Environmental Enforcement Report 2007

Environmental Inspectorate Division

lne
Departement
Leefmilieu,
Natuur en
Energie

Preface 03

Introduction 07

Table of Contents 08

Organisation 11

Personnel, Training and Recources 19

Environmental Inspection Plan 2007 29

Specific Enforcement Campaigns 33

Routine Inspections 63

Reactive Inspections 75

Follow-up Inspection and Personal Initiative 85

Actions under Criminal and Administrative Law 91

Cooperation and Consultation 101

International Context 109

Annexes 117

Preface

True to its tradition, the Environmental Enforcement Report 2007 is designed to provide the reader with comprehensive information on the extent to which the Environmental Inspectorate Division has met its predetermined objectives as well as the objectives that were imposed on it.

Following the revision of the IPPC Directive, adopted by the European Commission in 2006, and considering the experience of the Environmental Inspectorate Division in the inspection of such establishments, it was decided in 2007 to create the position of IPPC staff member.

The 'Waste Chain Team', which was established by the Environmental Inspectorate Division, when the task of waste chain enforcement had been entrusted to it following the implementation of Better Administrative Policy, is hitting cruising speed and is performing excellently.

Like the previous years, 2007 was dedicated to the implementation of the ambitious Environmental Inspection Plan (EIP). The aim of this eleventh plan is to achieve an integrated and multidisciplinary approach to environmental issues. The Division made a conscious decision to prefer coordinated action and maximum cooperation with other (enforcement) actors to chance hits.

After reading the following pages you will be able to judge whether or not the aforementioned approach yields positive results or meets the Environmental Inspectorate Division's constant drive to achieve a higher level of efficient and effective enforcement of the environmental legislation.

We would in particular like to draw your attention to the following items:

- A thorough inspection at 35 waste processing companies showed that the applicable regulations are insufficiently met by a significant number of them. Therefore strict supervision is urgently required.

- The conclusion of a large-scale inspection at 45 biomass and wood waste combustion plants in the winter of 2006-2007 was that only 1 out of 4 of these plants is operated in full conformity with the applicable standards and measurement requirements. A similar inspection at 27 plants in the winter of 2007-2008 produced an equally worrying result. Therefore, the Environmental Inspectorate Division fed back its field experience to the policy makers. The Division will not refrain from performing further enforcement actions in the future.

- Ozone depleting substances and fluorinated greenhouse gases have been important points of concern for several years now. Therefore, the Division continues to closely check refrigeration installations for refrigerant gas leaks. Unfortunately, it was established that in 2007 as well nearly 61% of the inspected installations were not leak proof. No improvement has thus been recorded compared to the previous years. Again, further enforcement actions are required.

- The two measurement campaigns for fluorosurfactants in the waste water of waste processing companies, some textile companies and chrome plating companies – following the environmental scandal uncovered in Germany in 2006 – in any case reported the presence of over 20µg/l of perfluorocompounds in 1 out of 3 water samples. That is why the Environmental Inspectorate Division has submitted its conclusions in this matter to the policy makers.

- This report also elaborates on a number of interesting enforcement examples which are placed under the heading 'Follow-up Inspection and Personal Initiative of the Environmental Inspector' and do as a result not come under the planned inspection activities.

We expect that the above will encourage you to read this report attentively and will convince you that proper and professional environmental enforcement, performed by a public body such as the Environmental Inspectorate Division, is the essential key to results-oriented environmental policy.

Dr. Sc. Robert Baert
Inspector-General
Head of Division

Introduction

Each year, the Environmental Inspectorate Division (EID) publishes the environmental enforcement report on the organisation, implementation, follow-up inspection and results of its environmental inspections. The report has therefore become an important link in the full implementation of Recommendation 2001/331/EC of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States.

That this report is necessary is all too clear from the description of the purpose of the Recommendation: *"Environmental tasks should be carried out in the Member States, according to minimum criteria to be applied in the organizing, carrying out, following up and* ***publicising of the results of such tasks****, thereby strengthening compliance with, and contributing to a more consistent implementation and enforcement of Community environmental law in all Member States."*

The Recommendation also states that reporting on inspection activities is an important means to ensure, through transparency, the involvement of citizens, non-governmental organisations and other interested actors in the implementation of environmental legislation. It is also stated that access to reporting information should be in line with the Council Directive on the freedom of access to information on the environment.

This environmental enforcement report seeks as far as possible to follow the subdivisions of the Recommendation. It is therefore broken down in three main parts:

Part 1: Organisation of the Division and Resources Deployed

The environmental enforcement report starts with a description of the organisation of the Division (Chapter 1) and a report on the resources deployed (personnel, budget,…) (Chapter 2).

Part 2: Implementation, Follow-up Inspection and Results of Environmental Inspections

All environmental inspections are carried out on the basis of an environmental inspection plan. This plan-based approach is a basic principle of the Recommendation. The Recommendation states among other things that *"In order to make this system of inspections efficient, Member States should ensure that environmental inspections activities are planned in advance."*

Chapter 3 explains first and foremost how an environmental inspection plan is drawn up every year and how it is harmonised with the definitions of the categories of environmental inspections in Part II and with the principles regarding the drafting of environmental inspection plans in Part IV of the Recommendation.

A report is then drawn up concerning the implementation, follow-up inspection and results for each part of the environmental inspection plan. These parts are as follows:

- specific enforcement campaigns (Chapter 4);
- routine inspections (Chapter 5);
- reactive inspections (Chapter 6);
- personal initiative and follow-up inspection (Chapter 7).

Chapter 8 concludes this part with a report on the handling of all inspections in keeping with criminal and administrative law.

Part 3: Cooperation and Consultation

The environmental enforcement report ends with an overview of the intra-regional, inter-regional and supra-regional cooperation. The chapter 'Cooperation and Consultation' focuses on the different partnerships within the national borders and the chapter 'International Context' gives an overview of the different contacts at the European level and sometimes far beyond.

Table of Contents

Preface 3
Introduction 7

1 Organisation 11
Position of the EID 11
Mission 12
Internal Structure 12
Responsibilities 14
Policy and Strategy 15
Open Government 16
Total Quality Assurance 16

2 Personnel, Training and Recources 19
Personnel 19
Training Activities 24
Operational Resources 25
Use of the Appropriations 26

3 Environmental Inspection Plan 2007 29
Objectives of the EIP 29
Development of the EIP 2007 29
Content of the EIP 2007 30

4 Specific Enforcement Campaigns 33
Integrated Prevention and Pollution Control (IPPC) 33
Major Hazard Companies 35
Waste and Waste Chain Enforcement 38
Soil and Ground Water 43
Noise and Vibrations 45
GMOs 45
Air 47
Ozone Depleting Substances and Fluorinated Greenhouse Gases 53
Water 55

5 Routine Inspections 63
Routine Sampling 63
Routine Measurements 66
Routine Inspections of the Operation 69

6 Reactive Inspections 75
Complaints 75
Reports of Incidents 79
Evaluation Reports 80
Notes 80
Work Plan Evaluation 81
Questions from the Flemish Parliament 81
High Supervision 83
Winter Smog Roadmap 83

7 Follow-up Inspection and Personal Initiative 85
Follow-up Inspection of a Dossier 85
Personal Initiative 85
A Few Examples of EID Enforcement 86

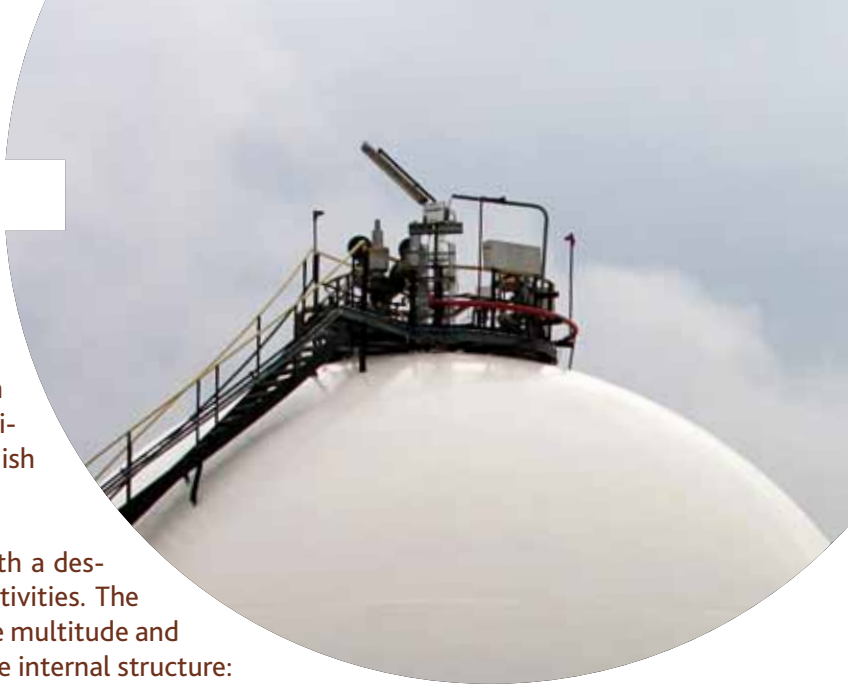
8 Actions under Criminal and Administrative Law 91
Inspections 91
Official Reports 92
Taking Measures 93
Criminal Prosecution 98

