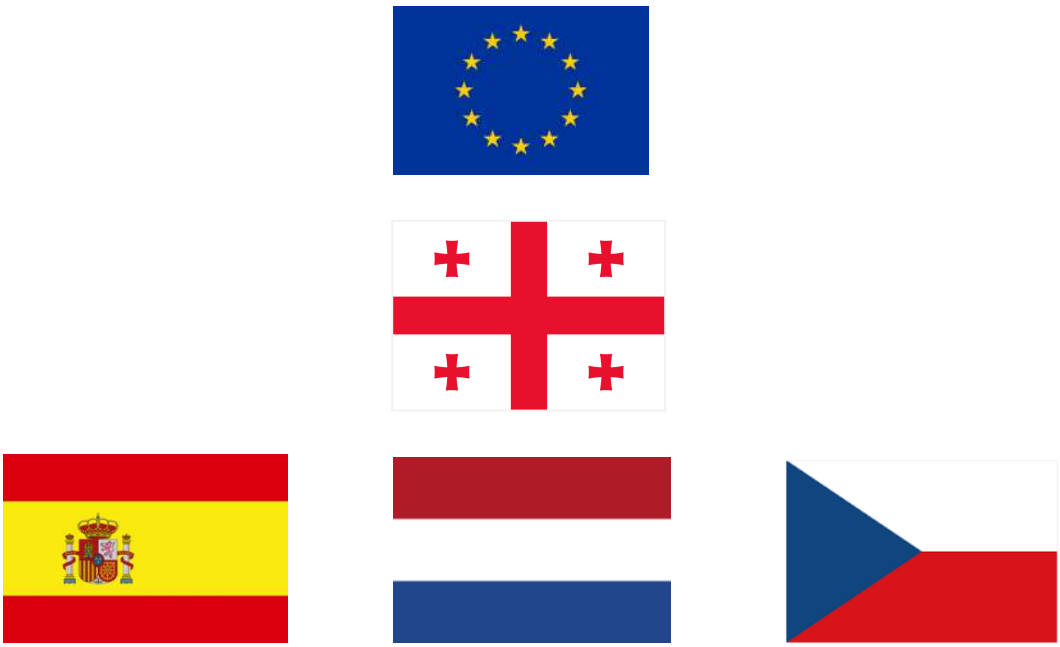

# Twinning proposal between Spain, The Netherlands, The Czech Republic and Georgia

## "Strengthening the administrative capacities of the Ministry of Environment and Natural Resources Protection of Georgia for approximation and implementation of the EU environmental '*acquis*' in the fields of industrial pollution and industrial hazards"

**Twinning Ref. Number: GE 14 ENI EN 02 16(GE/24)**

საქართველოს გარემოსა და ბუნებრივი რესურსების დაცვის სამინისტრო

XUNTA DE GALICIA
CONSELLERÍA DE MEDIO AMBIENTE E ORDENACIÓN DO TERRITORIO

Rijkswaterstaat
*Ministry of Infrastructure and the Environment*

cenia

FIIAPP

## List of Acronyms

| | |
|---|---|
| AA | Association Agreement |
| BATs | Best Available Techniques |
| BC | Beneficiary Country |
| BREFs | Best Available Techniques Reference Document |
| CA | Contracting Authority |
| CEI | Czech Environmental Inspectorate |
| CENIA | Czech Environmental Information Agency |
| CBRN | Chemical, Biological, Radiological and Nuclear |
| CMAOT | Galician Regional Ministry of Environment and Spatial Planning |
| DCFTA | Deep and Comprehensive Free Trade Area |
| DES | Department of Environmental Supervision (Georgia) |
| DRR | Disaster Risk Reduction |
| EC | European Commission |
| EIA | Environmental Impact Assessment |
| EIC | Environmental Inspection Cycle |
| EIS | Environmental Information System |
| ELV | Emission Limit Values |
| ENP | European Neighbourhood Policy |
| EPR | Environmental Performance Review |
| EU | European Union |
| GDP | Gross domestic product |
| IED | Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions |
| IMPEL | European Union network for the implementation and enforcement of environmental law |
| IPPC | Integrated Pollution Prevention and Control |
| IRI | IMPEL Review Initiative |
| JPL | Junior Project Leader |
| LAAP | Law on Ambient Air Protection (Georgia) |

| | |
|---|---|
| LCS | Law on Civil Safety (Georgia) |
| LEE | Law on Ecological Expertise (Georgia) |
| LEIP | Law on Environmental Impact Permits (Georgia) |
| LEP | Law on Environmental Protection (Georgia) |
| LEPL | Legal Entity of Public Law |
| LLP | Law on Licences and Permits (Georgia) |
| LMAG | Galician Environmental Laboratory |
| LW | Law on Water (Georgia) |
| MAP | Major Accident Prevention |
| MENRP | Ministry of Environment and Natural Resources Protection (Georgia) |
| MoE | Ministry of the Environment (Czech Republic) |
| MS | Member State |
| NEA | National Environmental Agency (Georgia) |
| NEAP | National Environmental Action Programme |
| NCEA | National Commission for Environmental Assessment (The Netherlands) |
| NGOs | Non-Governmental Organisations |
| PAO | Programme Administration Office |
| PCA | Partnership and Cooperation Agreement |
| PL | Project Leader |
| PRTR | Pollutant Release and Transfer Register |
| REDIA | Spanish National Network for Environmental Inspection |
| RMCEI | Recommendation 2001/331/EC of the European Parliament and the Council providing for minimum criteria for environmental inspections in the Member States |
| RTA | Resident Twinning Advisor |
| SC | Steering Committee |
| SEA | Strategic Environmental Assessment |
| SIA | Environmental Inspection Service of Galicia |
| SME | Small/medium enterprises |
| STE | Short Term Expert |
| TEIA | Transboundary Effects of Industrial Accident |
| TNA | Training Needs Assessment |
| UNECE | United Nations Economic Commission for Europe |

# INDEX

# 1. EXECUTIVE FACT SHEET

**PROJECT IDENTIFICATION**

| | |
|---|---|
| **Member State:** | Spain, The Netherlands and the Czech Republic |
| **MS Body responsible for implementation:** | Galician Regional Ministry of Environment and Spatial Planning: General Directorate for Environmental Quality and Climate Change |
| **Junior Partners:** | Ministry of Infrastructure and Environment, RWS – Directorate Environment / Dutch Knowledge Centre InfoMil, The Netherlands.<br>CENIA, Czech Environmental Information Agency |
| **Beneficiary Country:** | Georgia |
| **Beneficiary State Body:** | Ministry of Environment and Natural Resources Protection of Georgia |
| **Sector:** | Environment |
| **Twinning Ref. Number:** | GE 14 ENI EN 02 16(GE/24) |
| **Project Title:** | Strengthening the administrative capacities of the Ministry of Environment and Natural Resources Protection of Georgia for approximation and implementation of the EU environmental 'acquis' in the fields of industrial pollution and industrial hazards |
| **Duration of activities:** | 21 months implementation |

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# 2. SERVICES PROPOSED BY THE MEMBER STATE

## 2.1 Introduction

The Ministry of Environment and Natural Resources Protection (MENRP) of Georgia is the institutional and administrative body responsible for bringing closer the environmental standards in national legislation to the ones in the EU environmental acquis as provided in the EU-Georgia Association Agreement. Several steps have been already given in this direction as in the case of the EIA regulation. For that purpose, funding by development partners for environmental management has been considerable. The most active donors are the EU and several of its Member States (e.g. Germany, the Netherlands, Sweden and the Czech Republic) as described in section 3.1.2 of this proposal.

It comes together with the ongoing transposition process the **highly challenging** task of actually **implementing permitting** practices aligned with EU legislation **and enforcing** the new environmental legislation. Given the usually limited amount of resources available, a careful prioritisation and scheduling of objectives, based on a rational and realistic approach, must be carried out, in order to ensure a smooth but dynamic improvement of the performance of both the environmental competent authorities in the execution of their duties as well as of the stakeholders subject to environmental regulations due to the impact of their activities.

The **importance** of permitting and enforcement is emphasized, as stated in the Twinning Fiche, in all the **relevant policy and programming documents** (EU-Georgia Association Agreement (2014), EU-Georgia Action Plan (2016) and National Environmental Action Programme of Georgia (2012-2016). The link of **this Twinning Project** GE 14 ENI EN 02 16 (GE/24) with these relevant documents is highlighted in the Twinning Project Fiche.

**To meet this target** several projects have been implemented, or are currently ongoing, being tendered or in the pipeline, among which **this Twinning Project** GE 14 ENI EN 02 16 (GE/24) will play a key role. Given the scope of the other related projects which complement the Twinning, this project has as goal to strengthen the administrative capacities of the Ministry of Environment and Natural Resources (MENRP) for approximation and implementation of the EU environmental 'acquis' in the fields of industrial pollution and industrial hazards, in particular the Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (IED) and Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (Seveso III Directive). Its **main beneficiary** will be the **Ministry of Environment and Natural Resources (MENRP)**, and other beneficiaries will include municipalities with staff issuing permits and carrying out environmental inspections, representatives of industry and NGOs.

**IPPC Directive/IED in Georgia**

There is no legislation in Georgia which transposed the IPPC Directive or the IED.

Environmental permits for industrial activities, as well as for other activities such as infrastructure projects or storage facilities and terminals for oil and oil products are regulated by the 2007 Law on environmental impact permits (LEIP). Article 4.1 of Chapter II – Procedures for Permit Issuance of the LEIP, lists the activities subjected to ecological expertise. The permitting procedure is aligned with environmental impact assessment (EIA) procedures provided in EU legislation, although some gaps persist, but not with the IED permitting procedures. According to paragraphs 3 to 6 of Article 4 of the LEIP the MENRP is responsible for issuing a conclusion of ecological expertise approved by an administrative-legal act whereas according to paragraph 7 of the same Article, the conclusion of ecological expertise and its conditions shall be permit conditions. The 2007 Law on Ecological Expertise (LEE) regulates the ecological expertise procedure. On the other hand, the 2005 Law on Licenses and Permits (LLP) establishes general provisions on permitting, including provisions on the documents to be submitted to obtain a permit (Article 25), on the general procedure for issuing a permit (Article 26), on the effective date and duration of a permit (Article 32), on the rights and duties of a permit issuer (Article 29) and on monitoring the performance of permit conditions (Article 33). All these provisions apply to environmental impact permits. Although the LIEP establishes as a specific procedure the need to carry out and ecological expertise procedure, it does not provide the setting of permit conditions based on best available techniques (BATs). Regarding the information on ELV for polluting substances to be taking into account in the permitting procedure, article 8.2.c) of the LEIP provides that in addition to the information determined by the LLP, a developer shall be obliged to submit the volume and types of anticipated emissions (draft (in four copies) maximum permissible spraying/discharge rates for hazardous substances) with an application for permit. Article 16 'Form of permits' of the LEIP provides that the form of a permit shall be defined by a subordinate normative act of the Minister of ENRP. Although the Consortium had no access to the mentioned act, the UNECE document "3rd Environmental Performance Review, Georgia" published in December 2016 (page 25) states that 'Industrial emissions and discharges by large facilities are regulated on a case-by-case basis through the environmental impact permits, which set emission limit values.'

Article 30.1 of the 1996 Law on Environmental Protection (LEP) provides that the threshold limit values of emissions of harmful substances into the environment shall be developed for each specific source of pollution taking into consideration their technological characteristics and the background pollution of the location, so that the concentration of emitted substances shall not exceed the threshold limit value of concentration. Article 30.2 of the LEP provides that the threshold limit values of emissions of harmful substances into the environment and environmental pollution with microorganisms shall be determined once in every 5 years (a period slightly longer than the period of 4 years provided Article 21 of the IED for the reconsideration of permits conditions after the publication of decisions on BAT conclusions by the European Commission) by the Regulations on the Threshold Limit Values of Emissions of Harmful Substances into the Environment and Environmental Pollution with Microorganisms, which shall be developed and approved by the MENRP. Although a definition of 'best available techniques' is provided in Article 4 – Definition of basic terms of the LEP which is in line with the definition provided for BAT in the IED, there is not

a specific provision in the LEP, as it is in the 1999 Law on ambient air protection (LAAP) (see next paragraph), by which it is established that the limit values of emissions o harmful substances shall be based on BATs.

On the other hand, Article 29 of the 1999 Law on ambient air protection (LAAP) provides that the limit values of emission of harmful substances are the limit values of emission of harmful substances in the environment determined under the LEP and that the calculation of the limit values of emission of harmful substances should be based on BATs. It provides also that the limit values of emissions of harmful substances are set for 5 years for each source of pollution of ambient air and for each harmful substance. Secondary legislation, the Ordinance No 408 of the Government of Georgia of 31 December 2013, was adopted on Approval of Technical Regulations for Calculating Threshold Limit Values of Emission of Harmful Substances into the Ambient Air. Moreover, there are no established ELV for combustion plants or any provisions that would allow for their proper settings.

Regarding ELV for discharge of polluting substances to water, Article 84.1.b) of the 1997 Law on Water (LW) provides that maximum allowable standards of emission (discharge) of substances (including microorganisms) into water bodies shall be established. Article 84.3 of the LW provides that the maximum allowable standards of emission of hazardous substances (including microorganisms) into water bodies shall be standards of discharge of industrial, municipal and other waste waters, that are established for each individual pollution source considering its technological characteristics and background pollution of the location, so that the on-site concentration of emission substances and microorganisms does not exceed a maximum allowable concentration level. Article 83.6 of the LW provides that the LEP shall define procedures for determining standards of quality water condition, maximum allowable standards of emission of hazardous substances (including microorganisms) into the environment, water extraction quota, and emission of hazardous substances (including microorganisms) into water.

These provisions on threshold limit values for emissions may be considered as provisions on general binding rules for permit holders, since it is not provided in the LEIP that emission limit values based on BATs must be specifically included in the actual permits. But as mentioned above, the practice seems to be that emission limit values are set in the environmental impact permits. In any case, Article 6 of the IED provides that without prejudice to the obligation to hold a permit, Member States may include requirements for certain categories of installations, combustion plants, waste incineration plants or waste co-incineration plants in general binding rules. Article 17 of the IED provides that general binding rules shall be based on BATs. Where general binding rules are adopted, the permit may simply include a reference to such rules.

The Department of Environmental Impact Permits of the MENRP is responsible for permitting. In Section 3.1.2 more details of its functions, organization and staff are given.

Regarding inspections, Article 19 - Supervision of the observance of permit conditions of the LEIP provides that a state sub-agency under the Ministry – the Environmental Supervision Department – shall carry out the supervision of the observance of permit conditions by the permit holder. There are no provisions on setting up a system of environmental inspections of installations or on covering all installations by an environmental inspection plan as provided in Article 23 of the IED.

There is not therefore a fully adopted risk assessment approach implemented for the frequency of routine site visits which should be the base for any inspection plan as provided in Article 23 of the IED.

The Department for Environmental Supervision (DES) of the MENRP is responsible for the enforcement actions, included inspection. More details of its functions, organization and staff are given in Section 3.1.4.

As mentioned in section 3.2.2, the project *'Support of EIA, Permitting and Inspection for the Georgian Ministry of Environment protection*' was carried out in Georgia in 2010-2014 by InfoMil, the Dutch partner institution of the Consortium in collaboration with Netherlands Commission for Environmental Assessment**,** NCEA. Mr Rob Kramers, the Dutch JPL was the project manager. The experience obtained during its implementations and the outputs of the project will be valuable assets mainly for activities related to permitting and inspection.

Beside the legislation mentioned above, other relevant legislation includes the following:

- Law on Transit and Import of Waste within the Territory of Georgia (1995)
- Waste Management Code (2014)

Draft laws have been developed by the MENRP, pending on its adoption:

- New law on environmental impact permitting. It will introduce the mandatory application of Strategic Environmental Assessment (SEA) for plans and programmes which is absent in the current legislation. The draft law also improves mechanisms for public participation in each stage of the EIA procedure.

- New framework law on water resources. It should introduce all aspects of integrated water resources management (IWRM).

- New law on Major Accident Prevention (MAP).

**Seveso Directive in Georgia**

The 2014 Law on Civil Safety (LCS) defines the authority, rights and obligations of national autonomous republican and local governments, individuals and corporations regarding civil protection. The Law prescribes explicitly responsibilities for the Ministry of Internal Affairs, while many activities described in the Law are also mandated to the Ministry of Environment and Natural Resources Protection, such as monitoring, sampling and analysis following emergencies. The LCS is a framework law, and further by-laws are needed to be developed to harmonize existing legislation with that of the EU.

No national strategy for disaster risk management has been developed, although a thorough assessment of capacities for disaster risk reduction (DRR) has been undertaken on which a capacity-development plan can be based.

The Natural and Anthropogenic Hazards Management Service of the MENRP is involved in the process of developing an action plan of the Chemical, Biological, Radiological and Nuclear (CBRN) Strategy for chemical threats, which includes accidental chemical releases from industrial and transport accidents. Activities are further foreseen to include the planning and tracking of DRR activities, support in hazard mapping and development of early warning activities. The Natural and

Anthropogenic Hazards Management Service is furthermore inter alia in charge of DRR strategies and policies, planning of DRR activities, setup of a database of DRR activities, and capacity development related to the Early Warning System.

The National Environmental Agency (NEA), a Legal Entity of Public Law (LEPL) under the MENRP, is mandated to monitor ongoing hydrometeorological, geodynamic and geological events, as well as to provide soil, surface water and air monitoring of chemical pollutants (through its laboratory), to issue license permits for the exploitation of natural resources, and to ensure the sound functioning of monitoring systems. The analytical centre with a unified database on disasters and risks has not yet been established in the NEA.

The DES of the MENRP is also responsible for the enforcement actions in the field of industrial hazards and accidents, included inspection. More details of its functions, organization and staff are given in Section 3.1.4.

The project Capacity Building in the Prevention of Major Accidents is being implemented from 2014 to 2016 in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s. The project specifically aims to strengthen the legislative and technical capacity of Georgia in regard to 'Major Accident Prevention' (MAP). It covers assessment of national legislation; drafting of new law on major accidents – harmonization with the EU Seveso Directive and UNECE Convention on the Transboundary Effects of Industrial Accidents (TEIA Convention), which Georgia has not yet ratified; training for the environmental inspectorate; elaboration of guiding documents; and capacity-building for environmental monitoring.

## 2.2 Services proposed. Work plan

As mentioned in the Twinning Fiche, the set of proposed activities **will be further developed with the beneficiaries,** when drafting the Twinning work plan. At this early stage the Consortium intends to **present in this section** some of the **services that can be provided** and to make some **suggestions or proposals** to achieve the different mandatory results stated in the Twinning Fiche, taking as a starting point the intermediary results, indicators and activities presented in sections 3.3 and 3.4 of that document.

The final goal of these proposals is to fulfil the overall objective and the project purpose, namely:

- ✓ **Overall Objective:** The overall objective is to assist Georgia to gradually and according to the better regulation approach harmonise its legal and organisational infrastructure with the provisions of the EU environmental acquis in the fields of industrial pollution and industrial hazards and to protect its environment through effective pollution prevention and control procedures.
- ✓ **Project Purpose:** The purpose of the Twinning Project is to assist the Ministry of Environment and Natural Resources Protection of Georgia (MENRP) as leading beneficiary institution to introduce, in cooperation with other relevant stakeholders, a system of integrated pollution prevention and control through the development of legal, institutional, administrative and procedural frameworks for integrated permitting and inspection.

### 2.2.1 Approach and calendar

According to the Twinning Fiche, the following mandatory and intermediary results shall be achieved:

| Mandatory results | Intermediary Results |
|---|---|
| R.1. Developed and make the necessary steps for adoption of primary and secondary legislation in accordance with the Industrial Emissions Directive IED 2010/75/EU and the Directive 2012/18/EU (Seveso III Directive) | R.1.1. Development of a new Law on Control on Emissions from Industry according to an inclusive and evidence-based approach and in accordance with IED 2010/75/EU |
| | R.1.2. Development of secondary legislation in accordance with the IED 2010/75/EU |
| | R.1.3. Development of legislation in accordance with the Directive 2012/18/EU (Seveso III Directive) and preparation for the ratification of the UNECE Convention |
| R.2 . Capacity building on central and regional/local level of the permitting system in accordance with the IED | R.2.1 Analysis and proposed plans for strengthening the central and local administrative capacity for approximation and implementation of the IED (integrated permitting system) |
| | R.2.2. Practical support for setting-up the integrated permitting system |
| R.3 . Organisation of an integrated system for inspection of industrial activities in line with the IED provisions | R.3.1. Review/analysis of existing institutional inspection system |
| | R.3.2. Practical support for setting-up an effective inspection system for IED installations |
| R.4. Setting up of a database of installations and accident reporting | R.4.1. Assessment of existing environmental information system (EIS) structure and of relevant databases in MENRP and other institutions |
| | R.4.2. Design and development of the web enabled |

| | |
|---|---|
| | database |

The achievement of those results will be reached through a number of **activities**, whose success will be measured in terms of **indicators** described in section 3.3 **of the Twinning Fiche** (pages 9-14 of that document). Before going into a more detailed description of the proposed support which can be provided in each of the activities, an **overview** is provided **on the following 4 pages,** showing the proposed calendar of implementation of the activities, celebration of Steering Committees and delivery of project reports.

| | | | | CALENDAR OF ACTIVITIES | YEAR 1 | | | | | | | | | | | | YEAR 2 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| INCEPTION | | | | Setting up and organizing the project office and Steering Committee | | | | | | | | | | | | | | | | | | | | | |
| | | | | Meetings with beneficiaries and stakeholders | | | | | | | | | | | | | | | | | | | | | |
| | | | | Project Kick-off Meeting | | | | | | | | | | | | | | | | | | | | | |
| | R 1 | R 1.1 | 1.1.1 | Assessment of the gap in the degree of compliance of existing legislation with the IED | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.1.2 | Preparation of the Law on Control of Emissions from Industry accompanied with Table of Concordance and report on stakeholder consultations | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.1.3 | Preparation of an explanatory note, including regulatory and fiscal impact assessments for the draft law | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.1.4 | Preparation of reports on results of internal (inter-ministerial) and external stakeholder consultations | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.1.5 | Development of the list of existing primary legislation related to IE to be abolished or amended, agreed with MENRP and accompanied with a table indicating articles which should be abolished or amended | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.1.6 | Development of amended primary legislation, agreed with MENRP and submission to the Government of Georgia | | | | | | | | | | | | | | | | | | | | | |
| | | R 1.2 | 1.2.1 | Development of secondary legislation and agreement with MENRP accompanied with Table of Concordance | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.2.2 | Development of the list of existing secondary legislation related to IE to be abolished or amended, agreed with MENRP and accompanied with table indicating articles which should be abolished or amended | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.2.3 | Development of amended secondary legislation in an inclusive process, approval by MENRP and submission to the Government of Georgia | | | | | | | | | | | | | | | | | | | | | |
| | | R 1.3 | 1.3.1 | Assessment of the drafted new law on major accident prevention (MAP Law) prepared by MENRP in cooperation with the Czech Development Agency | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.2 | Preparation of the recommendations for the improvement of MAP Law | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.3 | Preparation of an explanatory note, including regulatory and fiscal impact assessments and justifying the need for the draft law | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.4 | Preparation of the reports on results of internal (inter-ministerial) and external stakeholder consultations | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.5 | Preparation of the new draft of MAP | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.6 | Preparation of recommendations for the ratification of the UNECE Convention on the transboundary effects of industrial accidents | | | | | | | | | | | | | | | | | | | | | |
| | | | 1.3.7 | Preparation of secondary legislation for the implementation of the Directive 12/18/EU (Seveso III) in an inclusive process (if required) | | | | | | | | | | | | | | | | | | | | | |

| | | | | CALENDAR OF ACTIVITIES | YEAR 1 | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | R 2 | R 2.1 | 2.1.1 | Preparation of the report on the analysis of the existing administrative/institutional capacities of the permitting departments of MENRP and of other institutions in line with IED provisions | | | | | | | | | | | | |
| | | | 2.1.2 | Preparation of the Plan for improvement of the administrative structure for approximation and implementation of the IED prepared in close coordination with the Civil Service Bureau | | | | | | | | | | | | |
| | | | 2.1.3 | Preparation of the Programme for the plan's implementation (practical steps) | | | | | | | | | | | | |
| | | | 2.1.4 | Performance of the assessment of training needs | | | | | | | | | | | | |
| | | | 2.1.5 | Preparation and approval of the long-term and short-term training plans on central (MENRP/other institutions) and local level, consistent with the general civil service training system | | | | | | | | | | | | |
| | | R 2.2 | 2.2.1 | Preparation and approval of the integrated permit template for industrial installations according to IED provisions (A-permit) | | | | | | | | | | | | |
| | | | 2.2.2 | Preparation and approval of the template of an application form (for the industrial operators) according to IED provisions (A-permit) | | | | | | | | | | | | |
| | | | 2.2.3 | Preparation and approval of the template for permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit) | | | | | | | | | | | | |
| | | | 2.2.4 | Preparation of the General manual ("roadmap") on IED implementation in Georgia about the main IED features and which points have to be specifically considered for its proper implementation | | | | | | | | | | | | |
| | | | 2.2.5 | Preparation of manuals and guidelines on integrated permitting for BAT assessment, setting of ELV and application of general binding rules | | | | | | | | | | | | |
| | | | 2.2.6 | Completion of integrated permits for at least 2 cases (A - industrial sectors: the installations will be selected after consultation with MENRP) | | | | | | | | | | | | |
| | | | 2.2.7 | Completion of permits for at least 2 cases (B - industrial sectors: the installations will be selected after consultation with MENRP) | | | | | | | | | | | | |
| | | | 2.2.8 | Conduction of training workshops/seminars (at least 5 on central and local level for approx. 60 participants) on BAT assessment, setting of ELV and application of general binding rules on central and regional/local level | | | | | | | | | | | | |
| | | | 2.2.9 | Organisation of 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for the permitting procedures) in EU MS | | | | | | | | | | | | |

| | | | | CALENDAR OF ACTIVITIES | YEAR 1 | | | | | | | | | | | | YEAR 2 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | R 3 | R 3.1 | 3.1.1 | Preparation of the report on the analysis of the existing administrative/institutional capacities of the enforcement departments of MENRP and of other institutions in line with IED provisions | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.2 | Preparation of the Plan for improvement of the existing administrative structures in Georgia prepared in close coordination with the Civil Service Bureau that is responsible for overall coordination of human resources management in Georgian public administration | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.3 | Preparation of the list of equipment needed for the execution of the inspections | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.4 | Preparation of the assessment of existing network of certified laboratories and recommendations for its improvement/ expansion | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.5 | Preparation of the Programme for the plan's implementation (practical steps) | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.6 | Preparation of the assessment of training needs | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.1.7 | Preparation and approval of long-term and short-term training plans on central (MENRP/other relevant institutions) and local level, consistent with the general civil service training system | | | | | | | | | | | | | | | | | | | | | |
| | | R 3.2 | 3.2.1 | Preparation of the general manual/guideline on how to conduct inspections in industrial installations | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.2 | Preparation of specific factsheets and checklists for at least 3 A - industrial sectors according to IED provisions | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.3 | Preparation of specific factsheets and checklists for at least 3 B - industrial sectors (which do not have to comply with IED provisions) | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.4 | Conduction of training workshops/seminars (at least 5 on central and local level, for approx. 100 participants) on BAT inspection, ELV compliance on central and regional/local level | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.5 | Organisation and conduction of at least 1 demonstration case (A – installation) for inspection | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.6 | Organisation and conduction of at least 1 demonstration case (B – installation) for inspection | | | | | | | | | | | | | | | | | | | | | |
| | | | 3.2.7 | Organisation of 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for inspections) in EU MS | | | | | | | | | | | | | | | | | | | | | |

| CALENDAR OF ACTIVITIES | | | | | YEAR 1 | | | | | | | | | | | | YEAR 2 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | R 4 | R 4.1 | 4.1.1 | Preparation of the report on the existing situation regarding the EIS establishment | | | | | | | | | | | | | | | | | | | | | |
| | | | 4.1.2 | Preparation of the recommendations on how the database will be integrated in existing/future EIS in line with the relevant legislation | | | | | | | | | | | | | | | | | | | | | |
| | | | 4.1.3 | Preparation of the analysis of the reporting obligations of Georgia and of the relevant institutional framework (i.e. competent authorities, frequency of reporting etc.) regarding industrial accidents | | | | | | | | | | | | | | | | | | | | | |
| | | R 4.2 | 4.2.1 | Preparation of the design of the database | | | | | | | | | | | | | | | | | | | | | |
| | | | 4.2.2 | Completion of the development of the database | | | | | | | | | | | | | | | | | | | | | |
| | | | 4.2.3 | Testing of database and installation in MENRP | | | | | | | | | | | | | | | | | | | | | |
| | | | 4.2.4 | Conduction of training of MENRP personnel | | | | | | | | | | | | | | | | | | | | | |
| CLOSING PHASE | Preparation of the Final Report | | | | | | | | | | | | | | | | | | | | | | | | |
| | Compilation and transfer of the main documents and training materials of the project | | | | | | | | | | | | | | | | | | | | | | | | |
| | Closure event | | | | | | | | | | | | | | | | | | | | | | | | |

Activity may take place at this time of the project depending on input from beneficiaries or other projects

Activity suggested to take place within this period of the project

| COORDINATION & REPORTING OF THE PROJECT | YEAR 1 | | | | | | | | | | | | YEAR 2 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| QUARTERLY PROGRESS REPORTS | | | | | | | | | | | | | | | | | | | | | |
| STEERING COMMITTEE MEETINGS | | | | | | | | | | | | | | | | | | | | | |
| FINAL REPORT | | | | | | | | | | | | | | | | | | | | | |

As shown in the previous page, the project's implementation is divided into **3 main phases:**

1. **Inception Phase (month 1)**: During the first month of the project the RTA and the project assistants shall meet the beneficiaries and establish, together with them, a fully functional Twinning office, organize the Kick-off Meeting and first Steering Committee, and start to organize the logistics and implement activities within the first quarter.
2. **Implementation Phase (months 2-20)**: The bulk of the activities will take place in this period, to achieve the expected results. Some of the activities related to the initial assessment of the institutional capacity of the beneficiaries may start already in month 1, depending on the time required to make the Twinning office functional.
3. **Closing Phase (month 21)**: The last month will be mostly devoted to the compilation and transfer of the main documents and training materials of the project to the beneficiaries, the organization of the Closure Event and the preparation of the Final Report. If due to the high workload of the Implementation Phase it is considered convenient, a couple of training missions may be shifted to this last month, even though it would be ideally better to avoid it, in order to ensure a proper closure of the project.

