmental inspectorate compiled a Report on the environmental conditions in Pančevo, the undertaken measures for improvement of the environmental conditions and the current state of the environment.

In mid-March 2010, RS NIS-Petrol Oil Refinery submitted to the Ministry of Environment and Spatial Planning revised Plan of measures and activities for environmental protection, compiled by Oil Refinery Pančevo for 2010-2012, for which the Ministry has given approval in principle. In accordance with the revised Plan of measures and activities for environmental protection Oil Refinery Pančevo in 2010 realized next projects: increased the proportion of low sulfur crude oil processing at 40.09%; completed the first phase of reconstruction of a fluid catalytic cracking; implemented measures on the compressor of plant for gas recovery on torch and also put compressor in operating condition; in order to increase the electrical power stability it was put into operation 16 microprocessor relays and put into operation the UPS devices for Power plant and fluid catalytic cracking; completed the reconstruction of desalter crude oil on atmospheric distillation in Block 6; completed the project of cooling

water in desalter of atmospheric distillation in Block 5; revitalized the system for creating water mist on the API separator; cone loading arms for load of euro diesel to the railway loading station are connected to the vapors and gases recovery system; it was obtained approval of the Ministry for carrying out of works designed according to project of remediation of land resulted by leakage of pipeline in Block 24; completed the replacement of pyralene transformer in the Power Plant; as regards the other measures defined by Plan of activities it is in progress project development and procurement of equipment. In order to realize these measures Oil Refinery Pančevo invested in 2010 funds of 819,736,527 dinars in total.

HIP Petrohemija submitted a revised Action plan on environmental protection to the Ministry of Environment and Spatial Planning at the end of February 2010 for which the Ministry gave approval in principle in early March 2010. Accordingly to the revised Action plan HIP Petrohemija in 2010 realized the following projects: reconstructed one paralytic gasoline tank and started first phase of covering the Equalization basins in factory for water processing, which will be completed by the end of December. In order to realize the measures from the revised Action plan HIP Petrohemija Pančevo in 2010 invested funds in the total amount of € 1,300,000. Funds for covering the Equalization basin and part of the funds for the reconstruction of tank were co-financed by the Fund for Environmental Protection.

At the end of December 2009 HIP Azotara Pančevo submitted supplement to the Five-year environmental action plan of HIP Azotara Ltd. in restructuring, on which the Ministry of Environment and Spatial Planning has given approval in principle with the obligation of the company to implement the listed measures in defined deadlines. In accordance with mentioned revised Action plan HIP Azotara in 2010 realized following projects: completed general overhaul of the existing refrigeration units on the storage of ammonia; reconstructed granulation system on the Karbamid plant; installed air pipeline in the neutralization pit of Amonijak plant; determined warehouse for temporary storage of hazardous substances; completed general overhaul of Amonijak plant (installed measurement system, replaced defective burners, repaired ventilators); completed general overhaul of ammonia and carbamate pumps, as well as repaired all blocking elements and built new pipeline for the supply of ammonia to Karbamid plant; completed general overhaul on both lines of Kiselina and installed new catalytic incinerator on the first line of Kiselina. In order to realize the measures of the revised Action plan, HIP Azotara Pančevo in 2010 invested funds in total amount of 330,000 €. At the end of November 2010 HIP Azotara has submitted to the Ministry revised “Analysis of project and exploitation technical characteristics of process equipment from the point of impact and risk to the environment”, prepared by the Engineering Faculty in Belgrade, which is currently under consideration.

During the 2010 the company “U.S. Steel Serbia” Ltd. Radinac, Smederevo, has been working with reduced capacity and mostly one blast furnace was operating. Investments in systems and equipment for environmental protection are continued. It was conducted detailed revitalization of automated measuring stations for air quality in the national network, located in Radinac and Ralja. Both stations are operational, concentrations of pollutants as well as meteorological conditions are regularly monitored, and occasionally is made control of concentrations of lead and heavy metals (arsenic, cadmium and nickel) and soot. In addition, the company “U.S. Steel Serbia” Ltd. has purchased two mobile

stations for air quality control for the self-monitoring. On the desulphurisation plant was made additional reconstruction of dust catching system in order to improve its efficiency.

Construction works for the construction of facilities for waste storage are in progress. Facility will provide setting of clay barriers (tampons) 5m thick, with a permeability  $K \leq 1.0 \text{ H}10^{-11} \text{ m/s}$  (by Regulation on the disposal of waste at the landfills is prescribed  $K \leq 1.0 \times 10^{-9} \text{ m/s}$ ) which will be additional protected by placing impermeable covers (foil). It was also foreseen construction of special facility for wastewater treatment on which will be treated waste water from drainage system for atmospheric water acceptance from this location (currently, investment are in the approval procedure). It was approved the investment for the beginning of works on the construction of a coal dust blowing facility in both blast furnaces, as one of the methods for energy efficiency, because it will reduce consumption of gas and coke.

