

**Questionnaire for the report by Member States on the implementation of Directive
2006/21/EC, 1st May 2017 – 30th April 2020**

Please provide the following contact information and complete the text boxes:

Institution/Organisation you are representing:	Ministerstvo životného prostredia Slovenskej republiky
Country your Organisation is representing:	Slovenská republika
Your Name (Family Name, Surname): <u>Example:</u> Einstein, Albert	Rajnoha, Michal
Your email address:	michal.rajnoha@enviro.gov.sk
Your Phone Number: (+International Dialling Code - Local Number) <u>Example:</u> +352 9876 12345	+421 2 5956 4248

Please fill in each of the different parts of the form,

- "Part A" must be filled by those countries that report for the first time or need to update the information provided in past exercises;
- "Part B" must be filled by all Member States.

You can use your national language to fill in the questionnaire.

Questions below use the same text as Annex III of Commission Decision 2009/358/EC. For clarification of some of the questions featured in part B, please refer to the separate letter sent by the Commission.

Deadline for the submission: **31st January 2021.**

Part A. Questions to be answered for the first report or to update the information provided in past exercises

(1) Administrative arrangements and general information: Please indicate the competent authority(ies) in charge of:

- (a) verifying and approving the waste management plans proposed by the operators:
- (b) establishing the external emergency plans for Category "A" installations:
- (c) issuing and updating permits and establishing and updating the financial guarantee:
- (d) making inspections of the waste facilities:

(2) Waste Management Plans and Major-accident prevention and information

(a) Please describe in brief the procedures set up for the approval of the waste management plans as referred to in Article 5(6) of the Directive:

(b) For the category "A" installations not falling within the scope of Directive 96/82/EC on the control of major-accident hazards involving dangerous substances¹, please describe the measures taken to:

- identify major-accident hazards:

¹ OJ L 10 of 14.1.1997 p. 13

- incorporate the necessary features into the design, operation and closure of the installation:

- limit the adverse consequences for human health and/or the environment:

(3) Permit and Financial Guarantee

(a) Please indicate the measures taken to ensure that all facilities in operation will be covered by a permit in conformity with the Directive before 1 May 2012:

(b) Please briefly describe the actions taken to make the best available techniques knowledgeable to the authorities in charge of establishing and controlling the permits:

(c) Please indicate whether the possibility referred to in Article 2(3) of the Directive of reducing or waiving the requirements for the deposit of non hazardous waste – inert or not, unpolluted soil or peat has been used:

(d) Please explain the measures taken to ensure that permits are regularly updated as foreseen in Article 7(4) of the Directive:

(e) Please detail the procedure referred to in Article 14(1) of the Directive and set up for the establishment of the financial guarantee and its periodical adjustment:

How many installations are already covered by a guarantee in accordance with the provisions of the Directive?

How will it be ensured that all installations will be covered by a guarantee before the 1 May 2014?

(4) Public Participation, Transboundary effects

(a) Please explain how the public opinion and comments are analysed and taken into account before making a decision on permits and for the preparation of the external emergency plans:

(b) For installations having a potential transboundary impact, how is it ensured that required information is made available for an appropriate period of time to the other Member State and to the public concerned?

(c) For Category "A" installations, and in case of major accident, what are the practical arrangements made to ensure that:

- required information is transmitted immediately by the operator to the competent authority?
- information on safety measures and on action required is provided to the public?
- information provided by the operator is forwarded to the other Member State in case of installation with a potential transboundary impact?

(5) Construction and management of waste facilities

(a) Please detail the measures taken in order to ensure that the management of the waste facilities is achieved by a "competent person" as referred to in Article 11(1) of the Directive and that staff is appropriately trained:

(b) Please describe in brief the procedure set out for the notification to the authority in the 48 hours of any event likely to affect the stability of the facility and any significant environmental effects revealed by the monitoring:

(c) Please describe how, in accordance with Article 11, the competent authority is verifying that regular reports on monitoring results are:

- transmitted by the operator to the authority:
- demonstrating compliance with the permit conditions:

(6) Closure and after closure procedures, inventory

(a) Please explain in brief the procedure set out to ensure that after the closure of the facilities and when considered necessary by the authority, regular controls of the stability are achieved as well as measures to reduce environmental effect are taken:

(b) Please detail the measures taken to ensure that the inventory of closed facilities as foreseen in Article 20 of the Directive will be achieved by 1 May 2012:

(7) Inspections

(a) Please briefly explain whether and if yes, how the minimum criteria for environmental inspection² are taken into account for the control of the facilities falling under the scope of the Directive:

(b) Please briefly describe how inspection activities are planned:

Are the priority installations for inspection identified and according to which criteria?

Are the frequency and the type of inspection adapted to the risks associated with the installation and its environment?