The approach proposed to implement the different activities is through missions of 2 or more short term experts (STEs) (in order to have several points of view and experiences), lasting each mission for 3-5 days.

With the budget available the estimated total amount of STE working days is around 450, implying a number of missions of around 50. Thus it may be convenient for a better implementation of the project to execute some of the missions in parallel the same week, to allow for some weeks to be free of missions and devoted to reporting and organization of future activities. This kind of practical considerations will be discussed with the beneficiaries during the preparation of the Twinning Contract, before implementation.

The project's execution will be guided by the following principles:

- ✓ **Flexibility and adaptability** to the needs of the Beneficiary Institutions.
- ✓ Full commitment to the Twinning principles of peer cooperation and joint actions to ensure positive effects on sustainability;
- ✓ Close cooperation with other projects related to the improvement of the environmental situation in Georgia, in particular with any project previewed to provide the software and hardware related to the Environmental Information System (EIS), to ensure the harmonisation of activities, integration of lessons learnt from other projects as well as an efficient use of financial and human resources;

- ✓ Cooperation with stakeholders and public information ensuring a broad understanding of the reforms conducted in the framework of a Twinning project;
- ✓ Offering a mix of capacity development instruments such as seminars and workshops, trainings (on inspection and social skills, legal and technical knowledge) including training on the job and training of trainers, study tours and structured expert discussions.

Regarding public awareness and information, a **project website** and an updated permitting and inspections page on the Ministry's website are **possibilities strongly recommended** as part of an awareness campaign and as a means to facilitate sustainability of results. Additionally, all background information and all Project outputs including templates, factsheets, checklists, manuals etc. as well as training materials delivered along the implementation period of the project will be made available on a **specific project on Basecamp, as the Project platform for Project leaders, RTA, experts and the beneficiary.** Providing information about the project will also contribute to expanding the knowledge of relevant stakeholders. The activities and products should fit in the overall awareness raising strategy of the MENRP.

### 2.2.2 Activities

In this subsection we present the activities that will lead to achieving the expected results. They have been **formulated based on the results and indicators described in section 3.3 of the Twinning Fiche**, with the aim **to achieve all the targets stated in that section**.

This Consortium **assigns one component leader to each component** as shown below so that activities are well coordinated inside each component and among components in the implementation of the project as a whole. This Consortium also proposes, in agreement with the beneficiary, to **define working groups for work packages at the beginning of the project implementation** (e.g. development of legislation to adopt on specific EU Directive, elaboration of manuals and guidelines, training) and to assign **working group leaders** among the experts with the task of coordinating and leading all the activities. This will also help to better assess the key human resources of the beneficiary available, to have realistic expectations and thus to draft realistic plans.

Information and training materials as well as the training provided by the MS Twinning partners and its selected international experts **will be tailored to the specific needs of the target groups**, taking into account actual problems encountered in practice.

The development of different documents like Handbooks, Manuals and other training materials, which will be made accessible on a project website (in parts publicly accessible, other parts with limited access and password-protected) and on electronic storage devices, will ensure that the knowledge gained will have a suitable multiplier effect.

The MS Twinning partners will share all their experience to establish detailed organisational arrangements, planning of resources, development of procedures, training of human resources

and communication flow in order to strengthen the capacity of all institutions involved regarding the implementation of EID Directive and the Seveso III Directive.

This Consortium also proposes **to gather certain outputs** such as the assessments, the plans for improvement, training needs assessments (TNA) in order to optimize resources and minimize the time dedicated by the beneficiary to the corresponding activities.

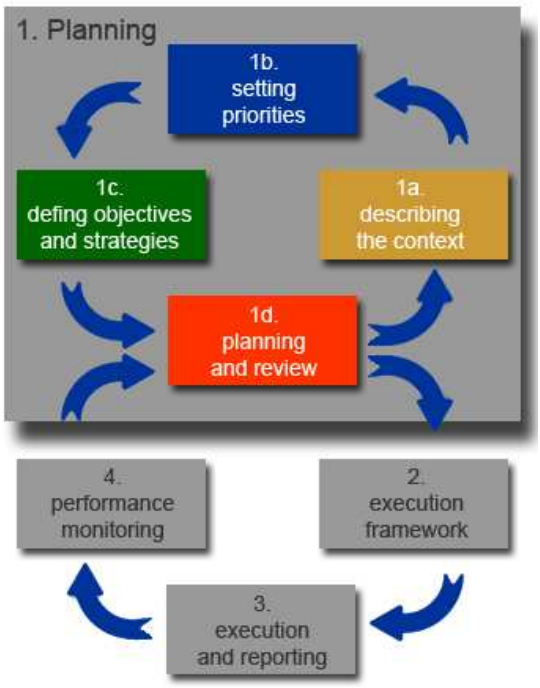
For component 1 which is aimed at developing and adopting primary and secondary legislation in accordance with IED and Seveso III Directive, experts will use their acquired experience in developing and adopting national primary and secondary legislation according to the IED and the consecutive Seveso Directives (I, II and III). Regarding the IED and the Seveso III Directive, this experience is a recent one. On the other hand, MS experts will base their support in the principles of **Better Regulation**, the Interinstitutional Agreement agreed on by the three institutions of the EU, the European Parliament, the Council and the Commission in 2015. The tools of Better Regulation, including stakeholder consultation and impact assessment, will be used. Finally, the principles drawn up in the ongoing **IMPEL project *"Make it Work"*** will be applied by MS experts. "*Make it Work"* is the project that aims to establish a more coherent and consistent framework for the EU environmental acquis through developing drafting principles on the use of cross-cutting instruments and procedures in EU environmental directives and regulations. To achieve that, a forum for discussing broader, strategic approaches to smarter EU environmental law has been established. In this forum a coalition of the Member States together with the European Commission conduct a dialogue about the modernisation of the EU environmental legislation and exchange the best practices about their national legislation. "*Make it Work"* aims at delivering environmental outcomes more efficiently and effectively, without lowering existing protection standards. Principles drawn up will ensure the protection of the environment. One of the MS experts, Jan Teekens, is the Project Leader.

For component 2, which is aimed at capacity building on central and regional/local level of the permitting system in accordance with IED, MS experts will be based on EU and MS best practices and in the first results of the on-going **IMPEL projects "*Doing the Right Things for Permitting. A step by step guidance for permitting*" and "*Supporting IED implementation*".** Regarding the first IMPEL project, which is aimed at describing the IED permitting procedure as a step-by-step guidance, the first draft of the guidance is expected for 2017. The second IMPEL project, which is wider in its scope as it also includes inspection, regarding permitting is more focused on the content of the permits. The last version of the draft guidance of October 2016 has been already issued. Both projects are connected. The Dutch Junior Partner Project Leader Rob Kramers is a member of the core team of the first IMPEL Project and one expert, Tony Liebregts, is the Project Leader.

For component 3, which is aimed at the organisation of an integrated system for inspection of industrial activities in line with the IED provisions, MS experts will be based in the

**Environmental Inspection Cycle (EIC) principles, developed by IMPEL,** and among other relevant IMPEL documents, the 2013 **IMPEL "*Guidance for the implementation of the IED in planning and execution of inspections*",** which was based on EIC, as the basis of their support.

The elements in the Environmental Inspection Cycle are the following: Describing the context (institutional assessment, policy, identification of tasks); Setting priorities (based upon a risk assessment); Defining objectives and strategies; Planning and review (inspection plan and schedule); Execution framework (procedures, methods, equipment and training); Execution and reporting and Performance monitoring. The latest version of the draft "***IMPEL Guidance book on the implementation of Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control)*" issued by the on-going IMPEL project "*Supporting IED implementation*"** will be also used. This project will bring the outputs of previous 2013 IMPEL Project one step further.




A short explanation of the EIC can be found in annex II.

For component 4, which is aimed at setting up a database of installations and accident reporting, MS experts will apply their experience in designing and developing IT tools for permitting, for inspection and for monitoring in relation to the IED and for installations, dangerous substances and accident reporting in relation to the Seveso III Directive. For some of the experts, the experience has been acquired in international projects such as the recent Twinning project '*Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis. Twining number: MK-10- IB- ENV-01'* whose component 3 was aimed at improving the **management information and reporting system (MIRS) for inspections of the State Environmental Inspectorate (SEI) of the Ministry of Environment and Physical Planning of Macedonia.** In tool design, provisions of the Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007, which establishes an Infrastructure for Spatial Information in the European Community, **(the INSPIRE Directive)** will be considered.

The **activities and** the accompanying **results** in this section can be **divided into 5 components**:

0. Kick-off and Closure events, visibility materials and other visibility actions, Steering Committee Meetings and Project Coordination;

I. Development of legislation: Develop and make the necessary steps for adoption of primary and secondary legislation in accordance with the Industrial Emissions Directive IED 2010/75/EU and the Directive 2012/18/EU (Seveso III Directive);

II. Institutional analysis, planning and practical support: Capacity building on central and regional/local level of the permitting system in accordance with the IED;

III. Institutional analysis, planning and practical support: Organisation of an integrated system for inspection of industrial activities in line with the IED provisions;

IV. IT assessment, design and development: Setting up of a database of installations and accident reporting;

**Key Services Offered**

In order to achieve the aims and objectives, the Member State institutions described above will offer support to the BC partners in a number of ways:

**STE missions:** short (3-5 day) visits to the Beneficiary organisation undertaken by the Short Term Experts, related to a specific project activity or technical issue. On these missions STEs are likely to be working directly with a small number of their BC counterparts. Their inputs will be focused and produce tangible outputs, according to their specific terms of reference and will include production of tangible products including assessment reports, manuals, guidance procedures and protocols.

**Workshops and seminars:** collective working sessions, for an extended group of stakeholders on a specific technical topic related to the work programme. The sessions can either be led by the RTA or MTEs/STEs.

**Training Courses:** bespoke and tailored training sessions related to the work programme. The training will be provided by several contributors specialised in the concerned technical field.

**On-the-job Training:** this takes place through coaching and mentoring of BC staff in their normal working situation in the BC administration, using either the actual tools, equipment, documents or materials that BC officials use when doing their normal job, or materials prepared by the project for the purposes of training BC officials in new methodologies and approaches to their work.

**Study Visits:** A visit of a group of delegates from the BC administration to one or several national institutions from EU Member states. Study visits can take place in the EU Member States involved in the project or another MS that is of particular relevance or interest to the BC administration.

**Additional Institutional and Technical Support**

For this project, Spain, Netherlands and Czech Republic will work in close partnership with other national and EU/ International institutions to implement and meet the defined project objectives as deemed appropriate by the beneficiary. This team, with its diverse range of experience, skills and knowledge is well suited to meeting the project aims but also has access to a wide international network of skilled law enforcement practitioners and professionals working in the following areas:

- Legal expertise on drafting and transposing legislation: IPPC; IED and Seveso III.
- Regulatory and Fiscal Impact Assessment.
- Application of Seveso III Directive provisions to industrial installations.
- Experts on institutional review
- Permitting for IPPC/IED activities and non-IPPC/IEED activities.
- BATs: Application in industrial activities.
- Environmental inspection.
- Experts on IT tools design and development for the environmental information system (EIS) based on web enabled databases

The team has also established relations with numerous other MS institutions, who can also provide experience and expertise of best practice in the field across the EU. We will therefore, depending on project needs and **in full consultation with our beneficiaries**, be able to access and bring on board a significant range of other EU expertise as required, either in the form of STEs working on project activities, provision of study visits to EU Member States, or provision of literature on best practice and case studies from across the EU. Additionally, this Consortium understands this Twinning Project as the **prolongation of the existing cooperation of the beneficiary with the Dutch and Czech partners** and the beginning of a new and long cooperation process, not limited to the implementation period of the Project.

We believe that the Spanish-Dutch-Czech team, and supporting institutions, are well placed to support the BC partner through this project and we hope that by working in close partnership, we will be able to assist BC partners to address issues outlined in the project fiche. This statement is based, in one hand, on the **satisfactory experience of the implementation** of the Twinning Project "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", Twinning Number MK 10 14 (MK-10-IB-ENV-01) **in Macedonia** in which the Spanish and Dutch partners of the team were involved, as a proven record that both sides established a good working relation; on the other hand, it is based on the long experience of **common work** carried out in the past by the **Dutch and Czech partners of the team focus mainly on the IPPC Directive and RMCEI implementation.**

## COMPONENT 0: KICK-OFF MEETING AND CLOSURE EVENT; PROJECT COORDINATION

### Result 0: Kick-off meeting, Closure event, visibility materials, other visibility actions and Steering Committee meetings for Project coordination organised

The RTA Iñaki Bergaretxe will be in charge of coordinating this component in close contact with the PL and the JPLs.

The kick-off meeting will take place in the first quarter of the Project once the Project office has been set up; one option is to hold the 1st Steering Committee meeting linked to the kick-off meeting is held so that all the Committee's members can assist.

Meetings with beneficiaries and stakeholders will be held in the first quarter of the Project during which the feature of the kick-off meeting can be discussed

The closure event will be held in the closing phase (month 21/final month). In this event, the Project's main results will be presented to the Georgian authorities, the stakeholders and to the public in general. A summary of the final report and the list of all relevant outputs of the Project available on the website of the MENRP will be also presented.

Additional visibility actions will be carried out in order to make the Project visible for decision makers, stakeholder and for the public in general. One of them will be the implementation of a site for the Project on the website of the MENRP. A leaflet containing the main features of the Project will be also issued. The issuing of press releases referred to specific actions or activities or the general progress of the Project will be also encouraged.

Every quarter, during the implementation phase, Steering Committee meetings will be held in which Quarterly Project Reports and Operative Side Letters will be discussed and all aspects related to the Project management will be addressed.

Before contracting, preparatory meetings with the beneficiaries are previewed. The setting up of the Project office, the selection of the RTA-Assistant and Interpreter and other topics related to the organization of the Project should be arranged during the preparatory period.

## COMPONENT I: DEVELOPMENT OF LEGISLATION

**Mandatory Result 1 : Developed and make the necessary steps for adoption of primary and secondary legislation in accordance with the Industrial Emissions Directive IED 2010/75/EU and the Directive 2012/18/EU (Seveso III Directive)**

**Component 1 will be led by Jan Kolář (add a brief note regarding the component leader's summarized profile).**

He graduated as an environmental geologist in 2004. He has worked in CENIA, Czech Environmental Information Agency since 2005 as an environmental specialist. His main task was best available techniques (BAT) assessment in metallurgy and metal surface treatment. For more than 5 years he has worked as the head of IPPC and EIA Unit. He is a member of Technical Working Group (TWG) for the BAT Reference Document for Common Waste Water and Waste Gas Treatment/Management Systems in the Chemical Sector (CWW BREF) review. VŠB-TUO in cooperation with CENIA established BAT Centre focused on energy industry, production and processing of metals and waste management in which he is active especially in the field of production and processing of metals. For the period 2014 – 2018 he has been a project team member in European Topic Centre on Waste and Materials in a Green Economy (ETC/WMGE) for the Work package 3 – Chemicals and waste. CENIA also acts as the Czech National Information Centre for REACH and CLP where he works as a member of HelpNet Steering Group (REACH and CLP Helpdesks Correspondents' Network).

As mentioned above, this Consortium also proposes, in agreement with the beneficiary, to **define working groups for work packages of component 1** (e.g. one for each intermediary result) at the beginning of its implementation. For the successful accomplishment of this component, this Consortium wants to highlight the relevance of getting input from both sides, from the beneficiary and from the MS experts. It is also **key to have the English version of the Georgian legislation**, primary and secondary, relevant for the component. Otherwise, resources will have to be allocated for its translation into English. The translation to Georgian of the final versions of the legislation developed will anyway require resources.

The activities of component 1 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 17.

**Development of legislation**

**Intermediary Result 1.1: Development of a new Law on Control on Emissions from Industry according to an inclusive and evidence-based approach and in accordance with the Industrial Emissions Directive (IED) 2010/75/EU**

The objective of the activities aimed at the intermediary result 1.1 is to develop a new Law on Control on Emissions from Industry according with Industrial Emission Directive 2010/75/EU (IED).

As mentioned in section 2.1, there is no legislation in Georgia which transposed the IPPC Directive or the IED. Although the Law on Environmental Impact Permits (LEIP) regulates the environmental permits, its procedures are more aligned with EIA than with IPPC/IED permitting procedures.

The Law on Environmental Protection (LEP) provides that ELV for polluting substances shall be developed for each specific source of pollution taking into consideration their technological characteristics and the background pollution of the location. Regulations on the Threshold Limit Values of Emissions of Harmful Substances into the Environment and Environmental Pollution with Microorganisms, shall be developed and approved by the MENRP once every 5 years. Only in the case of emissions to air is specified in the LAAP that ELV for emission of harmful substances into the air should be based on BATs.

Regarding inspections, Article 19 - Supervision of the observance of permit conditions of the LEIP provides that a state sub-agency under the Ministry – the Environmental Supervision Department – shall carry out the supervision of the observance of permit conditions by the permit holder. There are no provisions on setting up a system of environmental inspections of installations or on covering all installations by an environmental inspection plan as provided in Article 23 of the IED. There is not therefore a risk assessment approach for the frequency of routine site visits which should be the base for any inspection plan as provided in Article 23 of the IED.

In the activities aimed at the intermediary result 1.1 the existing primary legislation mentioned above will be assessed for gaps in the degree of compliance with the IED. The Law on Control on Emissions from Industry and IED will be developed, agreed with the MENRP and in full compliance with the procedures whereby legislation is prepared, drafted, adopted and published in Georgia. Experts will base their support in the principles of the Interinstitutional Agreement on Better Regulation agreed on by the three institutions of the EU, the European Parliament, the Council and the Commission in 2015. Better Regulation includes, among other tools, stakeholder consultation, impact assessment and implementation support and monitoring. As mentioned above, experts will be also based on the principles drawn up in the ongoing IMPEL project "*Make*

*it Work"* that promotes a more consistent and better EU regulation that is better to execute by MS countries.

The missions related to activities 1.1.1 – 1.1.2 are proposed to take place within the first 10 months of the project (1.1.1 in the first 2 months, 1.1.2 in months 2-10), as they will provide the knowledge about the gap in the degree of compliance of existing legislation with the IED and they will allow stakeholder identification. First meetings with them will be organized and questionnaires will be elaborated within this period. The early completion of these activities will be a guarantee for the successful implementation of the remaining activities. The rest of the activities of component 1 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 17.

**Activity 1.1.1** – Assessment of the gap in the degree of compliance of existing legislation with the IED.

In activity 1.1.1, experts will carry out the assessment of the gap in the degree of compliance of existing legislation with the IED. The existing legislation to be assessed includes at least the following:
The Law on Environmental Impact Permits
The Law on Licences and Permits
The Law on Ecological Expertise
The Law on Environmental Protection
The Law on Ambient Air Protection
The Law on Water
The Waste Management Code

**Outputs**:

Report on the assessment of the gap in the degree of compliance of existing legislation with the IED

**Activity 1.1.2** – Preparation of the Law on Control of Emissions from Industry (including the permitting/ enforcement system), agreed with the MENRP accompanied with Table of Concordance and report on stakeholder consultations.

In activity 1.1.2 experts will elaborate the Table of Concordance. Stakeholders will be identified including operators of the main industrial sectors affected by the IED, other branches of the Georgian government (Ministries) and regional and local authorities, sectors of the civil society as the business community, trade unions, consumers' organizations, NGOs etc. Beside meetings for consultations a questionnaire will be drafted by the experts and submitted to stakeholders both internal (inter-ministerial) and external. Experts will prepare a report on each meeting held with

stakeholders and another one on the responses to the questionnaire, in collaboration with the MENRP. A final summary report with conclusions will be also drafted.
Based on these documents, experts will prepare the draft Law on Control on Emissions from Industry, including provisions on setting up a permitting system and an enforcement system.

**Outputs**:

- Proposal for the Law on Control of Emissions from Industry (including the permitting/ enforcement system)
- Table of Concordance
- Report on stakeholder consultations

**Activity 1.1.3** – Preparation of an explanatory note, including regulatory and fiscal impact assessments for the draft law.

In activity 1.1.3 experts will carry out the regulatory and fiscal impact assessment for the draft law. An impact assessment must identify and describe the problem to be tackled, establish objectives, formulate policy options and assess the impacts of these options. Based on the assessment reports, experts will draft an explanatory note.

The MS experts have the experience in preparing the explanatory notes, the regulatory and fiscal impact assessments as well as the justification of the need to draft the new law. This experience is derived from their involvement in the processes of development and adoption of the corresponding national legislation in line with the different Seveso Directive. Being also involved in its implementation, their experience highly valuable. The assessments and the explanatory note will be prepared in collaboration with the Georgian authorities.

Although it is estimated that the most challenging task will be the preparation of the fiscal impact assessment, experts have the experience and knowledge to accomplish it.

**Outputs**:

- Explanatory note
- Report on regulatory impact assessment
- Report on fiscal impact assessment.

**Activity 1.1.4** – Preparation of reports on results of internal (inter-ministerial) and external stakeholder consultations.

Once stakeholder consultations meetings have taken place and filled in questionnaires have been received experts will draft the reports on results of internal (inter-ministerial) and external stakeholder consultations.

**Outputs**:

- Report on results of internal (inter-ministerial) consultation
- Report on external stakeholder consultations.

**Activity 1.1.5** – Development of the list of existing primary legislation related to industrial emissions to be abolished or amended, agreed with MENRP and accompanied with a table indicating articles which should be abolished or amended.

Experts will elaborate a list of existing primary legislation related to industrial emissions to be abolished or amended, agreed with the MENRP and accompanied with a table indicating articles which should be abolished or amended. As long as the procedures whereby legislation is prepared, drafted, adopted and published in Georgia allow it, the application of technique re-casting will be proposed. Re-casting is a technique used to bring together in a single new act the original legislative act and all its numerous subsequent amendments. It should be the main legislative method to produce a single, clear, comprehensible legislative text. Where re-casting is not possible, the option of codification should be pursued.

**Outputs**:

- List of existing primary legislation related to industrial emissions to be abolished or amended
- Table indicating articles which should be abolished or amended.

**Activity 1.1.6** – Development of amended primary legislation, agreed with MENRP and submission to the Government of Georgia.

Experts will deliver the draft amended primary legislation on Control on Emissions from Industry according to IED to the MENRP, previously agreed with it for submission to the Government of Georgia.

**Outputs**: Amended primary legislation, agreed with the MENRP.

## Development of legislation

**Intermediary Result 1.2: Development of secondary legislation in accordance with the Industrial Emissions Directive (IED) 2010/75/EU**

The objective of the activities aimed at the intermediary result 1.2 is to develop secondary legislation in accordance with the Industrial Emission Directive (IED) 2010/75/EU, including by-laws and sub-laws focusing on BATs and ELV introduction for permitting and other regulations on integrated environmental permitting and enforcement procedures.

As mentioned in the previous section corresponding to the Intermediary Result 1.1, there is no legislation in Georgia which transposed the IPPC Directive or the IED.

Regarding permitting, Article 30.2 of the LEP provides that the threshold limit values of emissions of harmful substances into the environment and environmental pollution with microorganisms shall be determined once in every 5 years by the Regulations on the Threshold Limit Values of Emissions of Harmful Substances into the Environment and Environmental Pollution with Microorganisms, which shall be developed and approved by the MENRP. These Regulations are the main piece of secondary legislation on permitting but only in the case of Ambient Air Protection it is specifically provided that the calculation of the limit values of emission of harmful substances '*should*' be based on BATs. In relation with this issue, the Ordinance No 408 of the Government of Georgia of 31 December 2013 was adopted on Approval of Technical Regulations for Calculating Threshold Limit Values of Emission of Harmful Substances into the Ambient Air. Regarding wastewater discharge into water bodies, the 1997 Law on Water (LW) regulations are in place with maximum permissible levels of water pollutants and monitoring of waste water quality approved by the MENRP (N 05-02/17-03, 16.03.11).

Regarding inspection, there are no provisions in secondary legislation in Georgia, aligned with the IED provisions on inspection, such as provisions on setting up a system of environmental inspections of installations or on covering all installations by an environmental inspection plan with the calculation of the frequency of site visits for routine inspection based on risk assessment as provided in Article 23 of the IED.

Once primary legislation on Control of Emissions from Industry has been developed, new secondary legislation on Control on Emissions from Industry will be developed in activity 1.2. Experts will elaborate a Table of Concordance and the list of secondary legislation related to Industrial Emissions that should be abolished or amended accompanied with a table indicating articles which should be abolished or amended. The inclusive process mentioned in the project's fiche (Section 3.3 *Results* page 10) will be carried out applying the principles of Better Regulation, specifically Stakeholder consultation, both internal (inter-ministerial) and external. All the process

in every stage will be agreed with the MENRP which will approve and submit the draft legislation to the Government of Georgia. Secondary legislation on permitting should include procedures for issuing A-permits, introducing the obligation to set ELV based on BATs. It should also include rulebooks on BAT conclusions for the main industrial sectors.

In component 2 of the fiche, two types of permits are considered:

- Integrated permits for industrial installations according to IED provisions (A-permit)
- Permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B –permit)

Although the intermediary result 1.2 refers only to secondary legislation in accordance to the IED, proposals for secondary legislation on SME permitting (B-permit) can be drafted by experts, in agreement with the MENRP, the PL and the JPLs. If it is the case, an approach based on general binding rules and applicable legislation on emission limits could be the base for setting ELV in permitting.
Secondary legislation shall also include provisions on inspection, as provided in Article 23 and monitoring according to Articles 14 (1)(c), 14(1)(e) and 16 of IED.

**Activity 1.2.1** - Development of secondary legislation (i.e. by-laws and sub-laws focusing on the concepts of BAT introduction and ELV application, regulations including integrated permitting/enforcement procedures), agreed with MENRP and accompanied with Table of Concordance.

Experts will develop secondary legislation focusing on procedures for issuing A-permits (for installations complying with IED provisions), on BATs introduction and ELV applications. Proposals for provisions on B-permits (SME) may be contemplated as mentioned. Rulebooks on BAT conclusions for the main industrial sectors will be also included. Regulations including enforcement procedures will be developed with a focus on setting up an inspection system and inspection plans based on a risk assessment approach. Regulations on monitoring will be also developed. A Table of Concordance will accompany the developed secondary legislation. The whole process will be agreed with the MENRP in all stages, in full compliance with the procedures whereby secondary legislation is prepared, drafted, adopted and published in Georgia.

**Outputs**:

- By-laws and sub-laws focusing on:
    - BAT introduction
    - ELV application
    - Regulations including integrated permitting/enforcement procedures
- Table of Concordance

**Activity 1.2.2** – Development of the list of existing secondary legislation related to industrial emissions to be abolished or amended, agreed with MENRP and accompanied with table indicating articles which should be abolished or amended.

Experts will develop the list of existing secondary legislation related to industrial emissions to be abolished or amended accompanied with table indicating articles which should be abolished or amended. As in the case of primary legislation, the application of the technique of re-casting will be proposed or alternatively the issuance of consolidated versions.

**Outputs**:

- List of secondary legislation related to industrial emissions to be abolished or amended
- Table indicating articles which should be abolished or amended

**Activity 1.2.3** – Development of amended secondary legislation in an inclusive process, approval by MENRP and submission to the Government of Georgia.

Experts will deliver the developed amended secondary legislation to the MENRP for approval and submission to the Government of Georgia. The inclusive process mentioned in the project's fiche (Section 3.3 *Results* page 10) will be carried out applying the principles of Better Regulation, specifically Stakeholder consultation, both internal (inter-ministerial) and external

**Outputs**: Amended secondary legislation

**Development of legislation**

**Intermediary Result 1.3: Development of legislation in accordance with the Directive 2012/18/EU (Seveso III Directive) and preparation for the ratification of the UNECE Convention**

MS experts have extensive experience and knowledge in the transposition of the different Seveso Directives to national legislation by which national standards are set up. Some of the experts have been working for many years in the development and implementation of the different Seveso Directives and in the control and monitoring of the protection measures established by the affected industries.

MS experts have also been involved in the drafting of legislation and in the drafting of risk analysis and planning guidelines and standards documents for the preparation of internal emergency plans and external emergency plans as outlined in the Seveso Directive.

The MS experts will carry out:

- Identification of the administrative units of Georgia competent in the implementation of the Seveso III Directive at central and local level.
- Number of establishments affected by the Seveso III Directive in Georgia: lower-tier establishments or upper-tier establishments.
- The assessment of the drafted new law on major accident prevention (MAP Law) prepared by the MENRP in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s., including recommendations for the improving of the Law
- Preparation of a new draft MAP Law Preparation of an explanatory note which will be accompanied by regulatory and fiscal impact assessments and by a justification of the need for the draft law. Reports on results of internal (inter-ministerial) and external stakeholder consultations will be also prepared.
- Preparation of recommendations for the ratification of the UNECE Convention on the transboundary effects of industrial accidents.
- Preparation of secondary legislation for the implementation of the Directive 12/18/EU (Seveso III) in an inclusive process (if required).

MS experts will base their support in the principles of the Interinstitutional Agreement on Better Regulation agreed on by the three institutions of the EU, the European Parliament, the Council and the Commission in 2015. Better Regulation includes, among other tools, stakeholder consultation, impact assessment and implementation support and monitoring.

Beside the Department of Environmental Supervision, which is responsible for enforcement actions, including inspections, a service within the MENRP which is relevant regarding the intermediary result 1.3 is the Natural and Anthropogenic Hazards Management Service.

**Activity 1.3.1** - Assessment of the drafted new law on major accident prevention (MAP Law) prepared by MENRP in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s. will be carried out.

As mentioned in section 2.1 the project Capacity Building in the Prevention of Major Accidents is being implemented from 2014 to 2016 in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s.. The project specifically aims to strengthen the legislative and technical capacity of Georgia in regard to 'Major Accident Prevention' (MAP). It addresses, among other issues, the drafting of new law on major accidents, in a harmonization process with the EU Seveso Directive and the process of ratification of the UNECE Convention on the

Transboundary Effects of Industrial Accidents (TEIA Convention), which Georgia has not yet ratified.

The experts will carry out a detailed study of the drafted new law on major accident prevention (MAP Law) prepared by MENRP in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s. as an output of the above mentioned project.

The assessment will focus on the comparative analysis of the new drafted MAP Law with the Directive 2012/18 / EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (Seveso III Directive).