Company "U.S. Steel Serbia" Ltd. In 2010 prepared action plans for investment in environmental protection systems for 2011. Action plans are necessary for approval of investment for reconstruction of the facility in Čeličana plant, construction of water recirculation system for cooling the compressor station etc. The most important investment, which is also in the process of approval, is intended for a conceptual design of project of central plant for treatment of all technological waste water, including atmospheric water, which will be put out of operation existing but outdated systems for individual wastewater treatment plants.

Currently, in Bor is in progress realization of the project "Reconstruction of the smelter and the construction of sulfuric acid factory and plant for wastewater treatment". The buildings will be constructed at the location of the existing smelter and sulfuric acid plants, in accordance with the General plan of Bor. Reconstruction means the replacement of smelting reactors and flame furnace by new flash furnace, reconstruction of converter lines, acceptance system, transport and waste gases treatment. Instead of the existing (K-1, K-2 and K-3) it will be built a new sulfuric acid factory with double conversion and absorption. As a part of this factory will be the installation for wastewater treatment. Feasibility study was carried out. The study was done by a Canadian company SNC "Lavalin" in cooperation with the Finnish company "Outotec". Ministry of Environment and Spatial Planning determined the scope and content of studies for these projects.

MSC Bor compiled, at the request of the Canadian Export - Development Agency (EDC), which approved a loan for the project, ecological - social analysis in accordance with the World Bank methodology and EDC. The study was done by SNC "Lavalin", Faculty for Technology – Metallurgy in Belgrade and MSC Bor. It was conducted a public hearing (six public meetings in total) with the presence of EDC representative. EDC has accepted the study as a basic prerequisite for loans approval and the loan was approved in mid-November 2010.

At the beginning of November was held first working meeting of representatives of SNC "Lavalin", "Outotec" and MSC Bor. This meeting was the official start of work on project realization. In progress is the preparation of major projects which have to be completed by mid-2011. Thereafter will start building construction and installation of equipment. Whole project should be completed by the first November 2013.

In the meantime started study of the terrain planned for buildings construction. Geoecological researches was done by Mining – Geological Faculty in Belgrade. The study found that the soil contains heavy metals but they are within permitted limits. It is recommended that the soil of the excavation of the basements, canals, etc., since it has the same composition as the surrounding terrain, should be deposited in an old, closed, open pit mine in Bor, whereat is deposit of soil from open pit Veliki Krivelj, and in that way conditions for recultivation could be created. It was performed sampling and characterization of materials that will arise by dismantling of equipment and demolition of buildings of Factory of sulfuric acid. Research is done by an authorized professional organization “Mol” from Belgrade. MSC Bor has compiled a plan for waste management generated by dismantling and demolition of buildings.

TPP “Nikola Tesla” in Obrenovac, branch TENT-B has obtained the consent for the study on the environmental impact assessment for the project Reconstruction of system for the collection, preparation, transport and disposal of ash and slag in TENT-B. On 15.12.2010, at the landfill of ash and slag of branch TENT-B was officially completed a test run of the new system for ash removing and transport of ash and slag (where the ratio of ash and slag with water is 1:1). In the TPP “Kolubara” in Veliki Crljeni is in preparation transition to the disposal of ash and slag with a new water low flow technology (malovodna tehnologija). On the basis of obtained consent of the Ministry of Environment and Spatial Planning, it was completed first phase of reconstruction of the system for ash removing in block A-5, it was built silos for dry fly ash, which is sold to outside customers (to cement factories “Titan” Kosjerić and “Holcim” Popovac). In progress is designing of Project for the second phase of reconstruction of system for ash removing, which includes the construction of a special system of direct hydraulic transport of ash and slag from block A-5 at the landfill, in relation to ash and water 1:1, i.e. new water low flow technology. Since August 2010 in TPP “Kostolac B” is in trial use new water low flow technology, which will have multiple positive effects on the environment.

On the basis of the Law on Environmental Protection, Law on IPPC (Official Gazette of RS, no. 135/04) and Regulation on the establishment of the program of dynamics of the request for issuing integrated permits (Official Gazette of RS, no. 108/2008) republic environmental inspection during the 2010 brought decisions for operators of existing plants, prescribed by Regulation on types of activities and facilities for which is necessary integrated permit (Official Gazette of RS, no. 84/05) as follows:

- Installations for the production of cement clinker in rotary kilns with a production capacity exceeding 500 t per day,
- Installations for the production of lime in rotary kilns with a production capacity exceeding 50 t per day or in other furnaces with a production capacity exceeding 50 t per day,
- Installations for the production of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, ceramic pottery or porcelain, with a production capacity exceeding 75 t per day, and/or with a kiln capacity exceeding 4 m<sup>3</sup>, with charge density per kiln exceeding 300 kg/m<sup>3</sup>.

By decision was ordered to operators of existing facilities to submit the request for issuing integrated permits to the competent authority. By this permit is granted work and substantial changes in work or functioning of the existing plant.