9 Cooperation and Consultation 101
Cooperation with Municipal Vlarem Environmental Inspectors 101
Cooperation with Judicial Authorities 102
Cooperation within the Framework of Food Chain Safety: Animal By-Products Committee 103
Cooperation with OVAM 103
Alignment of Monitoring and Enforcement Tasks 104
Cooperation on Waste Transports 104
Cooperation with the Division for the Supervision of Chemical Hazards 104
Cooperation with other Regions 105
Policy 105

10 International Context 109
IMPEL 109
Others 113

11 Annexes 117
Contact Persons within the EID 117
The EID in the Press 118
Contact Persons for Cooperation, Consultation and Regulatory Initiatives 120
Abbreviations Used 121
Addresses 123

Organisation



The Environmental Inspectorate Division (EID) is the most important enforcement body for environmental health legislation in the Flemish Region. This chapter therefore starts by describing the position of the EID within the Flemish public administration.

Attention is then fully devoted to the EID, with a description of its mission, responsibilities and activities. The EID accommodates its sizeable mission and the multitude and complexity of the regulations by using a double internal structure: besides the traditional vertical structure, a horizontal structure in the form of working groups per environmental compartment was also established.

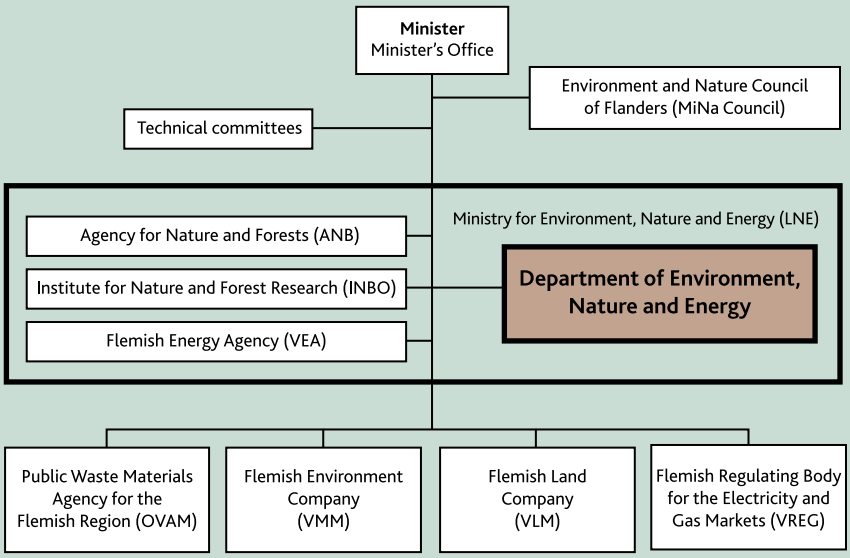
This chapter also gives a description of the policy and strategy of the EID and of its constant endeavours for quality assurance and improvement.

Position of the EID

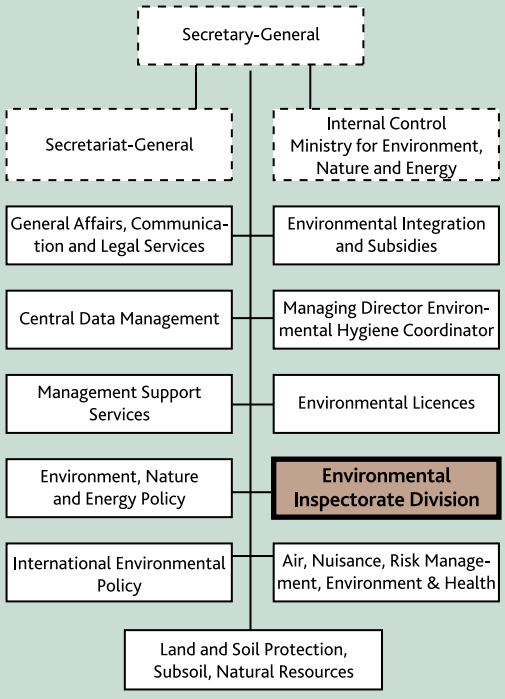
Since 1 April 2006, following the reorganisation of the Flemish public administration within the framework of Better Administrative Policy, the EID has been part of the Department of Environment, Nature and Energy (LNE).

The position of the EID within the LNE Department and the position of the Department within the Environment, Nature and Energy policy area are shown in the organisational charts below.

Environment, Nature and Energy (LNE) policy area



Department of Environment, Nature and Energy (LNE)



Mission

Within the framework of the Flemish Parliament Act on environmental licences and Vlarem I, the environmental inspectors of the EID exercise supervision of category 1 nuisance establishments and high supervision of category 2 and 3 establishments. This competence is extended by supervisory competences resulting from related environmental health legislation, such as the supervision of waste streams.

The EID is constantly striving to improve the quality of enforcement. In this regard, particular attention is devoted to efficient, expert, uniform, integrated and steering action throughout Flanders, and the EID seeks to serve as an example for local authorities. Therefore, high supervision is exercised both on an ad hoc and on a systematic basis.

Besides the EID, many other actors are involved in the enforcement of environmental health legislation, such as mayors, police departments and judicial authorities. If the enforcement process as a whole is to be successful, these bodies must work together in a constructive manner. The EID is active in establishing networks between these bodies. Another task of the EID is to forge international contacts and to participate actively in international innovations and trends.

For the benefit of policy preparation and policy evaluation, the EID is responsible for advising the Flemish Minister for the Environment on the feasibility and enforceability of the regulations. To this end the EID feeds back its experiences in the field to the policy makers.