**Outputs**: Assessment report of the drafted new MAP Law.

**Activity 1.3.2** – Preparation of the recommendations for the improvement of MAP Law.

The recommendations to improve the MAP Law will be guided by and based on the principles of the Seveso III Directive with a focus on:

- The identification of the administrative units of Georgia competent in the implementation of the Seveso III Directive at central and local level.
- The relationship with other standards in which the Seveso III Directive interacts such as access to environmental information, environmental impact assessment (EIA), strategic environmental assessment of plans and programs (SEA), shared environmental information system, the IED.
- Further strengthening of the level of protection, in particular with regard to the prevention of major accidents.
- Issuing more effective and efficient provisions, and where possible by reducing unnecessary administrative burdens by streamlining or simplification of procedures.

**Outputs**: Recommendations for the improvement of MAP Law

**Activity 1.3.3** – Preparation of an explanatory note, including regulatory and fiscal impact assessments and justifying the need for the draft law.

As mentioned above, following the principles of Better Regulation and those drawn up in the IMPEL Project "*Make it Work*", new draft legislation must be accompanied by an explanatory note, including regulatory and fiscal impact assessments and justifying the need for the draft law. The MS experts have the experience in preparing the explanatory notes, the regulatory and fiscal impact assessments as well as the justification of the need to draft the new law. This experience is

derived from their involvement in the processes of development and adoption of the corresponding national legislation in line with the different Seveso Directive. Being also involved in its implementation, their experience highly valuable.

The assessments and the explanatory note will be prepared in collaboration with the Georgian authorities.

Although it is estimated that the most challenging task will be the preparation of the fiscal impact assessment, experts have the experience and knowledge to accomplish it.

**Outputs**:

- Explanatory note
- Report on regulatory impact assessment
- Report on fiscal impact assessment

**Activity 1.3.4** – Preparation of the reports on results of internal (inter-ministerial) and external stakeholder consultations.

Stakeholders will be identified including operators of the main industrial sectors affected by the Seveso III Directive, other branches of the Georgian government (Ministries) and regional and local authorities, sectors of the civil society as the business community, trade unions, consumers' organizations, NGOs etc.
Meetings will be held with stakeholders for consultations. Beside meetings for consultations a questionnaire will be drafted by the experts and submitted to stakeholders both internal (inter-ministerial) and external.

The Consortium's proposal is to hold at least two inter-ministerial meetings.

Experts will prepare a report on each meeting held with stakeholders and another one on the responses to the questionnaire, in collaboration with the MENRP. A final summary report with conclusions will be also drafted.

**Outputs**:

- Report on results of internal (inter-ministerial) consultation
- Report on external stakeholder consultations

**Activity 1.3.5** – Preparation of the new draft of MAP Law.

Based on the reports and other documents from the previous activities, in coordination with the MENRP, experts will prepare the new draft of MAP Law to adapt Georgian legislation to the new Seveso III Directive.

The new draft MAP law should include among its provisions at least:

- The obligation to carry out the assessment of major accident-hazards for a particular dangerous substance.
- New obligations for operators in the field of serious accidents prevention policy.
- Provisions on the information to the public, public consultation and participation in decision-making.
- Provisions on inspections: Inspection Plans and Programs. Routine and non-routine inspections.

**Outputs**: Draft of the new MAP Law

**Activity 1.3.6** Preparation of recommendations for the ratification of the UNECE Convention on the transboundary effects of industrial accidents (TEIA Convention).

The outputs of the project Capacity Building in the Prevention of Major Accidents which has been implemented from 2014 to 2016 in cooperation with the Czech Development Agency and the implementing partner Dekonta a.s., mentioned in section 2.1, will be assessed. As mentioned in activity 1.3.1, the project addresses, among other issues the process of ratification of the UNECE Convention on the Transboundary Effects of Industrial Accidents (TEIA Convention), which Georgia has not yet ratified.

One of the Project's specifics aims is the harmonization with the UNECE TEIA Convention, which Georgia has not yet ratified.

Recommendations will be made for the ratification of the UNECE TEIA Convention, which was approved on behalf of the EU by the Council Decision 98/685/EC of 23 March 1998 concerning the conclusion of the Convention on the Transboundary Effects of Industrial Accidents. The TEIA Convention provides for measures regarding the prevention of, preparedness for, and response to industrial accidents capable of causing transboundary effects as well as for international cooperation in this field.

**Outputs**: Recommendations for the ratification of the UNECE Convention on the transboundary effects of industrial accidents.

**Activity 1.3.7** – Preparation of secondary legislation for the implementation of the Directive 12/18/EU (Seveso III) in an inclusive process (if required).

On the basis of the reports of previous activities and the content draft of MAP Law will be proposed in collaboration with the Georgian authorities the preparation of secondary legislation. On the basis of the experts' experience, one would be proposed to establish a division of competences between the various competent Georgian authorities in Seveso III.

> **Outputs**: Draft secondary legislation for the implementation of the Directive 12/18/EU (Seveso III) in an inclusive process

## COMPONENT II: INSTITUTIONAL ANALISYS, PLANNING AND PRACTICAL SUPPORT

**Mandatory Result 2 : Capacity building on central and regional/local level of the permitting system in accordance with the IED**

**Component 2** will be led by Mr. **Rob Kramers.** He is expert advisor for the Dutch Ministry of Infrastructure and the Environment and responsible for international cooperation projects with regards the environment. Since 2000 Mr. Kramers has active within the IMPEL network and a large number of Twinning and bilateral projects in EU and Neighbourhood countries. From 2009 to 2012 Mr. Kramers was leader for the project that developed NEAP 2 in Georgia. From 2011 to 2014 he was leader for the project that assisted the MENRP in the professionalization of the EIA, permitting and inspection. He is the proposed Junior project leader from the Netherlands of the Twinning project GE 14 ENI EN 02 16 of the Spanish-Dutsch-Czech Consortium.

The activities of component 2 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 18.

### Institutional/administrative analysis and planning

**Intermediary Result 2.1: Analysis and proposed plans for strengthening the central and local administrative capacity for approximation and implementation of the IED (integrated permitting system)**

The methodological approach used in the IMPEL Review Initiative (IRI) will be used as a reference by the STEs in all activities within the intermediary result 2.1. The IRI focuses both on inspection and permitting activities. Several of the key experts in our Consortium have been either team leaders or team members of IRI teams that have been executed by IMPEL. The last IRI was held in the Region of Styria in Austria.

The aim of the intermediary result is to further strengthen the administrative capacity of central and local authorities for the implementation of the IED regarding its integrated permitting system.

Within the MENRP, environmental permitting is the responsibility of the Department of Environmental Impact Permits. As it is mentioned in section 3.1.1.1 of this proposal, as well as in

section 4.1 of the Twinning Project Fiche., its staff includes 19 employees. The Permitting Division within the Department is responsible for issuing conclusions of ecological expertise and environmental impact permits. The Analytical Division is responsible for the operation of the ecological expertise conclusions and the environmental impact permits database.

Other important departments of the MENRP relevant in the environmental permitting procedures are the following:

- The Ambient Air Protection Service
- The Water Resource Management Service
- The Natural and Anthropogenic Hazards Management Service
- The Waste and Chemicals Management Service

Regarding staff's training, the relevant department within the MENRP is the following one:

- Environmental Information and Education Centre (EIEC), a Legal Entity of Public Law within the MENRP established in 2013 with a mandate to improve training approaches and provide training for the MENRP's staff and other stakeholders.

Regarding the permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit), experts will identify permitting authorities and departments and permitting procedures as well, in order to assess the corresponding existing capacity. A compilation of the applicable legislation will be also carried out.

The missions related to activities 2.1.1 – 2.1.2 are proposed to take place within the first 5 months of the project (activity 2.1.1 in months 1-2 and activity 2.1.2 in months 2-5). A first mission involving interviews, briefings and discussions with relevant stakeholders is foreseen to gather the required information. The final analysis report and the Plan for improvement will be prepared within this period. The early completion of these activities will be a guarantee for the successful implementation of the remaining activities. The rest of the activities of component 2 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 17.

**Activity 2.1.1** – Preparation of the report on the analysis of the existing administrative/institutional capacities of the permitting departments of MENRP and of other institutions in line with IED provisions (staff, structure, trained experts in specific areas, documentation, coordination and competences, accountability lines between institutions).

This first activity to be carried out, if possible within month 1, by MS experts with the support of the MENRP experts is to get a very clear and complete picture of the administrative/institutional framework of Georgia regarding environmental permitting, which will serve as input to all the MS

experts involved in other activities of the component 2 of the project. In order to get early a detailed overview it will include not only defined staff, structures and allocations of permitting responsibilities, but also current capacities, means and procedures of the staff working within those structures, including trained experts in specific areas, documentation, coordination and competences and accountability lines between institutions. Within this analysis the coordination and potential of collaboration at all levels, including the regional one, will be one of the aspects to be discussed between the MS experts and MENRP experts and experts of regional/local levels.

Regarding the permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit), experts will identify permitting authorities and departments and permitting procedures as well, in order to assess the corresponding existing capacity. A compilation of the applicable legislation will be also carried out.

One mission involving interviews, briefings and discussions with relevant stakeholders is foreseen to gather the required information. Draft outputs should be prepared by the MS experts within 10 days of their mission in Georgia, which should be checked by MENRP experts and experts of regional/local levels and RTA to confirm the accuracy of contents, being a final version of them prepared. Several of the MS experts included in this proposal have carried out this kind of analysis in other countries, like Czech Republic, Austria, Poland, Romania, Georgia, Slovenia or Turkey.

> **Outputs**: report on the analysis of the existing administrative/institutional capacities of the permitting departments of MENRP and of other institutions in line with IED provision

**Activity 2.1.2** – Preparation of the Plan for improvement (e.g. requirements for re-structuring of administrative units, human/financial resources needed for permits issuing) of the administrative structure for approximation and implementation of the IED in close coordination with the Civil Service Bureau that is responsible for overall coordination of human resources management in Georgian public administration.

Based on the analysis report delivered in activity 2.1.1, MS experts will prepare the Plan for improvement (e.g. requirements for re-structuring of administrative units, human/financial resources needed for permits issuing) of the administrative structure for approximation and implementation of the IED in close coordination with the Civil Service Bureau that is responsible for overall coordination of human resources management in Georgian public administration. The Plan's provisions and recommendations should be discussed with MENRP experts and experts of regional/local levels and RTA regarding the feasibility to implement them. Discussions are proposed to include at least (i) a review of the current legal framework in the country versus EU acquis and ongoing or expected developments, (ii) a presentation by MS experts of good practices regarding optimization of permitting structures, (iii) a brainstorming session to discuss which approaches may be useful for the case of Georgia.

**Outputs**: Plan for improvement of the administrative structure for approximation and implementation of the IED prepared in close coordination with the Civil Service Bureau.

**Activity 2.1.3** – Preparation of the Programme for the Plan's implementation (practical steps).

Based on the analysis report delivered as output of the activity 2.1.1 and the Plan for improvement proposed in activity 2.1.2, MS experts shall discuss with MENRP experts and experts of regional/local levels different possibilities for the implementation of the Plan based on their experience and the available means in the country. The approach could be as follows: (i) Review by MS experts of outputs from activity 2.1.2, clarifying with the RTA and MENRP experts and experts of regional/local levels any doubts, (ii) delivery of a presentation by MS experts of good practices regarding the implementation of Plans for strengthening of administrative capacities for environmental permitting which could be applicable in Georgia, (iii) a brainstorming session to discuss which kind of measures may be useful for the case of Georgia, (iv) drafting of the Programme.

It should be noted the importance that the Members of the Consortium have always given to the strengthening of their own administrative capacities, implementing (among others) carefully planned annual training programmes, as described for the case of Galicia in section 3.2.1.2 of this document. In the case of The Netherlands, InfoMil (Junior partner in this Consortium) is the knowledge Centre for Environment in The Netherlands and developed her own Academy. InfoMil supported Georgia in establishing the Environmental Information and Education Centre of the MENRP.

Moreover, they have as well supported other countries in the elaboration of such programmes.

**Outputs**: Programme for the implementation of the Plan for improvement.

**Activity 2.1.4** – Performance of the assessment of training needs.

Taking into account the strong inter-linkage between permitting and inspection this Consortium supports the idea of performing a combined training needs assessment (TNA) for both. Although one group of experts could develop the TNA for permitting and another one the TNA for inspection, this Consortium proposes to carry out both at the same time and to present the results together. As a consequence, this Consortium proposes a parallel performance of activities 2.1.4 and 3.1.6.
One mission by MS experts shall be required to assess and discuss together with MENRP experts and experts of regional/local levels the current knowledge and environmental permitting practices.

Based on the training needs assessment (TNA) a training programme will be developed within activity 2.1.5.

Within this activity MS experts will also discuss the importance of establishing a Training Unit within the Education division of the Environmental Information and Education Centre (EIEC). This Unit could be responsible for organising and facilitating training courses, identifying training needs, developing training programmes and exchanging knowledge and information regarding permitting and inspection at national and regional/local levels. A Core group of trainers, from the MENRP, could be linked to this Unit. By involving EIEC in the project the sustainability of the transferred knowledge and experience will be guaranteed.

The Consortium wants to emphasize the extreme usefulness that the establishment of a Training Core Group (as part of a Training Unit described mentioned in the previous paragraph) at a very early stage of the project could have. By involving the group already in this activity, they can contribute and learn on the elaboration of such a programme for capacity building.

**Outputs**: Report on the training needs assessment (TNA).

**Activity 2.1.5** – Preparation and approval of the long-term and short-term training plans on central (MENRP/other institutions) and local level, consistent with the general civil service training system.

As in the case of the activity 2.1.4 this Consortium proposes to carry out a combined long-term and short-term training plan on central (MENRP/other institutions) and local level for permitting and inspection both at the same time and to present the results together. Although one group of experts could develop the training plans for permitting and another one the training plans for inspection, this Consortium proposes to carry out both at the same time and to present the results together. As a consequence, this Consortium proposes a parallel performance of activities 2.1.5 and 3.1.7. Another key point will be the collaboration with the EIEC in the preparation of the plans.

A training programme will be developed, including at least a description of the proposed training sessions and workshops, the training needs and targets, the trainers and trainees, the training methodologies and training materials. A distinction shall be made between the training to be provided within the Twinning project (short-term training plan) and after the Twinning project (long-term training plan). A draft document including the long-term and short-term training plans should be prepared by the MS experts within 10 days of their mission in Georgia, which should be checked by MENRP experts and experts of regional/local levels and RTA to deliver a final version.

Following the indications laid out in the short-term training plan, MS experts will prepare training curricula and a set of training materials on permitting of IPPC/IED activities to be used later on. The fields of training that will part of the curricula may include: Skills (permitting; trainings; social issues) knowledge (legislation; technical aspects of industry with a focus on BATs; monitoring) and joint permit drafting exercises. Training curricula could also be differentiated into management and operational level.

The training materials should be prepared having input from MENRP experts and experts of regional/local levels, so that they may be usable afterwards by Georgian experts.

The training materials will be available both in English and Georgian.

**Outputs**:

- Long-term training plan on central (MENRP/other institutions) and local level
- Short-term training plan on central (MENRP/other institutions ) and local level

**Practical support**

**Intermediary Result 2.2: Practical support for setting-up the integrated permitting system**

Practical support for setting-up the integrated permitting system for IPPC/IED activities (A-permit) will be provided to the Department of Environmental Impact Permits of the MENRP.

Regarding the permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit), practical support will be provided to the permitting authorities and departments identified in activity 2.1.1.

**Activity 2.2.1** – Preparation and approval of the integrated permit template for industrial installations according to IED provisions (A-permit).

An integrated permit template for industrial installations covered by IED (A-permit) will be drafted by MS experts in line with IED provisions and MS best practices. The draft template's

structure and content will be discussed with experts of the Department of Environmental Impact Permits of the MENRP.

**Output**: A new integrated permit template for industrial installations according to IED provisions (A-permit).

**Activity 2.2.2** – Preparation and approval of the template of an application form (for the industrial operators) according to IED provisions (A-permit).

A template of an application form for operators of industrial installations covered by IED (A-permit) will be drafted by MS experts in line with IED provisions and MS best practices. The draft template's structure and content will be discussed with experts of the Department of Environmental Impact Permits of the MENRP.

**Outputs**: A new template of an application form (for the industrial operators) according to IED provisions (A-permit).

**Activity 2.2.3** – Preparation and approval of the template for permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit).

A permit template for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit) will be drafted by MS experts in line with applicable legislation and MS best practices. The draft template's structure and content will be discussed with experts from competent national, regional and local authorities and departments. The discussion about the use of General Binding Rules applicable to SME to reduce the administrative burden will be introduced at this stage.

As an example, the templates used by the Territorial Units (provinces) of the Galician Regional Ministry of Environment and Spatial Planning for the assessment procedure termed as 'environmental incidence' will be available. Conditions established as a result of the assessment become permit conditions, although an actual permit is not issued. Activities linked mainly to SME which do not have to comply with IED and/or EIA Directive provisions are subjected to the procedure.

**Outputs**: A new template for permits for small/medium enterprises (SME) which do not have to comply with IED provisions (B-permit).

**Activity 2.2.4** – Preparation of the General manual ("roadmap") on IED implementation in Georgia about the main IED features and which points have to be specifically considered for its proper implementation (including the identification of priority sectors and installations to be covered by IED, assess financial, technological and administrative capacities and potentials of existing plants to meet corresponding ELV).

MS experts will prepare the General manual on IED implementation in Georgia about the main IED features and which points have to be specifically considered for its proper implementation (including the identification of priority sectors and installations to be covered by IED, assess financial, technological and administrative capacities and potentials of existing plants to meet corresponding ELV).

MS experts will base the preparation of the General manual on their own experience at a national level and at international level derived from their participation in IMPEL projects, Twinning projects and other international projects. This activity is closely linked to activities aimed at the intermediary result 1.1. '*Development of a new Law on Control on Emissions from Industry according to an inclusive and evidence based approach and in accordance with IED 2010/75/EU*' The main features of the new law, as well as impact assessment reports and the report on stakeholder consultations will be the bases of the General manual on IED implementation. BREF documents will be also used, particularly for the assessment of financial and technological capacities and potentials of existing plants to meet corresponding ELV.

On the other hand, as it is mentioned in section 3.1.1, according to Annex XXVI – *Environment*- of the EU-Georgia Association Agreement, the gradual approximation of the Georgia's environmental legislation to the IED will take place within the stipulated timeframes.

These timeframes will be taken into account for the elaboration of the General manual ("roadmap") on IED implementation in Georgia.

> **Outputs**: General manual ("roadmap") on IED implementation in Georgia about the main IED features.

**Activity 2.2.5** – Preparation of manuals and guidelines on integrated permitting for BAT assessment, setting of ELV and application of general binding rules.

An initial discussion with MENRP experts shall take place to review the existing Georgian manuals and guidelines on integrated permitting for BAT assessment, setting of ELV and application of general binding rules. As a result of it, MS experts shall prepare and deliver a presentation of the

MS manuals and guidelines which may be taken as a reference to prepare analogous documents for the Georgian case. Together with MENRP experts it will be decided which updates or new manuals and guidelines are required, and what should be their contents and structure. A calendar shall be defined for the delivery of draft (prepared by MS experts) and final versions (after review by MENRP experts and the RTA) of the documents. Priority industrial sectors identified in activity 2.2.4 will be selected for the preparation of manuals and guidelines.

One good option which could be discussed with the Beneficiaries would be to develop a basic guidance on permitting described as a step-by-step guidance following the model of the corresponding on-going IMPEL project *"Doing the Right Things for Permitting. A step-by-step guidance"* mentioned above and in section 6.2, incorporating elements of the on-going IMPEL project "*Supporting IED implementation*" (describing planning and execution of inspections in relation to EU legislation) and a number of selected sector inspection guidelines that would contain: the selected industry in European and national context; the production process; the important environmental issues connected to the corresponding type of industry (including the expected environmental emissions); the inspection issues and a standard checklist.

**Outputs**:

- Manuals and guidelines on integrated permitting for BAT assessment
- Manuals and guidelines on integrated permitting for setting ELV
- Manuals and guidelines on integrated permitting for the application of general binding rules

**Activity 2.2.6** – Completion of integrated permits for at least 2 cases (A - industrial sectors: the installations will be selected after consultation with MENRP).

2 industrial priority sectors among those identified in activity 2.2.4 will be selected in agreement with the MENRP. Using the new integrated permit template for industrial installations according to IED provisions (A-permit) delivered in activity 2.2.1, the new template of an application form for the same installations delivered in activity 2.2.2, and the manuals and guidelines delivered in activity 2.2.5, a team of MS experts and MENRP experts will issue permits for 2 real cases corresponding to each priority industrial sector selected.

**Outputs**:

- Integrated permit for case 1 (A-industrial sector 1)
- Integrated permit for case 2 (A-industrial sector 2)

**Activity 2.2.7** – Completion of permits for at least 2 cases (B - industrial sectors: the installations will be selected after consultation with MENRP).

2 industrial priority sectors among the activities linked to the SME will be selected in agreement with the MENRP. Using the new template for permits for SEM which do no not have to comply with IED provisions (B-permit) delivered in activity 2.2.3, a team of MS experts, MENRP experts and regional/local level experts will issue permits for 2 real cases corresponding to each priority industrial sector selected.

**Outputs**:

- Integrated permit for case 1 (B-industrial sector 1)
- Integrated permit for case 2 (B-industrial sector 2)

**Activity 2.2.8** Conduction of training workshops/seminars (at least 5 on central and local level for approx. 60 participants) on BAT assessment, setting of ELV and application of general binding rules on central and regional/local level.

Once the training materials mentioned in activity 2.1.5 are ready, as well as those delivered in activities 2.2.1, 2.2.2, 2.2.3, 2.2.5, MS experts will implement, following the indications laid out in the short-term training plan prepared within activity 2.1.5, workshops and seminars targeted at all relevant stakeholders involved/affected by permitting of IPPC/IED installations. The workshops/seminars will deal with BAT assessment, setting of ELV and the application of general binding rules on central and regional/local level.

For the staff of the proposed Training Unit within the Education division of the EIEC and the Core Trainers group special train the trainer sessions will be organised.

It is suggested to include both an initial part devoted to explain the "theory", followed by a more dynamic, interactive part, devoted to the discussion of some practical cases.

Activity 2.2.8 could be combined with the activity 3.2.4 as both are aimed at providing training, workshops/seminars.

**Outputs**: Workshops/seminars (at least 5 on central and local level for approx. 60 participants) on BAT assessment, setting of ELV and application of general binding rules on central and regional/local level conducted.

**Activity 2.2.9** Organisation of 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for the permitting procedures) in EU MS.

It is proposed to implement a 1-week study tour either to The Netherlands or to the Czech Republic as preferred by the Beneficiaries for approximately 10 selected representatives of the MENRP and of regional/local authorities responsible for permitting procedures. The activity would have as goals to: (i) have the chance to experience how IPPC/IED permitting procedures are implemented on-site, in MS (ii) to compare the content of IPPC/IED permits of the main industrial sectors, particularly how BATs and ELV based on BATs are included in MS (iii) how IPPC/IED permit conditions are reconsidered after new or updated BAT conclusions are adopted in the MS (iv) see the kind of tools, in particular software including GIS, databases, digital documents filing systems and monitoring results recording & assessment tools, developed to support permitting practices, (v) exchange ideas with diverse competent authorities relevant to the implementation of IED provisions on permitting which may be applicable in Georgia. The programme for the study tour would be discussed and agreed in advance with the Georgian beneficiaries.

According to the experience of the Consortium in previous Twinning projects, it will be as well an excellent opportunity for many of the key experts from countries involved in the Twinning project to get to know each other better and create a good working environment for the rest of the project's duration. Thus it is suggested that it should take place at an early stage of the project, ideally in months 4-6, taking into account that there is another study visit planned in activity 3.2.7, initially proposed for months 1-3.

> **Outputs**: 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for the permitting procedures) in EU MS conducted.

## COMPONENT III: INSTITUTIONAL ANALISYS, PLANNING AND PRACTICAL SUPPORT

### Mandatory Result 3 : Organisation of an integrated system for inspection of industrial activities in line with the IED provisions

**Component 3** will be led by **Dr. José Francisco Alonso Picón**. He is the Head of the Environmental Inspectorate of the Region of Galicia (Spain) and he has been involved in projects on the national level as former President and current member of the board of Redia (Spanish National Network for Environmental Inspection) and participant in the working groups set up by the Spanish Ministry of Agriculture and Fisheries, Food and Environment for the adoption and implementation of primary and secondary legislation according to IED; he has been the main responsible for the implementation of the provisions of IED regarding environmental inspections and the RMCEI on the regional level; ha has been also involved in projects in the international level as key expert in a Twinning Project in Turkey in which he led the group of experts on LCP and as a Project Leader in the EU Twinning Project in Macedonia "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", Twinning Number MK 10 IPA EN 01 14 (MK-10-IB-ENV-01) ENEA (ENforcing Environmental Acquis). http://www.sei.gov.mk/projects_page_en.asp?ID=2, which ended in July 2016. He is the proposed Project Leader of the Twinning Project GE 14 ENI EN 02 16 of the Spanish-Dutch-Czech Consortium.

The activities of component 3 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 19.

#### Institutional analysis and planning

**Intermediary Result 3.1: Review/analysis of existing institutional inspection system**

The methodological approach used in the IMPEL Review Initiative (IRI), as well as the RMCEI, will be used as a reference by the MENRP in all activities within Result 3.1. The IRI follows the steps from the EIC. Several of the key experts in our Consortium have been either team leaders or team members of IRI teams that have been executed by IMPEL.

The missions related to activities 3.1.1 – 3.1.2 are proposed to take place between the months 2 to 6, as they will provide the knowledge about the current situation in Georgia in the field of environmental enforcement and inspection, required to carry out successfully most of the remaining activities

**Activity 3.1.1** – Preparation of the report on the analysis of the existing administrative/institutional capacities of the enforcement departments of MENRP and of other institutions in line with IED provisions.

This first activity to be carried out, if possible in months 2-3, by MS experts with the support of the MENRP experts is to get a very clear and complete picture of the institutional framework in Georgia, which will serve as input to all the MS experts involved in other activities of the project to become familiar with the current situation of environmental inspection in the country. In order to get early a detailed and holistic overview it will include not only defined structures and allocations of inspection responsibilities, but also current capacities, means and procedures of the staff working within those structures. Within this analysis the coordination and potential of collaboration at all levels, including the regional one, will be one of the aspects to be discussed between the MS experts and MENRP experts. This kind of coordination and collaboration, both within the country and with neighbouring countries, is a field where the Consortium Partners have a long and fruitful experience.

One mission involving interviews, briefings and discussions with relevant stakeholders is foreseen to gather the required information. Draft outputs should be prepared by the MS experts, which should be checked by MENRP experts and RTA to confirm the accuracy of contents, being a final version of them prepared in a second mission if required. Several of the MS experts included in this proposal have carried out this kind of analysis in other countries.

> **Outputs**: report on the analysis of the existing administrative/institutional capacities of the enforcement departments of MENRP and of other institutions in line with IED provisions.

**Activity 3.1.2** – Preparation of the Plan for improvement of the existing administrative structures in Georgia in close coordination with the Civil Service Bureau that is responsible for overall coordination of human resources management in Georgian public administration.

Based on the assessment initial recommendations delivered in activity 3.1.1, MENRP experts and MS experts should discuss the feasibility to implement such recommendations, and other possibilities which may be suggested during the discussions, to optimize the environmental inspection structure. Discussions are proposed to include at least a review of the current legal

framework in the country versus EU acquis and ongoing or expected developments, a presentation by MS experts of god practices regarding optimization of inspection structures, a brainstorming session to discuss which approaches may be useful for the case of Georgia.
The establishing of a Training Unit within the Education division of the Environmental Information and Education Centre (EIEC) will be discussed in activity 2.1.4. This Unit could also take responsibilities regarding training actions for inspection. The Unit would be responsible for a high level of qualification of all inspectors and other staff will ensure the sustainability of this project. A Core group of trainers, from the Department of Environmental Supervision (DES), could be linked to this Unit,

This activity should be ideally implemented during months 3 and 6. A draft report should be prepared by the MS experts within 10 days of their mission which should be checked by MENRP experts and RTA to deliver a final version.

> **Outputs**: Plan for improvement of the existing administrative structures in Georgia prepared in close coordination with the Civil Service Bureau that is responsible for overall coordination of human resources management in Georgian public administration

**Activity 3.1.3** – Preparation of the list of equipment needed for the execution of the inspections.

MS experts are environmental inspectors with many years of experience who know the material and equipment necessary both personally and collectively that are necessary in the environmental inspection and in a very specific way for the environmental inspections of IPPC activities affected by the IED.

The stages that will be carried out are: Assessment of existing equipment for the execution of the environmental inspections in MENRP (Central and local level); compliance of existing equipment; priority list of equipment; approval for MENRP and priority list definitive.

This activity is connected with activity 4.1.1, in which the available hardware, software and licenses will be analyzed in order to build an additional information system. Depending on this and the financial possibilities, the purchase or the renting of some equipment will be proposed.

> **Outputs**: list of equipment needed for the execution of the inspections.

**Activity 3.1.4** – Preparation of the assessment of existing network of certified laboratories and recommendations for its improvement/ expansion.

MS experts will identify the laboratories with the capacity to perform analytical tasks in support of the ENVIRONMENTAL inspection, gathering and analyzing the available information on the type of organism to which it belongs (local or state) and the system of relationship between them.

MS experts will carry out an analysis if all laboratories can respond to the analytical demands of environmental inspection by evaluating: (i) the availability of laboratory equipment, (ii) the availability of fit for Propose, and (iii) the ability to take on the sample load generated by the environmental inspection.

Based on the analysis carried out and taking into account the level and form of interrelation between the laboratories, a network model and a management system for that network will be proposed in order to maximize the efficiency and efficiency of the laboratory network.

In all this process will also take into account the aspects of certification and accreditation of laboratories with the aim of generating confidence in the analytical work and comply with legal requirements.