Republic environmental inspections participated in the revision of the list of existing facilities that are subject to the issuance of the integrated permits ([www.ekoplan.gov.rs](http://www.ekoplan.gov.rs)).

Republic environmental inspection compiled the Guideline for the application of Article 56 of the Law on Air Protection, so the law enforcement could be same at all levels.

Republic environmental inspection controlled the environmental protection measures prescribed by environmental impact assessment studies for quarries, as well as the enforcement of regulations of other environmental laws. It were brought decisions which ordered to quarry operators at the zone of influence, and through authorized organizations, to obtaine results of measuring the level of air pollutants by measuring the concentration of total suspended particles. Time of taking of samples should be 12 days and twice a year, in accordance with the Regulation on monitoring conditions and requirements for air quality (Official Gazette of RS, no. 11/2010 and 75/2010). Joint inspection with mining inspection was carried out in large number of quarries (acting on the complaints by citizens), in accordance with Plan of joint control of quarries and other mining facilities by the mining and republic environmental inspection.

Republic environmental inspection submitted thirteen applications for initiation of minor offences proceedings against the heads of municipal administration because they didn't act in accordance with decision of the republic environmental inspectors, i.e. they didn't make decision by which is determined particular location for disposal of construction waste and demolition waste on their territory. Applications were submitted against the heads of municipal administrations of municipalities: Kosjerić, Arilje, Ljubovija, Loznica, Sopot, Raška, Preševo, Targovište, Surdulica, Vladičin Han, Merošina, Vranje and Majdanpek. So far, it was pronounced one verdict by submitted application.

Republic environmental inspections has made a decisions by which is ordered to the competent authorities of local self-government to bring Local waste management plan or to submit for approval Regional waste management plan and Draft program for the use of budgetary fund resources to the Ministry of Environment and Spatial Planning (or the competent authority of the Autonomous Province) .

In accordance with the Law on Waste Management and Regulation on products which after use become special waste streams, the form of daily records of the quantity and type of manufactured and imported products and the annual report, the manner and deadlines for submission of annual report, fee payers, the criteria for the calculation, the amount and method of calculation and payment of fees, republic environmental inspection conducted inspections of manufacturers and importers of tires, i.e. vehicles with tires (as their integral part), of manufacturers or importers of batteries, of manufacturers or importers of products that contain Asbestos, of manufacturers and importers of electrical and electronic products. After conducted inspection of the manufacturers and importers of products that after use become special waste streams, it was ordered them by decision to submit annual Report on productis which after use become special waste streams to the Environmental Protection Agency, for the previous year. Republic environmental inspection prepared reports on the quantities of emissions of SO<sub>2</sub> and/or NO<sub>2</sub> and/or powdery substances, i.e. waste quantities for operators which are subject to the issuance of the integrated permit and submitted these data

to the Fund for Environmental Protection, in accordance with the Regulation on the types of pollution, criteria for the calculation of compensation for polluting the environment and taxpayers, the amount and method of calculation and payment of fees (Official Gazette of RS, no. 113/05).

Republic environmental inspection with its activities contributed to the drafting of an Integrated cadastre of polluters, ie. to enforcement of Rulebook on methodology for making the integral cadastre of polluters (Official Gazette of RS, no. 94/2007).

During 2010 republic environmental inspectors have been carried out preventive inspections of the subjects for packaging waste management in order to inform them with the obligations under the Law on Packaging and Packaging Waste.

In 2010 republic inspectors conducted joint inspections in cooperation with other inspection authorities. Joint inspections were conducted with: municipal environmental inspectors, mining inspection, veterinary inspection, work inspector, forestry inspector, water inspector and inspectors of the Ministry of Interior.

On the basis of the Law on Protection of ionizing radiation and the nuclear safety (Official Gazette of RS, no. 36/09) and of the Decision on establishing the Agency for protection of ionizing radiation and nuclear safety in Serbia (Official Gazette of RS, no. 76/09), this Agency in 2010 started its work, and took over conduction of regulatory tasks at implementation of measures for protection of ionizing radiation and nuclear safety measures when carrying out radiation and nuclear activities, except inspection which is the responsibility of the Ministry of Environment and Spatial Planning (enforcement of safety measures of ionizing radiation) and the Ministry of Science and Technological Development (enforcement of measures for nuclear safety and radioactive waste management). Sector for control and surveillance of the Ministry of Environment and Spatial Planning has provided all necessary assistance in connection with the early work of the Agency for protection of ionizing radiation and nuclear safety in Serbia, as well as participation in work of its Working group for making of bylaws (President of the Working group and two members). Sector has also prepared drafts of 13 bylaws, of the planned and prepared 44 drafts. By this has continued harmonization of regulations in the field of protection of ionizing radiation and nuclear safety with EU regulations.