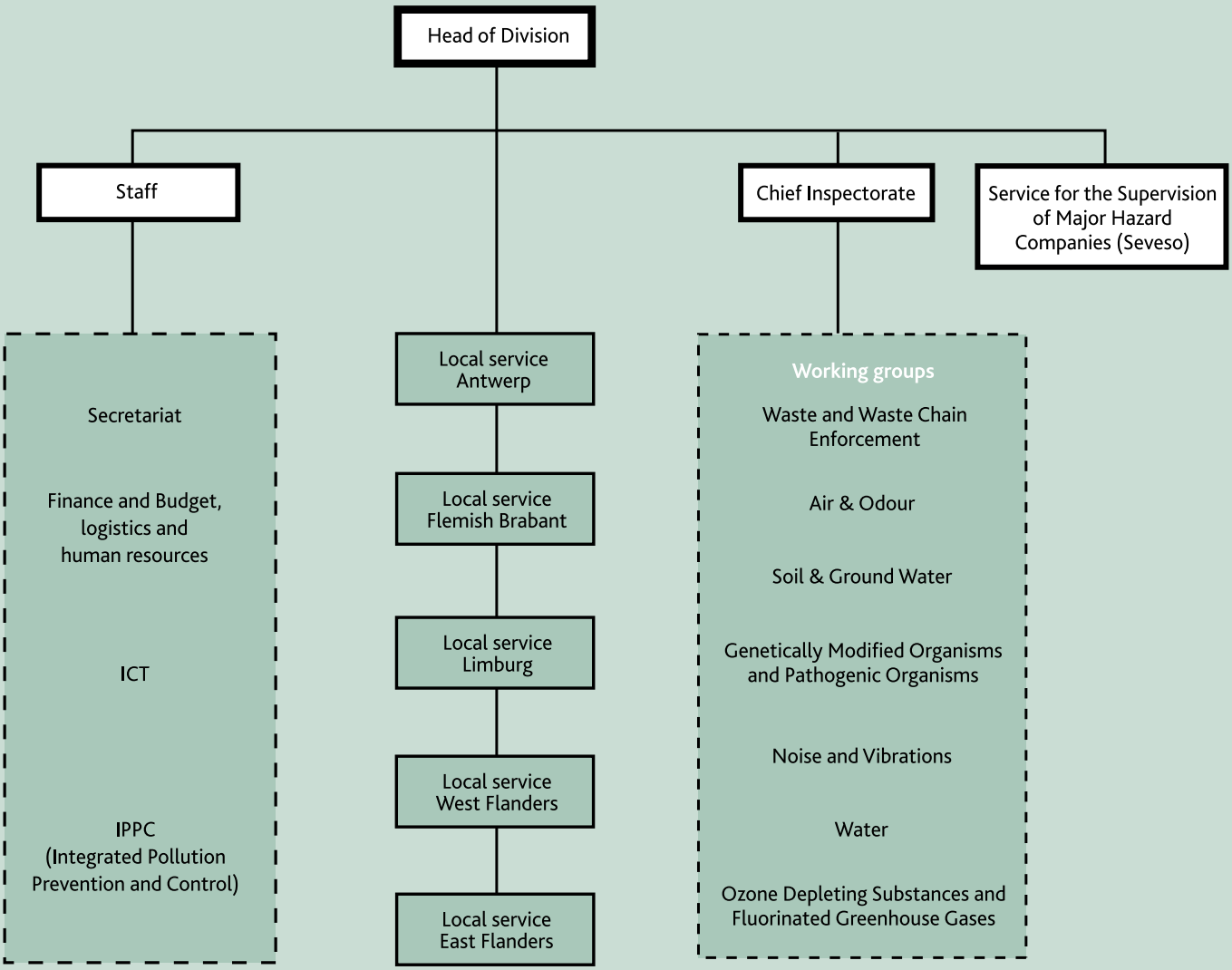
Finally, the EID has the task of publicising and providing information about its activities and approach at regular intervals. Through this transparency the EID seeks to create and maintain sufficiently broad-based social support for enforcement.

Internal Structure

The **Chief Inspectorate** fulfils a steering and supporting task and monitors the planning, the depth, the uniform implementation, the harmonisation and the integration of the enforcement campaigns. The Chief Inspectorate is also responsible for the preparation, formulation and evaluation of the enforcement policy. The **local services** are mainly responsible for carrying out inspections, taking measures and keeping the company files up to date and for coordinating a number of activities. It is also important to give feedback on experiences gathered in the field. The main aim of the **Service for the Supervision of Major Hazard Companies** is the methodical and systematic inspection of so-called Seveso establishments. A number of **staff members** are in charge of providing administrative support to the Division (personnel, logistics, finances, ICT) and of coordinating the IPPC Core Team.

There is also a horizontal structure which consists of working groups for each environmental compartment. The activities of the working group must guarantee a coordinated and uniform approach throughout the Flemish Region. At the end of 2007, there were seven active working groups: Waste (including a Waste Chain Team, in charge of monitoring waste collection and transport), Soil and Ground water, Noise and Vibrations, Genetically Modified Organisms (GMOs), Air, Ozone Depleting Substances and Fluorinated Greenhouse Gases, and Water. A working group is composed of representatives from the local services and one or two representatives from the Chief Inspectorate, who act as pace-setters. An IPPC Core Team brings together the expertise for the implementation of IPPC inspections.

Internal Structure of the EID



Responsibilities

The EID exercises supervision over the following environmental health legislation (or parts thereof) which applies in the Flemish Region:

- Flemish Parliament Act of 28 June 1985 on environmental licences (Belgian State Gazette, 17 September 1985) and the implementing orders Vlarem I of 6 February 1991 and Vlarem II of 1 August 1995;

- Flemish Parliament Act of 5 April 1995 containing general provisions with regard to environmental policy (Belgian State Gazette, 3 June 1995), in particular Title III of 19 April 1995 concerning internal company environmental care (Belgian State Gazette, 4 July 1995);

- Flemish Parliament Act of 2 July 1981, modified by the Flemish Parliament Act of 20 April 1994, on waste prevention and management (Belgian State Gazette, 29 April 1994) (the Act of 22 July 1974 on toxic waste has been repealed with regard to the Flemish Region, with the exception of Articles 1 and 7) and the Vlarea implementing order of 5 December 2003;

- Flemish Parliament Act of 24 January 1984 containing measures with regard to ground water management (Belgian State Gazette, 5 June 1984);

- Flemish Parliament Act of 22 February 1995 on soil remediation (Belgian State Gazette, 29 April 1995) and the Vlarebo implementing order of 5 March 1996; replaced since 1 June 2008 by the Flemish Parliament Act of 27 October 2006 on soil remediation and protection (Belgian State Gazette, 22 January 2007) and the Vlarebo implementing order of 14 December 2007;

- Flemish Parliament Act of 22 December 2006 on the protection of water against agricultural nitrate pollution (Belgian State Gazette, 29 December 2006);

- Act of 28 December 1964 on air pollution abatement (Belgian State Gazette, 14 January 1965);

- Act of 26 March 1971 on the protection of surface waters against pollution (Belgian State Gazette, 1 May 1971);

- Act of 18 July 1973 on noise pollution (Belgian State Gazette, 14 September 1974) and the Royal Decree of 24 February 1977 on electronically amplified music (Belgian State Gazette, 26 April 1977);

- Act of 12 July 1985 concerning the protection of humans and the environment against the harmful effects and nuisance of non-ionizing radiation, infrasound and ultrasound (Belgian State Gazette, 26 November 1985);

- co-operation agreement of 21 June 1999 between the Federal State, the Flemish Region, the Walloon Region and the Brussels Capital Region concerning the control of major-accident hazards involving dangerous substances (Belgian State Gazette, 16 June 2001);

- Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community (Official Journal of the European Union, L 30, 6 February 1993);

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (Official Journal of the European Union, L 190, 14 June 2006);

- Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer (Official Journal of the European Union, L 244, 29 September 2000);

- Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (Official Journal of the European Union, L 273, 10 October 2002);

- Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC (Official Journal of the European Union, L 158, 30 April 2004).

Policy and Strategy

The EID has for several years now clearly defined the mission, vision and values of its organisation and its staff. These have become key elements in the continuous drive to optimise the structure and operation of the EID.

The cornerstone in this regard is the **raison d'être** of the EID: to check and stimulate the quality of environmental health policy and the implementation thereof, with the objective of preserving and, if necessary, improving the quality of the environment and, if necessary, preventing nuisance, damage and major accidents.

The **mission** (Where do we stand now?) is a concept that lends further depth to this raison d'être: as Environmental Inspectorate Division, we check and promote the quality of the environmental health policy and the implementation thereof to preserve, and where necessary, improve the quality of the environment and, if necessary, to prevent nuisance, damage and major accidents. We do this by exercising supervision, carrying out official inspections, implementing investigations, taking measures, extending the enforcement of the environmental health policy to municipalities, provinces and other enforcement actors, as well as by contributing to policy formulation and policy evaluation by providing policy makers with feedback on experiences gathered in the field and playing an active role in the European IMPEL network for the implementation and enforcement of environmental law.

To guide the staff in their approach, the following **values** have been defined. We want to work with staff who are loyal, enterprising and contented people who are close to the customers and explain to them clearly what they do, who are employable and approachable, respond quickly, dynamically and realistically to challenges, cooperate in a result-oriented and integrated manner, always stay one step ahead thanks to their vision, creativity and expertise, always seek to improve their work and enjoy what they do, maintain healthy ecological reflexes and who display a correct enforcement reflex.

Our **vision** says something about the kind of organisation we want to be. The Environmental Inspectorate Division will become the organisation that is responsible for ensuring an effective, professional, uniform, integrated and steering enforcement policy in the field of environmental health legislation.

In order to get from the current situation (mission) to the desired situation (vision), a number of strategic actions must be implemented. The EID has identified the following **critical success factors** required to make this transition successful.
The EID seeks to create a corporate culture that promotes constant improvement in which everyone supports and propagates the vision, mission and values, cooperates and demonstrates that our organisation is more than the sum of its constituent parts. A corporate culture where everyone cooperates with all actors at international, European, federal, regional and local level, strives to integrate the environment and the coherence of environmental care into other policy sectors, feels valued and takes initiatives, has the right and relevant information, trains constantly and effectively, deploys the resources effectively, and implements the regulations correctly.