> **Outputs**: Report on the assessment of existing network of certified laboratories and recommendations for its improvement/ expansion

**Activity 3.1.5** – Preparation of the Programme for the plan's implementation (practical steps).

Based on the institutional assessment and the proposal of activity 3.1.2 MS experts shall discuss with MENRP experts different possibilities based on their experience and the available means and capacity of the country. The approach could be as follow: (i) Review by MS experts of outputs from activity 3.1.1, clarifying any possible doubts with the RTA and MENRP experts., (ii) delivery of a presentation by MS experts of good practices regarding strengthening of administrative capacities for environmental enforcement which could be applicable in Georgia, (iii) a brainstorming session to discuss which kind of measures may be useful for the case of Georgia.

It should be noted the importance that the Members of the Consortium have always given to the strengthening of their own administrative capacities, implementing (among others) carefully planned annual training programmes, as described for the case of Galicia in section 3.2.1of this document. Moreover, they have as well supported other countries in the elaboration of such programmes. In the case of The Netherlands, InfoMil (Junior partner in this consortium) is the knowledge Centre for Environment in The Netherlands and developed her own Academy. InfoMil

supported Georgia in establishing the Environmental Information and Education Centre of Georgia.

The Consortium wants to emphasize the extreme usefulness that the establishment of a Training Core Group (as part of a Training Unit described in activity 3.1.2) at a very early stage of the project could have. By involving the group already in this activity, they can contribute and learn on the elaboration of such a programme for capacity building.

This activity should be ideally implemented during months 6 and 7. A draft programme should be prepared by the MS experts within 10 days of their mission, which should be checked by MENRP experts and RTA to deliver a final version.

**Outputs**: Programme for the plan's implementation (practical steps

**Activity 3.1.6** – Preparation of the assessment of training needs.

As mentioned in activity 2.1.4, taking into account the strong inter-linkage between permitting and inspection, the preparation of a combined training needs assessment (TNA) for permitting and inspection is proposed. As a consequence, this Consortium proposes a parallel performance of activities 2.1.4 and 3.1.6.

One mission by MS experts shall be required to assess and discuss together with Georgians experts the current knowledge and practices within the scope of those Directives and their enforcement.

By already establishing the Training Unit in the EIEC and the Training Core group in the DES, as proposed in activities 2.1.4, 3.1.2 and 3.1.3, this staff could then interact with the MS Experts so they will acquire expertise on how to execute a TNA (Training Needs Assessment), on developing a training programme and on training methodologies for adults.

The document including the results of the TNA should be ready in month 8 (implementation during months 6-7). A draft report should be prepared by the MS expert within 10 days of their mission, which should be checked by MENRP an RTA to deliver a final version.

**Outputs**: Report on Programme for the plan's implementation (practical steps

**Activity 3.1.7** – Preparation and approval of long-term and short-term training plans on central (MENRP/other relevant institutions) and local level, consistent with the general civil service training system.

As mentioned in activity 2.1.5 the preparation of a combined long-term and short-term training plan on central (MENRP/other institutions) and local level for permitting and inspection both at the same time and to present the results together. As a consequence, this Consortium proposes a

parallel performance of activities 2.1.5 and 3.1.7. Another key point will be the collaboration with the EIEC in the preparation of the plans.

A training plan will be developed, including at least a description of the proposed training sessions and workshops, the training needs and targets, the trainers and trainees, the training methodologies and training materials. A distinction shall be made between the training to be provided within the Twinning project (short-term training plan) and after the Twinning project (long-term training plan). The training plans should be ideally elaborated during months 8 and 9, before or in parallel with activity 3.1.2, which is intimately connected. It may be even convenient to include the long-term training plan (post-Twinning training) within the output of activity 3.1.2, as part of it.

A draft document including the long-term and short-term training plans should be prepared by the MS experts within 10 days of their mission, which should be checked by MENRP experts and RTA to deliver a final version.

Following the indications laid out in the short-term training plan, MS experts will prepare training curricula and a set of training materials on implementation and enforcement of the IPPC/IED Directives to be used later on. The fields of training that will be part of the curricula may include: Skills (inspections; trainings; social issues) knowledge (legislation, technical aspects of industry; monitoring) and joint inspections. Training curricula could also be differentiated into management and operation level.

The training materials should be prepared having input from MENRP expert, so that they may be usable afterwards by Georgians experts.

The training materials will be available both in English and Georgian.

**Outputs**:

- Long-term training plan on central (MENRP/other institutions) and local level
- Short-term training plan on central (MENRP/other institutions ) and local level

**Practical support**

**Intermediary Result 3.2: Practical support for setting-up an effective inspection system for IED installations**

An initial discussion with MENRP experts shall take place to review the existing Georgian manuals, guidelines, factsheets and checklists. As a result of it, MS experts shall prepare and deliver a presentation of the MS manuals, guidelines, factsheets and checklists which may be taken as a reference to prepare analogous documents for the Georgian case. Together with MENRP experts it will be decided which updates or new manuals, guidelines, factsheets and checklists are required, and what should be their contents and structure. A calendar shall be defined for the delivery of draft (prepared by MS experts) and final versions (after review by MENRP experts and the RTA) of the documents.

The following activities would take place from month 10 until the end of the Project missions.

**Activity 3.2.1** – Preparation of the general manual/guideline on how to conduct inspections in industrial installations.

MS experts will use the step by step guidance book for planning and execution of environmental inspection in Georgia as basis. This book was developed by experts of MENRP with support of InfoMil in 2013. Further the MS experts shall take as reference both IMPEL guidance materials such as "*Doing The Right Things Guidance Book*", "*Setting Targets & Performance Monitoring*", "*Easytools – Risk Assessment Guidance Book*", "*Environmental inspections of industrial installations in accordance with the Industrial Emissions Directive (IED) – Drawing up of IRAM related inspection programmes*", "*Guidance for the implementation of the IED in planning and execution of inspections*", as well as those manuals and checklists developed by them in Spain, The Netherlands and Czech Republic. Several key experts in this consortium are the authors of these relevant IMPEL documents.

The experience of the Consortium team in the preparation of such documents is extensive, having prepared: (i) Inspection Guidelines, including one focussed on IPPC activities, (ii) check lists for certain kinds of activities: landfills, end of life vehicles, vehicle workshops, waste recycling collection points, uncontrolled waste dumps, wastewater treatment plants (urban and agro industry), sludge, etc.

This Consortium proposes to develop one basic inspection manual (describing planning and execution of inspections in relation to Georgian legislation) and a number of selected sector inspection guidelines that would contain: the selected industry in European and national context; the production process; the important environmental issues connected to the corresponding type of industry (including the expected environmental emissions); the inspection issues and a standard checklist.

The materials should be prepared with input from MENRP expert, so that they may be usable afterwards by Georgians experts.

The materials will be available both in English and Georgian.

**Outputs**: manual/guideline on how to conduct inspections in industrial installations.

**Activity 3.2.2** – Preparation of specific factsheets and checklists for at least 3 A - industrial sectors according to IED provisions.

MS experts will elaborate factsheets, inspection checklists and horizontal BAT covering at least 3 industrial sectors (IPPC/EID) which will serve as a guide to improve the quality of inspections.
In coordination with the MENRP, MS experts will be able to produce more documents in other industrial activities in which they are interested.

The materials should be prepared having input from MENRP expert, so that they may be usable afterwards by Georgians experts.

The materials will be available both in English and Georgian.

**Outputs**:

- Factsheet for A - industrial sector 1
- Checklist for A - industrial sector 1
- Factsheet for A - industrial sector 2
- Checklist for A - industrial sector 2
- Factsheet for A - industrial sector 3
- Checklist for A - industrial sector 3

**Activity 3.2.3** – Preparation of specific factsheets and checklists for at least 3 B - industrial sectors (which do not have to comply with IED provisions).

MS experts will elaborate factsheets, inspection checklists and horizontal BAT covering at least 3 industrial sectors (IPPC/EID) which will serve as a guide to improve the quality of inspections.

In coordination with the MENRP, MS experts will be able to produce more documents in other industrial activities in which they are interested.
The materials should be prepared having input from MENRP expert, so that they may be usable afterwards by Georgians experts.

The materials will be available both in English and Georgian.

**Outputs**:

- Factsheet for B - industrial sector 1
- Checklist for B - industrial sector 1
- Factsheet for B - industrial sector 2
- Checklist for B - industrial sector 2
- Factsheet for B - industrial sector 3
- Checklist for B - industrial sector 3

**Activity 3.2.4** Conduction of training workshops/seminars (at least 5 on central and local level, for approx. 100 participants) on BAT inspection, ELV compliance on central and regional/local level.

Once the training materials mentioned in activity 3.1.7 are ready, MS experts will implement, following the indications laid out in the short-term training plan prepared within activity 3.1.6 and using the materials from activity 3.1.7, workshops and seminars targeted at all relevant stakeholders involved/affected by inspection and enforcement of the IPPC/IED Directive (BATs, inspection, ELV compliance on central and regional/local level).

For the staff of the proposed Training Unit within the Education division of the EIEC and the Core Trainers group special train the trainer sessions will be organised.

It is suggested to include both an initial part devoted to explain the "theory", followed by a more dynamic, interactive part, devoted to the discussion of some practical cases.

Activity 3.2.4 could be combined with the activity 2.2.8 as both are aimed at providing training, workshops/seminars.

**Outputs**: Workshops/seminars (at least 5 on central and local level, for approx. 100 participants) on BAT inspection, ELV compliance on central and regional/local level conducted.

**Activity 3.2.5** – Organisation and conduction of at least 1 demonstration case (A – installation) for inspection.

The Consortium fully agrees with the proposal made in the Twinning Fiche about executing at least 1 demonstration case (A- installation) "pilot/joint practical inspections" on installations belonging to relevant sector for the country. It is certainly the best way for the beneficiaries and the MS experts of the project to make sure that there is a common understanding of the relevant updates brought through the rest of the Project activities, and to ensure the sustainability of results.

As shown in section 5.1.5 of this Proposal, the Consortium has taken care to include senior environmental inspectors with long experience in environmental inspections.

This activity should be coordinated with activity 3.1.7 (in its section "elaboration of short-term training plan").

This Consortium is open to further inspections of various activities included in the IED of interest to the beneficiary country.

**Outputs**: 1 demonstration case (A – installation) for inspection conducted.

**Activity 3.2.6** – Organisation and conduction of at least 1 demonstration case (B – installation) for inspection.

The Consortium fully agrees with the proposal made in the Twinning Fiche about executing at least 1 demonstration case (B- installation) " pilot/joint practical inspections" on installations belonging to relevant sector for the country. It is certainly the best way for the beneficiaries and the MS experts of the project to make sure that there is a common understanding of the relevant updates brought through the rest of the Project activities, and to ensure the sustainability of results.

As shown in section 5.1.5 of this Proposal, the Consortium has taken care to include senior environmental inspectors with long experience in environmental inspections.

This activity should be coordinated with activity 3.1.7 (in its section "elaboration of short-term training plan").

The Consortium is open to further inspections of various activities not included in the IED of interest to the beneficiary country.

**Outputs**: 1 demonstration case (B – installation) for inspection conducted.

**Activity 3.2.7** – Organisation of 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for inspections) in EU MS.

This Consortium proposes to organise a 1 week study visit to Galicia (Spain).

The activity would have as goals the following: (i) to have the chance to see inspection practices on-site, implemented in a MS, (ii) to see the kind of tools, in particular software and coordination tools, developed to support inspection and enforcement practices, (iii) to exchange ideas with diverse competent authorities relevant to the implementation of the IPPC/EID Directives which may be applicable in Georgia. The programme for the study tour would be discussed and agreed in advance with the MENRP.

According to the experience of this Consortium in previous Twinning Projects, it will be as well an excellent opportunity for many of the key experts from the countries involved in the Twinning to know better each other and create a good working environment for the rest of the Project's duration. Thus it is suggested that it should take place at an early stage of the project, ideally in months 1-3.

**Outputs**: 1 study visit for approx. 10 selected representatives of MENRP and of regional/local authorities (responsible for the permitting procedures) in EU MS conducted.

## COMPONENT IV: ASSESSMENT, DESIGN AND DEVELOPMENT

### Mandatory Result 4 : Setting up of a database of installations and accident reporting

Component 4 will be led by Mr. José Gil de Bernabé Sánchez. He has over 20 years of experience in environmental inspection and civil protection. Main responsible, together with the proposed Spanish Project Leader Dr. José Francisco Alonso), of the establishment of the current environmental inspection structure in the Region of Galicia. As the Deputy Director General for Planning and Civil Protection, he has been involved in the adoption and implementation of secondary legislation according to Directive 2012/18/EU (Seveso III Directive). He has been, along with the proposed Spanish Project Leader, the main responsible for the design and development of IT tools for environmental inspection and the REGADE (Galician Emissions Register) IT tool for monitoring of emissions to air, VOCs and E-PRTR for the Region of Galicia. He has been also the main responsible for the design and development of IT tools for Seveso installations and accident reporting for the Region of Galicia.

The activities of component 4 are proposed to take place as shown in the proposed calendar of implementation of the activities on page 20.

#### Assessment

**Intermediary Result 4.1: Assessment of existing environmental information system (EIS) structure and of relevant databases in MENRP and other institutions**

The availability of an adequate information system is a key factor for a good performance in any activity. These systems must be simple, easily upgradeable, connectable to other systems and very operational, so that users feel that the system works for them and not the other way around.

The team of this project has a high experience in the design, development and implementation of information systems in both the field of environmental inspection and in the emergencies caused by accidents that may occur in the chemical industry that is in the field of the SEVESO III directive.

In order to apply this experience to the MERP and other institutions involved in the project, an evaluation of relevant environmental information will be carried out in these institutions.

The missions described in activities 4.1.1 and 4.1.2 are proposed to be developed from months 3 to 17 (activity 4.1.1 in months 3-5 and activity 4.1.2 in months 6-17) in the calendar to ensure

that the tasks which are assumed to require more time in component 4, design and development of the database, will start in time. It must taking into account that activity 4.1.2 aims at the preparation of the recommendations on how the database will be integrated in existing/future EIS in line with the relevant legislation. If the existing EIS is highly dependent on legislation, and as a result of the Project new legislation is adopted, activity 4.1.2 will be dependent of the outputs of component 1 and it should therefore either prolonged well to the second year of the project's implementation (month 17) or divided in to sub activities, the second one aimed at the updating after the developed legislation is approved by the MENRP for submission to the Georgian government.

**Activity 4.1.1** – Preparation of the report on the existing situation regarding the EIS establishment.

In this activity, the current permitting and inspection procedures will be diagnosed and the information needs will be identified, as well as the information sources and the way in which it is collected, used and generated by the different users participating in the system. It will be also analyzed the updating processes and the existing lack of key information.

In addition, the available hardware, software and licenses will be analyzed in order to build an additional information system. Depending on this and the financial possibilities, the purchase or the renting of some equipment will be proposed, while it is not available, to work with the additional information system that is intended to be developed.

This activity is connected with activity 3.1.3 Preparation of the list of equipment needed for the execution of the inspections.

**Outputs**: Report on the existing situation regarding the EIS establishment.

**Activity 4.1.2** – Preparation of the recommendations on how the database will be integrated in existing/future EIS in line with the relevant legislation.

Following the diagnosis of the situation, a short, medium and long-term action plan will be prepared which will allow to integrate the database and to improve the existing information system. It will also allow establishing the mechanisms that will ensure its connection with future information systems that could be developed in compliance with relevant legislation. Principles laid down in the INSPIRE Directive will be taken into account, mainly the principle of interoperability, defined as the property of a product or system, whose interfaces are completely understood, to

work with other products or systems, present of future, without any restricted access or implementation.

**Outputs**: Recommendations on how the database will be integrated in existing/future EIS in line with the relevant legislation.

**Activity 4.1.3** – Preparation of the analysis of the reporting obligations of Georgia and of the relevant institutional framework (i.e. competent authorities, frequency of reporting etc.) regarding industrial accidents.

At this stage, Georgia's reporting obligations and its institutional framework, relating to accidents that may occur in industrial facilities, will be analyzed. The authorities who are responsible for generating the reports derived from these accidents and the receptors of them will be identified, while analyzing their contents and deadlines.

**Outputs**:

- Analysis of the reporting obligations of Georgia regarding industrial accidents
- Analysis of the relevant institutional framework (i.e. competent authorities, frequency of reporting etc.) regarding industrial accidents.

**Design and development**

**Intermediary Result 4.2: Design and development of the web enabled database**

As a result of the diagnosis and the recommendations carried out in the previous stage, the project team will define and develop the web enabled database, as well as the different user profiles that will be created. The information needed for environmental permitting and inspection activities will be also collected and added.

The experience of the team in this matter recommends that it is preferable to develop initially a simple, upgradable and modular system that allows its growth to meet new information demands. In this way, it is possible to guarantee the acceptance of the information system by the users and, therefore, its implementation. In any organization, once this acceptance has been achieved, users themselves usually demand new features that, given the modularity of the system, are easily added. The desired cycle of continuous improvement is in this way initiated.

**Activity 4.2.1** – Preparation of the design of the database.

In this activity, the team will carry out a database design in which the information that has been deemed relevant in the evaluation phase of the system will be located. The programming language will be simple and will allow the development of new features. In addition, the profiles of users who will access this database and the privileges available to each of them will be designed.

**Outputs**: Design of the database.

**Activity 4.2.2** – Completion of the development of the database.

Once the database's design is prepared, its development will be completed. The information regarding some installations will be at least uploaded, so that it makes possible to proceed to the testing stage. At this stage, the experts will simulate the process and check the proper functioning of the system before it is tested by some of the end users.

**Outputs**: Development of the database.

**Activity 4.2.3** – Testing of database and installation in MENRP.

The MENRP will select some end users of the application for testing the database, including at least one end user with each of the profiles designed. In a second phase, before proceeding to activity 4.2.4, the participation of the operators of one installation will be requested. Any gap or failure detected in the design of the database will be corrected before proceeding to the next phase of the project. Finally, the database will be installed in the MENRP.

**Outputs**: Tests of the database conducted.

**Activity 4.2.4** – Conduction of training of MENRP personnel.

Finally, once the previous stages have been completed, trainings will be organized for and provided to all system users. With the support of the personnel selected in the previous testing phase, training on the functioning and operation of the application will be provided.

**Outputs**: Training of MENRP personnel conducted.

### 2.2.3 Final considerations

This Consortium wants to emphasize once again its **flexibility and willingness to define the final programme of activities together with the beneficiaries**, during the preparation of the Twinning Contract. The activities, methodologies and outputs presented in the previous subsection took as starting point sections 3.3 and 3.4 of the Twinning Fiche, and are just suggestions on the kind of contents that the project may include, to be taken as a reference, if the beneficiaries consider it useful, during the Twinning Contract preparation stage.

The Consortium is open to all kinds of modifications and proposals from the beneficiaries, to optimally achieve the Project Purpose, "*to introduce, in cooperation with other relevant stakeholders, a system of integrated pollution prevention and control through the development of legal, institutional, administrative and procedural frameworks for integrated permitting and inspection*", and Overall Objective, "*harmonise Georgia's legal and organisational infrastructure with the provisions of the EU environmental acquis in the fields of industrial pollution and industrial hazards and to protect its environment through effective pollution prevention and control procedures*".

Finally, this Consortium wants to highlight that understands this Twinning Project as the **prolongation of the existing cooperation of the beneficiary with the Dutch and Czech partners** and the beginning of a new and long cooperation process, not limited to the implementation period of the Project.

# 3. INSTITUTIONAL FRAMEWORK

## 3.1 Current Institutional Framework in Georgia

A brief summary is provided in this subsection of the understanding that the Consortium has about the main beneficiaries of this Twinning project, based mainly on the information provided in the Twinning Fiche, in the UNECE document "3rd Environmental Performance Review, Georgia", published in December 2016, in the European Commission Joint Staff Working Document "Implementation of the European Neighbourhood Policy in Georgia. Progress in 2014 and recommendations for actions." published in 2015 and the "National Environmental Action Plan of Georgia 2012-2016".

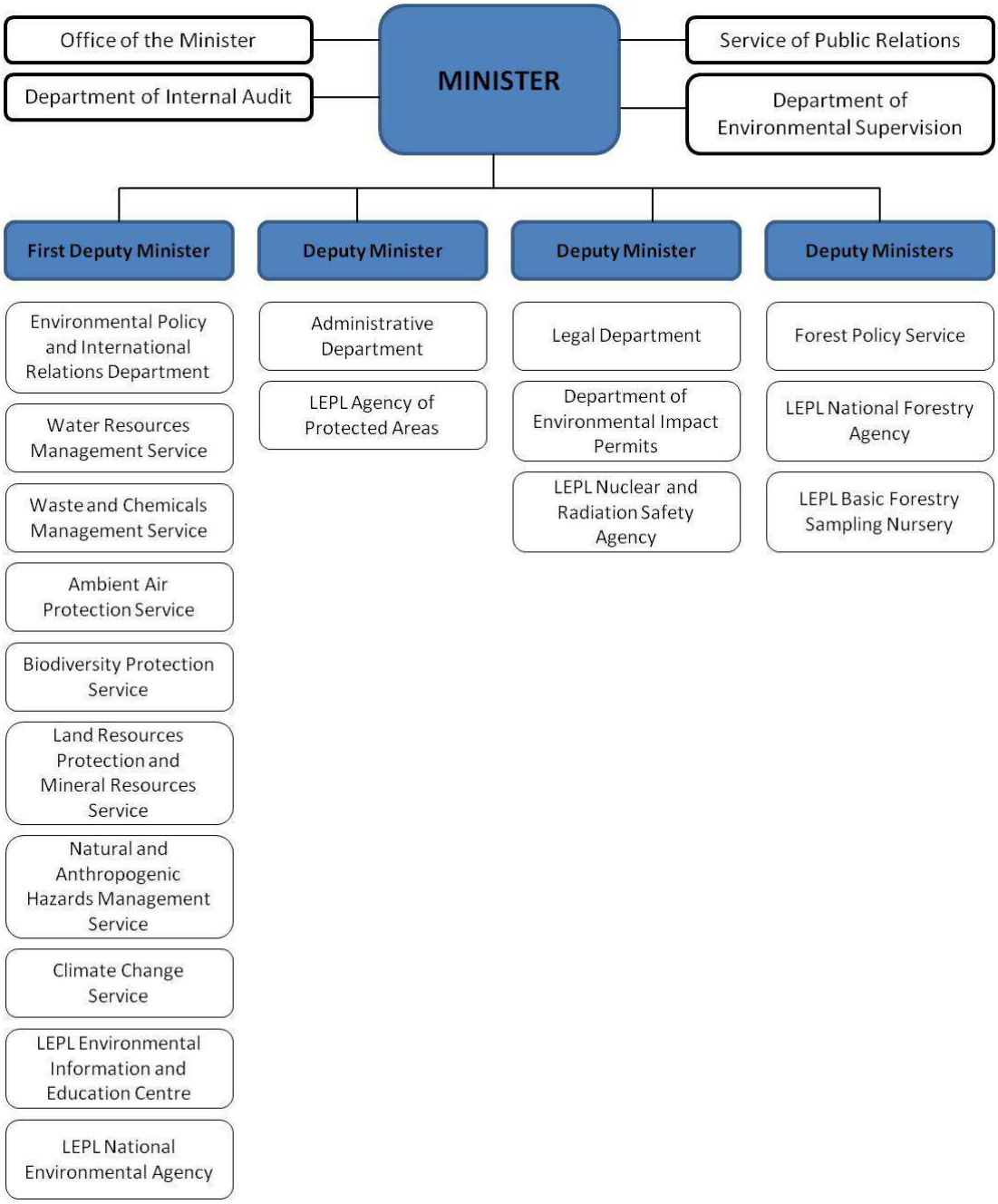
### 3.1.1 Ministry of Environment and Natural Resources Protection (MENRP)

The Ministry of Environment and Natural Resources Protection (MENRP) is the main environmental authority in Georgia. Its current mandate is specified in a governmental decree of April 2013 and covers all aspects of pollution control and regulation of natural resources extraction (except oil and gas), use and protection. Several independent units ("legal entities of public law", or LEPLs) report to the Ministry.

The organizational structure of the new Ministry of Environment and Natural Resources Protection (figure 1) reflects Georgia's environmental policy priorities relatively well, and does not exhibit blatant gaps or contradictions with good governance principles. All major functions and areas of environmental management are covered.

The MENRP is the main Twinning Project beneficiary institution.

Figure 1: Organizational structure of the MENRP




## The MENRP and the EU-Georgia Association Agreement

Georgia signed the Association Agreement including the Deep and Comprehensive Free Trade Area (AA/DCFTA) with the European Union in 27 June 2014,). Georgia ratified the AA on 18 July 2014. The EU-Georgia Association Agreement fully entered into force on 1 July 2016, although

substantial parts of the Association Agreement have been provisionally applied since 1 September 2014.

Georgia undertakes, according to Annex XXVI – *Environment*- of the EU-Georgia Association Agreement, to gradually approximate its legislation, among others, to the following EU legislation within the stipulated timeframes:

Industrial pollution and industrial hazards :

1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions:

The following provisions of that Directive shall apply:

— adoption of national legislation and designation of competent authority/ies;
Timetable: those provisions of that Directive shall be implemented within four years of the entry into force of the EU-Georgia Association Agreement.

— identification of installations that require a permit;
Timetable: those provisions of that Directive shall be implemented within six years of the entry into force of the Agreement. For installations of points 6(3), 6(4), and 6(6) of Annex I of that Directive the different thresholds will be agreed upon by the Association Council. A proposal for such a decision will be submitted to the Association Council within four years from the entry into force of the Agreement.

— implementation of an integrated permit system (Articles 4 to 6, 12, 17(2), 21 and 24 and Annex IV);
Timetable: those provisions of that Directive shall be implemented within six years of the entry into force of the Agreement; for installations of points 6(3), 6(4), and 6(6) of Annex I of that Directive within maximum six years after/from the Association Council decision.

— establishment of a compliance monitoring mechanism (Articles 8, 14(1)(d) and 23(1));
Timetable: those provisions of that Directive shall be implemented within six years of the entry into force of the Agreement.

— implementation of BAT taking into account the BAT conclusions of the BREFs (Article 14(3) to (6) and Article 15(2) to (4));
Timetable: those provisions of that Directive shall be implemented within 12 years of the entry into force of the Agreement.

— establishment of emission limit values for combustion plants (Article 30 and Annex V);
Timetable: those provisions of that Directive shall be implemented within four years of the entry into force of the Agreement for new installations and within 12 years of the entry into force of the Agreement for existing installations.

— preparation of transitional national plans to reduce total annual emissions from existing plants (optional to setting emission limit values for existing plants) (Article 32).
Timetable: those provisions of that Directive shall be implemented within 12 years of the entry into force of the Agreement.

2. Council Directive 96/82/EC of 9 December 1996 on the control of major accident hazards involving dangerous substances as amended by Directive 2003/105/EC and Regulation (EC) No 1882/2003:

The following provisions of Directive 96/82/EC shall apply:

— adoption of national legislation and designation of competent authority/ies;

— establishment of effective coordination mechanisms between relevant authorities;
Timetable: those provisions of that Directive shall be implemented within four years of the entry into force of the Agreement.

— establishment of systems for recording information about relevant installations and for reporting on major accidents (Articles 13 and 14);

Timetable: those provisions of that Directive shall be implemented within five years of the entry into force of the Agreement.

It must be highlighted that although the Association Agreement refers to 96/82/EC (Seveso II), this Twinning project aims to support Georgia in approximating its legislation to the Directive 2012/18/EU (SEVESO III Directive), which repealed Council Directive 96/82/EC.

In late 2014, some adjustments in the MENRP's structure were made in order to enhance its capacity for implementing the AA/DCFTA. The Division of Environmental Policy within the Environmental Policy and International Relations Department was transformed into the Division of Sustainable Development and EU Integration Policy. A five-staff Division for EU Harmonization was established within the Legal Department. These changes denote the Ministry's understanding of challenges inherent to the Agreement's implementation.

#### 3.1.1.1 The Department of Environmental Impact Permits

The Department of Environmental Impact Permits is responsible for environmental licensing.

The environmental permitting system is fully regulated by the 2007 Law on Environmental Impact Permit, which defines procedures and contains the list of activities subject to licensing. The project developer is obliged to produce the EIA report according to the 2013 Order No. 31 of the MENRP on Approval of the Regulation on Environmental Impact Assessment. Once drafted and revised, an EIA is submitted to the Department of Environmental Impact Permits of the MENR for ecological expertise, and analysis involving experts from the Ministry and external experts, as appropriate.

After this stage, a review of the EIA report is performed by the Department of Environmental Impact Permit. The decision of the environmental authority in the process of environmental impact permitting comes as a result of a separate, but linked, ecological expertise procedure. The Department of Environmental Impact Permits establishes a council (commission) of experts for each ecological expertise procedure. The council includes staff members of the MENRP and its

subordinate agencies, and may also include independent experts. The "Conclusions of Ecological Expertise" document prepared by the expert commission is then approved by the Minister. The decision can be positive or negative.

The Department of Environmental Impact Permits' staff includes 19 employees.

Table 1 shows the number of permits issued by the Department in the period 2007-2014.

| Table 1: Environmental impact permits, 2007 - 2014, number | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
| Permits issued | 29 | 43 | 102 | 86 | 41 | 46 | 68 | 60 |
| *Source*: Ministry of Environment and Natural Resources Protection, 2015. | | | | | | | | |

**The Permitting Division**

Division responsible for issuing conclusions of ecological expertise and environmental impact permits.

**The Analytical Division**

The Analytical Division is responsible for the operation of the ecological expertise conclusions and environmental impact permits database.

The Analytical Division of the Department regularly informs the Department of Environmental Supervision (DES) (see section 3.1.1.3) about EIA reviews, issued environmental impact permits and their conditions. This information is provided in a timely manner to regional DES units. The responsibility for enforcing conditions in environmental impact permits and inspecting the facilities falls under the DES.

### 3.1.1.2 The Legal Department

The Legal Department is responsible for the preparation of the legal acts and its staff includes 16 employees.

**The Division of EU Legislation Harmonization**

In the context of the adjustments carried out in late 2014 in the MENRP's structure a five-staff Division for EU Legislation Harmonization was established within the Legal Department. The Division deals with the harmonisation of the Georgian Environmental legislation with the relevant

EU acquis. These changes denote the MENRP's understanding of challenges inherent to the Agreement's implementation.

#### 3.1.1.3 The Department for Environmental Supervision (DES)

The Department for Environmental Supervision (DES) is responsible for the enforcement actions, included inspection. It is organised in 1 Central Office (101 employees) and 8 Territorial/Local Offices (333 employees):

- Samtskhe-Javakheti Regional Office;
- Kakheti Regional Office;
- Western Central Office;
- Eastern Central Office;
- Samegrelo- Zemosvaneti Office;
- Adjara Office;
- Qvemo Qartli Office.
- Black Sea Protection Conventional Service.