After the adoption of the Law on protection of non-ionizing radiation (Official Gazette of RS, no. 36/09) and six bylaws, the field of protection of non-ionizing radiation is fully managed in legislative way. On the basis of prescribed conditions Minister of Environment and Spatial Planning, for the first time, in March 2010, brought decisions for the business associations, companies and other legal persons that meet prescribed conditions for performing professional activities in the field of protection of non-ionizing radiation: for systematic testing of levels of non-ionizing radiation in the environment are authorized four legal persons, and for testing of the level of non-ionizing radiation sources of particular interest in the environment are authorized five legal persons.

From February to April 2010 was carried out training of environmental employees, as well as employees in the field of construction and urban planning, competent authorities of local self-government for the implementation of the Law on protection of non-ionizing radiation and six bylaws, with particular emphasis on placement and use of radio base stations of mobile telephony. Training attended about six hundred participants, as well as representatives of all three mobile operators which cover the territory of the Republic of Serbia. On this occasion, to the employees of local self-governments were distributed publications “Radiation” and “Instructions for building and use of non-ionizing radiation sources”, which were prepared by employees in the Sector for Control and Surveillance.

Also, according to the Law on Protection of non-ionizing radiation, in cooperation with Provincial Secretariat for Environmental Protection and Sustainable Development, it was prepared Regulation on the establishment of the Programme of systematic testing of non-ionizing radiation level in environment for the period of two years, i.e. from 1<sup>st</sup> January 2011 to 31<sup>st</sup> December 2012. This Regulation was adopted by the Government.



#### **Department for protection and use of natural goods and resources and soil protection**

In the period from 1st January to 20th December 2010, republic environmental inspectors of the Department carried out 2339 inspections, they issued 163 decisions, submitted 120 applications for minor offences proceedings, 13 applications for the initiation of proceedings for economic violations and three criminal charges.

In accordance with Art. 112. of the Law on Environmental Protection, as well as with Art. 92. and 123. of the Law on Nature Protection, republic inspectors in the field of protection and use of natural goods, temporarily confiscated from physical person, at Preševo border crossing, 1 individual of caiman (*Caiman* sp.) and one individual of macaque monkey (*Macaca* sp.), because there was no documentation of origin for the mentioned animals, or the appropriate CITES permit.

Also, it was carried out temporary confiscation of 26 individuals of siskin (strictly protected bird species), 22 individuals of toucan, an individual of python, 1728.1 kg of boletus mushrooms, 2 individuals of buzzard.

During 2010, on the basis of complaints of physical persons, republic inspectors have taken an individual of stork with a broken wing and transported it to the Zoo Palić, as well as one individual of buzzard with cropped tail and flying feathers, which also was not able to be released into the wild.

In the aforementioned period were carried out inspections in protected areas and the inspectors pronounced the following prohibitions: to the Company „PTT Ugostiteljstvo“ Ltd, branch hotel “Srebrnac” Kopaonik is prohibited to discharge waste water on the land of PE National Park Kopaonik; "Jolli Hotels" Belgrade - discharge of waste water on the land of protection zone NP Kopaonik; to “Kolubara” Ltd. Mionica is prohibited use of compressors in the area of NP Kopaonik; Ski Mountaineering Association “Rtanj” Kopaonik conduction of works for expansion of the Karamanski stream riverbed; to “LJIN” Ltd. Raška was prohibited discharge of waste water on the state land of PE “Srbijašume” Nature Park Golija; to “Megalit-Šumnik” Ltd. Raška is prohibited dumping of communal and construction waste on the state land of “Srbijašume” Nature Park Golija; to hydroelectric power stations of Vlasina, branch Surdulica, is prohibited to perform any work without conditions of Institute for Nature Protection of Serbia, in Area of extraordinary features Vlasina; to the company “Fornet” from Belgrade is prohibited conduction of works on the exploitation of gravel and sand, as well as performing any work on the reconstruction of road in the protected area Prohor Pčinjski, until obtain conditions of Institute for Nature Protection of Serbia; “Putevi” Čačak - disposal of earth and stone material in a protected natural area Ovčarsko - Kablarska Gorge; to the physical person Petrović Lale is prohibited storage of waste materials in the NP Djerdap; to the physical persons: Zoran Radivojević from Čačak, Zoran Filipović, Danilo Pejić and Siniša Paunović, Jovan Jovanović and Ljubomir Djordjević, Lazović Vlajko, Milutin Stefanović, Vladan Parailović is prohibited to carry out work on protected area Ovčarsko - Kablarska Gorge in zone of II degree of protection.

Ministry of Environment and Spatial Planning pronounced several prohibitions to the Natural History Museum in Belgrade for collecting of protected and strictly protected wildlife species, until obtaining permits for research of protected and strictly protected wildlife species from the Ministry.

During 2010, inspectors for the protection and use of natural resources concluded that the number of infringement actions is markedly reduced, which resulted with a very small number of submitted applications to courts.

It was carried out control of 158 companies of which was controlled thirty-three PE “Vodovod i kanalizacija”, seven spa health resorts that use groundwater as part of its activities, and the rest are companies that conduct investigations in order to determine and verify groundwater reserves and obtain consent for use of natural resources.