Enforcement as an essential link in the **regulatory chain** must be sufficiently strong. To this end, there must be uniform and integrated environmental health legislation with good technical standards. The licensing authority must implement the regulations correctly and completely to ensure clear and manageable licences. Complementarity must be achieved between criminal and administrative enforcement and a start must be made on the drafting and implementation of an enforcement strategy.

As regards **enforcement itself**, there must be sufficient social and political legitimacy. Within the administration, enforcement must be given a place alongside and not subordinate to policy preparation and/or implementation, guaranteeing the power, autonomy and independence of the EID in general and of the environmental inspector in particular.

The (long-term) **strategic objectives** of the EID are defined as inspecting, taking measures, implementing, formulating and evaluating policy, participating actively in the European IMPEL enforcement network and following continuing education.

On the basis of these strategic objectives and the annual objectives of the Department, a number of operational objectives (short-term) are set every year for the entire Division. These are in turn translated into personal objectives that are included in a personal planning document for all members of staff.

To achieve all these objectives, the EID implements six direct processes. The most extensive process is the key process of 'Inspecting and taking measures'. It is subdivided into seven sub-processes. This process was fully outlined and has its own procedural manual.

List of the direct processes

Proces	Description
P01	Inspecting and taking measures
P01.1	- File preparation
P01.2	- Travel + on-site observations
P01.3	- Inspection report + assessment of observations
P01.4	- Reporting to the Public Prosecutor
P01.5	- Taking measures in accordance with the EID tools
P01.6	- Reporting (internal/external)
P01.7	- File follow-up system
P02	Environmental Inspection Plan (EIP)
P03	Mandates to external experts
P04	Policy formulation and evaluation
P05	Extending the enforcement of environmental health legislation to municipalities, provinces and other enforcement actors
P06	Intra-, inter- and supra-regional cooperation with other (environ-mental) actors

In 2007, new strategic and operational objectives, core activities and a staffing plan were developed for the Division, which will steer the structure and activities of the EID as of 2008.

Open Government

The Flemish Parliament Act of 26 March 2004 on open government (effective as of 1 July 2004) transposes the access of citizens to environmental information, as laid down in the Aarhus Convention, into Flemish regulations. The Flemish Government Decree of 28 October 2005 complements this Flemish Parliament Act and governs the active dissemination of environmental information by the government. This Decree was published in the Belgian State Gazette of 30 November 2005 and came into effect on 1 January 2006.

The EID **actively disseminates environmental information**, through the publication of an environmental inspection plan and an environmental enforcement report, as well as fleshes out the provisions concerning **passive open government**. Each administrative entity is indeed obliged to divulge administrative documents (with a few exceptions, such as an official report of an infringement) to anyone requesting to see them. Requests to make documents public must be submitted in writing to the administrative authority which possesses the administrative documents. Administrative documents pertaining to environmental information also fall within these provisions.
In the course of the 2007 year of operation, the EID received 20 written requests to obtain access to administrative documents from environment dossiers. 15 requests were granted, 5 were not granted because the documents concerned were part of the prosecution file.

Within the framework of the **legislation on public contracts**, the EID also received in 2007 a request to obtain a motivated decision for the award of a public contract. This request was granted.

Total Quality Assurance

The Flemish authorities are constantly striving to develop their services in the most optimal way. This presupposes an organisational culture in which central focus is on a constant concern for quality and quality improvement.

Processing of observations

The main process of 'inspecting and taking measures' was already mapped out and accompanied by a first procedural manual when the Division's operational chart was drawn up. During the past few years, new documents were drawn up, for both the criminal and the administrative processing of observations.

The '**Enforcement Tools**' sets out the general principles of any action taken by the EID, and shows the decisions taken at each phase of a dossier in a number of flowcharts.

The **Code of Good Practice for Official Reports** describes in detail how initial or follow-up official reports are to be drawn up and aims to improve the quality and uniformity of the EID's official reports. The 'Prioriteitennota Vervolgingsbeleid Milieurecht in het Vlaamse Gewest' (Priorities Document on the Prosecution Policy for Environmental Law in the Flemish Region), which was approved by the Prosecution Policy Committee on 30 May 2000, was implemented in this code.

The **Code of Good Practice for Proceedings under Administrative Law** defines the form and content of all the documents that appear in the flowcharts of the 'Enforcement Tools' (from the inspection report to the exhortation and the coercive measures to the proposal for the suspension or revocation of licence).

The 'Enforcement Tools' and the two Codes of Good Practice are considered a quality manual by the EID. They are used on a daily basis by environmental inspectors to process established violations and to take measures. In this context, the Heads of Service and the Head of Division are appointed as quality managers.

EID instructions

The EID also uses internal instructions to enhance quality and/or uniformity in the implementation of inspections and in the assessment of observations. An overview of the instructions formulated in 2007 is given in the table below.

High-quality sampling and measuring

One of the many facets within the sub-process 'on-site observations' is sampling and measuring. In 2001 a start was made on the drafting of quality manual for this sampling and measuring.

For **waste water**, four procedures were written out for the sampling of water with spot samples or (time or flow proportional) composite samples, the use of recipients and preservatives, the on-site measurement of pH and temperature, and the on-site measurement of the flow. In addition a work instruction for the pH meter was drawn up.

Procedures were also developed for the sampling of **waste**. Apart from a general procedure these also include three procedures for the sampling of specific waste streams: powdery and granulated solid waste, waste that is accepted at landfills and liquid or viscous waste. This quality manual is being fully implemented since 1 June 2004.

In 2007, the EID had another **internal audit** carried out to monitor the implementation of the sampling and measuring procedures. The remaining points of attention were transposed into an action plan which was applied by all environmental inspectors.

List of EID instructions in 2007

Number	Date	Subject
MI 2007/01	8 February	Coding of enforcement activities and identification of samples and measurements
MI 2007/02	2 April	Inspections for prohibited pesticides
MI 2007/03	23 March	Long-term noise and vibration measurements
MI 2007/04	29 March	Assessment of the analysis results reported in the specifications LNE/MI/2006/Afval
MI 2007/05	27 April	Inspections of biomass and waste combustion plants with a capacity ≤ 5 MW
MI 2007/06	26 June	Long-term noise and vibration measurements
MI 2007/07	25 June	Quality manual for sampling and measurements: adjustment of procedures
MI 2007/08	21 December	Instruction EID 2007/08 concerning the application of the 'Winter Smog Roadmap'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Personnel, Training and Recources

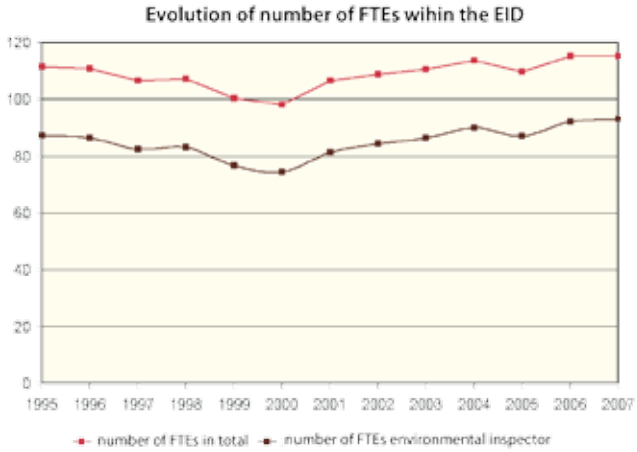
The first part of this chapter presents an overview of the EID staff. At the end of 2007, the Division employed 123 people.

Later in this chapter, a description is given of the EID's efforts to continuously train its staff as well as an overview of the different operating resources and of the application of the available appropriations.

Personeel

At the end of 2007, the EID had 123 members of staff, one less than at the end of 2006. The number of FTEs rose by 0.1 units to 115.2. The calculation of the number of FTEs took account of career breaks and other forms of part-time work.

The civil servants of levels A and B are environmental inspectors (92.9 FTEs). The civil servants of levels C and D have a supportive administrative function (22.3 FTEs). The figures represent the situation on 31 December 2007.