Of this staff, 90 are inspectors, mostly involved in planned activities on nature protection and pollution control, while most of the others are rapid response personnel.

Table 2 shows the number of environmental offences detected in Georgia and imposed sanctions in the period 2010-2014 (2014 only from January to August).

Table 2: the number of environmental offences detected in Georgia and imposed sanctions, 2010-2014

| Year | Offences | | Damage | | Fines |
|---|---|---|---|---|---|
| | Administrative | Criminal | Administrative | Criminal | 1000 laris |
| 2010 | 5 861 | 415 | 531 | 3133 | 3 140 |
| 2011 | 5 307 | 254 | 279 | 972 | 3 019 |
| 2012 | 4 772 | 150 | 510 | 564 | 1 467 |
| 2013 | 5 850 | 195 | 612 | 6 645 | 2 078 |
| 2014 | 5 776 | 315 | 425 | 5 492 | 2 086 |

*Source*: Ministry of Environment and Natural Resources Protection, 2015.

Regarding the industrial hazards and accidents, the DES conducts environmental integrated control including on high risk facilities. The Department amongst its other functions has the authority to issue administrative orders to enforce operators to take corrective actions or refrain from an activity to reduce potential risks. The Department is authorized to assess environmental damage and charge penalties.

The organizational changes of the recent years (up to 2013) resulted in the loss of staff and capacity. Furthermore, part of institutional memory has been washed out, which is dangerous in an area that needs continuity, for example to fight recidivism. Additionally, the current model of

enforcement, whereby non-compliance response is solely provided by the courts, makes this structural flaw of lesser concern.

Recommendations included in the UNECE Environmental Performance Review of 2016:

- Recommendation 3.5: The MENRP should ensure that the Department of Environmental Supervision provides feedback to the Department of Environment Impact Permit on the enforcement of permits and the use of environmental standards by industry.

The DES has the following 2 main units:

- **The Division of Rapid Response**
- **The Division of Inspection**

#### 3.1.1.4 EU-funded related projects

The Georgian Government has carried out and benefited from several EU-funded projects, besides the ones mentioned in the Twinning Project Fiche. A relevant project was the following one on the Georgian waste management system:

- Twinning Project GE_10_ENP_PCA_EN06 "Waste Management System in Georgia "Strengthening Capacities of the Ministry of Environment Protection in Development and Improvement of the Waste Management System in Georgia" ENPI National Action Programme (NAP) 2009.

Finally, 4 projects are mentioned in the Twinning Project Fiche as linked activities (Section 3.2):

1. Title: Development of an action plan for the implementation of EU – Georgia Association Agreement – Environmental Chapters
   Source of funding: EuropeAid/162333/C/SER/MULTI/Lot 6 (Environment)
   Duration: October 2014 – May 2015

2. Title: Capacity building in major accident prevention in Georgia (already mentioned several times in this proposal)
   Source of funding: Czech Development Agency
   Duration: December 2014 – June 2016 (on-going)

3. Title: Support to the Public Administration Reform in Georgia
   Source of funding: EU
   Duration: 2016-2019 (planned)

4. Title: Facility for the implementation of the Association Agreement in Georgia
   Source of funding: EU

Duration: 2015-2018

This Consortium will propose to the MENRP to upload all the available outputs of these projects, agreed with the partners and donors, as background information on Basecamp for Project leaders, RTA, experts and the beneficiary.

### 3.1.2 Regions and Municipalities

From a territorial-administrative perspective, Georgia consists of two autonomous republics (Ajara and Abkhazia), nine regions and the capital city, Tbilisi. Autonomous republics enjoy a higher degree of self-governance.

Subnational authorities in Georgia are of two types: de-concentrated units of central authorities and local self-governance units. De-concentrated units are present principally at the regional level.

Municipalities are the key self-governance actors. The Council (or Assembly) is a representative body of local self-governance at the municipality level. The Council is elected for a four-year term. A mayor is elected directly by the voters.

The Government has embarked on local self-governance reforms since 2006, when a new Organic Law on Local Self-Government was enacted. This Law consolidated the more than one thousand previously existing local self-governance units into 69 municipalities. The Law provided them with some autonomy vis-à-vis the central authorities, although their competencies and capacities remained limited. Following parliamentary elections in late 2012, the new Government decided to further enhance decentralization and strengthen regional governance. To this end, a new Local Self-Government Code was adopted by the Parliament in February 2014.

Following the 2014 reform, consultation bodies of municipalities – regional consultation councils – are to be set up. They are to be chaired by the state trustees in the regions – the governors. The mayors as well as the chairs of relevant municipalities' councils are ex officio members of the consultation councils. The councils shall convene quarterly and render consultative decisions. Their functions include: review of projects and programmes to be implemented by the State (submitted by the governor), review of the regional development strategies and development of recommendations for the state trustee.

During 2013, the regional development strategies of eight Georgian regions were drafted. All seven strategies were officially approved by the Government in September 2013.

(Source: Based on UNDP Georgia (http://www.cosmopolitalians.eu/project-manager-open-georgian-nationals/).

Deepening of local self-governance constitutes an important change in recent times. The 2014 Local Self-Government Code gives more powers and financial resources to municipal authorities.

Following the Code's enactment, the number of actors at the subnational level increased, namely the number of cities having self-governing status is now 12 (from 5) and the number of self-governing municipalities is 71 (from 64 previously). The role of local authorities in the provision of environmental services, notably water supply and sanitation, was strengthened. In order to be able to overcome eventual fragmentation and lack of capacity in areas of their responsibility, for example as concerns waste management or water supply and sanitation, municipalities can form regional unions. The central authorities supervise the legislative activities by self-governance bodies and the implementation of delegated responsibilities. In this regard, the Ministry of Regional Development and Infrastructure plays a key role.

The areas of municipalities' mandate relevant for environmental management include:

- Issuance of building permits and supervision of construction within the municipality area;
- Land use planning, including approval of relevant papers, such as the land use master plan;
- Water supply and sewerage provision and development of the local reclamation system;
- Development of the relevant engineering infrastructure;
- Cleaning of public places within the municipal area, maintenance of green areas, provision of street lights, and solid (household) waste collection and disposal;
- Introduction and abolition of local taxes and dues, as well as determination of their rates.

In addition, municipalities are entitled to handle on their own initiative any issues that, according to the legislation of Georgia, do not fall within the scope of authority of another governmental body and are not prohibited by law. Environment protection is listed as one of such issues.

With a few exceptions, for example as concerns waste management, the division of mandates is not very clear from a vertical perspective. The 2014 Waste Management Code is an example of a legal act that clearly delimited the competencies of the central and municipal bodies. The capacity to carry out tasks that were delegated to self-governance bodies remains limited. So far, there are no dedicated environmental units at the local level. In the environmental sector, responsibilities for reporting from the subnational level and supervision are not sufficiently clarified.

Paradoxically, there has been a trend of centralization in several areas of environmental management. While in the period 2010–2011 local self-governance units were responsible for management of landfills, in 2012, a state enterprise was created to manage landfills nationally.

Water management is also centralized and some of its elements, for example water supply and sanitation, have seen further centralization in response to capacity constraints at the local level. Local authorities have no role in industrial pollution control. As mentioned subsequently in this chapter, they are hardly involved in environmental policymaking or law development and are not consulted during the procedure of EIA.

The National Association of Local Authorities of Georgia is carrying out work to establish special commissions on climate change, the environment and sustainable agriculture within local authorities, in order to enable more effective implementation of a broad range of statutory functions by local authorities related to natural resource management, land use and sustainable development.

A role in increasing the capacity of local authorities could be played by the Environmental Information and Education Centre of the MENRP, which could provide training and more generally enable a systematic flow of information between the local and central levels.

### 3.1.3 Other relevant stakeholders

The community of NGOs is active in Georgia. The NGOs have played an important watchdog role over the last decade, which has been marked by an increasing weakening of environmental regulation and management. They also support decision-making with policy analysis and development: for example, NGOs undertook the technical work in support of drafting the National Biodiversity Strategy and Action Plan 2014–2020 and the 2013 National Forest Concept for Georgia. Since 2007, about 100 Georgian NGOs have been part of a Green Office campaign. The paper used in offices is collected and recycled. Another large-scale campaign implemented by NGOs is Clean Up Georgia.

Private sector actors have occasionally been active on environmental matters in Georgia. Business-to-business cooperation, especially through the EU–Georgia Business Council, International Chamber of Commerce and American Chamber of Commerce, occasionally addresses issues related to green economy, such as clean energy or the development of organic agriculture.

Over the last decade, funding by development partners for environmental management has been considerable. The most active donors are the EU and several of its Member States (e.g. Germany, the Netherlands and Sweden), as well as Norway, Switzerland and the United States.

## 3.2 Institutional Framework of the Members of the Consortium

### 3.2.1 Spain: Galician Regional Ministry of Environment and Spatial Planning (CMAOT)

Galicia is a region in the northwest corner of Spain, with a surface of 29.574,8 $Km^2$ and a population of 2.732.347 (2015). It is administratively divided into 4 provinces (A Coruña, Lugo, Ourense and Pontevedra and 313 municipalities.

The Galician coast spreads along 1.500 kilometers and is characterized by the presence of the estuaries. Galician estuaries stand out as fisheries, contributing to make the Galician coast one of the most important fishing areas in the world. Related infrastructure includes seven large ports and more than 200 small ones distributed along the coast. Transport infrastructures include a road network of 17.713 kilometers, a railway network of 1.000 kilometers and three airports.

There are 198.808 (2014) registered companies in the region. The main economic sectors are: Agriculture and Livestock; Fishing; the Car making industry (with the main PSA-Citroën factory in Spain located in Vigo, the largest city of the region); Energy (wind, thermal and hydraulic); Naval; Food industry (canned, pre-cooked, and frozen); Chemistry and Pharmaceuticals and Tourism. A world-class textile industry, Inditex with a brand known worldwide, Zara, is located in the province of A Coruña (in the municipality of "Arteixo").

The two official languages of Galicia are Spanish and Galician. The three Public Universities are the University of Santiago de Compostela, the University of Vigo and the University of A Coruña. The total number of students currently enrolled in the three Public Universities is 59.300).

The capital of Galicia is Santiago de Compostela, whose old town is a World Heritage Site designated by UNESCO in 1985. It is home of several outstanding monuments such as its Cathedral, where, according to tradition, the apostle James is believed to be buried. It is also the final destination of the pilgrimage known as the Route of Santiago de Compostela or Way of Saint James, which from the Middle Ages connected Galicia and the North of Spain with the rest of Western and Central Europe. The Route is also a Work Heritage Site designated by UNESCO in 1998.

The Galician Regional Ministry of Environment and Spatial Planning (CMAOT) is the Competent Authority for environmental matters in the region.

The organization chart of the CMAOT is set out in Annex I.

Within the Regional Ministry, the Directorate General for Environmental Quality and Climate Change is responsible for the assessment and control of the environmental impact of human activities, the promotion of abatement systems and strategies and the promotion of technological developments aiming at an improved environmental protection.

By Law 16/2002, of 1 July, on integrated pollution prevention and control (primary legislation), the Directive 96/61/EC was transposed into national Spanish legislation. This Law is characterized as basic legislation under the distribution of powers and competences between the Spanish central state administration and the regional administrations.

The Law 16/2002, of 1 July was developed by Royal Decree 508/2007 of 20 April, which regulates the provision of information on emissions of the E-PRTR Regulation and on integrated environmental permits (secondary legislation).

The Directive 2010/75/EU of the European Parliament and of the Council of 24 November, industrial emissions (IED) has been transposed to Spanish legislation by the Law 5/2013, of 11 June (primary legislation) by which the Law 16/2002 of 1 July on IPPC and the Law 22/2011, of July 28, waste and contaminated soil are amended. The Royal Decree 815/2013 of 18 October, regulating the industrial emissions (secondary legislation) developed the Law 5/2013, o 11 June.

On 31.12.2016 the Royal Legislative Decree 1/2016 was published in the Official State Gazette of Spain, by which the consolidated version of the 16/2002, of 1 July, on integrated pollution prevention and control is approved.

Under this regulatory framework, the Central Government has the competence on the development of basic norms, on coordination of regional administrations and on relations with the European Union.

**All IPPC/IED permitting and inspection activities are the responsibility of the 17 Regions and 2 Autonomous Cities of Spain.**

The regional administrations are responsible for implementing IPPC/IED provisions transposed to national legislation, such as issuing integrated environmental permits and monitoring its operation by inspection processes.

At national level there is a coordinating body called Sectorial Conference on Environment and within which there is a specific technical working group on IPPC/IED in which representatives of the regions participate. Galicia has been a very active participant in it since it was set up.

There are currently 273 installations covered by IED in Galicia (approximately 6.000 in the whole of Spain). By sectors the percentage of the number of installations are the following:

- Intensive livestock rearing: 37%
- Industry: 31%
- Food industry: 17%
- Waste management: 15%.

**Permitting of IPPC/IED activities**

IED permitting in Galicia is carried out by the unit IPPC Service of the Deputy Directorate General for Environmental Assessment of the Directorate General for Environmental Quality and Climate Change.

Under this scheme of distribution of powers and competences (mentioned above), the regional administrations issue integrated environmental permits (IEP) to installations located in their territories, following an administrative procedure that gives active participation to all administrative bodies engaged at state, regional or local level for determining specific conditions of their jurisdiction.

The permit conditions are established based on the best available techniques (BATs). When BATs for specific sectors have not been set, permit conditions are established based on national basic standards or on compared sectorial rules. In these cases, conditions are adapted to territorial reality.

In Galicia, as in the other regions of Spain, the first permits under the IPPC Directive were issued no later than October 2007. The first permits were issued for a maximum period of 8 years after which a mandatory renovation was mandatory.

In this decade of experience from the issuance of the first permits until the present time, the permits initially issued were modified as legislation evolved and was amended, and they were also adapted to changes that occur in industrial activity.

Relevant modifications to which the permits must adapt are the decisions of the European Commission on BAT conclusions. Within 4 years of the publication of decision on BAT conclusions, the competent authority shall ensure that all the permit conditions for the installation concerned are reconsidered and, if necessary, updated to ensure compliance with the IED.

From the beginning to the present time, the unit IPPC Service was in charge exclusively of the IPPC/IED permitting activity. Recently, the unit has also taken up responsibilities regarding contaminated soils.

Currently, the unit is integrated by 10 senior permit officers of different backgrounds (chemists, biologists, engineers) who are in charge of drafting the permits, as well as their updates and modifications. They are also responsible for the reception and assessment of documentation received and for the submission of requirements, reports, decisions and other documentation to operators. 2 administrative officers complete the full time staff of the IPPC Service.

The issuing of permits for non-IPPC activities is the competence of the local authorities of Galicia. In 2013 the region of Galicia approved the Law 9/2013, of 19th December, of entrepreneurship and economic competitiveness of Galicia. This law regulates the integrated permitting system of the municipalities, reducing administrative procedures to make the start of economic activities easier. The integrated environmental authorization system of the municipalities regulated in this law is similar to the permitting of IPPC/IED and to the environmental impact assessment (EIA) procedures. For activities listed in Annex I of the law (specific activities or activities similar to

IPPC/IED or EIA activities which are below the thresholds established in the respective Directives) a binding environmental incidence statement issued by the regional environmental body is mandatory before the permit is granted by the local authorities. Local authorities are responsible for monitoring and enforcement of conditions established in the environmental incidence statement.

Senior officers based in the four Territorial Units (provinces of A Coruña, Lugo, Ourense and Pontevedra) of the Galician Regional Ministry of Environment and Spatial Planning are responsible for the reception and assessment of the projects and the documentation received and for the drafting of reports and environmental incidence statements. They are also responsible for the submission of requirements and notifications to operators. 3 senior officers for each Territorial Unit and administrative support officers complete the staff. Projects above IPPC/IED or EIA thresholds are submitted to the Headquarters of the Galician Regional Ministry of Environment and Spatial Planning either to the IPPC Service, for IPPC/IED permitting or to the EIA Service, to be subjected to an EIA procedure. In some case, projects are subjected to both procedures, IPPC/IED and EIA, in which case, they are streamlined to reduce administrative burden for proponents.

**Environmental Inspection**

Inspection activities are the responsibility of the 17 Regions and 2 Autonomous Cities of Spain.

**Within the Directorate General for Environmental Quality and Climate Change, the Environmental Inspection Service (SIA) of the Deputy Directorate General for Environmental Coordination coordinates the implementation of the multiannual Environmental Inspection Plans as well as elaborates the annual inspection programmes which develop the mentioned plans, and the annual inspection reports.**

It also plays an assessment role, supporting industrial activities in the field of environmental risk prevention and compliance with legal standards.

Up to the year 2013 the staff of the SIA was composed by 14 environmental inspectors. This number increased in 2014 up to a total of 25. 14 are based in the Headquarters of the Regional Ministry located in the capital of the region Santiago de Compostela and 11 are based in the 4 Territorial Units (provinces) of the Regional Ministry.

Regarding water quality control and air quality monitoring and control, the environmental inspectors are supported and collaborate with the Galician Environmental Laboratory (LMAG), which is ascribed to the CMAOT. There is an air quality network with 58 stations, 14 owned by the Regional Government, and 44 by industrial installations.

The information related to the inventory of air emissions is managed through the REGADE (Galician Emissions Register) IT tool. This IT tool was developed by staff of the CMAOT, and

includes 3 databases: (i) activities potentially pollutant for the atmosphere, (ii) volatile organic compounds (VOC) emitting activities, (iii) E-PRTR.

**Seveso installations**

The Seveso III Directive has been transposed to Spanish legislation by the Royal Decree 840/2015 of 21 September.

The implementation of Seveso III Directive is the responsibility of the 17 Regions and 2 Autonomous Cities of Spain.

The regional bodies of Galicia which participate in the Seveso permitting and inspecting activities are the following:

- Directorate General for Emergencies and Interior of the Vice-presidency of the Regional Government of Galicia and Regional Ministry for Presidency, Public Administrations and Justice, which is the competent authority for Civil Protection.
- Galician Emergencies Agency.
- Directorate General for Energy and Mining of the Galician Regional Ministry for Economy, Employment and Industry.

In Spain, according to Royal Decree 840/2015 (transposition of the Seveso III Directive), the Internal Emergency or Self-Protection Plans (the industrial ones) must be carried out and the Emergency Plans carried out by the Regional Administration (the competent authority for civil protection). They are colloquially called "lower tier activities" that require internal emergency plan and "Upper tier activities" that require an external emergency plan.

The numbers of activities that are affected by the Seveso Directive in Galicia are:

- Internal Emergency or self-Protection Plans (lower tier activities): 33

  In Galicia, the staff involved in the drafting of internal emergency plans affected by the Seveso Directive is made up of senior officers of Directorate General for Energy and Mining of the Galician Regional Ministry for Economy, Employment and Industry.

- External Emergency Plans (upper tier activities): 19. Two plans are based on industrial areas which include several Seveso installations that are in the same area and nearby.

  In Galicia, the staff involved in the drafting of external emergency plans affected by the Seveso Directive is made up of seven senior officers of the Directorate General for Emergencies and Interior of the Vice-presidency of the Regional Government of Galicia and Regional Ministry for Presidency, Public Administrations and Justice.

Secondary legislation in Galicia: Decree 277/2000, of 9 November, which designates the competent regional bodies regarding the control of the risks inherent in serious accidents involving hazardous substances. Is establishes the standard functions that each unit and/or body must perform, including the functions of environmental inspection. It is currently in the process of updating regarding the functions of inspection to adapt them to the Seveso III Directive, which provides the setting up of inspection plans and programs, including scheduled and unscheduled inspections).

#### 3.2.1.1 Other authorities with competences in environmental inspection

***Other Authorities belonging to CMAOT***

Coordination mechanisms have been established with the following Public Authorities which have competences in inspection and monitoring:

- Water-related: National and Regional River Basin Authorities.

  The Regional Water Authority, through the public entity "Aguas de Galicia" includes a team of 22 technical staff devoted to monitoring. In addition, 30 "river guards or rangers" distributed in 3 offices coordinated from the headquarters office carry out monitoring and enforcement actions. There is as well an automatic network for the control of water quality and wastewater discharges. Inspections are carried out, prioritising as a function of the risk and results of inspections of previous years.

- Natural protected areas protection (Natura 2000 Network, etc)

  For the monitoring of these areas the Directorate General for the Natural Heritage, belonging to the Galician Regional Ministry of Environment and Spatial Planning, includes a staff of almost 100 Nature Conservation Rangers distributed throughout Galicia.

  These rangers ensure that the nature conservation legislation is complied with. In case of breaches they are authorised to start an inspection procedure.

The scheme in Annex I summarizes the institutional setup in CMAOT related to environmental monitoring, inspection and enforcement.

**Regional Police Unit (UPA)**

This unit supports the SIA with 60 staff which is in charge of the following activities:

- Police investigation related on environmental complaints from citizens, NGOs, Public Administrations, mass media.
- Forest fire prevention and monitoring in summer.

- Participation in certain specific environmental sub-programmes included each year in the annual environmental inspection programme.

The most relevant specific sub-programmes that they carry out are:

- Activities producing hazardous and non-hazardous waste.
- Police investigation of industrial activities which do not have the environmental permit required.
- Identification of uncontrolled discharge points of solid waste, wastewaters and manure from farms.

The UPA uses the same software as the environmental inspectors, to ensure a complete coordination.

***Local authorities (municipalities)***

They have the following competences:

- Monitoring and inspection of activities which do not fall under the scope of the EIA and IPPC/IED Directives, but that according to regional legislation an environmental incidence statement issued by the regional authorities is mandatory.
- Noise monitoring and control.

### 3.2.1.2 Implementation of environmental inspection in Galicia

**Planning of inspections**

In Spain the regional competent authorities, through the national network for environmental inspection (REDIA) agreed that the Multiannual Environmental Inspection Plans would not only include IPPC activities (prescribed by the article 23 of the IED) but also the rest of activities subject to environmental permits of different kinds. In the Region of Galicia the Plan includes the activities which are competence of the CMAOT.

The planning is done in 2 steps, first a multiannual plan (the currently applicable is for the period 2013-2018) and annual programmes with more specific objectives, based on the ones of the multiannual plan. These planning activities, as well as the implementation of the inspections, are done always following the EC recommendations RMCEI and reference documents from IMPEL.

**Training of environmental inspectors**

All inspectors have a university degree. When they start to work as inspectors they must follow a training course. In 2014, due to the incorporation of several new inspectors an Environmental

Inspection Course of 350 h (40% theory, 60% practice) was delivered. Senior inspectors with wide experience participated as well, so that they could update their knowledge.

Every year at least 2 more specific, 1-week training courses are delivered.

The UPA staff supporting SIA has as well specific training, specially whenever a relevant change in legislation takes place. Several trainings are performed every year in subjects relevant for their inspection-related duties, on average 4/year, and mostly online.

**Annual number of inspections**

SIA:

The environmental inspectors working in the years 2013-2016 performed an average of 600 inspections/year. Out of them at least 70 were global inspections of IPPC activities and 25 partial inspections of IPPC activities. Inspectors deal with environmental incidents or accidents as well. Every year about 6 accidents occur for which an environmental liability procedure has to be started, following Directive 2004/35/EC.

UPA:

In 2016 the UPA carried out 2.500 police environmental inspections.

**Annual number of penalties**

In case that the inspector detects non-compliances, the legal department of CMAOT starts the penalty procedure based on the inspection's report.

The annual average amount of penalties awarded in the last 3 years (2014, 2015 and 2016) is the following:

- Non-IPPC/IED activities: 800
- IPPC/IED activities: 10

In 2016 650 penalty procedures were started related to non-compliances in the field of waste management. 7 more correspond to noncompliance of IPPC activities with the IPPC permit's conditions.

**Tools developed to support inspection activities**

- Environmental Inspection Software, operational since 2007, it records 37.000 environmental inspections (on 01.01.2017). Since then all documentation is available online. Since 2007, with the experience gained the software has been substantially improved. As a complement for this tool, the inspectors have also full access to the regional databases SIRGA (waste), REGADE (air emissions from activities potentially pollutant for the atmosphere and COVs) and PRTR.
- Tailored IPPC Activities' Environmental Inspection Software.
- Check lists for certain kinds of activities: landfills, end of life vehicles, vehicle workshops, waste recycling collection points, uncontrolled waste dumps, wastewater treatment plants (urban and agro-industry), sludges, etc.
- Technical Guidance for specific sectors.
- Inspection Guidelines. The last one prepared focussed on IPPC activities.
- Technical Guidance for the implementation of inspection sub-programmes.
- Inspection activity indicators.

**International cooperation and IMPEL**

A continuous international cooperation is kept with the environmental competent authorities of the neighbour country Portugal, on subjects such as the control of trans-boundary shipments of waste.

CMAOT has been as well one of the main promoters of the national environmental inspection network REDIA, and through it of the dissemination and implementation of RMCEI and tools elaborated within IMPEL. CMAOT staff has participated in several IMPEL working groups.

Regarding Twinning Projects CMAOT has been as well active, leading (through the Galician Waste Agency SOGAMA) the project RO-2006-IB-EN-06 "Implementation and enforcement of the environmental acquis focussed on domestic waste management" in Romania (2008-2009), and participating in some components of the project TR-2008-IB-EN-03 "IPPC – Integrated Pollution Prevention and Control" in Turkey (2011-2013).

The CMAOT also led, through the SIA and Dr. Alonso Picón as Project Leader, the Twinning Project MK 10 IPA EN 01 14 (MK-10-IB-ENV-01) "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis".

CMAOT also participates currently as junior partner in other 2 Twinning Projects in Macedonia: The Twinning Project MK 11 IB EN 01 R "Strengthening the administrative capacities on central and local level for transposition and implementing new Industrial Emissions Directive 2010/75/EU" and the Twinning Project MK 12 IB EN 02 "Strengthening the administrative capacities for implementation of Waste Framework Directive (WFD) and Special Waste Streams Directives (WEEED, WBAD and WPPD)".

**Participation of senior inspectors from other Regional Inspectorates of Spain**

In addition to the experts belonging to Galician competent authorities, in particular CMAOT, it must be noted that senior environmental inspectors from similar Regional Environmental Inspectorates have been included as part of the proposed team of Short Term Experts due to their excellent experience and profile.

### 3.2.2 The Netherlands

Over the last years, the Dutch environmental law system has seen major changes. Since 01-10-2010, the IPPC-directive is mainly implemented in the 'Law on general provisions for the environment' (Wabo) and in the Dutch Water Act. The Wabo is a law which regulates the "all-in-one permit on physical aspects". It is a procedural law which regulates the permitting system for the building and utilization of installations. The environmental part of this permit is similar to the previous system that was in place, regulated by the former Environmental management act. The Wabo has incorporated the integral environment licence that regulates all the environmental aspects of industrial plants apart from water emissions, with the licence on the basis of the Water Act for water emissions. On a number of points these Acts overlap; some articles from the Wabo apply equally to the Water Act.

Permitting

In the Netherlands, IED-installations need an "All-in-one permit for physical aspects" which in most cases is issued by the Provinces (e.g. refineries, energy industry, basic steel production and chemical industry). In case of intensive rearing of poultry and pigs, the permits are issued by the Municipality. If an IED-installation discharges waste water directly into surface water, it also needs a water permit. The responsible body for the water permit can be the Directorate-General for Public Works and Water Management (Rijkswaterstaat), the water board or the provincial authority. IED-installations may be subject to some decrees with general binding rules in addition to the licence. These are, for example, the decrees to implement the Large Combustion Plants Directive (2001/80) and the Waste Incineration Directive (2000/76).

Enforcement

The authority competent to issue the All-in-one Permit is responsible for enforcement of the permit and other regulations named in the Act under administrative law. In a small number of situations, mainly related to heavy industries, the provincial authority has been designated to enforce certain matters.

Requirements have been laid down to promote the quality of enforcement. The Act further regulates the minister's supervision of performance and enforcement of the All-in-one Permit system. This overall supervision is done by the Inspectorate of the Ministry of Infrastructure and

Environment. For the water permit the responsible body for issuing the permit is also responsible for the enforcement of the water permit.

Environmental Services

Although the responsibilities for issuing permits and executing inspections lay with the organisations mentioned above in practice these tasks have all been mandated to special Environmental Services. The Netherlands holds 29 of these Environmental Services. By combining the work of a large number of municipalities and provinces into larger bodies (Environmental Services) they make sure that the competent authority is up to the job, having the required expertise, knowledge and skills.
The Environmental Services will provide short term experts.

Seveso installations

Seveso installations are under the competences of 6 of these Environmental Services. As this is a more specialised task the work has been mandated to a smaller number of bodies to make sure there is enough critical mass within these organisations to execute this work. Besides the Environmental Service also the Labour Inspectorate and the Fire brigade have competences to perform inspections at SEVESO installations.

**Dutch Knowledge Centre InfoMil**

In order to give public and private stakeholders easy access to information on laws, procedures and so on, the Dutch Knowledge Centre InfoMil was established in 1995. InfoMil is the primary source of information and best practices in matters of environmental legislation and policy in The Netherlands. It is a government agency with almost 100 staff members, that serves as an intermediary between the various authorities and target groups in the Netherlands in the field of environmental permitting and enforcement. It is a neutral organisation and is part of the agency Rijkswaterstaat under the ministry of Infrastructure and the Environment, only working by government assignments. InfoMil works on the basis of government policy and policy instruments, such as laws, policies, decrees, regulations and guidelines. InfoMil focuses on municipalities and provinces and other authorities that are expected to implement this policy.

InfoMil provides a helpdesk, handbooks, training and workshops in environmental legislation, licensing and enforcement. IPPC implementation training is provided as well. On an international level, InfoMil participates in European networks (like IMPEL). It provides for the Dutch input and takes part in most of the technical Working Groups on BAT in Seville, functions as the Dutch BAT centre and carries responsibility for preparing IPPC-reporting to Brussels. The international department of InfoMil is active for 8 years capacity building.