(c) Please explain what inspection actions are carried out such as on site visit routine or not, sampling, control of self monitoring data, control of the "up to date" records of waste management operations:

² Recommendation of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States, OJ L 118, 27.04.2001, p 41

(d) Please explain the actions taken to ensure that the approved waste management plans are regularly updated and monitored:

(e) What are the rules on penalties applicable to infringement of the national provisions pursuant to Article 19 of the Directive?

Part B: questions to be answered for any new reporting period

(1) Administrative arrangements and general information

- (a) Please indicate the Administrative body (Name, address, contact person, E-mail) in charge of coordinating the answers to this questionnaire:

Hlavný banský úrad, Kammerhofská č. 25, 969 01 Banská Štiavnica,
Ing. Branislav Konečný, konecny@hbu.sk;

Obvodný banský úrad v Bratislave, Mierová 19, 821 05 Bratislava,
Ing. Marta Völpelová, volpelova@obuba.sk;

Obvodný banský úrad v Banskej Bystrici, 9. mája 2, 975 90 Banská Bystrica,
Ing. Miroslava Šárniková – Kudlíková, sarnikova@obubb.sk;

Obvodný banský úrad v Košiciach, Timonova 23, 040 01 Košice,
Ing. Vladimír Lukačín, vladimir.lukacin@obuke.sk;

Obvodný banský úrad v Prievidzi, Námestie slobody č. 16/6, 971 01 Prievidza,
Ing. Tatiana Šilhavá – Ďurinová, silhava@obupd.sk;

Obvodný banský úrad v Spišskej Novej Vsi, Markušovská cesta 1, 052 01 Spišská
Nová Ves, Ing. Zuzana Pažitná, pazitna@obusnv.sk;

Slovenská inšpekcia životného prostredia – ústredie, Grösslingová 5, 811 09
Bratislava, sizpuioh@sizp.sk.

- (b) If possible, using the table provided in Annex, please provide an estimate of the number of extractive waste facilities on the territory of the Member State:

V informačnom systéme nakladania s ťažobným odpadom je registrovaných spolu 102 prevádzkovaných úložísk. Z toho 3 patria do kategórie A.

- (c) Please indicate the number of cases of waste facilities of Category "A" in operation on your territory having a potential environmental or human health impact on another Member State:

Počet úložísk kategórie A v prevádzke na území SR s potenciálnym environmentálnym vplyvom: 3.

Počet úložísk kategórie A v prevádzke na území SR s vplyvom na zdravie ľudí v inom členskom štáte: 0.

(2) Waste Management Plans and Major-accident prevention and information

(a) Please describe in brief:

- the number of waste management plans approved or rejected temporarily or definitively during the reporting period:

V sledovanom období bolo schválených spolu 47 plánov nakladania s ťažobným odpadom. Ďalej prebiehali iba aktualizácie – prehodnotenia plánov nakladania.

- if relevant, and if possible, the main reasons for having definitively refused a waste management plan:

V sledovanom období žiadne plány nakladania s ťažobným odpadom odmietnuté neboli.

(b) Please provide a list of the external emergency plans referred to in Article 6(3) of the Directive:

Orgány na úseku nakladania s ťažobným odpadom nemajú podľa zákona č. 514/2008 Z. z. o nakladaní s odpadom z ťažobného priemyslu a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „zákon č. 514/2008 Z. z.“) možnosť kontrolovať vypracovanie vonkajšieho havarijného plánu. Majú možnosť kontrolovať len poskytnutie podkladov prevádzkovateľmi na vypracovanie týchto plánov.

Kontrolami bolo zistené, že dvaja prevádzkovatelia úložísk kategórie A poskytli všetky potrebné podklady na vypracovanie vonkajších havarijných plánov.

Jeden prevádzkovateľ úložiska kategórie A je v konkurze a nesplnil si žiadne povinnosti vyplývajúce z § 5, 6, 7, 11 zákona č. 514/2008 Z. z.

If all Category "A" installations are not yet covered by an emergency plan, please indicate the number of missing plans and the planning for establishing these plans:

(c) If a list of inert waste as referred to in Article 2(3) of Commission Decision completing the definition of "inert waste" in implementation of Article 22(1)(f) of Directive 2006/21/EC³ has been established in your country, please provide a copy of that list including a brief description of the information and data used to determine whether the listed waste could be defined as inert.

Zoznam inertných odpadov je uvedený vo vyhláške Ministerstva životného prostredia č. 255/2010 Z. z. , ktorou sa vykonáva zákon č. 514/2008 Z. z.

³ Commission Decision C(2009)3012 completing the definition of "inert waste" in implementation of Article 22(1)(f) of Directive 2006/21/EC

(3) Permit and Financial Guarantee

If possible using the table in Annex, please indicate the number of installations for which a permit has been issued in conformity with the provision of the Directive.