It was brought eighty-five decisions.

Also, it was carried out 12 controls of the decision executions.

Deadline of the decision execution was extended by record to the companies that could not meet deadlines due to the tendering procedures. Also, by record were extended deadlines for the companies that began with the preparation of ordered documents, but due to financial crisis this process were slowed down.

Obvious financial crisis has caused a lot of missing deadlines or failure to act in accordance with decisions. Unfortunately it was often just an excuse for some companies that did not have specific financial problems but they tried to avoid fulfillment of legal obligations. An obvious example was the delay in entering into the procedure and execution of detailed hydrogeological researches and obtaining of consent for projects of natural resources use. Yet it must be said that much of the water supplies and major users are in the procedure.

It was submitted seven applications for initiation of proceedings for economic violations to applications for minor offences.

By adopting the new Law on Waters (Official Gazette, no. 30/10) and after the meeting with management of the Directorate of water, problems that have occurred in previous years (the issuing of water management permissions, without decision on defined classified and confirmed reserves) are overcome.

Other problems that were identified are farms that use groundwater for irrigation of agricultural land, greenhouses, etc. and do not have the consent of the Ministry. Mentioned farms are not registered as legal but as private persons, and at these persons can not be applied Law on Geological Research.

In 2010 were conducted joint controls with inspectors of the Department for environmental pollution protection in locations Novo Selo, MB Kolubara, Oil Refinery Pančevo and Oil Refinery Belgrade. With environmental inspector of the city of Požarevac, were carried out inspections according to the complaint for barren soil disposal on private land of “Georad-Drmno”, about the exploitation of sand and gravel from the river Velika Morava.

Problem with local water supplies is still not resolved. Local/rural water supply systems are managed by local communities which are classified state authority, and as such have no legal right to perform the work of water supply of the population. It was also carried out control of hydrogeological researches and exploitation of groundwater in NP Kopaonik, NP Djerdap and protected natural good Golija.

Work program of the Group for the soil in 2010 was based on determining of the soil state in urban areas through control and surveillance of localized pollution sources. It was carried out 90 inspections which, besides administrative measures, aimed to collect data on the influence zones, prevent pollution and establish self-monitoring. In this sense, it was carried out control of electrical-thermal power plant buildings “Nikola Tesla A and B”, Kolubara pits, Oil refinery Belgrade and “NIS Petrol”, Oil Refinery Pančevo, industrial zones of Smederevo and Mladenovac. On the territory of Belgrade is continued control of operators in the narrow Zone of protection of the Belgrade water supply: PUC “Beogradske elektrane”, PTC “Belgrade” (garages Dorćol and New Belgrade). Special subjects of surveillance were farm complexes which have direct impact on the quality of the soil and groundwater outcrop.

In 2010 was made Legislation in the field of monitoring of non-agricultural land quality and protection. Two Regulations were adopted: Regulation on the systematic monitoring of soil quality, indicators for the risk assessment of land degradation and methodology for the creation of remediation programs and Regulation on the criteria for determining the status of endangered environment and priorities for rehabilitation and remediation. By adoption of these regulations, for the first time in Serbia were set up standards of non-agricultural land quality. Inspection has prepared draft Rulebooks: The methodologies for preparing reports on the state of land, and the Rulebook on the scope and content of rehabilitation and remediation.

Sector for control and surveillance is responsible for national coordination of implementation of UN Convention to Combat Desertification. In 2010 was prepared the first national report on desertification. Besides that Serbia become a candidate for host country of regional unit for Central and Eastern Europe. At the initiative of the Sector it was established the National Center for desertification, climate change and monitoring.



### **Department for hazardous and other waste management control**

In 2010 inspectors of the Department for hazardous and other waste management control conducted 963 inspections of operators whose activities have an impact on waste management. Most of extra inspections were conducted at the request of operators (701 controls, 72.8%). Within extra inspections dominated controls in connection with transboundary shipment of waste (315 controls, 32.7%). The general approach to inspections was informative and educational, but besides that it were issued 176 decisions (18.3%), i.e. approximately in every fifth inspection was necessary to order corrective measures by decision. Certain operators' activities required more rigid approach, and in accordance with that fact were pronounced 73 prohibitions (7.6%). For flagrant violation of existing legislation, were submitted 26 applications to the court, including 17 misdemeanor and 9 applications for economic crimes. Competent public prosecutor's offices were informed about the activities of waste management that can have characteristics of the felony. In accordance with the goals and recommendations set out by the Annual plan of Sector for control and surveillance, it was carried out a total of 103 joint inspections (10.7%).

Besides emphasized informative and educational approach during inspections, in 2010 was realized a number of trainings of operators, local self-government units, city governments, judges and public prosecutors. Trainings aimed to clarify the provisions of the Law on Waste Management and Law on Packaging and Packaging Waste, as well as the obligations that derive from these laws. Representatives of the Department participated in 24 trainings which were attended by about 700 participants. Department inspectors have had a study tour to the Czech Republic, and it was also held one joint meeting - training of Department in connection with the code of conduct of inspectors.