Number of staff										
	A2A	A2	A1	B2	B1	C2	C1	D2	D1	Total
Head of Division and Staff	1		2				2	1	1	7
Chief Inspectorate			8							8
Service for the Supervision of Major Hazard Companies			14							14
Local service Antwerp		1	10,5		6,5	1	1		1	21
Local service Limburg			9		4		4	1		18
Local service East Flanders		1	10	1	5	1			2	20
Local service Flemish Brabant			6	1	5		2		2	16
Local service West Flanders			13		1	1	1		3	18
Total number of staff	**1**	**2**	**72,5**	**2**	**21,5**	**3**	**10**	**2**	**9**	**123**
Number of available FTEs	**1,0**	**2,0**	**69,2**	**2,0**	**18,7**	**3,0**	**9,3**	**2,0**	**8,0**	**115,2**

Head of Division and Staff • F.l.t.r.: Peter Schryvers, Daisy Van Calster, Jos Tits, Robert Baert, Hedwig Stylemans, Chris Van Baelen. Missing: Guy Corbeel, Tanja Verschaeren.

Chief Inspectorate • F.l.t.r.: Bart Palmans, Geert Keppens, Martine Blondeel, Hans Delcourt, Koen Mergaert, Rita Van Ham, Jeroen November, Paul Cuypers.

Service for the Supervision of Major Hazard Companies • F.l.t.r.: Marc Van Kerckvoorde, Christel Gernay, Inge Dils, Jo De Baerdemaeker, André Goossens, Leentje Timmerman, Wilfried Van den Acker, Ingrid Roels, Nele Loos, Gwenny Vanhaecke, Inge Delvaux, Christof De Pauw, Wilfried Biesemans, Philip Tanghe.

Local service Antwerp • F.l.t.r.: Jan Valckx, Ann Van Deun, Wim Vermetten, Monique Dirickx, Anja Van der Auwera, Michael Allison, Diane Haelwaeters, Jos Moeskops, Hendrik Meulemans. Sitting in the front f.l.t.r.: Chris Tackaert, Anne Colman, Ludo Segers. Sitting in the middle f.l.t.r.: Hilde Slosse, Els De Jonghe, Veerle Wiercx. Missing: Ilse Colman, Ann Devisschere, Lief Mannaerts, An Swinnen, Linda Van Geystelen, An Van Steenbergen.

Local service Limburg • F.l.t.r.: Peter Brien, Irène Poelmans, Peter Schoups, Jan De Paep, Tom Nuyts, Peggy Cloostermans, Tom Maes, Johan Ballings, Sybille Vanderhenst, Josée Vanthienen, Rudi Rademaekers, Rachelle Bervoets, Freddy Noels. Missing: Guido Gerits, Ann Janssens, Filip Moers, Kaat Vanmeeren.

Local service East Flanders • Front f.l.t.r.: Wilfried Van Vaerenbergh, Dony Vandormael, Peter Wesemael, Greet De Wandeler, Jef Algoet, Paul Van Gijseghem, Gert Govaerts. Middle f.l.t.r.: Peter Permanne, Eric Ryckaert, Luc Verhaeven, Carine Baert, Myriam Macharis, Els Van Bever, Carmen Bauwens. Up f.l.t.r.: Steven Overmeire, Lieve Joos, Marian Lagrou, Greta De Maesschalck, Frans Van der Cruyssen, Frank Verslype.

Local service Flemish Brabant • Front f.l.t.r.: Koen Van Overtveld, Marc Vanthienen, Mia Moens, Carine Holsbeekx, Dirk Crivits, Liesbet Rommens, Gert Van de Cauter, Philippe Verbecq, Tina Poels, Robert Dupont, Christiane Reinquin. Back f.l.t.r.: Theo Strobbe, Koen Mandonx, Mathy De Preter, Eric Van Gijseghem, Christophe Bervoets, Patrick Bergen.

Local service West Flanders • F.l.t.r.: Danny Deygers, Karel Vandamme, Wim Delaere, Marc Sevenant, Henri Trypsteen, Roland Loontiens, Geert Van Landschoot, Georges Van de Walle, Marc De Vos, Robrecht Pillen, Joke Lahousse, Johan Corveleyn, Jeannine Tassyns, Godelieve Martens, Peter De Neve, Karel Debeuf. Missing: Guido Gheysen, Liliane Glibert, Godelieve Lust.

Training Activities

In 2007, the EID organised an internal training session on environmental management systems. Apart from a practical example of the implementation of an environmental management system within a company, an auditor explained how an environmental management system is audited and inspected.

Several EID staff participated in the basic training sessions on environmental law of the High Council of Justice. The discussed topics included international and European environmental policy, the prosecution policy with regard to the environment, the forfeiture of the financial advantage and the use of penalty payments.

The sixth EID annual meeting took place in Brussels on 5 April. This annual meeting is conceived as a training activity for all EID staff. Moreover, the relaxed atmosphere at this meeting offers an excellent opportunity to establish contacts and exchange experiences with colleagues and to promote team spirit. The educational part constituted of a visit to the Flemish Parliament. Following the guided tour and the concluding speech by the Head of Division, the annual meeting closed with a pleasant meal and a social gathering.

The EID members of staff also participate in the training provision of the Flemish public administration. Participation in such training sessions is often a development-oriented annual commitment for the staff member. IT training sessions are frequently attended, but so are other sessions, such as PLOEG sessions, sessions for trainees, etc.

Also, a large number of staff members took part in external workshops or symposiums, both home and abroad. The aim is to closely monitor the developments within the environmental sector concerned and to subsequently disseminate this information within the EID in order to allow environmental inspectors to use this information when performing their different tasks.

The EID regularly complies with requests from external parties to make its expertise available and to provide information. Below, an overview is given of the addresses and courses given by EID environmental inspectors in 2007.

General activities

- 'Structure and operation of the Environmental Inspectorate Division', lecture within the framework of the training of level B environmental coordinators, organised by Syntra in Hasselt;
- 'Environmental health policy in Flanders', lecture within the framework of the training of level A environmental coordinators, organised by Lucina in Lubbeek;
- 'The EID Division/Administrative law enforcement/Implementation of technical inspections', lecture within the framework of the Vlarem training, organised by the Oost-Vlaamse Bestuursacademie;
- 'Structure and operation of the Environmental Inspectorate Division', lecture within the framework of the training of environmental coordinators for the textile industry, organised by Centexbel in Ghent;
- 'Structure and operation of the Environmental Inspectorate Division', lecture within the framework of the training of police officers, organised by the police in Zeebrugge;
- 'Structure and operation of the Environmental Inspectorate Division', lecture within the framework of the training of environmental coordinators, organised by ARION in Nazareth;
- 'Operation of the Environmental Inspectorate Division', lecture within the framework of the training of level A environmental coordinators, organised by EHSAL in Brussels;
- 'Operation of the Environmental Inspectorate Division', lecture within the framework of the basic training in environmental management, organised by SGS in Antwerp;
- 'Structure and operation of the Environmental Inspectorate Division', lecture within the framework of the training of environmental coordinators, organised by KULAK in Kortrijk.

Specific enforcement expertise

- 'Supervision and sanctions in the Flemish Parliament Act on environmental licences', organised by OVO, the training institute of the Province of Antwerp, in Antwerp;
- 'Enforcement of the Seveso regulations', lecture within the framework of a study afternoon, organised by BRAFCO in Kontich;
- 'Tank inspections: observations and pitfalls', lecture within the framework of study afternoons, organised by VOKA and Esher in Vilvoorde and Zwijnaarde;
- 'Regulation (EC) No 1013/2006: Points of concern during transport inspections', training for police services, organised by the Environmental Office of the Federal

Police in Brussels, Antwerp and Ghent;
- 'The Seveso II inspection system', lecture within the framework of the forum of lower tier establishments, organised by the Safety Reporting Service in Affligem;
- 'Administrative law elements of Vlarem', lecture within the framework of the Vlarem training, organised by the Provinciaal Instituut voor Vorming en Opleiding (PIVO) of the Province of Flemish Brabant and the PLOT/Provinciale Bestuursschool of the Province of Limburg, in Leuven;
- 'Enforcement with regard to the discharge of hazardous substances', lecture within the framework of a study afternoon on 'problem components in waste water', organised by VITO in Mol;
- 'Enforcement with regard to the discharge of hazardous substances', lecture within the framework of a study afternoon on the 'discharge of metals into the waste water', organised by AGORIA in Brussels.

International participation

- 'Rupture of an (atmospheric) crude oil storage tank', lecture within the framework of the IMPEL conference 'Lessons learnt from accidents' in Paris.

