



**Best available practices (BAT)  
in the prevention and control of pollution  
caused by industrial and economic activities**

**Republic of Moldova**

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# The legal framework

**Law no. 1515/1993 on the protection of the environment.**

**GD no. 205/2023 Regulation on waste incineration and co-incineration, which transpose:**

- Annex VI of **Directive 2010/75/EU** of the European Parliament and of the Council of 24 November 2010 on industrial emissions.
- Some articles of **Directive 2008/98/EC** of the European Parliament and of the Council of 19 November 2008 on waste.
- It partially transposes Commission Implementing **Decision (EU) 2019/2010** of 12 November 2019 establishing conclusions on best available techniques (BAT).
- ***Object of GD** - regulates the activity and establishes the conditions of operation and supervision of waste incineration and co-incineration facilities, in order to prevent or limit, as far as possible, negative effects on the environment and, in particular, pollution due to emissions into the air, soil, surface and groundwater, as well as the risks they pose to human health, flora and fauna.*

**Law no. 1540/1998 regarding payment for environmental pollution:**

- ***Object** - creating a system of economic activity in which it becomes inappropriate to cause any damage to the environment;*
- *stimulating the construction and exploitation of systems for the capture and neutralization of pollutants, collection, recycling and destruction of waste, as well as the implementation of non-polluting technologies, the implementation of other measures that would reduce the volume of emissions (discharges) of pollutants into the environment and reduce the formation of production waste and packaging waste.*

# The legal framework

## Law no. 98/2022 regarding atmospheric air quality, which transpose:

- **Directive 2008/50/EC** of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.
- **Directive 2004/107/EC** of the European Parliament and of the Council of 15 December 2004 on arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air.
- *Scope - Creation of the legal framework in order to strengthen the institutional capacities for monitoring and assessment of atmospheric air quality for the identification and implementation of effective measures to reduce emissions of atmospheric pollutants to levels that minimize the harmful effects on human health and the environment as a whole.*

## Law nr. 227/2022 on industrial emissions, which transpose:

- **Directive 2010/75/EU** of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), included in Annex XI to Chapter 16 "Environment", area "Industrial pollution and industrial accidents" of Moldova - EU Association Agreement and the Energy Community Treaty (Art. 16, Annex II, points 3, 5).
- **Directive 2015/2193** of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants, stemming from the proposals to update Annex XI of the Association Agreement and the provisions of the Energy Community Treaty.



## Scope and object of the Law on industrial emissions (227/2022):

- **Scope** - is to establish a regulatory framework for the prevention and control of pollution caused by industrial and economic activities, in order to reduce emissions into the air, water, soil and waste generation, and to promote and apply the best available techniques to achieve a high level of environmental protection.
- **Object** - are the procedures and regulations applied in the process of preventing and controlling air, water and soil pollution, waste generation, prevention or reduction of negative impact on the environment and human health as a result of industrial and economic activity.

## Area of application of Law on industrial emissions

<b>Industrial and economic activities with significant risk (Annex 1)</b>	<b>Low-risk industrial and economic activities (Annex 2)</b>	<b>Industrial and economic activities with insignificant risk (Annex 3)</b>
<b>Integrated Environmental Authorisation</b>	<b>Environmental Authorisation</b>	<b>General binding rules</b>

**For activities that require an Integrated Authorization** - the Law establishes specific requirements and emission limit values based on BAT.

The Law includes issuance of Integrated Permit for the activities such as: energy production, chemical industry, waste management, etc., as well as combustion and waste incineration/co-incineration plants.

**The competent authority** – Ministry of the Environment and the Environment Agency.



## Obligations of operators:

- To take all measures to prevent environmental pollution by equipping emission-generating sources with purification devices, equipment and installations;
- Apply the best available techniques;
- To re-engineer the production processes;
- To develop and present the alignment plan to the Environmental Agency for approval;
- To prepare and present the Report on the reference situation to the Environmental Agency;
- To report annually to the Environment Agency the air, water and soil emissions of polluting substances, off-site transfers of hazardous or non-hazardous waste in the manner provided by the National Register of Emissions and Transfer of Pollutants.



# Attributions of the Environment Agency

- Issues the integrated environmental permit, environmental permit and mandatory general rules;
- Creates and ensures the operation of record keeping systems of operators and industrial and economic activities;
- Review and approve the Report on the baseline situation;
- Establishes emission limit values for polluting substances in water, air and soil, as well as measurement methods;
- Approves operator alignment plans;
- Applies the reference documents BAT, etc.

# Authorization of activities with environmental risk

- Integrated environmental authorization and environmental authorization - issued at the request of the operator:
  - *when commissioning new installations;*
  - *or the operation of existing facilities (article 12).*
- The application for the issuance of environmental permits is submitted through the one-stop shop to which the technical file and the Report on the reference situation are attached (article 15).
- Public consultations with central and local public authorities (30 days) – recommendations and objections are made public and taken into account when issuing permissive acts.

**Following the examination of the file, public consultations with the central and local public authorities, the Environment Agency issues one of the decisions:**

1. Initiating the drafting of the integrated environmental permit or the environmental permit;
2. Requesting the operator to complete and finalize the technical file according to the objections and recommendations received from the interested public and the central and local public administration authorities involved in the approval and consultation process;
3. Acceptance or Refusal of issuing the integrated environmental authorization or the environmental authorization, arguing the decision taken.



# New approaches for the Republic of Moldova

- Establishment of general binding rules and environmental quality standards attributed to the process of operating installations or carrying out activities having an impact on the environment (Article 28);
- Introduction of BAT reference documents required for setting permit conditions (Article 29);
- Regulation of emission limit values, parameters and equivalent technical measures for polluting substances (Article 30);
- Regulation of bilateral relations regarding transboundary effects in cases where the operation of installations could cause adverse environmental effects in the neighbouring state (Article 59).

# Next steps

➤ Law no. 227/2022 on industrial emissions - **enters into force on 21.10.2024.**

➤ **The Government:**

1. will bring its normative acts in accordance with this law;
2. will submit proposals to the Parliament regarding bringing the legislation into force in accordance with this law;
3. will develop and approve the Methodology for calculating the cost of the integrated environmental permit and the environmental permit;
4. will develop and approve the Regulation regarding the organization and provision of public services for issuing the integrated environmental authorization and the environmental authorization.

➤ **Ministry of Environment will approve:**

1. BAT reference documents;
2. Guidance on the preparation of the Baseline Report;
3. Guidance on the issuance of the integrated environmental permit, environmental permit and registration of activities.



# Request for Support

1. Familiarizing with the Best Available Techniques (BAT), including odor and noise management / regulation;
2. Elaboration of government documents regarding BAT conclusions specific to the sector;
3. Conducting trainings on BAT, including BAT implementation experiences in different countries for industry and stakeholders.



**Thank you for your attention.**

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