In recent times, InfoMil implemented the following projects in Georgia:

- Support of EIA, Permitting and Inspection for the Georgian Ministry of Environment protection (2010 – 2014). In collaboration with Netherlands Commission for Environmental Assessment**,** NCEA (see below). Mr Rob Kramers was the project manager. Among the outputs of the project the step by step guidance book for planning and execution of environmental inspection in Georgia (2013), mentioned in activity 3.2.1 was accompanied by the following documents for inspection:
    - Sector document Asphalt production
    - Sector document cement production
    - Sector document fertilizer production
    - Sector document metallurgical industry
    - Sector document oil terminals/tank farms
    - Sector document wastewater treatment plant
    - Background document monitoring

    These documents will be useful material for activities of component 3.
- Elaboration of the National Environmental Action Plan 2012-2016 (NEAP-2) approved by the Resolution of the Government #127 of 24 January 2012**.** Mr. Rob Kramers was the project coordinator. The information provided in the NEAP-2 will be very useful for all components of the project.

InfoMil will provide the Dutch junior Partner project leader and key experts.

**Dutch Ministry of Infrastructure and the Environment**

Dutch Ministry of Infrastructure and the Environment is responsible for the different modes of transport and for the safe and adequate accessibility of all objects, companies and houses in the country, for the safety against flooding and a good water quality in the country and for all aspects regarding the environment.

In total 13.000 people work for this Ministry, including more than 9.000 in regional executing jobs, (Rijkswaterstaat Agency) varying from airline inspector and road engineer to bridge master. The policy departments are located at the Ministry in The Hague. Part of the Ministry is the Inspectorate for The Human Environment and Transport. This Inspectorate monitors and encourages compliance with both national and European legislation and regulations in favour of a safe and sustainable human environment, safe and sustainable transport and maintaining confidence in housing associations.

The Ministry and the Inspectorate will provide both a key expert.

### The Netherlands Commission for Environmental Assessment (NCEA)

It is an independent advisory body of experts that has a statutory role in the Dutch environmental assessment procedures. The NCEA advises governments on the quality of environmental information in environmental assessment reports (EIA or SEA reports). Where needed, the NCEA also advises on permitting conditions and on environmental monitoring. For both Dutch and international environmental assessment practice, the NCEA functions as a knowledge centre, with online information services, publications and a helpdesk. On behalf of the Dutch Ministry for Infrastructure and Environment, the NCEA has shared Dutch experience on environmental assessment in bilateral co-operation with several countries, including Georgia.[1]

NCEA will provide short term experts.

In recent times, NCEA, in collaboration with InfoMil, implemented the following projects in Georgia:

- Support of EIA, Permitting and Inspection for the Georgian Ministry of Environment protection (2010 – 2014). Mr Rob Kramers was the project manager.

### Asser Institute

The Asser Institute is a foundation with the purpose of performing and maintaining scientific research and education in the areas of international and European law. It is a non-profit organisation, primarily funded by the Dutch Ministry for Education, Culture and Science and administered through the University of Amsterdam. Staff of the Institute has civil servants employment status and are employed by the University of Amsterdam and seconded to the Asser Institute. The Asser Institute is a unique clustering of knowledge and experience in research, education and training, knowledge management and dissemination, publishing and academic community organizing. Where European environmental law is concerned, its experts have contributed to a multitude of approximation and training programmes throughout Central and Eastern Europe and at other places around the world, aimed at introducing and improving environmental legislation and its application and enforcement.

Asser Institute will provide short time experts.

[1]

### 3.2.3 The Czech Republic

The Czech Republic is a mid-sized European country of almost 79,000 square kilometres (comparable to Georgia in size) and is bordered by four countries: Slovakia, Poland, Germany and Austria. It has a population of approximately 10.5 million inhabitants.

The Czech Republic is made up of 14 regions, which in turn mainly oversee the activities of the municipalities. The autonomous competencies of the regions are similar to those of the municipalities but operate at a higher level (e.g. secondary schools, highways, etc.). Significantly, the regional self-governing units may submit draft legislation to Parliament. Regional Authorities are responsible for delivering integrated permits within the Industrial Emission Directive (with the exception of installations with trans-boundary effects) and other environmental permits.

At a local level, three types of municipality act as additional administrative units.

**Ministry of the Environment**

The Ministry of the Environment of the Czech Republic (MoE) is the central state administrative authority regarding environmental matters which include, among others, air protection, waste management, environmental impact assessment of activities and the national environmental policy. Other fields include the protection of natural water resources, nature and landscape protection, conservation of agricultural land, operation of National Geological Survey, protection of the rock environment, including mineral resources and groundwater, geological works and environmental supervision of mining and game-keeping, fisheries and forestry in national parks.

The MoE coordinates the activities of other Ministries and Central State Administrative authorities of the Czech Republic in environmental matters. In some sectors the MoE shares the responsibility with other Ministries:

- In the water sector and on sewage sludge, where the responsibility is shared with the Ministry of Health, Ministry of Agriculture, Ministry of Industry and Trade, Ministry of Defence, as well as the Ministry of Transport
- On hazardous waste, where responsibility is shared with the Ministries of Health and Agriculture
- On packaging waste, where responsibility is shared with the Ministry of Industry and Trade
- In the chemical sector, where responsibility is shared with the Ministries of Interior, Health, Trade and Industry
- Noise issues, where responsibilities are shared among the Ministry of the Environment and the Ministry of Industry and Trade.

The MoE oversees several organisations and state bodies of which the CENIA, Czech Environmental Information Agency is just one:

- Agency for Nature Conservation and Landscape Protection
- Cave Administration
- CENIA, Czech Environmental Information Agency
- Czech Environmental Inspectorate
- Czech Geological Survey
- Czech Hydrometeorological Institute
- T.G. Masaryk Water Research Institute
- Podyjí National Park
- Šumava National Park
- Krkonoše National Park
- České Švýcarsko National Park
- Silva Tarouca Research Institute for Landscape and Ornamental Gardening
- State Environmental Fund of the Czech Republic.

**CENIA, Czech Environmental Information Agency (input from the CENIA website)**

CENIA, Czech Environmental Information Agency is a state budgetary organization of the Ministry of the Environment of the Czech Republic. CENIA has existed since the 1st April 2005 when it was re-established by the transformation of the previously existing Czech Environmental Institute (CEI) into CENIA. CENIA's mission is the collection, evaluation, interpretation and distribution of environmental information. CENIA is the leading agency within the Czech Republic responsible for the management of the entire information and data flows within the environmental sector. CENIA cooperates with wide variety of data providers within the environmental sector in the Czech Republic and with a number of scientific institutions and university departments.

CENIA is active in implementation of the Industrial Emissions Directive (IED) and thus formulates expert statements on application for granting an integrated permit focused especially on best available techniques (BAT) assessment.

Other activities of CENIA within both the IPPC and IED processes are the following:

- Expert support of the execution of public administration

- Cooperation on integrated inspections of installations in line with both the IPPC and IED.
- Management of the cross-sectional Technical Working Groups – Economic and cross media effects, Monitoring of emissions from IED-installations, Emissions from storage, Common waste water and waste gas treatment/Management systems in the chemical sector, Waste Treatment, Waste Incineration, Industrial cooling systems
- Cooperation on the information exchange system on BAT (national and international level)
- Participation in Technical Working Group – Regional Authority and Integrated Prevention – methodical management of the IPPC (IED) process by the Ministry of the Environment
- Consultation for operators affected by the IPPC Act (IED)

In cooperation with VŠB-Technical University of Ostrava, CENIA runs BAT Centre focused on energy industry, production and processing of metals and waste management. Moreover CENIA is responsible for national waste management data gathering, assessment and publication; it operates the National information system on waste management and national pollutant release and transfer register. CENIA also administers data for reporting obligations under the Waste Framework Directive and other European environmental legislation.

CENIA provides expertise on data visualisation and inter-disciplinary and inter-sectorial assessment and interpretations of information on the environment in the context of social and economic data and sustainable development. CENIA's Environmental Assessment Centre is a main provider of environmental assessment outputs for the Czech Ministry of the Environment and governmental authorities in general. CENIA is responsible for annual compilation of the indicator-based State of Environment Report of the Czech Republic, Statistical Environmental Yearbook of the Czech Republic and regional environmental reports. Moreover CENIA provides support for preparation of strategic and methodological documents within the resort.

CENIA coordinates implementation and transposition of the INSPIRE Directive in the Czech Republic and is also responsible for coordination of GEO/Copernicus programme in the Czech Republic. CENIA provides expertise on remote sensing data usage within the environmental sector. CENIA possesses particularly strong experience within the development and provision of map services including map servers for environmental purposes, where it is the leading agency in the Czech Republic. These services are also provided on the governmental portal and CENIA is also responsible for operation of the National INSPIRE Geoportal. Besides that CENIA runs numerous information systems within the environmental sector.

CENIA is also responsible for the formation and production of environmental education and training programmes and for the publication of environmental documents and materials for the state and public administration, experts and the general public. CENIA manages the National Ecolabelling Programme of products and services.

At international level CENIA acts as an EIONET National Focal Point and National Reference Centre for different thematic areas.

CENIA has current staff of 72 employees divided into 3 divisions: the division of technical protection of the environment, the division of information services and the division of internal services. The experts from the division of technical protection of the environment will be responsible for implementation of the Twinning project. CENIA will provide the Czech junior Partner project leader and key experts.

In the field of project management CENIA has broad experience from cooperating with national and international project teams and networks:

- **Complex assessment of industrial processing impacts on water bodies (2016-2017)**

The goal of the project (funded by the Technology Agency of the Czech Republic) is to develop a methodology for integrated assessment of water pollution effects caused by industrial installations under the integrated pollution prevention and control (IPPC) regulation.

- **The European Topic Centre on Waste and Materials in a Green Economy (ETC/WMGE, 2014-2018)**

ETC/WMGE is a consortium of European institutions contracted by the European Environment Agency (EEA) to supply thematic expertise and carry out specific tasks identified in the EEA Multi-Annual Work Programme (MAWP) and specified in the EEA Annual Work Programmes (AWPs). The thematic areas in which the ETC/WMGE will support the EEA are waste management, waste prevention, resource efficiency and materials, sectoral integration and green economy, sustainable consumption and products and chemicals and waste.

- **The European Topic Centre on Inland, Coastal and Marine Waters (ETC/ICM, since 2007)**

ETC/ICM is an international consortium brought together to support the European Environment Agency (EEA) in its mission to deliver timely, targeted, relevant and reliable information to policy-makers and the public for the development and implementation of sound environmental policies in the European Union and other EEA member countries. During the period 2007-2013 CENIA led the consortium of 18 partners from all over Europe; since 2014 CENIA is a member of the consortium for the new period.

- **eEnvironmental services for advanced applications within INSPIRE (eENVplus, 2013-2015)**

In the project (funded by CIP-ICT PSP) CENIA took the responsibility of leading the work package concerning Dissemination and Exploitation. The aim of the project was to integrate a large amount of environmental data provided by the National/Regional Environmental Agencies

and other public and private environmental stakeholders involved. This was achieved through the harmonisation and integration, within an operational framework, of existing services resulting from previous European initiatives (funded projects, good practices, EU/national/local experiences) and it has enabled cross-border/languages barriers to be overcome.

- **Integrated Assessment of Global Change Impacts on Environmental Security of the Czech Republic (EnviSec, 2012-2015)**

The objective of the research project (funded by the Ministry of the Interior of the Czech Republic) has been to develop integrated framework for environmental security assessment in order to evaluate the security risks for ecosystems and ecosystem services that are particularly vulnerable to the changing trends in natural processes and human society. The project has identified and classified significant environmental hazards that pose threats to the environment in the Czech Republic, such as pollution/eutrophication (water quality, nitrogen deposition), natural hazards (floods, erosion, invasive species) and anthropogenic impacts (urbanization, contaminated sites). CENIA was a member of the consortium consisting of 3 research organizations.

- **smeSpire (2012-2014)**

Purpose of the project (funded by the 7th Framework Programme ) was to encourage and enable the participation of SMEs in the mechanisms of harmonising and making large scale environmental content available.

- **Development of forward-looking information and services at national and regional level (2011-2013)**

CENIA led the consortium within the FLIS project (funded by EEA). The overall objective was to stimulate EIONET activities related to forward-looking information and services, recognising that the level of expertise and knowledge varies considerably between countries.

- **National Inventory of Contaminated Sites (1st phase; 2009-2013)**

The project (funded by ERDF) was focused on the development of national inventory of contaminated sites methodology and on their prioritisation.

- **SUDPLAN – Sustainable Urban Development Planner for Climate Change Adaptation (2010-2012)**

The project (funded by the 7th Framework Programme) has aimed at developing a web-based planning, prediction and training tool to support decisions in long term urban planning. This will help to assure population's health, comfort, safety and life quality as well as sustainability of investments in utilities and infrastructures within a changing climate. With its open nature and architectural design, SUDPLAN has contributed to a shared information space in Europe.

- **NESIS, Network to Enhance European Environmental Shared and Interoperable Information System (2008-2010)**

The project (funded by the Competitiveness and Innovation framework Programme) has aimed to promote the uptake of ICT solutions by public authorities in providing information for the monitoring and reporting of environmental impacts and threats. By supporting a shared vision towards an interoperable information infrastructure, the Network fosters the creation of the Shared Environmental Information System (SEIS) and a coherent frame for existing good practices. The Network grounds on the experience of the EIONET Community, a Network of some nine hundreds experts from over three hundreds national environment agencies and other bodies in 38 European Countries.

- **Elaboration of Guideline for industrial installations falling under No. 4.2 (a,b,e) of Annex I of IPPC Directive – LVIC (2009)**

Twinning Project RO/2006/IB/EN-04 (Romania): Implementation and Enforcement of the Environmental Acquis focused on IPPC at the REPA Craiova Phase II - Elaboration of Guideline for industrial installations falling under No. 4.2 (a,b,e) of Annex I of IPPC Directive – LVIC

- **National Guideline on BAT for Installations for Disposal or Recovery of Hazardous Waste (2007-08)**

Twinning Project RO/2004/IB/EN-04 (Romania): Implementation and Enforcement of the Environmental Acquis focused on IPPC at the REPA Craiova - National Guideline on BAT for Installations for Disposal or Recovery of Hazardous Waste

- **Strengthening of Environmental Information Assessment and Establishment of an Environmental Assessment Centre (2008)**
- **Towards Environmental Outlooks – Capacity Building in CENIA's Environmental Assessment Centre (2009)**

Two twinning projects focused on capacity building in methods and approaches in environmental assessment and outlooks. Both projects were financed by the Transition Facility Programme; the twinning partner was the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety.

### Czech Environment Inspectorate (CEI)

The Czech Environmental Inspectorate (CEI) is an expert body within the state administration and subordinate to the MoE that primarily deals with environmental legislation and enforcement. It also supervises legal compliance of administrative decisions taken by other public administration bodies in the area of the environment. Set up in 1991, the CEI includes a central Directorate (HQ) based in Prague, 10 Regional Inspectorates and two branches (a territorial sub-division).

The activities of the CEI can be divided into five core areas: air protection, waste management, nature, water and forest protection. The CEI has gradually been assigned additional responsibilities: protection of the Earth's ozone layer, supervision over the handling of chemical

substances, industrial accident prevention, packaging management and genetically modified organisms (GMOs).

Overview of CEI activities:

- Supervision on adherence to legal regulations on environmental protection
- Inspection work
- Imposition of fines for non-compliance with environmental law
- Inspection of trade in and handling of endangered animal and plant species and products (confiscation of illegally acquired specimens and objects).
- Imposing remedial measures
- Restriction and/or suspending operations
- Tackling historic environmental problems
- Providing information on the basis of applications pursuant to effective legal provisions
- Providing information to the public and media as well as state administration bodies on environmental data acquired in the course of inspection activities
- Draw up statements or expert reports for other state administration bodies
- Tackling environmental accidents
- Determination of charges for wastewater discharge and groundwater abstraction.

The CEI employs 551 people (as of 31.12.2014).

The Czech Environment Inspectorate (CEI) rarely pays for external expertise to help them carry out their work, preferring instead to seek support from CENIA and MoE.

Permitting

The general principles applied in permitting include, among other, the following:

Subsidiarity - Permitting itself is done on regional level. Regional authorities are supported on central level by MoE and CENIA (expert agency).

Access to information - All permits and brief summary documents (http://www.mzp.cz/ippc) as well as BREF documents (in Czech) (http://www.ippc.cz) are publicly available on the internet.

Application of BAT - The permit should ensure that operation of installation is in line with relevant BAT requirements.

Approximately 1800 installations fall into the IPPC regime. These installations are numbered, categorised and details are publicly available on the internet at:

http://www.mzp.cz/www/ippc4.nsf/appliances.xsp

The Region is the highest-level administrative unit. There are thirteen regions and one capital city of Prague with regional status. An average region has about 700,000 inhabitants with about 120 IPPC Permits, about 2 - 5 officers responsible for the IPPC agenda and very often, strong representation from one branch of industry (e.g. chemistry, production of metals, intensive rearing).

The institutional set up and their role in permitting involve the following organisations:

- **Regions**
  - **Permitting authority**
  - **Inspection of IPPC installations**
- **Czech Environmental Inspectorate**
  - **Statement on application in permitting process**
  - **Inspection of IPPC installations in relation with environment**
- Regional Public Health Authorities
  - Statement on application in permitting process
  - Inspection of IPPC installations in relation with public health
- **CENIA, Czech Environmental Information Agency**
  - **Expert support of permitting authority (technical experts)**
  - **Statement on application in permitting process: a comparison of draft conditions with BAT is carried out.**
- Ministry of the Environment
  - Supreme state supervision and the central body of state in IPPC
  - Highest level of appeal
  - Expert support of permitting authority (legal experts)
- Ministries of Industry & Trade, Agriculture and Health
  - Organisation of information exchange of BAT
  - Statement on appeal.

Enforcement

The main industrial sectors in the Czech Republic belong to the chemical, engineering, food and metallurgical industries. Major industries are also in energy and construction. Industry accounts for 35% of the Czech economy.

On IPPC, the CEI cooperates with Regional Offices and Regional Health Authorities. The Regional Offices, which are the permitting authority for IPPC, informs the CEI and Regional Health Office about planned reviews, results of reviews, fines and remedial measures. Regional Offices may also invite the CEI and Regional Health Office to review Decisions. Regional Health Authorities control IPPC Permit conditions relating to public health e.g. noise, vibration, working environment, and inform the CEI and Regional Office about planned inspections and imposed fines. The CEI informs Regional Offices and the Regional Health Authorities about planned inspections, imposed fines and remedial measures.

An inspection plan (a framework plan based on the environmental significance of facilities) is developed for three-year periods. The current period, 2014-2016, can be reviewed every year and updated if needed.

Based on the plan, an inspection programme is developed every year (list of facilities to be inspected, incl. definition of inspection scope, approximate date, guarantor, etc.).

The CEI divides risk category of installations into the following categories:

- Category I – annual inspection
- Category II – an inspection every 2 years
- Category III – an inspection every 3 years.

For IPPC installations, approximately 75% of inspections are routine and 25% are non-routine

Seveso installations

On Seveso, there are approximately 213 establishments (as of September 2014):

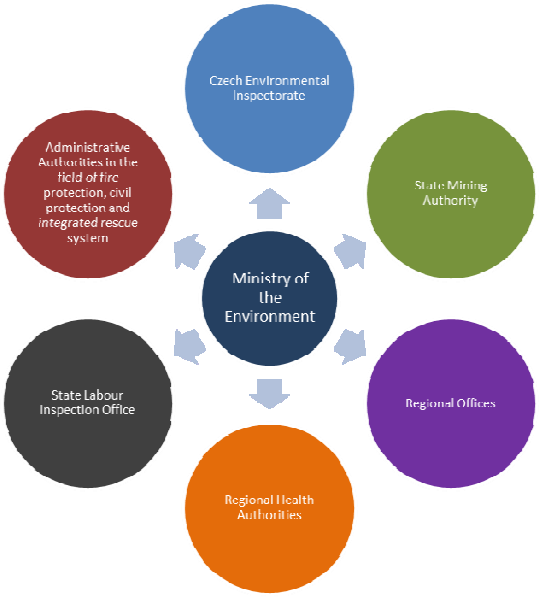
- 90 Group A (Lower-tier)
- 123 Group B (Upper-tier)

Each year approximately 150 establishments are inspected, all Group B establishments and some Group A. There is no risk assessment for SEVESO inspections.

On SEVESO, the key actors and interactions are between the:

- Ministry of the Environment which is the central authority in the area of prevention of major accidents

- State Mining Authority that acts as a contact point for reporting of major accident in accordance with international treaties
- Czech Environmental Inspectorate, which processes and discusses the draft annual control plan, manages how operators comply with the legislation, prepares the final report of the inspection and the annual summary report on inspections carried out. The CEI sends this report to the Ministry of the Environment
- Regional Authorities, which are the relevant administrative authorities in the field of prevention of major accidents when spatial planning documentation is discussed. Regional Offices approve, register and impose measures, provide processing of external emergency plan, keep records of liability insurance for damages resulting from a major accident submitted by the operators, provide written reports about the occurrence of serious accidents to the Ministry of the Interior
- State Labour Inspection Office
- Administrative Authorities in the field of fire protection, civil protection and integrated rescue system
- Regional Health Authorities.




Source: IMPEL REVIEW INITIATIVE (IRI) "A voluntary scheme for reporting and offering advice to environmental authorities" Report on the IRI that took place in Prague from 08 to 11 September 2015 at the Czech Environmental Inspectorate (CEI).Date report: January 2016

The CEI develops and discusses a draft annual inspection plan together with:

- State Labour Inspection Office
- Administrative authorities in the area of fire prevention, population protection and the integrated rescue system
- Czech Mining Authority
- Regional public health authorities
- Regional authorities.

The CEI then submits the draft to the MoE for approval. Based on the annual inspection plan, the CEI prepares a procedure for each planned inspection, containing information on the operator, the name of regional authority and the integrated prevention authorities that will carry out the check together with the CEI, focus of the inspection (e.g. implementation of MoE recommendations, elimination of issues identified in previous checks, changes to building or equipment ownership), and dates on which the inspection will be carried out.

The CEI coordinates an integrated inspection with all of the Integrated Authorities mentioned above. There are often more than 20 persons involved in the inspections and takes on average 3 days. Each authority has its own report and information in carrying out the inspection. All reports and information are sent to the CEI, who then prepares the final inspection report. This is sent to the facility operator and the other Integrated Authorities.

The CEI prepares a summary annual review of all SEVESO activities.

### 3.2.4 FIIAPP (International and Ibero-American Foundation for Administration and Public Policies)

The International and Ibero-American Foundation for Administration and Public Policies (FIIAPP) is a Spanish non-profit public institution established in 1997 to develop the State's foreign policy on international development cooperation. Its two main fields of action are institutional capacity building and democratic governance. FIIAPP's mission is to promote processes that lead to strengthen governments, administrations and public entities, and to make of them true democratic and efficient institutions in the service of citizens. FIIAPP works in countries that are eligible for international aid, and in those that are actual recipients.

The overall aim is to support the promotion of democratic values and the protection of human rights. Therefore, FIIAPP's main concern is to build the capacity to formulate and implement fair policies that effectively reduce poverty and discrimination, respecting plurality and cultural diversity.

The Board of FIIAPP is chaired by the Deputy Prime Minister of Spain and made up of ministers and senior officers from the Spanish Administration. The ministries represented by their ministers are: Foreign Affairs and Cooperation, Justice, Presidency and Health, Social Services and Equality.

The motto of FIIAPP ("from and for the public sector") expresses the main principles of the foundation: providing public consultancy, offering advice from public institutions to foreign counterparts and sharing experiences and best practices. The purpose of this interaction is to achieve the reform of public administrations and to design and implement public policies.

In this sense, FIIAPP is becoming one of the major European operators of Public Technical Assistance. FIIAPP works in all the regions around the world, with a strong presence in Eastern Europe and the Mediterranean. These two regions are where most of the Twinning Programs funded by the European Commission take place. FIIAPP has gained a wide experience on this type of projects, having developed around 317 twinning projects since 1999.

# 4. SUSTAINABILITY OF PROJECT'S RESULTS

In order to guarantee that activities carried out will have the desired (sustainable) impact on environmental enforcement in the Georgia, fluid exchange of information between beneficiaries and the Consortium team is considered fundamental, and in this regards the RTA and RTA counterpart will play a key role. The previous experience of the proposed RTA, Mr. Bergaretxe, as key expert in the EU Twinning Project in Macedonia "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", Twinning Number MK 10 IPA EN 01 14 (MK-10-IB-ENV-01), where he was proposed as a substitute for the RTA in case of need, and his wide experience as a civil servant and as an environmental inspector of a Member State of the EU is a guarantee of proper management and fluid communication between the Partners.

This exchange of information between Georgian experts and Member State experts will give a clear picture of the current situation, needs and potential solutions, resulting in realistic and sustainable outputs or proposals. At this respect, the following aspects will be always kept in mind by the Member State experts:

1. The current Georgian environmental legislation and policies and its relation with EU acquis.
2. Current work and operational methods and possibilities of incorporating different approaches by the organizations involved in Georgia in order to improve cooperation among them with the support of the Consortium.
3. Personnel available in the competent authorities for environmental enforcement who can be trained and become training leaders in order to disseminate the work methods and lessons learned in the Twinning project throughout the country and ensure continuity.

4. Possibilities to ensure financial sustainability by optimizing the consumption of available financial resources and by bringing solutions in terms of equipment selection, implementation, logistics.

Special care will be taken during the negotiations to define the work plan before the start of implementation, and during the inception phase in the beginning of the implementation stage, to keep always in mind what kind of activities and outputs will ensure to a higher degree the sustainability of the project results.

In this sense, from the prior experience of the Consortium it is considered as very important the following:

- To involve Georgian permit officers and inspectors in the definition of contents and review of documents to be produced within the project. This will ensure the usefulness of such documents, and the technical quality of the Georgian language versions.
- To have available space within the MENRP website in order to upload the information on environmental permitting and enforcement and the materials that should be used and disseminated to environmental competent authorities and/or to other stakeholders (industry, NGOs…).
- To have a good coordination between this Twinning project and the project that will establish the web enabled database within the EIS, in order to ensure mutual support and avoid overlaps or misunderstandings.
- To involve the Environmental Information and Education Centre (EIEC) in the project to guarantee the sustainability of the transferred knowledge and experience.
- To give to the training-related activities and materials, whenever possible, a train-the-trainers character/approach, to maximize their impact.
- To ensure that the beneficiary institutions are not overloaded by the additional workload associated to the implementation of this project, so that their staff can extract the maximum benefit from it. If an overload is clearly foreseen or experienced during implementation, an extension of the project should be considered by the Partners as the best way to ensure sustainability.

A successful inclusion within the MENRP website of many of the Twinning project's outputs (improved procedures, guides, check lists, templates, etc.) must be a common target of all related parties, in order to maximize the efficiency of the environmental inspectors and to ensure continuity of the results achieved. If this goal is achieved, the Twinning will be highly successful from the sustainability point of view.

Regarding the sustainability of the collaboration between the beneficiaries and the Consortium once the project is finished, we want just to mention that most of the team included in this proposal has already actively participated in international collaborations as Twinning or networks as IMPEL, and believe in their usefulness for all parties, and will be thus delighted to continue exchanging information and good practices with Georgian authorities after the closure of the project.

## PARTICIPANTS

The action will have a tangible impact on its target groups, as well as multiplier effects, and the expected results of the proposed action are sustainable institutionally and at policy level.

In order to achieve this target, **key people from Spain, The Netherlands and the Czech Republic,** particularly mid-level management officials, are involved in the different activities of this project and study visits in order to ensure successful performance of guaranteed results.

A program for the reform of **civil service** and administrative procedures is a complex roadmap that involves a wide variety of actors and it takes a long time. Reformism cannot be understood as a rapid succession of changes; in institutional reforms, a fast alteration tends to create uncertainty and instability both among civil servants and in the public administration. Without the appropriate attention to the calendar of implementation, a reform program could reduce the administrative capacity rather than strengthen it. The challenge is that law values and principles implementation becomes the **core of institutional performance and social-cultural behavior**.

It is also well known that a Public Administration reform cannot be understood only as a formal-legal framework ending when law has been finally approved and put in force. Every reform in the Rule of Law embraces not only holding functions of authority, but also **relationship with citizens, other public / private actors and socio-cultural realities.**

The proposed **Spanish-Dutch-Czech experts** will bring in the up-to-date experience with the implementation and development of key competences framework for managerial and non-managerial posts within the civil service, expert network and top level management. During its implementation, a coordinated action between those experts and their Georgian counterparts will be fundamental; this closed coordination and cooperation will be assured trough follow-up meetings, daily contact by e-mail and the phone. Additionally, questionnaires, videoconferences and visits (during or after the Twinning project) will be used to verify the degree of comprehension and impact of the seminars and activities implemented during the project.

## DURATION OF THE ACTIVITIES

It is important to distinguish between the impact during the project implementation and its maintenance once the project has finished. The achievements of a Twinning project (mandatory results) should be understood and maintained as a permanent asset and tools package at the disposal of the beneficiary administration even after the end of the project implementation. Therefore, the Twinning Project is not a single 2 year execution task, but continues with the reinforcement and collaboration among the public institutions involved in the Twinning.

Our proposed methodology guarantees strong multiplier effects. Training activities will be based on "training the trainers approach". Once having acquired the methods, practices and necessary "know-how", these officials would then transfer this knowledge to the staff employed in the different institutions. This would ensure that the learning process will not end together with the project and the new experience can be shared and rendered permanently available.

Regarding activities to be carried out and its impact on its target group, the **initial bilateral delivery of information in each component** is considered as crucial. This exchange of information between the experts of the beneficiary and the experts of the MS will provide a clear picture of the structure and organization of both organizations, including availability of operational staff, legislative framework, working methods, logistics and other relevant information. All exchanged information will be a very useful basis to achieve the final objective and contributing to the sustainability of the project.

The development of the Project will be closely monitored by the **Steering Committee Meetings**, which will report quarterly on the evolution, achievements and pending activities in every of the components therein. Those **reports** will be not only a monitoring tool but also a final deliverable of the project, as a whole picture of its evolution during its whole duration.

Finally, yet importantly, the production of other concrete deliverables, such us a **Key Functions and Activities Manual** apart from the rest of deliverables of the Twinning, other training plans, programs and materials from the Twinning MS administrations. It will also set the grounds for continuing the approximation to the EU framework beyond the present project completion and it will help to implement the "EU Acquis Communautaire" in the concerned fields.

This Manual will include the definition of key competences with their detailed description and elaboration of instruments and methodology for their assessment. This should have a significant impact on different aspects of human resource management and human resource development, especially in the area of recruitment, performance appraisal, career development and identifying of training needs of civil servants.