Operational Resources

The environmental inspectors of the EID have a lot of resources at their disposal to perform their tasks in an efficient and effective manner.

For the preparation of an inspection environmental inspectors can use the paper file which is available at each local service. This file contains all the information on a particular company. They also have access to several other documents (by consulting information available with other entities and/or Internet databases): Integrated Annual Environment Report, environmental impact reports, safety reports, environmental audits laid down by Flemish Parliament Act, reports of discharges of waste, all kinds of measurement results,... Moreover, every service has a limited library which contains publications on the enforcement of environmental health legislation as well as books that enable the environmental inspectors to keep abreast of any advancements in the techniques they use and in (the enforcement of the) environmental health legislation.

In addition, environmental inspectors make increasing use of the EID's electronic file follow-up system, through which an overview can be easily obtained of the different documents available with the EID on the company concerned.

To conduct inspections, environmental inspectors of the EID can use quite some material as well as service vehicles specifically equipped to this end. Each service vehicle has a partition wall, so that clean and possibly contaminated items can be separated during transport. In addition, all service vehicles have a cool box to allow the taken samples to be transported in a cool and dark space between the place of sampling and the laboratory.

In order to guarantee the Division's proper operation, the EID receives a number of appropriations which enable it to make the necessary purchases.

Under the heading of 'general operating costs', the EID spent in 2007 an amount of 151,864.88 EUR on maintenance, fuel, repair costs and service vehicle leasing.

To perform on-site measurements themselves, the environmental inspectors have the following material at their disposal: pH and temperature meters, noise meters, vibration meters, radioactivity meters, gas detection meters, and PAH markers. The EID is responsible for the maintenance and, if necessary, the calibration of these devices. In order to record certain situations, each service vehicle is also equipped with a camera.

Environmental inspectors can also make use of a large quantity of material to take water, waste and soil samples. Moreover, much attention is paid to personal protection during the inspections. Again, the EID has a lot of protective equipment for this purpose, including various measuring devices. Also, each environmental inspector has a mobile phone to call for assistance, if necessary.

The EID spent 116,404.24 EUR on 'specific operating costs':
- subscriptions to publications on the enforcement of environmental health legislation and the purchase of books needed to follow the evolutions in (the enforcement of) environmental health legislation;
- the purchase, subscriptions and call charge of mobile phones;
- the maintenance and calibration of inspection material;
- the safety equipment of the service vehicles for the protection of the environmental inspectors;
- the purchase of protective clothing for the environmental inspectors.

In 2007, the EID spent an amount of 69,047.63 EUR for the purchase of sustainable material: accessories for noise and vibration meters, meteo station, gas detection equipment, pH meters, etc.

In 2007, the EID replaced two vehicles that could no longer be used because they had been involved in an accident. The new service vehicles were fitted in accordance with the standards of the quality manual for sampling and measuring. The purchase and equipment of the service vehicles amounted to 27,807.28 EUR.

Use of the financial resources

Laboratory costs

To support the key process of 'inspecting and taking measures', the EID concludes agreements with recognised laboratories for the measuring, sampling and analysis of all kinds of substances and emissions.

Agreements were entered into per province for the measuring, sampling and analysis of waste water, cooling water and surface water on the one hand and for waste, soil, ground water and fertilisers on the other. In order to conduct emission measurements on chimneys of combustion plants and process installations, the EID concluded an agreement with two laboratories.

In addition to the general agreements mentioned above, some extra agreements were concluded for a number of specific cases.

Overview of the laboratory costs (amount in euros)	
Waste water, cooling water and surface water	
Lot Antwerp	186.144,11
Lot Limburg	122.752,99
Lot East Flanders	213.185,29
Lot Flemish Brabant	111.722,34
Lot West Flanders	161.011,75
Total	**794.816,48**
Waste, soil, ground water and fertilisers	
Lot Antwerp	106.413,75
Lot Limburg	103.992,54
Lot East Flanders	118.717,82
Lot Flemish Brabant	77.647,21
Lot West Flanders	100.623,90
Total	**507.395,22**
Air emission measurements	
Ad hoc air emission measurements lot I	230.477,70
Ad hoc air emission measurements lot II	88.888,02
Emission measurements in Antwerp, Evergem, Genk, Wetteren and Wuustwezel	50.529,60
Total	**369.895,32**
Specific cases	
Determination of VOC in the graphics sector	45.217,70
Sampling and analysing of halogenated hydrocarbons	7.307,92
Testing of refrigeration installations	39.779,36
Brominated flame retardants and fluorosurfactants in industrial waste water and sludge	76.101,74
Dioxins and furans in waste water	5.352,62
Performing of flow measurements in ground water extractions	24.838,28
Total	**198.597,62**
General total	**1.870.704,64**

Specific enforcement investigations

In certain circumstances it is also necessary to have additional investigations carried out by specialised laboratories or experts. For instance, unusual analyses can take place or the environmental impact of a specific company can be investigated. These investigations are carried out to give advice and information to the EID.

Laboratory and research costs are allocated to one single budget item, namely 16111262. The total available commitment appropriations for 2006 amounted to 2,279,000 EUR, 88% of which was committed. The payment appropriations amounted to 2,313,000 EUR, of which 83% was paid out.

Overview of specific enforcement investigations (amount in euros)	
Odour investigations	
Environmental investigation into odour pollution in Rollegem	46.355,10
Total	**46.355,10**
Safety investigations	
Safety investigation in Vilvoorde	10.449,05
Investigation of a specific situation: tank storage of hazardous substances	59.979,70
Total	**70.428,75**
Camera investigations	
Camera investigation in Ingelmunster	1.424,17
Camera investigation in Torhout/Izegem	1.875,50
Camera investigation in Aartselaar	605,00
Camera investigation in Izegem	977,68
Total	**4.882,35**
Noise and vibration investigations	
Noise investigation in Lanaken	6.292,00
Total	**6.292,00**
General enforcement investigations	
Audit of the EID quality manual	13.032,91
Expertise in the assessment of second-hand cars	605,00
Total	**13.637,91**
General Total	**141.596,11**

Environmental Inspection Plan 2007

The Environmental Inspection Plan (EIP) 2007 is the eleventh annual plan drawn up by the EID. It has been a basic policy of the EID to use systematic inspections, which affect the Division's overall operation and organisational structure. The EIP describes the framework within which the EID operates, and explains the options and preconditions of the plan. The main part is the list of inspections for a whole year of operation.

The aim of this annual plan is very broad: it includes all the Division's activities related to the process of 'inspecting and taking measures', also referred to as enforcement activities. In this way the EID endeavours to bring its approach in line with the European requirements on the inspection of major hazard companies and of companies with serious environmental impact. Also, the EIP forms the basis for an efficient, expert, uniform, integrated and steering enforcement policy which is to result in a high level of protection for man and the environment.

Objectives of the EIP

The EID has been long convinced that enforcement is best ensured by using a systematic approach. In its environmental inspection plan the EID attempts to map out all its inspection activities and to cost them in terms of budget and personnel. There are various reasons for this.

The challenge facing Flemish enforcers is one of ensuring that the supervision of compliance with environmental legislation progresses from chance hits to systematic enforcement. This can be developed through annual enforcement programmes in which priorities are set for a particular year of operation and enforcement activities are planned. It is essential that all enforcement activities are implemented on the basis of a thorough understanding.

On the other hand there is the general European trend towards more systematic, planned and coordinated enforcement. This trend was confirmed in 2001 in the Recommendation of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States (2001/331/EC). In the Recommendation much attention is devoted to the drawing up of plans for environmental inspections by the Member States, which are to demonstrate that all environmental inspection activities are planned in advance. Most of the guidelines listed in the Recommendation with regard to the plans for environmental inspections are applied in the EIP.

The plan also contributes to the achievement of the Division's strategic goals and to the realisation of its ambition: "The Environmental Inspectorate Division will be the ideal organisation to produce an efficient, expert, uniform, integrated and steering policy for the enforcement of environmental health legislation".

This annual plan has a very wide-ranging remit. It in fact includes all the Division's activities within the framework of the process defined as 'inspecting and taking measures' and the vast majority of activities of the other direct processes that are closely linked to this process, such as the preparation, award and follow-up of public contracts, policy formulation and evaluation, dissemination of the enforcement process to the local authorities and the intra-regional, inter-regional and supra-regional cooperation with other (environmental) actors.

The EIP's objectives are pursued at different levels. Where organisation is concerned, the plan sets out to provide an effective, expert, uniform, integrated and steering approach to inspections.