It was realized two joint inspections of transboundary shipment of waste at the border crossings with the Republic of Bulgaria and FYR Macedonia. Surveillances were carried out in cooperation with the competent inspection services of mentioned neighboring countries, as well as with the border police and customs. In addition to these activities, it was carried out the control of transboundary shipment of waste, on the point of loading, on the road and at the border crossing (in total 10 checks).

The Department was actively involved in the work of IMPEL TFS Cluster, within the IMPEL network of inspection services of the European Union. Cluster activities are focused on the control of transboundary shipment of waste and prevention of illegal shipment, within the framework of existing EU legislation. Activities take place through interactive trainings and field work. Department is also present in activities of the INTERPOL, primarily through realization of “Pollution Crime Project”. One of main points of the project is to prevent the illegal shipment of waste, especially electronic and electrical waste, and other criminal activities against the environment. Cooperation and information exchange takes place through the National Bureaus of INTERPOL participating countries, with a significant role of the Environmental Protection Agency of England and Wales.

Experience and knowledge acquired in the work of IMPEL TFS Cluster and INTERPOL “Crime Pollution Project”, are successfully applied in the work of the Department.

Database of operators under the jurisdiction of the Department was formed at the end of 2009. In 2010 base was supplemented with new data. Database contains all records, decisions, letters and official records, applications, sentences and photographs relevant to one operator.

It was prepared manual “Waste watch”, which contains all essential information on the most frequent types of hazardous waste (description, classification, harmonized customs code, the physical-chemical characteristics, and recommendations about handling and relevant notes). Both these tools are intended primarily to increase the quality of inspectors work, and manual “Waste Watch” could have significant application for operators who produce hazardous waste or manage it.

All activities related to the Government Conclusion 05 no. 353-3948/2009-01 were realized. Hazardous waste, found at different locations of the Republic of Serbia is properly packaged, transported and temporarily stored in arranged storage. All described activities were realized under the supervision and with suggestions of republic environmental inspection. In total, 174,102 kg of hazardous waste is properly disposed.

Activities related to the burning of drugs and tobacco products are in final phase. A study of impacts assessment of the project is made and submitted to the competent authority for verification. It was intensified cooperation with other ministries in the process of final disposal of waste and remnants resulted from activities of these bodies.

### **Analysis of transboundary shipment of waste**

Analyzing the statistics of transboundary shipment of waste it can be concluded that the export of waste and remnants is dominant compared to its import.

In addition to export of waste and metal remnants, important is export of hazardous waste as well. Export of hazardous waste from locations of hazardous waste producers was significantly increased in 2010 through intermediaries.

Import of waste and paper and cardboard remnants is dominant compared to its export. With restrictive measures, export of waste and paper and cardboard remnants was reduced to a mere number of unsold copies, for which there are no processing facilities in Serbia.

Import of waste and remnants of plastic is minor, and the subject of import is pure waste which is then used for production, mostly of pipes. Export is reserved mostly for PET, and there are also other types of plastic waste (PE, PVC, polyamide, etc.). Requirements for import of waste PET packaging have been dismissed as groundless.

Import of whole waste tires for treading is reduced to the real needs of active treading.

Transboundary shipment of other types of waste and remnants (glass, cloth, zinc, magnesium, car catalyst) is at usual level, and significantly is increased the number of requests for import of waste toner-cartridges of laser printers.

After submitted requests for the transboundary shipment of waste, it was conducted 315 surveillances, 84 for import and 231 for export. Negative opinion is given for 37 requests, or 11.75%.



### **Department for water pollution protection and fishery**

Department enforce measures prescribed by Law on environmental protection, Law on protection and sustainable use of fish reserves, Law on waters, as well as by all acts adopted on the basis with these laws. Inspectors controlled work of fishing areas users (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. Since May, inspectors conducted inspections in the field of water pollution of legal persons that discharge their waste water into the recipient (running and stagnant water and soil).

From the beginning of April Provincial Secretariat for Environmental Protection and Sustainable Development took over the responsibilities for enforcement of delegated tasks from the field of protection and sustainable use of fish stocks, and from May Secretariat took over responsibilities from the field of water pollution as well.

In 2010 inspectors of the Department had 1502 files in total. They conducted 1828 inspections, and on that occasion brought 170 decisions, submitted 170 applications for initiation of misdemeanor proceedings and 3 applications for commercial offences.

Inspectors conducted 85 inspection related to control of fishing and electro-fishing in scientific research purpose, 60 inspections of rehabilitation fishing in accordance with licenses issued by the Ministry and 37 inspections related to control of stocking of waters with fish, according to Fishery improvement programs for users of fishing areas.

### **Characteristic example – translocation**

On 7<sup>th</sup> and 8<sup>th</sup> December 2010, it was carried out translocation of fish from a recreational lake No.1, which is located in Kladovo, near the highway Kladovo-Belgrade, for the purposes of emptying the lake and its arrangement.