In this sense, it would be feasible to sign a **Memorandum of Understanding** (MoU) between the Parties in order to strengthen their relations of cooperation in the future and beyond the implementation of the present Twinning t project.

Apart from all that, the **final report** will contribute to the sustainability of the project and its multiplier effects, including recommendations and strategies to disseminate and extend the outcomes of the actions for the future among the stakeholders and the policy makers.

After the Twinning Project, as a strategy in order to safeguard the achievement of the mandatory results, punctual assistance would be provided, upon request from Georgia, once the project is over. To this effect, the engaged States can establish a **channel of communication** so as to follow the development and the results of the twinning project beyond 2019 and to continue the exchange of experiences in the fields of industrial pollution and industrial hazards.

# 5. METHODS AND ORGANIZATION

## 5.1 Team of experts

As mentioned before, this Twinning requires a continuous flow of short-term experts visiting the Georgian beneficiaries. Thus, a strong team with excellent Twinning management skills plus a large amount of senior inspectors is required to guarantee the successful implementation of the project. The Consortium has taken great care to build up such a team, as shown below and in the last section of this document (CVs attached).

As mentioned in section 2.2.2, this Consortium **assigns one component leader to each component** as shown below so that activities are well coordinated inside each component and among components in the implementation of the project as a whole.

The proposed component leaders are the following:

- Component 1: The Czech Junior Partner PL Mgr. Jan Kolář
- Component 2: The Dutch Junior Partner PL Mr. Rob Kramers
- Component 3: The Spanish Project Leader Dr. José Francisco Alonso Picón
- Component 4: The Spanish Expert José Gil de Bernabé Sánchez

### 5.1.1 Spanish Project Leader

The Spanish PL will be Dr. José Francisco Alonso Picón, currently Head of the Department for Environmental Inspection of the Region of Galicia (Spain).

Dr. Alonso has been working in managerial positions within the enforcement and emergencies fields for 23 years. He was the person in charge of creating an Environmental Inspection Body for the Region of Galicia, involving staff selection, acquisition of equipment and vehicles, training of the environmental inspectors.

In 1990 and 1991 respectively, he actively participated in the elaboration of the decrees for environmental impact assessment and environmental effects of Galicia.

He was involved in 1995 in the elaboration of the legislation on environmental inspections for the Region of Galicia and he was one of the drafters of the Law on environmental protection (Law 1/95) of Galicia.

He also participated in the elaboration of a Decree of the Regional Government of Galicia for the implementation of the Directive 2008/1 of 15 January (IPPC), which constitutes secondary legislation.

During his assignment as Deputy Director General for Civil Protection of Galicia he participated actively as a member of the National Civil Protection Commission in the preparation and drafting of legislation for the transposition of the Seveso Directives to the legal system of Spain.

From the year 2002, in which the Law of Spain 16/2002 (from July 1) on IPPC was issued, until now he participated in the working groups set up by the Spanish national authorities and the Regional authorities to adapt to the new obligations and requirements provided in the IPPC Directive and IED.

In Galicia since 2004, when the first permits for IPPC activities were issued, he collaborated in the elaboration of framework documents to establish the procedure for issuing new permits, including the content of new permits, "environmental vectors to be evaluated", establishing the BATs, define the ELV, control and monitoring of compliance of permit conditions.

He is a member of the working groups set up by the Spanish national authorities for issuing BATs for the Spanish industry sectors.

In 2008 he participated in the creation of REDIA (Spanish National Network for Environmental Inspection), which he chaired from 2012 to 2013.

He has promoted the active participation of Spanish environmental inspectors in the IMPEL Network. Based on IMPEL and REDIA recommendations, and on the requirements of the Directive 2010/75/EU on Industrial Emissions, the Department which he leads has achieved the following:

- Elaboration of a new approach for environmental inspection of IPPC activities.
- Coordination between permit authorities and inspectors.
- Recommendations indicated in the environmental inspections are taken into account in the permits and in the controls carried out by the companies.
- Elaboration of new procedures and templates.
- Development and implementation of environmental risk assessment tools.
- Elaboration of new templates for reports and documents related to on-site visits.
- Development of a training programme for environmental inspectors (as an example, in 2014 he coordinated a 350 h course combining theory and practice). Each year there are a minimum of two specific 30 h monographic courses.
- Design and development of an environmental inspections software
- Design and development of a specific software for the inspection of IPPC/IED activities

- Elaboration of 10 inspection check-lists for 10 sectors with the highest environmental impact in the Region of Galicia

He is also the coordinator of the team in charge of soil pollution control in Galicia.

Additionally, he was the coordinator and person in charge of the acquisition of equipment for the air quality technical section in charge of the evaluation and analysis of all the information related to air quality in the Region of Galicia.

He is experienced in risk quantitative analysis and environmental risks, applied to the implementation of Seveso Directives for 15 years. He coordinated the drafting of the emergency plans of the Seveso installations in Galicia.

He has been a University professor involved in the delivery of Masters on environmental topics, such as EIA, IPPC, IED for the last 20 years.

His earlier experience in Public Administration as a civil servant includes experience in the fields of food quality control, chemicals control and analysis and in customs as well.

He participated as one of the key short term experts of the Twinning Project "IPPC" TR/08/IB/EN/03 (2011-2013), in Turkey, providing support to the Turkish Ministry of Environment and Urbanization on IPPC/IED implementation, and preparing a Turkish national BAT guide for the coal LCP sector and delivering training on IPPC-IED permitting for such installations. He has therefore good knowledge about Twinning Project implementation.

He was PL of the EU Twinning Project "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", in Macedonia, providing support to the State Environmental Inspectorate (SEI) of the Ministry of Environment and Physical Planning. Implementation period: 12/01/2015-11/08/2016. The Member state institutions twinned with the Beneficiary were: Spain (Galician Regional Ministry of Environment, Spatial Planning and Infrastructures, and FIIAPP) and The Netherlands (Ministry of Infrastructure and Environment, RWS-Directorate Environment/Dutch Knowledge Centre InfoMil).

The results of this twinning are shown on the website: http://www.sei.gov.mk/index_en.asp

He will supervise in close contact with the Partners and specifically with the Project Leader of the beneficiary institution and the RTA the overall successful implementation of the project. He will also lead component 3. In accordance with the Twinning Fiche's requirements, he will devote a minimum of 3 days per month to the project in his home administration with an on-site visit to Tbilisi at least every 3 months.

### 5.1.2 Dutch Junior Partner Project Leader

The Dutch Junior Partner PL will be Mr. Rob Kramers. Mr. Rob Kramers worked as a (senior) inspector for 13 years for the Province of North Holland, carrying out responsibilities in (integrated) inspection, coordination, training and development of inspection planning methods.

Afterwards, 16 years ago, he joined InfoMil, the Dutch Knowledge Centre for Environment as Expert, where he has been up to now in charge of: (i) coordination of international activities, (ii) managing and participating as expert in international projects, (iii) development of methodology for inspection planning, (iv) capacity building, training and coaching of environmental permit officers and inspectors (V) project manager for international projects in EU, South America and the Caribbean..

He is an expert in the field of management systems for Inspectorates. He is the Dutch representative in numerous IMPEL (European Network for the Implementation and Enforcement of Environmental Law) projects, being one of its most active members. Some of the IMPEL projects where he has participated or has led are the following:

- "Interrelationship between IPPC, EIA and SEVSO Directives and EMAS Regulations";
- "Integrated permitting (IPPC)";
- Project on planning of environmental inspections "Doing The Right Things";
- Project on reviewing the IPPC proposal of the EU Commission;
- Project easyTools (risk assessments);
- Project Targets and Performance Monitoring;
- Project Transboundary Shipment of Waste and Doing the right things;
- Project Cross cutting the Environmental Inspection Cycle;
- Project Doing the Right Things for Permitting;
- IMPEL Review Initiative in Portugal, Kosovo and Austria

Mr. Kramers has performed as an expert and project leader in projects in Poland, Czech Republic, Croatia, Hungary, Bulgaria, Romania, Georgia, Turkey, Colombia and the Dutch Caribbean Islands on the topics of IPPC and enforcement. Mr. Kramers is an expert trainer and project manager.

Mr. Kramers will lead component 2.

### 5.1.3 Czech Junior Partner Project Leader

The Czech Junior Partner PL will be Mgr. Jan Kolář. Mr. Kolar has worked in CENIA, Czech Environmental Information Agency for more than 12 years, out of which more than 5 years as the Head of IPPC and EIA. He has been responsible for: (i) application and evaluation of Best Available Techniques (BAT) for limiting industrial emissions from metallurgy and metal surface treatment, (ii) expert statements on application for granting an integrated permit focused especially on best available techniques (BAT) assessment in metallurgy and metal surface treatment, (iii ) expert

support of the execution of public administration in the field of IED, (iv) cooperation on the information exchange system on BAT (national and international level), (v) participation in Technical Working Group – Regional Authority and Integrated Prevention – methodical management of the IPPC (IED) process by the Ministry of the Environment, (vi) providing consultation for operators affected by the IPPC Act (IED), (vii) leading the Czech National Information Centre for REACH and CLP – member of the HelpNet Steering Group (REACH and CLP Helpdesks Correspondents' Network).

He has been involved in the delivery of the following projects:

- "European Topic Centre on Waste and Materials in the Green Economy (ETC/WMGE) – Work Package 3: Chemicals and Waste" – task manager for identification of potential datasets on environmental monitoring of chemicals, life cycle analysis to identify potential exposure scenarios for specific chemical substances and identification and analysis of chemicals of concern in articles in the circular economy;
- "REACH Regulation Implementation Monitoring" – expert analysis of the implementation of REACH Regulation in the educational system of Czech Universities (preparation of questionnaires, data analysis, and final report);
- "Nationwide information system for collecting and evaluating information on environmental pollution" (European Regional Development Fund) – expert coordination of the creation of the Environmental Helpdesk's knowledge base (cooperation with different experts responsible for different environmental areas, administration of the whole knowledge base of the new system).

Mr. Kolar presented the role of CENIA in the IPPC process in the Czech Republic during the study visit of LEPL Environmental Information and Education Centre of the MENRP of Georgia to the Czech Republic in 11/2014.

Mr. Kolar will lead component 1.

### 5.1.4 Resident Twinning Adviser

The RTA will be Mr. Iñaki Bergaretxe, employed by FIIAPP.

He has been working for the Regional Government of Galicia (Spain) since 1990. He became a civil servant of the Regional Administration in 1991. He has worked for 5 years as environmental inspector in implementing the IPPC Directive and the IED, with a focus on waste management and disposal facilities as well as intensive rearing of pigs and poultry. He held the position of Deputy Director General for Emergencies Management of the Regional Government of Galicia for 2 years (from 2007 to 2009) and participated in the implementation of secondary legislation adopted in accordance to Seveso II Directive. He also participated in the implementation and updating of External Emergency Plans of Seveso installations such as the Reganosa regasification facility in Mugardos (Spain). He has also provides technical support to the environmental effects evaluation

team for non IPPC & non EIA projects and activities at the Territorial Unit of the CMAOT of the A Coruña province, whose permits are issued by local authorities. Beside his experience as environmental inspector, he has previous experience in the other 3 components of the Project, having participated in the elaboration of draft legislation at a regional level and in the environmental assessment of projects. As a user of IT tools available for inspection in a daily bases has made proposals for the improvement of the recording system of results of emission monitoring in the field of industrial emissions.

He has participated recently in the following international projects:

- EU Twinning project in Macedonia: "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", Twinning Number MK 10 IPA EN 01 14 (MK-10-IB-ENV-01). ENEA (ENforcing Environmental Acquis). http://www.sei.gov.mk/projects_page_en.asp?ID=2. He was proposed as a substitute of the RTA in case of need. He was a key short time expert and participated in 8 missions with an average duration of 4-5 days. They included the legal and institutional assessment of existing administrative capacities for enforcement of environmental legislation at central and local levels, as well as the completion of a draft proposal for the adaptation of the environmental inspection structure, and of programme for strengthening the administrative capacities for environmental enforcement with regards to the inspectorates in Macedonia. In two missions, he participated in the elaboration of inspection factsheets and check-lists for several industrial sectors. In another mission he participated in the drafting of a practical leaflet for industrial operators including explanations about rules and legislation applicable to installations, what to do in case of non-compliance, how to prepare for an inspection and consequences of lack of collaboration with inspection authorities by operators. He also participated in training missions regarding the implementation of best available techniques (BAT) in permitting and inspection and the practise of carrying out environmental inspections according to IED and RMCEI.

- He has been one of the Spanish representative in several IMPEL (European Union Network for the Implementation and Enforcement of Environmental Law) projects, such as 'Supporting Industrial Emissions Directive implementation. Years 2015 and 2016." which deals with both permitting and inspection, 'Nature protection in permitting and inspection of industrial installations – Implementation of Article 6 (3) of the Habitats Directive'. Years 2014 and 2015. " and 'Nature protection in permitting and inspection of extractive industry (quarries and open cast mining) – Implementation of Art. 6(3) of the Habitats Directive . Year 2016. Member of the Project Team.

- He has participated in several IMPEL expert team meetings such as the Nature Conservation expert team of IMPEL in Utrecht (the Netherlands) in 2014, the Air & Industry expert team of IMPEL in 2015 and 2016 (Romania and Belgium) and the Cross-cutting expert team of IMPEL in 2016 (Spain).

- He participated in the 1st IMPEL National Conference of Portugal in September 2016, in representation of REDIA, the Spanish Network of Environmental Inspection.

During his assignment as Deputy Director General for Emergencies Management of the Regional Government of Galicia, he was the Project manager of the FOSEPOGA project, funded by the Civil Protection Financing Instrument in the framework of the EU Civil Protection Mechanism. The City Council of Viana de Castelo (Portugal), the Cambridgeshire Fire & Rescue Service (UK) and the Region of Galicia (Spain) participated in the project. Its aim was the enhancing of the cross-border emergencies coordination in situations of forest-urban interface fires and floods.

He has worked for 19 years in environment related fields as:

- Forest fires fighting and prevention including risk assessment based planning. He acquired experience on large staff managing (at its peak the staff and equipment managed by him, between 2002 and 2005, as the Head of the Forest Fire Prevention and Fighting Service at the Province of A Coruña, included 27 forest technicians, 94 Forest Rangers, 100 fire brigades, 100 supporting people at the provincial command & control centre, five area command and control centres and fire lookout stations, 60 fire engines and 3 helicopters). Project management experience in this field.
- Nature conservation, including the implementation and application of legislation adopted in accordance to the Habitats and the Birds Directives, mainly appropriate assessment under article 6.3 of the Habitats Directive, as well as Environmental Impact Assessment Directive.
- Game management and implementation of game legislation and regulation, including the participation in the elaboration of the Regional Game Law and Game Code with an intense negotiation process with main stakeholders.

Apart from the aforementioned advantages, his skills in other aspects relevant to the Project, such as extensive IT knowledge and fluency in several languages are to be noticed, as well as his high motivation to learn new languages as the Georgian (ქართული ენის) whose alphabet already commands both in handwriting and in typing.

Mr. Bergaretxe meets the RTAs eligibility criteria as shown below:

| Requirement | Spain Resident Twinning Adviser |
|---|---|
| National of a Member State of the EU | ✓ Spanish citizen (ES) |
| At least 3 years' experience in activities related to the implementation of the EU acquis in the area covered by the Twinning project fiche, to the pertinent legislative process or to other actions referred to by the Twinning project fiche covering their secondment. | ✓ 5 years' experience as environmental inspector in implementing the IPPC Directive and the IED (2005-2006; 2014-2016)<br>✓ 2 years' experience as Deputy Director |

| | |
|---|---|
| | General for Emergencies Management of the Regional Government of Galicia in implementing the Seveso II Directive (2007-2010) |
| University Degree in related studies | ✓ Bachelor Degree in Forestry, University of Seville (1984)<br>✓ Master Degree in Forest Management, Polytechnic University of Madrid (1990) |
| Experience in project management | ✓ Project Manager of more than 10 projects per year as Head of the Forest Fire Prevention and Fighting Service at the Province of A Coruña (2002-2005)<br>✓ Project Manager of the FOSEPOGA project funded by the Civil Protection Financing Instrument in the framework of the EU Civil Protection Mechanism. The City Council of Viana de Castelo (Portugal), the Cambridgeshire Fire & Rescue Service (UK) and the Region of Galicia (Spain) participated in the project (2009). |
| Good working knowledge of English, French or German. | ✓ Advanced Certificate in English of the Cambridge University. C1 level certificate in English of the Official Foreign Languages School of A Coruña (Spain). Good working knowledge of English<br>✓ B2 level certificate in French of the Official Foreign Languages School of A Coruña (Spain). Good working knowledge of French.<br>✓ B2 level certificate in German of the Official Foreign Languages School of A Coruña (Spain). Acceptable working knowledge of German |
| Computer literacy | ✓ User of Windows, Microsoft Office, Lotus Notes, on a daily basis; user of GIS programmes (ArcGis, GvSig) and other IT tools; Experience as on line tutor of courses based on the open-source learning platform Moodle |
| Proven contractual relation to a public administration or mandated body | ✓ Civil servant of the Regional Public Administration of Galicia since 1991 |
| Experience in organisation and delivering | ✓ 5 years' experience in organisation and |

| | |
|---|---|
| training | delivering of training in the field of Forest Fires Prevention and Fighting to Forest Rangers, fire brigade members, engine drivers and fire watchers at a regional level (2009-2013). Experience as on line tutor of courses based on the open-source learning platform Moodle<br>✓ Experience in delivering training to state and local environmental inspectors in the abovementioned EU Twinning project in Macedonia; the specific topics were the implementation of BATs in permitting and inspection and the practise of carrying out environmental inspections according to IED and RMCEI |

The tasks of the RTA will include to carry out co-coordinating tasks and to take active part in all relevant activities, ensuring the co-operation and flow of information of all the components. The stage of the RTA will last for the entire duration of the project's implementation. The RTA will be responsible for planning and managing the inputs of all Consortium experts and will work closely with the project beneficiaries to develop specific terms of reference for different missions and activities, optimizing inputs and outputs, tailored to beneficiaries' needs.

### 5.1.5 Short-term experts

The CVs of short term experts annexed should be considered as a sample of the expertise the Consortium would bring to the Twinning.

As can be seen from those CVs, their thorough and senior expertise covers all the areas of the project. Moreover, please notice that, besides experts from the Region of Galicia, The Netherlands and the Czech Republic, there are senior experts coming from other regions of Spain, from Germany, Croatia (?), Greece, Estonia (?), Latvia (?) and Lithuania (?), thanks to the network of contacts of the Project Leader and RTA.

This availability of a large amount of senior inspectors from several EU countries is one of the strongest assets of this proposal, as it guarantees that the Consortium is well prepared to cope with the large amount of workload of this project, being able to support continuously the beneficiaries and RTA with any kind of specific expertise required.

The Consortium guarantees the expertise and in-depth knowledge of all the experts which will be involved in the implementation of this project. All the experts will have a broad experience in all issues related environmental enforcement. The team will be enlarged with additional experts as needed.

The following table provides a quick overview of the experts already mobilized and ready to participate in the project:

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| 1 | Ameztoy | Ana | Regional Ministry of Environment and Spatial Planning of Madrid Region (Spain) | 23 years of experience in environmental issues, out of which 8 in EIA, and 14 in inspection. Main responsible and coordinator of the environmental inspection of IPPC activities in the Region of Madrid. Member of REDIA Executive Committee (National Network of Environmental Inspection of Spain). |
| 2 | Angelopoulou | Annie | Senior Information Technology Expert and IT Consultant | 30 years as IT designer/developer, IT business analyst and information technology expert, of which more than 20 in developing and designing environment related IT software tools including environmental information systems on flows of waste, IPPC, Inventory of air emissions, waste water and solid waste, REACH and Seveso, Hazardous substances and Chemical safety. Team Leader in 2 IPA projects and several LIFE projects; Senior IT Expert in 5 Twinning projects. |
| 3 | Basago | Óscar | Regional Ministry of Environment of Extremadura Region (Spain) | 9 years of experience in environmental inspection, permitting and enforcement, focussed on IPPC/IED activities. Experienced as well in elaboration of environmental legislation, PRTR, and active participation in REDIA and IMPEL. |
| 4 | Blanco | Maria José | CMAOT, Galicia (Spain) | 16 years of experience in environmental inspection. In charge of coordination and management of environmental inspection in the Region in Galicia, supporting the Spanish PL (José Francisco Alonso). |
| 5 | Blanes | Lucas | CMAOT, Galicia (Spain) | 29 years of experience in inspection, out of which 9 in veterinary inspections, 7 in fisheries inspections, and 13 in environmental inspection. Main expert in the Region of Galicia for inspections of pig farms and waste management facilities. |
| 6 | Braams | Cees | InfoMil, Ministry of Infrastructure and the Environment (The Netherlands) | 10 years working as environmental inspector, and besides that he has the experience of drafting all kinds of permits, environmental policy plans, and13 years of experience in the implementation of the Seveso Directive and definition of EU Best Available Techniques Reference Documents (BREFs) for the implementation of the IPPC and Industrial Emissions Directives. |

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| 7 | Büther | Horst | Regional Environmental Administration of Cologne (Germany) | 16 years of experience as Head of Environmental Competent Authority at regional level, with extensive experience in permitting and inspection. Very active member of IMPEL Network. |
| 8 | Canales | Carmen | Directorate General Environmental Quality and Assessment.<br>Ministry of Agriculture and Fisheries, Food and Environment (Spain) | 34 years of experience in environmental issues including marine pollution monitoring, atmospheric pollution monitoring and implementation of corrective measures; expert in IPPC, PRTR and IED including the participation in the transposition of IPPC Directive and IED to Spanish legislation and in its implementation; direction and coordination of PRTR-Spain; participation in groups of experts for the elaboration of BREFs and BAT conclusions |
| 9 | De Vicente | Íñigo | Consulnima | Note: He participated as expert in the Twinning Project TR/2008/IB/EN/03 |
| 10 | Dekkers | Herbert | Environmental Service IJmond (The Netherlands) | |
| 11 | Díaz | Agustín | CMAOT, Galicia (Spain) | More than 12 years of experience in air quality and air emissions monitoring. Specialist in the implementation of monitoring and control requirements from the Air Quality Framework Directive, and for PRTR. Experienced in IPPC permitting and EIA. |
| 12 | Douma | Wybe | T.M.C. Asser Institute for International and European Law (The Netherlands) | Besides 10 years as Lecturer on Administrative Law, Economic Law, European Law & EU Environmental Law, has over 17 years of experience as legal expert in the fields of implementation and enforcement of EU environmental law in national law and approximation to EU environmental law, with an extensive international experience in multiple projects. |
| 13 | Du Maine | Marc Adriaan | InfoMil, Ministry of Infrastructure and the Environment (The Netherlands) | 23 years of experience in environmental permitting, inspection and enforcement. Expert in the development and implementation quality criteria for environmental permit officers and inspectors, and of an inspection strategy for SEVESO installations. Expert in the reorganization of the permitting and enforcement in the Netherlands, with wide international experience. |
| 14 | Ehrlich | Pavel | CENIA, Czech Environmental Information | 9 years of experience in environmental issues with a focus on environmental education, enlightenment and awareness as junior project manager; project management in research |

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| | | | Agency (The Czech Republic) | and innovation project developed methodical and assessment tools for Ecolabelling based on ISO standards; Voluntary environmental instruments specialist: National eco-labelling program of products and services and cooperation in the field of environmental protection instruments - EMS, EMAS. |
| 15 | Escobar | Eva | Regional Ministry of Environment and Spatial Planning of Madrid Region (Spain) | 22 years of experience in environmental inspection. Head of Section of Environmental Planning. Main responsible and coordinator of the environmental inspection plans in the Region of Madrid. Member of the Board in REDIA. |
| 16 | Gil de Bernabé | José | CMAOT, Galicia (Spain) | 22 years of experience in environmental inspection and civil protection. Main responsible, together with the Spanish Project Leader (José Francisco Alonso), of the establishment of the current environmental inspection structure in the Region of Galicia. |
| 17 | Groenen-Kobrová | Alena | InfoMil, Ministry of Infrastructure and the Environment (The Netherlands) | 18 years in the field of environmental policy and management, pollution control (industrial emissions, Seveso) and implementation of international cooperation projects in the field of environment. |
| 18 | Kolar | Jan | CENIA, Czech Environmental Information Agency (The Czech Republic) | 12 years in environmental issues, out of which more than 5 years as expert in metallurgy and metal surface treatment, more than 5 years as Head of IPPC and EIA Unit and 1 year as Head of BAT Evaluation Unit at the CENIA. |
| 19 | Kolhoff | Arend | Dutch Commission for Environmental Impact Assessment | 28 years of experience in environmental issues, out of which 23 year as project leader of the NCEA for relevant national and international EIA and SEA projects; his experience as project leader includes supporting the authorities of Georgia since 2000 – until today (January 2017) with a broad range of activities in the field of capacity development for EIA and SEA and providing advisory support on EIAs for complex and political sensitive projects such as the BTC–oil pipeline project and the Khudoni hydropower project |
| 20 | Liebregts | Tony | Environment and Transport Inspectorate (The Netherlands) | |
| 21 | Macho | Mari Luz | CMAOT, Galicia (Spain) | 27 years of experience in environmental issues, out of which 21 focussed on analytical methods for food and water analyses, 4 in charge of the Galician Environmental |

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| | | | | Laboratory, LMAG (55 staff), body responsible for the monitoring of air quality, water quality and air emissions according to EU acquis and 2 as Deputy Director General of Meteorology and Climate Change with responsibility on managing the LMAG, MeteoGalicia (the regional agency of meteorology), the Air Quality monitoring network and projects on Climate Change |
| 22 | Mallada | Maria Jesús | Regional Ministry of Environment of La Rioja Region (Spain) | 26 years of experience in environmental issues, out of which 19 in environmental inspection and monitoring. Main responsible in that Region for environmental inspection. Current President of REDIA, the Spanish Network of Environmental Inspection. |
| 23 | Ocio | Jesús Ángel | Regional Ministry of Environment, Land Planning, Agriculture and Fisheries of the Basque Region (Spain) | More than 22 years of experience in the fields of control of chemicals and environmental inspection; he has been the main person in charge of the updating of the environmental inspection system in the Basque Region to EU standards. |
| 24 | Offerman | Marlon | InfoMil, Ministry of Infrastructure and the Environment (The Netherlands) | |
| 25 | Orriols | Ignacio | Directorate General for Emergencies and Interior. Vice-presidency of the Regional Government of Galicia and Regional Ministry for Presidency, Public Administrations and Justice | More than 11years of experience in the field of Civil Protection and Emergencies as chemical risks analyst; expert in Seveso Directive provisions' implementation. |
| 26 | Prasek | Jan | CENIA, Czech Environmental Information Agency (The Czech Republic) | Over 14 years of experience in environmental issues, IPPC, waste management, monitoring and risk assessment as Head of Czech Ecological Institute Branch in Ostrava, Head of IPPC Agency and deputy director of Czech Environmental Institute; Head of Section of Technical Protection of the Environment, deputy director of CENIA |
| 27 | Román | Sonia | Directorate General for Civil Protection and | |

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| | Fernández | | Emergencies. Ministry of Interior (Spain) | |
| 28 | Salgado | Manuel | CMAOT, Galicia (Spain) | 22 years of experience in environmental inspections, having as well broad experience in environmental awareness raising and in forest and agriculture sectors. |
| 29 | Schijf | Bobbi | Dutch Commission for Environmental Impact Assessment | Almost 15 years of experience in the field of environmental management. Well acquainted with a broad range of environmental issues. In particular, extensive knowledge, both theoretical and practical, in the areas of environmental impact assessment (EIA) and strategic environmental assessment (SEA). |
| 30 | Seoánez | César | Innovation and Networks Executive Agency (INEA) of the European Commission | 9 years of experience in environmental issues, capacity building and project implementation, including 3 secondments as RTA in Twinning projects in Romania (2008-2009, focused on municipal waste management), Turkey (2011-2013, focused on IPPC/IED implementation) and Republic of Macedonia (2015-2016, inspection and enforcement of the environmental acquis). |
| 31 | Serrano Paredes | Olga | Hogan & Lovels | Note: She participated as expert in the Twinning Project TR/2008/IB/EN/03 |
| 32 | Suchánek | Zdeněk | CENIA, Czech Environmental Information Agency (The Czech Republic) | Over 22 years of experience in environmental issues with a focus on Environmental protection (waste management, EIA, SEA, IPPC, ISO standards on voluntary instruments for environmental management, eco-labelling, EMS, EMAS, environmental legislation, environmental education, environmental counselling), industrial pollution prevention, industrial ecology, environmental management contaminated sites research and inventory as project manager; Internal services department director of the CENIA. |
| 33 | Teekens | Jan | Ministry of Infrastructure and the Environment (The Netherlands) | Legal expert with 24 years of experience in permitting, inspection and enforcement legislation. Expert in the transposition of EU legislation. He was for 8 years National coordinator for the Netherlands in IMPEL, member of the IMPEL Board and co-chair of the IMPEL Better Regulation Cluster. He has been team member of a large amount of IMPEL projects and is now leader of the project Make it Work that encourage better and more consistent EU legislation. |
| 34 | Valta | Jiri | CENIA, Czech Environmental Information Agency (The Czech | 15 years in environmental issues in the fields of air pollution and waste management, IPPC, and BAT assessment, including 10 years as senior expert, Project manager, more than 1 year as Department manager at the CENIA. |

| | Surname | Name | Institution | Expertise |
|---|---|---|---|---|
| | | | Republic) | |
| 35 | Vázquez Quintela | José Antionio | CMAOT | 22 years of experience in environmental issues, out of which 12 in forestry management and teaching issues, and 8 as Head of Environmental Inspection of the province of Ourense |

## 5.2 FIIAPP

The *Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas* – FIIAPP is a public non-profit institution that manages the participation of administrations in international technical cooperation projects and acts as Spanish management unit for the EU Twinning Programme. The Foundation is chaired by the Vice-President of the Spanish government and the board is composed by the Minister of Foreign Affairs, among several line Ministries, in order to ensure a coherent approach of the national administrations to project management.