A second important objective pertains to the effectiveness of inspections. The plan provides for far-reaching and, if possible, integrated inspections at category 1 establishments with a (potentially) serious environmental impact or which pose major hazards for the surrounding area. When companies or industrial sectors are selected, account is taken of their environmental reputation and past.

A third important objective of the drafting of an annual plan is to attempt to control the volume of work and workload. The EID is indeed confronted with a large number and a great diversity of establishments to inspect. A good annual plan must set priorities and as a result help control the volume of work and workload. At the same time it must be flexible: if crises occur, other incidental inspections are needed, or when new (political) insights require urgent action, this automatically means that other (less priority) activities from the EIP cannot be carried out.

Just like the previous annual plans, the EIP 2007 is a highly ambitious and fully fleshed out annual plan which is considered a challenge for the entire Division. By implementing this plan, quite a few important environmental remediations are realised, or at least brought closer to realisation.

Development of the EIP 2007

The EIP 2007 was the result of intense internal consultation at which all the environmental inspectors of the EID could voice their opinion. The EID also asked the Flemish Minister and external (enforcement) bodies (VVSG, the Division of Public Health Surveillance, OVAM, VLM, FAVV, VMM, the Environmental, Nature and Energy Policy Division, the Air, Nuisance, Risk Management, Environment and Health Division and the Land and Soil Protection, Subsoil and Natural Resources Division/ALBON) to formulate priority enforcement needs. The gathered proposals were inventoried and explored in detail. During a planning seminar all the proposals were discussed at great length and the enforcement priorities for 2007 were defined.

After the planning seminar, the Chief Inspectorate further elaborated the proposals and made an estimate of both staffing and budget. To this end a number of principles of professional project management were applied: objectives and responsibilities were clearly defined, milestone plans were drawn up, criteria for success were established, etc. After that, the EIP was finally adopted by the staff and submitted for approval to the Secretary-General and the Minister.

The EIP 2007 also fleshes out the policy of the Minister for the Environment. Indeed, additional attention was paid to a number of issues from the Minister's 2007 Policy Paper on Environment and Nature as well as to a few issues which the Minister wants to place particular emphasis on. Apart from the planned IPPC inspections in the chemical and galvanisation sectors, for instance, the EIP 2007 also included inspections of environmental licences that have been adapted within the framework of the IPPC Directive. Extra attention was also devoted to self-monitoring inspections. Furthermore, a cooperation project with the local authorities was planned around the enforcement of the general environmental conditions.

The EIP 2007 also further fleshes out the reorganisation of the Division following the Better Administrative Policy reform. The activities of our new service for the Supervision of Major Hazard Companies guaranteed the methodical and systematic inspection of Seveso establishments. The new waste chain enforcement tasks too were structurally integrated into the EIP 2007.

Content of the EIP 2007

The first part of the EIP 2007 is composed of an explanation which outlines the framework within which the EID drew up its annual plan and includes among other things a description of its core tasks, an explanation of its internal organisation, a description of all the types of enforcement activities (specific enforcement campaigns, routine inspections, reactive inspections, follow-up inspections, inspections at the inspectors' own initiative), an estimate of the time available,...

A second part comprises the detailed description, on the basis of index cards, of all specific enforcement campaigns and a number of routine activities, which require further explanation. These index cards give more detailed information about the necessity or environmental relevance, the objectives, the required budget, the staffing and the starting dates and deadlines of the given enforcement activities. Moreover, it defines the people in charge of implementing the activities.

Finally, all the enforcement activities that were included in the EIP 2007 were brought together in a transparent table. An excerpt is given (without budget and time estimate) on the following page.

Overview of the EIP 2007

Nature		Theme	Titel
Specific enforcement campaigns+A3	Projects	IPPC	- Integrated inspections at IPPC companies from the chemical and galvanisation sectors
			- Preliminary study of integrated inspections at IPPC companies from the pig and poultry sectors
		Safety and Security	- Guidelines for the collection of fire extinguishing water
			- Development of integrated system for inspection instruments
			- Development of inspection programme system
		Noise	- Noise legislation
		Soil and Ground Water	- Inspection of ground water extractions
			- Inspection of manure storage sites
		Waste	- Inspection of the use of ozone depleting substances
			- Inspection of the road transport of waste streams
			- Inspection of the export of waste streams through seaports
			- Inspections within the framework of waste chain enforcement
		GMO	- Inspection of the contained use of GMOs or pathogenic organisms
		Cooperation with municipalities	- Inspection of the integrated environmental conditions at garages and car body works
	Actions	Water	- Inspection of waste water treatment plants
			- Inspections at the request of VMM
			- Food companies under Directive 91/271
			- Discharge of hazardous substances
		Safety and security	- Seveso II enforcement system
			- Safety investigation Vilvoorde
		Noise and vibrations	- Noise and vibration investigations
			- Quality inspection of acoustic investigations
		Waste	- Inspections within the framework of the agreement on animal by-products
			- Inspections at waste processing companies
		Air	- VOC emissions in the graphics sector
			- Inspection of the self-monitoring 'air'
			- Emission reduction of dioxin-like PCBs
			- Particulate Matter (PM10): approach to diffuse emissions in hot spots
			- Biomass and wood waste combustion plants
			- Actions to reduce the emission and spreading of heavy metals into the air
		EID	- Multidisciplinary scanning of establishments with a (potentially) large impact on the environment
	Enforce-ment studies	Safety and Security	- Development of assessment framework for process installations of hazardous substances
		Air	- Evaluation of odour nuisance investigation in Rollegem
		EID	- Quality manual for sampling and measurements
	Enforcement campaigns previous years	Water	- Discharges of drain water at greenhouse businesses
		Safety and Security	- Safety investigation at Herent
			- Development of assessment framework for the tank storage of hazardous substances
		Waste	- Inspection of dumping prohibitions
		Air	- Diffuse VOC emissions in the graphics sector
			- Development of methodologies for odour investigations
			- Odour investigation at Budingen-Zoutleeuw
			- Odour investigation at Bree
		GMO	- Method development: sampling and analysis of GMOs and pathogenic organisms
		EID	- Environmental relevance and financial advantage in case of exceedance of emission limit values
Routine inspections		Water	- Camera inspections in sewers and pipelines
			- Routine samples of waste water
		Noise	- Ad hoc noise and vibration measurements
		Waste	- Routine samples of waste, soil, ground water and manure
		Air	- Air routine emission measurements
			- Air immission measurements
		Operation	- Refusal decisions
			- Special requirements
			- Special requirements of IPPC-adapted environmental licences
			- Inspection of self-monitoring measurement programmes 'waste water and air'
Reactive inspections			- Complaints
			- Incidents
			- Trial licence evaluation report
			- Work plan evaluation
			- Notes reporting
			- Parliamentary questions
			- High supervision
Follow-up inspection (set of enforcement instruments)			
Personal initiative			

Specific Enforcement Campaigns

Specific enforcement campaigns are inspection activities carried out in a planned and coordinated manner. In the EIP these campaigns are subdivided into projects, actions, enforcement investigations and the further processing of the specific enforcement campaigns of the past years. This chapter reports on the activities per theme.

Integrated Prevention and Pollution Control (IPPC)

The aim of IPPC Directive 96/61/EC is to achieve a high level of protection for man and the environment through 'integrated prevention and pollution control (IPPC) at the potentially most polluting plants. This includes heavy industry, such as the production of electricity, waste incineration, ferrous and non-ferrous industry and chemical industry, as well as large pig and chicken farms. A crucial element in the achievement of the objective is the role of the environmental licence: the licence must integrate all environmental compartments, be aimed at prevention and be based on the best available techniques (BAT) as laid down in the sectoral European BREF studies (BAT Reference Documents). The Member States were to apply the Directive at the latest by the end of October 1999 for new IPPC installations and by the end of October 2007 for existing installations.

In practice this means that the licensing authority had to check all the environmental licences of IPPC installations against the IPPC Directive and adjust the BREF studies, if necessary, before late October 2007. In addition, all IPPC companies had to operate their IPPC installations in accordance with the provisions of the IPPC Directive and the relevant BREF study by that date. The EID must monitor this.

