



Environmental Health & Safety Audit Protocol Romania 2021

STP ComplianceEHS (STP) announces the release of its recently updated EHS audit protocol for Romania. This audit protocol, which covers relevant national and European Union (EU) EHS requirements, was previously updated in August 2019. The regulatory date for this release is December 2021.

new and noteworthy

- **Waste Management:** *Emergency Ordinance No. 92/2021 on Waste*, which provides the national framework for waste management in Romania, was issued on 26 August 2021, repealing and replacing former *Law No. 211/2011 on Waste*. The purpose of the Ordinance is to ensure a high level of environmental and population health protection through measures to prevent and reduce the generation of waste, ensure efficient waste management, reduce the adverse effects of waste, and ensure prudent and rational use of resources. It raises municipal waste recycling targets and establishes rules for calculating recycling targets. This Ordinance also repeals, among other legislative documents, *Decision No. 235/2007 on the Management of Waste Oils*, which provided a specific methodology for monitoring, recording, and reporting waste oils. As at 31 December 2021, *Decision No. 235/2007* has not been replaced.

This change impacts:

- Section 4.0 – Solid and Hazardous Wastes
- **COVID-19:** Coverage of recent legislation related to COVID-19 has been added. The main COVID-19 legislation includes: *Law No. 55/2020 on Some Measures to Prevent and Combat the Effects of the COVID-19 Pandemic*, which establishes, during the state of alert declared under the Law, conditions in order to prevent and combat the effects of the COVID-19 pandemic, and temporary and, where appropriate, gradual measures to protect the rights to life, physical integrity, and health care, including by restricting the exercise of other fundamental rights and liberties; *Order No. 3577/2020 on Measures to Prevent Contamination with the New SARS-CoV-2 Coronavirus and to Ensure Safe and Healthy Occupational Activity During the Alert State*, which establishes measures that all public and private sector employers must implement during the alert state, to prevent the spread of the SARS-CoV-2 coronavirus and to ensure safe and healthy occupational activity at work; *Order No. 1731/2020 on Measures to Prevent Contamination with the New Coronavirus SARS-CoV-2 and to Ensure Activities in Safe and Sanitary Conditions in Economy Area During the Alert Period*, which establishes recommendations regarding activity in open-space offices to prevent contamination with the new SARS-CoV-2 coronavirus;

release notes

please review

and Order No. 2282/2021 on the Establishment of the Obligation to Wear a Protective Mask, to Perform Epidemiological Triage and Disinfect Hands to Prevent Contamination with SARS-CoV-2 Virus, During the Alert State, establishing the obligation to wear a protective mask, to perform epidemiological triage, and disinfect hands during the alert state.

This change impacts:

- Section 10.0 – General Health and Safety: Subsection 12 – COVID-19 Pandemic

highlights of this release

Section 2.0 – General Environmental

- The requirement for facilities to obtain an annual visa for their environmental permit or integrated environmental permit in order for the permit to remain valid, as specified in *Order No. 1150/2020 on Approving the Procedure for the Annual Visa on Environmental Permit and Environmental Integrated Permit*, has been added in new Paragraph 1.2 of Subsection 1 – Permits, and in new Paragraph 2.8 of Subsection 2 – Integrated Permits.
- New Paragraph 6.6 has been added in Subsection 6 – Energy Conservation/Building Efficiency/Energy Audits, to cover amendments under *Law No. 121/2014 on Energy Efficiency*, requiring facilities that consume an amount of energy of more than 1,000 tons equivalent petroleum per year to complete and submit a questionnaire regarding analysis of energy consumption.

Section 3.0 – Air Emissions

- Subsection 9 – Heating Systems and Air Conditioning Systems – Inspections has been updated to reflect significant amendments to *Law No. 372/2005 Regarding the Energy Performance of Buildings*.
- Subsection 12 – Greenhouse Gas Emissions has been updated to include amendments to *Government Decision No. 780/2006 Establishing a Scheme for Greenhouse Gas Emission Allowance Trading*, addressing permits for greenhouse gas emissions, data reporting, and submission of plans for monitoring and reporting.
- New Subsection 16 – Odors has been added to cover requirements under *Emergency Ordinance No. 195/2005 on Environmental Protection* that apply to projects or activities that may create olfactory discomfort in residential areas.

Section 4.0 – Solid and Hazardous Waste

- Subsection 2 – Solid Waste – Monitoring/Recordkeeping/Reporting has been updated to reflect changes due to issuance of *Emergency Ordinance No. 92/2021 on Waste*, replacing former *Law No. 211/2011 on Waste*.
- Subsection 4 – Hazardous Waste – Monitoring/Recordkeeping/Reporting has been updated to reflect changes due to issuance of *Emergency Ordinance No. 92/2021 on Waste*, replacing former *Law No. 211/2011 on Waste*.
- Subsection 7 – Landfilling of Waste has been updated to reflect changes due to issuance of *Ordinance No. 2/2021 on the Landfilling of Waste*, replacing former *Decision No. 349/2005 on the Landfilling of Waste*.
- Subsection 8 – Waste Treatment and Processing has been updated to reflect changes to requirements for permits and recordkeeping, due to issuance of *Emergency Ordinance No. 92/2021 on Waste*.

- Subsection 15 – Waste Oil has been significantly revised to reflect changes to requirements for collection, storage, treatment, and transfer of waste oil under *Emergency Ordinance No. 92/2021 on Waste*.
- Subsection 17 – Packaging Waste has been revised to include provision of further (secondary and tertiary) packaging among the regulated activities, due to issuance of *Emergency Ordinance No. 92/2021 on Waste*.

Section 5.0 – Water Resources

- New Paragraph 2.2 has been added in Subsection 2 – Waters Use Permits to cover permits that must be obtained by facilities that commission or operate works for water use under *Water Law No. 107/1996*.

Section 6.0 – Above and Below Ground Tank Management

- Paragraph 3.1 in Subsection 3 – Storage of Petroleum Products has been updated to specify *PT C 8-2010, Installations for Liquefied Petroleum Gas distribution*, as the currently applicable Technical Regulation.

Section 7.0 – Community Noise

- Subsection 2 – Environmental Noise has been updated to reflect changes due to issuance of *Law No. 121/2019 Regarding the Evaluation and Management of Noise Emissions in the Environment*, which replaces *Decision No. 321/2005*.

Section 10.0 – General Health and Safety

- New Subsection 12 – COVID-19 has been added to cover recently issued legislation requiring employers to take measures to control the spread of COVID-19.

Section 13.0 – Fire Safety

- Significant changes have been made in Subsection 2 – Permits/Notifications/Registrations to reflect amendments to *Law. No. 307/2006 on Fire Protection*.

Section 15.0 – Industrial Hygiene

- New Paragraph 12.18 has been added in Subsection 12 – Exposure to Hazardous Materials in the Workplace to include the auditable requirement under *Decision No. 1218/2006 on the Minimum Safety and Health-related Requirements for the Protection of Workers from Risks Related to Chemical Agents* that no prohibited hazardous chemical agents are to be produced or used at the workplace.

Section 16.0 – Chemical Management

- Subsection 8 – Persistent Organic Pollutants – EU Requirements has been updated with changes to requirements due to issuance of *Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on Persistent Organic Pollutants*, superseding former *Regulation (EC) No 850/2004*.



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