Translocation of fish was carried out with the aim of saving the fish, on the basis of the permit no. 324-04-272/2010-03 of 29.09.2010, issued by the Ministry of Environment and Spatial Planning.

Fish catch was carried out three times, using the trawl, and on that occasion were caught 155 kg of young fish of roaches, age stage 0<sup>+</sup>, and 21 piece of female carp, total weight of 167 kg. All caught fish were released in other retention lake after visual assessment by veterinarians.

Since June it was carried out supervision of legal persons in the field of water pollution, i.e. it was carried out quality control of wastewater discharged into public sewerage system or into the recipient with or without its purification. Inspectors also prohibited discharge. There were total of 174 inspections, it were brought 103 decisions and 17 prohibitions.

In the field of water pollution, it was carried out surveillance in public utility companies on the territory of Republic of Serbia. Data were obtained for 163 municipalities/towns: on the territory of central Serbia-115, in Kosovo and Metohija, where the majority of population are Serbs -3, on the territory of Vojvodina were obtained data for 45 municipalities/towns.

On the territory of Republic Serbia, of the total number of municipalities and towns, plants for wastewater treatment have 40 municipalities/towns. Of this number only 25 municipalities have plants whose capacity meets the needs of the population connected to the city's sewerage network, while seven municipalities don't have such plants. In eight municipalities wastewater treatment plants are built but these plants are not in operation (reconstruction is necessary). In three municipalities wastewater treatment plants are in the construction phase.

A large number of municipalities and towns (41) developed projects for the construction of these plants and they are in different stages of development, from conceptual projects to the general project. The largest number of municipalities (69) do not have built wastewater treatment plants, and even do not have plans to build such plants.

At the Ministry's website can be found five tables with data on 163 municipalities/municipalities:

Table 1. Review of data on population covered by the sewerage system (%)

Table 2. Review of data about wastewater treatment plants

Table 3. Review of data about the plan documents and the amount of required investment

Table 4. Review of data about wastewater treatment plants

Table 5. Review of data on waste water recipients



### **Department of republic urban planning inspection**

The specificity of the Department in the past year was among other things, the fact that due to the relatively recent change in substantive law, a significant part of surveillance and control which were carried out during the past year, came under the documentation issued according to previous Law on Planning and Construction (official Gazette of RS, no.47/03) which in this case means the control of Extract from the urban planning, of the Act on urban planning conditions, Conceptual designs and Decisions on construction approval, i.e. documents which according to the current law will not be issued.

For this reason, a significant part, 47% of the total number of inspections in 2010, concern the inspection of the documents issued in accordance with the previous Law on Planning and Construction.

Tasks of urban planning inspection are comprehensive and refer to the control of manner of work with elaborating planning and project documentation, as well as the documentation for planning and designing of settlements and buildings.

In particular, the rights and duties of urban planning inspector are contained in Art. 173. and 174. of the Law on Planning and Construction:  
Urban planning inspector during inspection has the right and obligation to check whether:

- 1) a company or other legal person or entrepreneur who makes spatial and town planning or carrying out other duties stipulated by this Law fulfills prescribed conditions;
- 2) is planning document relating to the organization, planning and landscaping designed and adopted in accordance with law and regulations based on the law;
- 3) the location permit and the urban planning project are created and issued in accordance with this Law;
- 4) is a major project, under which is issued building permit, made in accordance with location permit, i.e. planning document;

5) the change of the space conditions is carried out in accordance with this Law and the regulations adopted pursuant to law, or whether the change of the space conditions is carried out in accordance with the rules and standards of the profession ;

6) the company or other legal person, i.e. public company or other organization that establishes specific requirements for construction and landscaping, as well as technical data for access to infrastructure, submitted the necessary data and conditions for the development of planning document and location permits, within the prescribed deadlines.

In 2010, ten urban planning inspectors on the territory of Republic of Serbia (without AP Vojvodina and AP Kosovo and Metohija), carried out:  
- **335 regular inspections** in municipal or town administrations, compiled records with findings about conditions and ordered measures in the field of urban and spatial planning;  
- **612 extra inspections** in the municipal or town administrations, in order to check complaints of citizens and socio-legal persons, as well as checks ordered measures from previously compiled records.

After the completion of inspections, it was found in one case that detailed regulation plan was not brought in accordance with the Law. Minister and the authority which issued regulation plan were notified about this. In mentioned case it was found that during the drafting of planning documentation was not entirely observed legal procedures.

In 52 cases were brought decisions by which was ordered abrogation of acts on urban planning conditions, i.e. it was noted that issued documentation was not harmonized with current planning documentation and the Law on Planning and Construction.

In the 48 cases were initiated proceedings for the abrogation of the decision for construction approval, by right of supervision, as has previously determined that the conceptual designs were not developed in accordance with issued regulations, i.e. in accordance with the Law.

In 24 cases, it was ordered by records and decisions, abrogation of urban planning projects, when it was determined that these projects are not harmonized with current planning documentation and the Law.