Účelová finančná rezerva a povolenie jej čerpania bolo vydané pre 3 úložiská zaradené do kategórie A.

1. Rudohorská investičná spoločnosť, a.s., úložisko “*Markušovce I*”
2. Slovenské magnezitové závody akciová spoločnosť, Jelšava, úložisko “*Jelšava – Je-DM-O odkalisko*”
3. SIDERIT, s.r.o., úložisko “*Nižná Slaná*”

Čerpanie z prostriedkov finančnej rezervy za obdobie 1.5.2017 – 30.4.2020 v pôsobnosti Obvodného banského úradu v Spišskej Novej Vsi bolo povolené organizácii Slovenské magnezitové závody akciová spoločnosť, Jelšava, pre úložisko “*Jelšava – Je-DM-O odkalisko*”

Uzavretie odkaliska			UFR	
R o povolení uzatvárania	Plocha v m ²		Čerpanie z UFR	Súhlas na čerpanie
I. časť - povolená R OBU SNV č. 198-600/2018 zo 17.04.2018	22 000 m ²		18 876 eur (vyčerpané)	súhlas OBU SNV č. 420-161/2019 z 02.08.2019
II. časť - povolená R OBU SNV č. 603-2433/2019 zo 12.02.2020	100 000 m ²	44 000 m ²	37 752 eur (v procese čerpania)	súhlas OBU SNV č. 461-1222/2020 z 8.7.2020
		ostáva 56 000 m ²	48 048 eur (ostáva vyčerpať)	

(4) Closure and after closure procedures, inventory

- (a) Please indicate how many closure procedures as detailed in Article 12 of the Directive, were undertaken and/or approved during the reporting period:

V sledovanom období bolo vykonaných 10 postupov uzatvárania úložiska, uzavretých bolo spolu 8 úložísk.

- (b) How many installations are closed and regularly monitored in your country?

V sledovanom období bolo uzatvorené a monitorované 1 úložisko – odkalisko Moravany na základe rozhodnutia Obvodného banského úradu v Košiciach č. 773-1843/2019 zo dňa 26.9.2019.

(5) Inspections

- (a) Please indicate the number of inspections achieved for the reporting period with, if possible, distinguishing inspections achieved in:

- Category "A" and the other installations:

Na zariadeniach kategórie A bolo vykonaných 10 kontrol, z toho 9 kontrol v súčinnosti s MŽP SR.

- Inert waste installations:

Za vykazované obdobie bolo na úložiskách odpadov z ťažobného priemyslu kategórie B vykonaných celkom 80 kontrol, z toho 40 koordinovaných kontrol v súčinnosti s MŽP SR.

- Non inert, non hazardous installations:

0

If a program of inspection has been drawn up at the appropriate geographical level (National/Regional/Local), please provide a copy of this(ese) program(s) in annex to the report.

Takýto program nebol vypracovaný.

- (b) How many cases of non compliance with the provisions of the Directive were identified? Please indicate the main reasons for non compliance and the actions taken in order to ensure compliance with the Directive?

V prípade nesúlady s ustanoveniami uvedenej smernice boli prijaté opatrenia s lehotou na odstránenie zisteného nedostatku, sankcie v hodnotiacom období neboli udelené.

(6) Other relevant Information

- (a) Please summarise the main difficulties encountered in implementing the Directive:

Pretrvávajú problémy zo strany jednej organizácie v konkurze pri plnení povinností vyplývajúcich z § 5, 6, 7, 11 zákona č. 514/2008 Z. z., úložisko nie je prevádzkované, nemá plán nakladania a je de facto opustené.

How were these possible problems overcome?

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(b) Please provide any additional comments, suggestions or information in relation with the implementation of the Directive:

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ANNEX

	In Operation	In Operation with permit ⁴	In Transition ⁵	In Closure phase ⁶	Closed or abandoned ⁷
Category A ⁸ Of which "Seveso" installations ⁹	3 0	2 0	0 0	0 0	0 0
Not Category A	99	99	1	10	8
Inert waste ¹⁰	97	97	1	10	7
Non hazardous non inert waste	2	2	0	0	1
Total	102	101	1	10	8

⁴ Number of installations having a permit already meeting the requirements of the Directive

⁵ Number of installation which will be closed before 2010 and falling under the scope of Article 24 (4)

⁶ Number of installations for which the closure procedure is still ongoing (Article 12)

⁷ If possible, please provide an estimation of the number of abandoned and closed facilities potentially harmful and falling under the scope of Article 20 of the Directive

⁸ Installations classified as "Category A" according to Article 9 of the Directive

⁹ Installations falling within the scope of Directive 96/82/EC

¹⁰ Installations treating exclusively inert waste as defined in the Directive