With more than 317 successful Twinning projects all over Europe and the Mediterranean, FIIAPP has been operating in 31 different Beneficiary Countries of the programme since 1998. The staff in charge of managing Twinning projects has substantial experience in promoting peer-to-peer cooperation between Spanish administrations and their counterparts and is specialized in the contractual, administrative, financial, logistical and technical management of the programme, allowing the PL, RTA and STE to concentrate on their specific technical tasks. FIIAPP coordinates and supports the following phases of the project in close coordination with the contracting authority:

- Project identification
- Preparation of the proposal
- Attendance to the selection meeting
- Assistance to the twinned administrations during the negotiation phase with the contracting authorities (EU Delegation, PAO, CFCU, UGP...)
- Drafting of the contract and coordination of the signature process
- Day-to-day administrative, logistic and financial tasks and follow-up
- Reporting and preparation of steering committee meetings
- Knowledge management
- Monitoring and evaluation

The Foundation is part of the contract and responsible for the signature process with the Spanish authorities. Therefore, the financial reports, requests for payment and other financial documents are signed by the duly authorized representative of FIIAPP.

As exposed before, all Twinning performed by Galician Regional Ministry of Environment and Spatial Planning (CMAOT) have been successfully implemented at financial and logistic level by FIIAPP. This broad experience makes FIIAPP a perfect partner for Georgia in the management of this twinning project.

## 5.3 Coordination between the Members of the Consortium

This Consortium want to highlight the relevance of **assigning one component leader to each component** as shown above so that activities are well coordinated inside each

component and among components in the implementation of the project as a whole. It is a guarantee for a good coordination between its Members.

The detailed input of each Member of the Consortium to each activity of the project will be agreed during the preparation of the Contract, when – together with the Beneficiaries – specific inputs and activities will be defined. The distribution of workload will be established in function of the exact needs and the available expertise from each institution. A tentative distribution has been agreed between the partners, but will remain flexible to adapt to the specific needs that have to be further defined during the negotiation phase.

Additionally, all background information and all Project outputs including templates, factsheets, checklists, manuals etc. as well as training materials delivered along the implementation period of the project will be made available on a specific project on Basecamp, as the Project platform for Project leaders, RTA, experts and the beneficiary. Providing information about the project will also contribute to expanding the knowledge of relevant stakeholders.

## 5.4 Working schedule

The duration of the project's implementation will be twenty one months. The Consortium Twinning proposal has been thought and drafted in a flexible way. Its approach leaves room to later amendments and adaptations to the changing circumstances, without losing its technical, administrative and legal core content.

## 5.5 Working language

The working language of this Project will be English. All official documents (reports, comments, recommendations and business correspondence) will be drafted in English.

Documents used for training purposes and training modules can be prepared in the language of the Member State and translated into English.

Spanish short term experts may use their mother tongue during the activities developed in Georgia, provided that the appropriate interpretation and translation service is made available. In any case their written outputs will be drafted in English.

## 5.6 Reporting

Quarterly reports will be submitted over the whole implementation of the project. The report shall be jointly drafted by both Parties.

A jointly drafted final report will be prepared describing the project implementation, including detailed information on the results achieved, follow-up recommendations and any necessary corrective actions.

All reports will be drafted in English language and made available in electronic and hard copy.

# 6. COMPARATIVE ADVANTAGE

## 6.1 Large team with outstanding technical expertise

One of the main reasons to build a Consortium with 3 Member States has been to guarantee its readiness to cope with the large workload of this project, thanks to its large and exceptional pool of STEs, as summarized in section 5.1.5 and shown in more detail in Annex III.

It is as well worth to mention that the 3 Project Leaders within this proposal will not limit their participation to the Quarterly Steering Committees, but participate actively as component leaders and experts within several of the activities, a very attractive feature of this proposal, given their backgrounds.

As described in section 5.1, the Consortium presents an outstanding mix of long standing experience implementing integrated permitting and effective monitoring and inspection procedures. The exceptional team mobilised within this Proposal can share with Georgia a long history of lessons learnt and show how EU Member-States have dealt with the ever developing environmental legislation over the last 30 years. All three partners implement IMPEL and RMCEI recommendations and have adapted their national or regional environmental inspection systems accordingly, elaborating procedures, guidelines, templates, specific software, etc. They are currently dealing with the implementation of the Industrial Emissions Directive (IED) and the Seveso III Directive. As Georgia intends to adopt primary and secondary legislation according to both Directives as well, it will be interesting for all parties to exchange views on the implementation of this new element.

At the individual level many of the members of the team have participated in the elaboration of relevant reference articles, documents and participated in conferences on environmental permitting, inspection and enforcement.

The Spanish team's wide experience in implementing EU legislation on industrial emissions and industrial hazard will be a great asset as the results of the Twinning Project "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis" (Twinning number MK-10-IB-ENV-01).

## 6.2 International experience, including participation in IMPEL projects and experience in implementing environmental projects in Georgia.

### 6.2.1 Participation in IMPEL projects

The Consortium Partners have international experience, and in particular in the IMPEL network, being actively involved in several IMPEL working groups, projects and organisation of General Assemblies (Santiago de Compostela (Spain, 2003), Córdoba (Spain, 2008), Lisboa (Portugal, 2007). Actually the key experts from all three countries in this Consortium are also the founders of the inspection methodology "*Environmental Inspection Cycle*", which was developed under the project "*Doing the right things*". This methodology has been accepted by the European Commission as an excellent way of implementing the inspection requirements mentioned in the RMCEI and in the IED. Not only have they implemented this methodology themselves, they have also executed training sessions to support other Member States. This Consortium also brings hands-on experience with Technical Working Groups and the development of sectoral BAT guidelines.

As mentioned in Section 2.2.2 several short time experts play also a leading role in IMPEL. The role of the following ones is highlighted:

- Horst Büther (DE), one of the key experts who is the current expert team leader of the IMPEL Air & Industry Expert Team, and project leader of the above mentioned on-going IMPEL project "*Supporting IED implementation"*.
- Jesús Ángel Ocio (ES), who is the current deputy team leader of the IMPEL Cross-Cutting Expert Team.
- Rob Kramers, the Dutch JPL, who has been the project team member of several IMPEL projects as mentioned in section 5.1.2 and is the co-author, with the project leader Tony Liebregts (NL), of the Comparison report 2016 of the IMPEL project "*Doing the Right Things for Permitting. A step by step guidance for permitting."* He is the advisor and member of the core team of the project.
- Tony Liebregts (NL), who is the project leader of the above mentioned on-going IMPEL project "*Doing the Right Things for Permitting. A step by step guidance for permitting.*" aimed at describing the IED permitting procedure as a step-by-step guidance.
- Jiri Valta (CZ), who is the CENIA representative in the national IMPEL network, has participated in the project "*Solving environmental conflicts by dialogue*".

Other experts including Mª Jesús Mallada, who is the current chair of REDIA (the Spanish National Network for Environmental Inspection) and Manuel Salgado are also members of the core team of the on-going IMPEL project "*Supporting IED implementation"*.

The RTA Iñaki Bergaretxe has been also very actively involved in different IMPEL activities as mentioned in section 5.1.4, including the project 'Supporting Industrial Emissions Directive implementation. Years 2015 and 2016." which deals with both permitting and inspection.

### 6.2.2 Experience in implementing environmental projects in Georgia.

As mentioned in 3.2.2, in recent times InfoMil implemented two projects in Georgia, including the '*Support of EIA, Permitting and Inspection for the Georgian Ministry of Environment protection*' and the elaboration of the National Environmental Action Plan 2012-2016, The experience and knowledge acquired by the Dutch partners represents a valuable asset for the project's successful implementation.

Additionally, the Czech Development Agency has being implementing the project '*Capacity Building in the Prevention of Major Accidents*' from 2014 to 2016. The good relationship between the Czech Development Agency and the CENIA will be a guarantee for the early transmission of all available information and documents which could be useful for the project's successful implementation.

## 6.3 Capacity building experience

Prior experience in capacity building projects as Twinning or bilateral projects ensure that the Consortium Partners are well aware of the kind of services to be provided, and which good practices are most useful to implement such a project successfully.

## 6.4 Twinning management experience

As described in more detail in sections 5.2 and 6.10, the management and logistics of the project have also the powerful support of FIIAPP, which has an overwhelming experience in Twinning management and logistics.

Moreover, the Project Leaders from Spain and The Netherlands, plus experts from The Netherlands, Spain and the Czech Republic have been involved in other Twinning projects and are therefore familiar with Twinning procedures.

The experience and qualification of the proposed RTA as an environmental inspector and participant as key expert in the abovementioned EU Twinning Project in Macedonia, for which

he was proposed as a substitute for the RTA in case of need, and in IMPEL projects in the field of IED implementation.

In summary, in our opinion, the Consortium set up by Spain, The Netherlands and The Czech Republic is in the best position to provide significant support to the BC partner through the proposed team of experts with extensive knowledge and wide experience.

## 6.5 Institutional diversity and approaches

The legal and institutional setting between the partners in this consortium differs (e.g. centralized and decentralized systems) which will give Georgia an excellent way to experience the pro's and con's of the different systems and will help Georgia in making well balanced decisions on the institutional settings of inspections.

## 6.6 The implementation of the IPPC Directive, the IED and the Seveso III Directive in Galicia and in the Czech Republic as a model

The process of transposition of EU environmental legislation to the national legislation and its implementation, specifically the IPPC Directive, the IED and the Seveso III Directive in Galicia since Spain joined the EU (then the EEC) and since the Czech Republic joined it in 2004, can be taken as a model for other countries which later joined the EU or for those as Georgia which signed Association Agreements which include obligations regarding the adoption of EU environmental legislation.

## 6.7 Flexibility and adaptability to beneficiaries' needs

The Consortium knows very well from previous Twinnings and similar international capacity building actions that it is essential to be flexible and adaptable to the needs and reality of the beneficiaries, to optimally achieve the Project Purpose and Overall Objective. The Consortium team, starting with the Project Leaders and the RTA, have a very open minded, ready to dialogue, attitude.

## 6.8 Readiness for a quick and smooth start

Given the fact that the members of the Consortium have collaborated previously, that they have already mobilised a very broad team of Short Term Experts who are available for participating in the project, and that the proposed RTA is fully available to start his assignment

when required, the Consortium considers that it is feasible to elaborate efficiently the Twinning Contract and start quickly and smoothly the implementation phase of the project.

Besides the above, the Dutch JPL and 5 of the Dutch MS experts have extensive experience in Georgia on the subject of permitting and inspection and can guarantee a quick and smooth start of the project.

## 6.9 Good relation and prior collaboration experience among the Consortium Partners

The Consortium Partners all know each other very well through the IMPEL network, from common inspection-related projects or activities, and the RTA has worked previously with the Spanish and the Dutch Project Leaders in his previous assignments as key expert in the EU Twinning Project in Macedonia "Strengthening the administrative capacities at central and local level for implementation and enforcement of the environmental acquis", Twinning Number MK 10 IPA EN 01 14 (MK-10-IB-ENV-01). Thus the dialogue among the Consortium Partners is very fluid and efficient.

## 6.10 FIIAPP

As mentioned in section 5.2, manages the participation of administrations in international technical cooperation projects and acts as Spanish management unit for the EU Twinning Programme. FIIAPP will support the Consortium at all stages of the project cycle.

Comparative advantages of FIIAPP are:

- Non-profit Foundation with a strong background in managing multilateral TA projects.
- Public Institution and part of the Spanish International Cooperation System.
- Strong co-ordination with the Spanish Embassies and the bilateral Technical Offices.
- Direct relation and close co-operation with the Spanish Public Administration.
- Privileged access to the complete payroll of senior civil servants of the Spanish Administration for their participation in international projects.
- Member of the Practitioners' Network, an open platform for exchange, coordination and harmonization between European technical and financial cooperation organisations with a public service mission.
- A large support structure for the experts' team, at the technical and institutional relationship level as well as at the financial and logistical level.
- Capacity to respond efficiently to political and institutional changes and/or unforeseen requirements of another nature, which may arise during the implementation phase of the contract
- Assessed by the European Commission as delegated entity (indirect management), ensuring sound management procedures in line with international standards.

- Flexible and strong logistics (travel agency implant), mobilizing an average of 1.100 civil servants and experts per year.

Also, FIIAPP is one of the organisations assessed and considered compliant by the EC to be a Delegated Entity (indirect management). FIIAPP has a sound experience in managing and administrating governance projects, and is able to guarantee the effective mobilization of international human resources involved in various activities, as well as efficiency and effectiveness in various management and coordination tasks inherent to international cooperation projects.

FIIAPP has managed more than 150 technical assistance projects funded by the EU (apart from the twinning projects); has strong experience in EU procedures and more than 50 technical and financial officers working in the mobilization of experts all around the world. FIIAPP has seconded more than 1.100 civil servants per year in the last 10 years and has a travel agency implant in its premises to do so.

FIIAPP has the ability to mobilize the "know how" of public servants with great experience from all the different ministries and specialized public organizations of the Spanish administration.

Furthermore, on environmental issues, Spain has managed several twinning projects among which the following ones can be highlighted:

| PROJECT CODE | TW-TWL-AT | COUNTRY | PROJECT TITLE | BUDGET |
|---|---|---|---|---|
| HU-1998-IB-EN-03 | TW | HUNGARY | Strengthening of key services for nature conservation "habitats directive". | 155.871,00 € |
| PL-2000-IB-EN-03 | TW | POLAND | Control and prevention of pollution regional level. | 399.996,33 € |
| PL-2001-IB-EN-03 | TW | POLAND | Biological safety system. | 1.760.000,00 € |
| PL-2006-IB-EN-02 | TW | POLAND | Communication, Public Awareness and Capacity Building for the EU Natura 2000 ecological network. | 1.200.000,00 € |
| RO-2006-IB-EN-06 | TW | ROMANIA | Implementation and enforcement of the environmental acquis focussed on domestic waste management | 800.000,00 € |
| BG-2007-IB-EN-06 | TW | BULGARIA | Strengthening Institutional Capacity for the Implementation of the Nature Protection Acquis | 400.000 € |
| EE-2006-IB-TWP-ENV-05-TWL | TWL | ESTONIA | Management of Natura 2000 sites | 90.836 € |

| | | | | |
|---|---|---|---|---|
| TR-2008-IB-EN-03 | TW | TURKEY | IPPC – Integrated Pollution Prevention and Control | 1.424.910 € |
| TR-2009-IB-EN-02 | TW | TURKEY | Strengthening of Institutional Capacity on CITES implementations in Turkey | 1.021.250 € |
| TR-2009-IB-EN-03 | TW | TURKEY | Capacity Building of Turkey on Strengthening the Water Quality Monitoring | 1.900.000 € |
| HR-2009-IB-EN-01-TWL | TWL | CROATIA | Developing the National information system for nature protection supervision | 250.000 € |
| AM-2010-ENP-PCA-EN-06 | TW | ARMENIA | Strengthening the Ministry of Nature Protection of the Republic of Armenia in introduction of a system of Integrated Pollution Prevent and Control (IPPC) | 1.000.000 € |
| 176-2013 | AT | COLOMBIA | Previous studies recruiting redesign and accompaniment to the signing of the contract for the implementation and operation of early warning system of hydrometeorological origin of the Institute of Hydrology, Meteorology and Environmental Studies (IDEAM) as technical support to the national for disaster risk management in Colombia | 1.305.339 € |
| UA-13-ENP-EN-39 | TW | UKRAINE | Introduction of a Management System of Wastes of Electric & Electrical Equipment (WEEE) in Ukraine | 1.200.000 € |

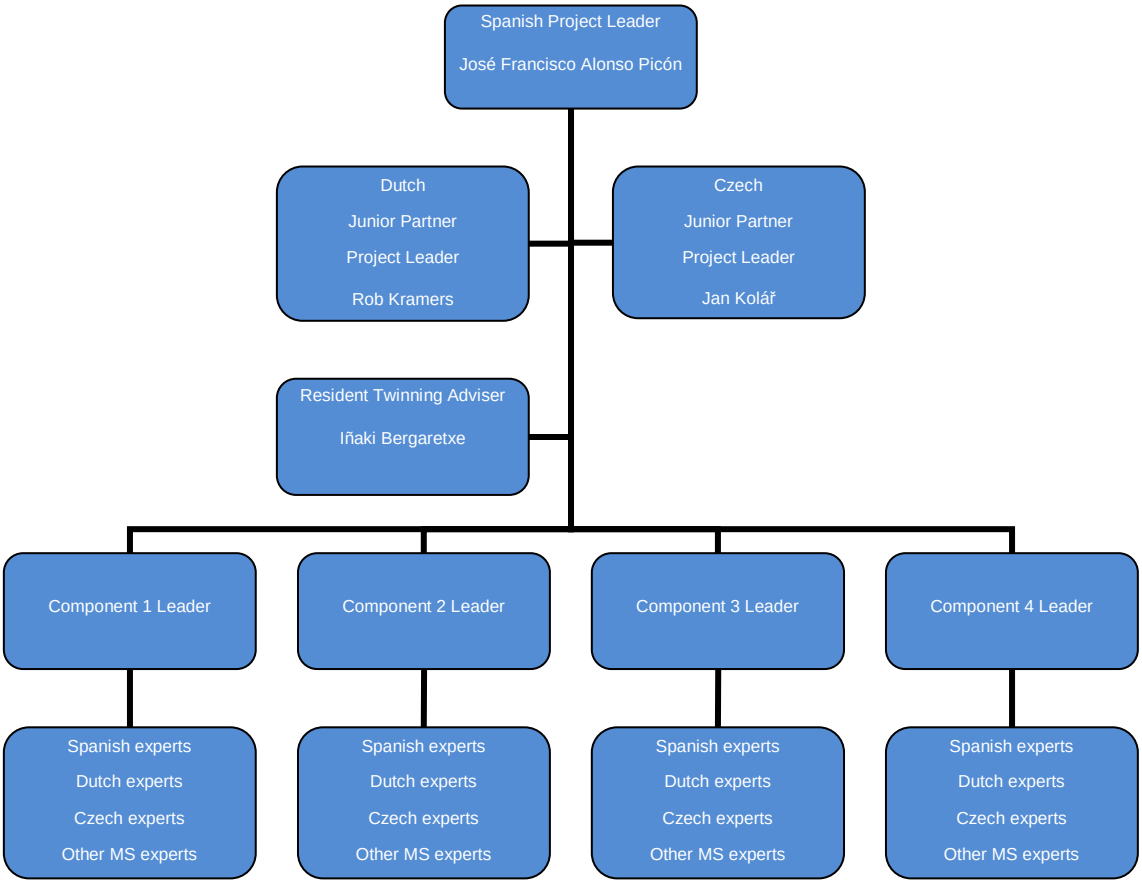
# 7. BUDGETARY REMARKS

A detailed budget proposal, elaborated in close co-operation with all partner institutions involved, will be provided as soon as a decision on the Twinning partner has been made, according to the conditions fixed in the twinning fiche. A more detailed determination will be discussed with the Beneficiary Country during the negotiations.

# 8. TEAM WORK STRUCTURE

The proposed team includes many experts with the required profile to work in the different subjects of the project. The team can be adapted to the needs of the project, as stated in sections 5.1.5 and 6.7.

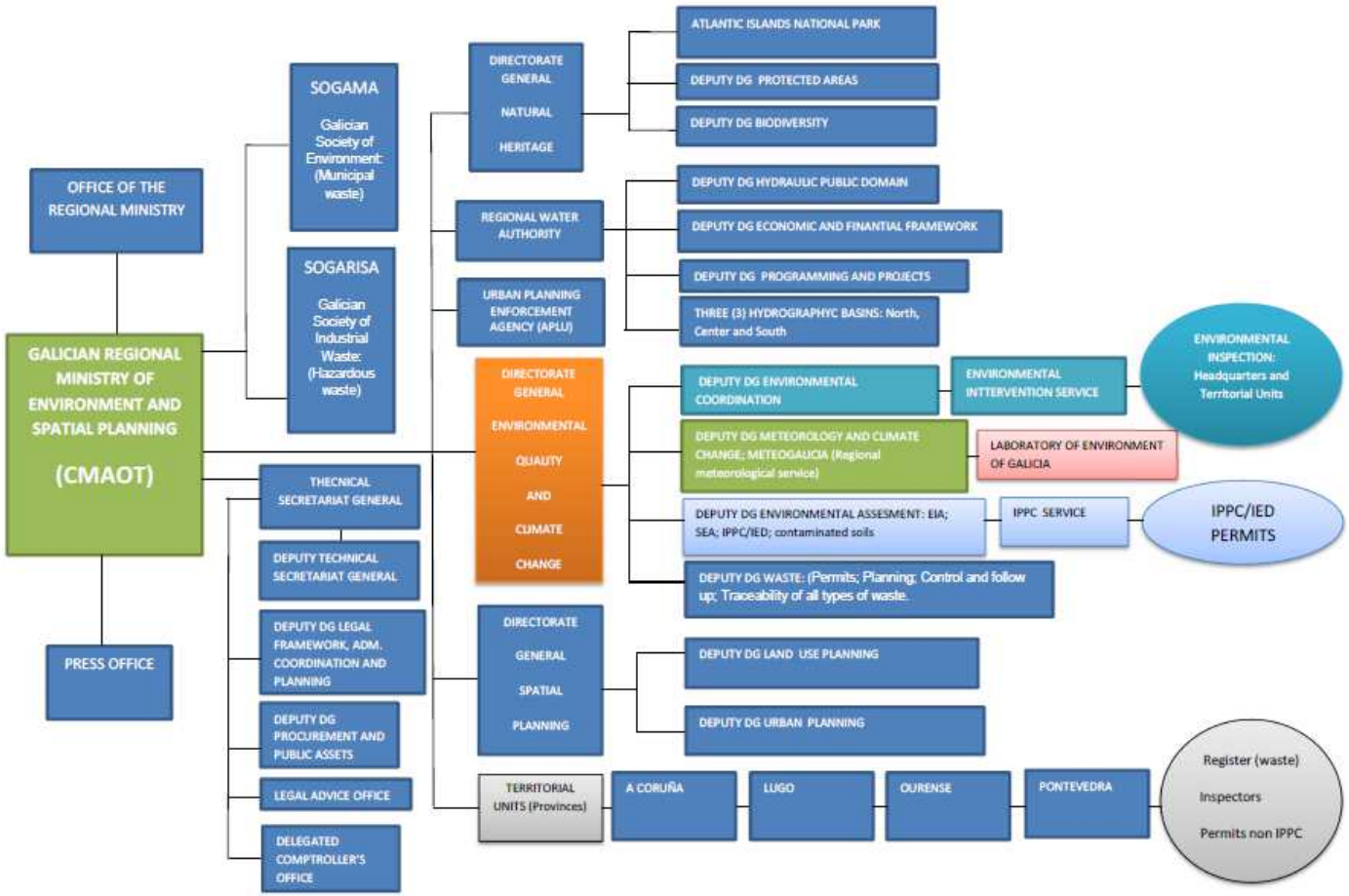
The team work structure is as shown in the scheme below. The CVs are as well attached in Annex III.



## 9. USEFUL LINKS

- Link to the Galician Regional Ministry of Environment and Spatial Planning, CMAOT (Galicia, Spain) website: http://www.cmaot.xunta.gal/
- Link to Directorate General for Environmental Quality and Evaluation of the Ministry of Agriculture and Fisheries, Food and Environment (Spain) website: http://www.mapama.gob.es/en/calidad-y-evaluacion-ambiental/temas/default.aspx
- Link to the International and Iberoamerican Foundation for Administration and Public Policies, FIIAPP (Spain) website: http://www.fiiapp.org/
- Link to the Knowledge Centre InfoMil (The Netherlands) website: http://rwsenvironment.eu/about-us/infomil/
- Link to the CENIA, Czech Environmental Information Agency (The Czech Republic) website: www.cenia.cz
- Link to the Ministry of Environment and Natural Resources Protection, MENRP (Georgia) website: http://www.moe.gov.ge/en
- Link to the Environmental Information and Education Centre of the MENRP (Georgia) website: http://eiec.gov.ge/Home.aspx?lang=en-US

## ANNEX I: CMAOT's SCHEME



## ANNEX II: Environmental Inspection Cycle

The environmental inspection cycle consist out of the following seven steps:

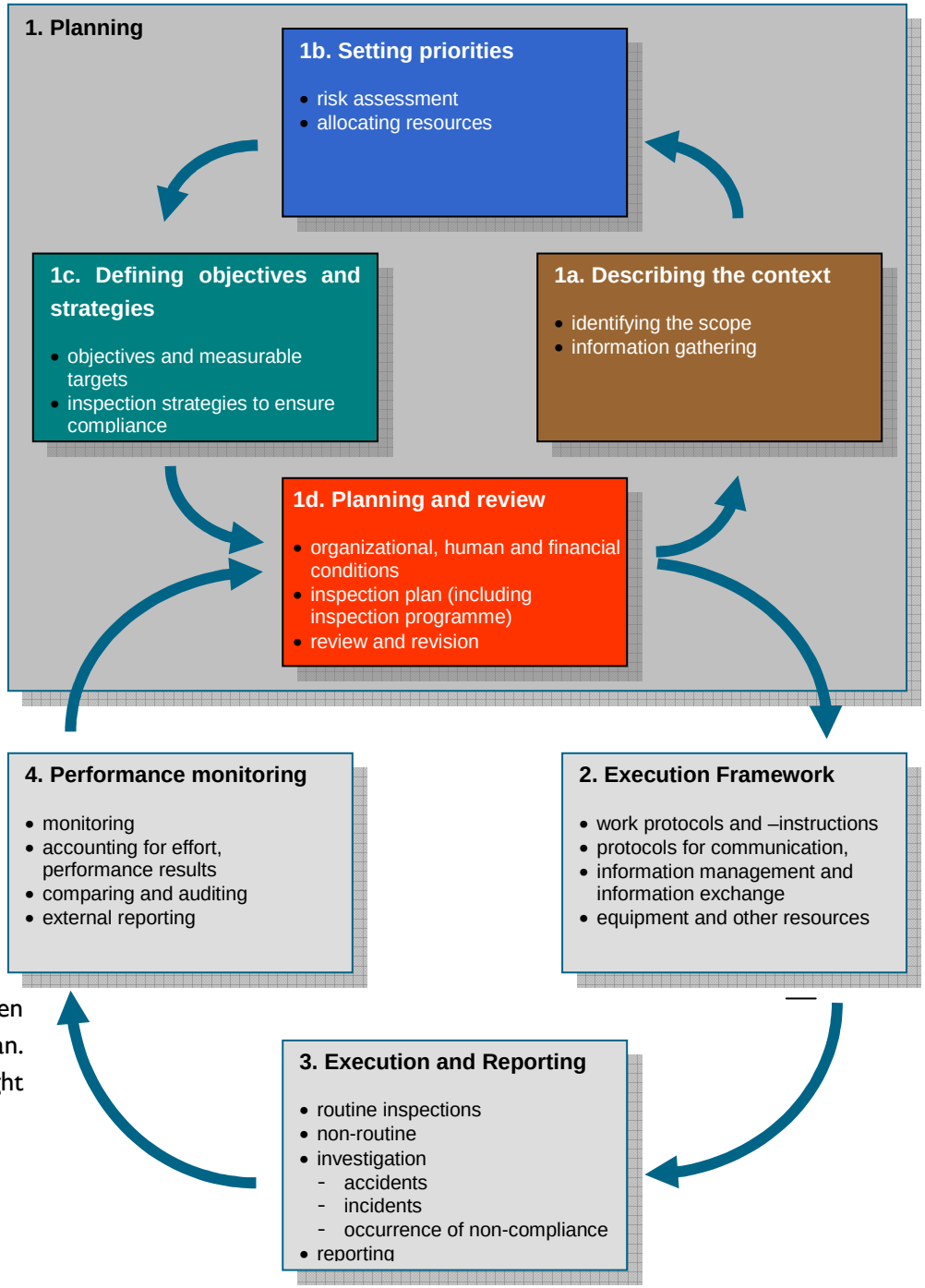
1. Describing the context
2. Setting Priorities
3. Defining objectives and strategies
4. Planning and review

and

5. Execution framework
6. Execution and reporting
7. Performance monitoring

Steps 1, 2, 3 and 4 form the planning process, which is a cyclic process, since review of the inspection plan, may lead to developing a new inspection plan or modifying the existing one.

Steps 5, 6 and 7 take place after the inspection plan has been finalised. They provide input to the review of the inspection plan. Together with step 4 they also form a cycle. The figure on the right combines the two steps.



The first step in this cyclic process is "Describing the context" (box 1a in figure 3). Here the inspecting authority looks amongst others at its statutory tasks. This part sets the scope of the inspection plan. In addition to the identification of the scope it is necessary to gather information for performing the risk assessment.

The second step is "Setting priorities (box 1b in figure 3). This step starts with a risk assessment. The risk assessment will result in a list of installations or activities that are ranked and classified. In this step the priorities are also set. In other words, what will get the necessary attention (and how much) and what will not. The output of this step, the listed priorities (for the specified period), is then the input for the next step.

The third step is "Defining objectives and strategies" (box 1c in figure 3). Within this step the inspecting authority identifies inspection objectives and targets. These objectives and targets can be presented quantitatively and/or qualitatively. When it is clear what we want to achieve we can define or modify the inspection strategies in order to meet these objectives and targets. The output of this step, the objectives, measurable targets and the inspection strategies, will be part of the input of the next step.

The fourth step is "Planning and review" (box 1d in figure 3). In this step the inspection plan is developed. The inspection plan covers a defined time period and describes and explains the steps taken in box 1a, 1b and 1c. Part of the inspection plan is an inspection schedule. The inspection schedule may stand as a working annex to the inspection plan, or as a separate document referenced within the inspection plan.

The fifth step is "Execution framework" (box 2 in figure 3). Before inspections can be executed we have to make sure that all necessary conditions are met. The appropriate working procedures and instructions, powers and competences and equipment should be in place.

The sixth step is "Execution and reporting" (box 3 in figure 3). In this step the inspection work is done. Here the routine and non-routine inspections are executed and reports of findings are written. Data on the inspections that are carried out and their outcomes and follow-up have to be stored in a good accessible database.

The seventh step of the process is "Performance monitoring" (box 4 in figure 3). To make sure we meet our objectives and targets we have to monitor the *output* (did we carry out the planned activities?) and the *outcome* (what were the effects of our activities?). This information will be used for reviewing the plans and for reporting to different stakeholders, for instance the minister responsible, parliament, the general public, the European Commission etc.

From the "Performance monitoring" step we return to the "Planning and review" step (box 1d). Based upon the monitoring results but also possible changes in box 1a (describing the context) the inspection plan (including the inspection schedule) will be reviewed and possibly be revised.

# ANNEX III : CURRICULA VITARUM