In 67 cases were brought decisions for abrogation of location permits, when it is determined that issued permits are opposite to current planning documentation and the Law.

In 37 cases has been initiated abrogation of building permits, when it was determined that these are not in line with the main project, location permit and current law.

In addition to carrying out inspections in the reporting period, urban planning inspectors have elaborated 262 files with different content. They also gave a number of instructions related to specific files to municipal administrations on further acting, particularly after the adoption of the Law on Planning and Construction.

Until 11<sup>th</sup> March 2010 (when the deadline for legalization was ended), urban planning inspectors during inspections controlled the enforcement of the Law on Planning and Construction, and generally acted instructive and preventive, while after that date they conducted detailed control of enforcement of the Law in competent authorities in the part related to the number of applications, and then conducted a separate control that refers to the number of solved cases in the process of legalization, as well as monitoring and observation of the aggravating circumstances of cases in the legalization of buildings constructed without building permits. In concrete case it was conducted research in all town and municipal administrations in Serbia, where was analyzed manner and tempo of legalization.

Besides other issues, it was made report on the issue of adoption and harmonization of planning documentation on the basis of Art. 216. of substantive law. In the research carried out on the entire territory of Serbia were compiled the information from which it can be concluded that the Law is mainly enforced as regard the way of making plans, but when it comes to intensive adoption and harmonization of existing planning documentation with the new legal decision, it is noticeable inadequate dynamics of its adoption. Because of the noticed problems republic urban planning inspectors brought 26 decisions, by which they ordered the adoption of the concept, i.e. draft plan, within three months, to the town or municipal administration.

Among other things, inspectors concluded remarks especially in connection with the issuing of location permits and highlighted this issue to the relevant authorities. In terms of main projects design, in cases where the inspectors found that projects are not prepared in accordance with location permits, among others, it was informed the Chamber of Engineers, to which were submitted the names of the responsible project engineers.

Urban planning inspectors, during the reporting period, also participated in the preparation of monthly work plans of the urban planning inspection, monthly reports, preparation of different information, mandatory instructions, technical manuals and explanations for municipal administrations and urban planning organizations.



### **Department of republic construction inspection**

In 2010 Department of the republic construction inspection realized the following activities:

- Inspection in the field of construction and use of buildings of importance for the Republic of Serbia;
- 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 on Zavojsko lake - in coordination with local self-government;
- 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 carrying out inspections in the field of construction and use of buildings of importance for the Republic of Serbia, it was compiled 402 records, it was brought 118 decisions for the removal of buildings and 117 conclusions on execution, of which was removed 22 buildings.

In the process of internal control of holders of public authority in carrying out delegated tasks in state administration, it was carried out the 72 regular and 189 extra inspections. By acting in accordance with request of the clients, it was issued 616 orders, sent 663 letters, it was issued 319 instructions and 93 urgencies. Also, after the check of local self-government units with regard to establishment of separate organizational unit for execution of the decision for object removal, i.e. whether the program is made and whether the funds in the budget for the removal of buildings are planned, it was determined number of omissions, which will be monitored and resolved in 2011.

Republic construction inspection submitted 13 criminal charges, i.e. four misdemeanor applications against the persons who were acting contrary to the prescribed provisions of the Law on Planning and Construction.

Faced with the problem of illegal construction, and with the aim of securing public interest, protection of surface and ground water and protection of natural goods of great importance, republic construction inspection has taken actions to eliminate illegal buildings up to December 2010.

With reference to the fact that water is one of the most important resources and that the problem of water supply of number of settlements and towns is becoming more and more popular, it was driven administrative procedure for buildings constructed in the zone of accumulation lakes: Perućac, Bovan, Gruža, Zlatarsko, Sjeničko, Uvačko, Radoinjsko, Vlasinsko and Zavojsko lake. Taking into consideration the overall circumstances, only buildings that were built on the state land were removed. In this regard, it must be said, that commenced administrative proceedings will be completed in 2011, due to the fact that a significant number of investors of illegal structures applied for legalization, in accordance with the provisions of the existing Law on Planning and Construction. Bearing in mind the above, republic construction inspectors have repeatedly contacted the Department of Civil Engineering, Land and Investment, of the Ministry of Environment and Spatial Planning, for faster resolution of applications for legalization. According to the received information, documents are in procedure and after the deadline for its amending, it will be adopted a Decision on rejecting of submitted application for legalization.

Removal of buildings and debris, as well as restoring the terrain to its original state is specific task, which generally goes slow because of the inaccessible terrain. Other specificity is confrontation to the owners of companies and their personal interests in the process of removing illegal structures, and enabling them further construction of buildings of importance for the Republic of Serbia.

We would like to point out very successful cooperation with prosecutors, the Agency for Combating Corruption and the Commissioner for information of public importance and protection of personal data. It is also necessary to stress that support to the Ministry in enforcement of the ensuring public interest, provided only the municipalities of Pirot and Nova Varoš.