Implementation of IPPC inspections

The EID is performing this new task in the first instance by introducing a new type of company inspection: a several-day thorough integrated inspection, the so-called IPPC inspection, whereby a multidisciplinary team, contrary to the traditional approach adopted during mono or multidisciplinary inspections, considers all environmental compartments at the same time and, in addition to the traditional approach to pollution control, places new emphasis on prevention. Also, new items are focused on during an IPPC inspection in addition to the traditional themes. Examples include inspections of the environmental management system and the rational use of resources and energy, and a check against environmental quality objectives. Naturally, checking BATs against the BREF study is also part of this IPPC inspection.

The EID has established an IPPC Working Group to carry out this specific inspection task. This working group consisted of one representative from each local service, the initiators of the different thematic working groups and the then Head of Service of the Chief Inspectorate. It is the task of each working group member to establish a multidisciplinary team, organise the inspection and draw up an evaluation report of this inspection for each IPPC inspection.

Since 2004, the EID on average conducts 10 thorough IPPC inspections, mainly in the chemical sector and to a lesser extent in the galvanisation sector. In 2007 as well, 9 similar inspections were carried out: 6 in chemical companies and 3 in galvanising companies. These inspections resulted in 4 official reports, 8 exhortations, 8 recommendations and 2 requests to the colleagues of

the Environmental Licences Division to supplement or adjust the licensing requirements. A detailed evaluation report was also drawn up for each inspection. These reports were also submitted to the Environmental Licences Division in order to allow them to use this information to check the licence against the applicable legislation. In this way the companies concerned did not have to give the same information twice.

Revision of the IPPC Directive

The first signals that the European Commission would revise the IPPC Directive were sent in 2006. The reasons for this revision were, amongst others:

- to streamline a number of important European Directives with the IPCC Directive;
- to reduce the administrative burdens for IPPC companies;
- to systemise the monitoring of compliance with the IPPC Directive.

The latter will probably be done in the future by introducing an obligation for IPPC companies to draw up inspection plans and by imposing a minimum inspection frequency.

Following this news, the EID made a self-assessment of its approach to the inspection of IPPC companies in 2007. This assessment fitted in with a survey which the European Commission carried out into the implementation of the enforcement aspects of the IPPC Directive in the different Member States. The EID participated actively in this survey in cooperation with the European Commission and a few other Member States. This self-assessment resulted in the conclusion that, apart from the ten thorough integrated IPPC inspections in the chemical and galvanisation sectors, the EID each year conducts about 2,000 regular inspections at IPPC companies. Approximately 500 of these inspections are planned samplings and measurements and another 500 are planned thematic inspections within the framework of the annual Environmental Inspection Plan (EIP). The remaining 1,000 inspections are reactive inspections, routine inspections or follow-up inspections. On the other hand, about 9,000 inspections are carried out at non-IPPC companies each year. Another important conclusion was that the majority of these inspections took place at the 600 IPPC companies in the industrial sector, whereas there are also 600 IPPC companies in the agricultural sector in Flanders.

Following the aforementioned conclusions, the EID took, in 2007, two important decisions with regard to its approach to inspections at IPPC companies: firstly, the position of IPPC staff member within the EID was created to meet the current and future requirements of the IPPC Directive in terms of inspection and as such set up, implement and optimise a systematic enforcement for IPPC companies. Also in 2007, the EID carefully considered the feasibility and expediency of IPPC inspections in the agricultural sector and drew up a manual for the implementation of these inspections. The IPPC inspections at pig and chicken farms will actually start in 2008, in addition to the meanwhile usual IPPC inspections in the chemical and galvanisation sectors.

Major Hazard Companies

In 2007, the majority of activities pertaining to environmental safety were carried out for the purposes of major accident prevention.

Implementation of the Cooperation Agreement

On 26 June 2001, the Cooperation Agreement of 21 June 1999 between the Federal State, the Flemish Region, the Walloon Region and the Brussels Capital Region concerning the control of major-accident hazards involving dangerous substances (hereafter referred to as Cooperation Agreement) came into force. To an important extent, this represented the transposition of the so-called Seveso II Directive.

The purpose of this Directive is to guarantee a high level of protection for man and the environment. Because the European Union believes that the arrangements for the inspection of establishments by the competent authorities may give rise to differing levels of protection, the Directive also lays down essential requirements for inspections by governments.

In the Cooperation Agreement the requirements of the Directive are transposed into the Belgian situation with shared competences for the federal State (industrial safety) and the Regions (protection of the surrounding area, man and the environment). For each Region an inspection team was set up with all the inspectorates concerned, on the basis of parity and with the preservation of all competences. As a result, for each Region two inspectorates are competent for a particular establishment: the regional environmental inspectorate (EID in Flanders) and the

federal inspectorate, which is responsible for the protection of workers.

The most important task of the inspection team is the development of an inspection system which meets the set requirements: an inspection programme for all Seveso II establishments, a report on each inspection and feedback to the management. The inspection teams also have responsibilities with regard to accident investigation, the reporting thereof to the European Commission and the imposition of a ban on operating a particular establishment under existing legislation if it is found that the operator has clearly taken insufficient measures to prevent major accidents and to limit the consequences for man and the environment.

The scope of the Cooperation Agreement is demarcated by two series of threshold values for ten categories of dangerous substances and for a number of named substances. As a result, the establishments can be broken down into three groups:

- establishments with dangerous substances in quantities below the first threshold, the so-called tier-0 establishments: these companies do not fall within the scope of the Agreement;
- establishments with dangerous substances in quantities between the first and second thresholds, the so-called lower tier establishments or tier 1 establishments: these companies fall within the scope of the Agreement with a number of obligations, such as notification, general care and demonstration obligation and a major accident prevention policy;
- establishments with dangerous substances in quantities above the second threshold, the so-called upper tier establishments or tier 2 establishments: these companies fall within the scope of the Agreement and must satisfy a number of additional requirements, such as the safety report and a safety management system.

Given its high level of industrialisation, Flanders has a large number of Seveso companies. Moreover, their number is variable, for example due to changes in company structures or in the dangerous substances present. Also in 2007, a modification of the scope of the Agreement came into effect. Since a number of thresholds were lowered considerably, a significant increase in the number of Seveso companies is expected.

Seveso II inspection programme

Drafting of the inspection programme

Each year, a draft inspection programme is drawn up for the following year of operation in mutual consultation between the Seveso inspectors of both competent inspectorates. During this consultation the purpose and scope of the inspections are defined as well as the inspectorate that will be in charge of the inspections. Both joint inspections and inspections by one single inspectorate are possible.

It is of the utmost importance that the purpose and scope of the inspections are properly defined, as the inspections must, on the basis of an investigation of the company's internal systems, provide an overall insight into the hazards of the company's activities and the control thereof. However, with the inspection capacity which is currently available it is impossible to spend sufficient time to investigate each of the company's internal systems and gain such an overall picture. That is why, for every inspection, the objective and scope must be determined and a partial aspect checked. Over the years, an overall picture has been gained as a result of the implementation of annual programmes.

To demarcate the inspections in terms of content (purpose and scope), nine types of inspection have been defined.

Nine types of inspection

Type of inspection	Description
Inspection of the Seveso status	- To determine whether or not the company falls within the scope - To match the licence status with the actual situation
Initial inspection	- Explanation to the Cooperation Agreement - Possible verification of the Seveso status - Inspection of the most important requirements as regards environmental safety - Inspection of the status of the prevention policy and safety report
Inspection of technical measures	- Evaluation of the company's internal systems - Check against requirements (legal, experience data, company-specific)
Inspection of organisational systems and of the management system	
Verification of safety report (SR)	- Inspection of the accuracy of the information in the SR
Investigation of specific hazards	- Thorough investigation of one or more systems
Safety investigation	- Mandate to expert: assessment of the measures taken and the measures required for the given problem
Accident investigation	- Systematic analysis of causes and effects - Determination of additional measures (remediation, prevention of recurrence)
Follow-up inspection	- Check compliance against given instructions

When drafting the inspection programme for each company, account is taken of the available data: licences, notification, safety reports, data from previous inspections, environmental and safety-technical history, important changes, and incidents in the company concerned or in similar companies. Measures are taken to ensure that the company's different internal systems are taken into consideration (technical, organisational and managerial). Particular attention is devoted to major hazard establishments, to systems that are found to be inadequate or insufficiently efficient and to the management's sense of responsibility.

One important characteristic of the inspection programme is its dynamic character: the programme is adapted in line with current events (changes, incident, new insights, etc).

Implementation of the inspection programme

The environmental inspectors concerned make the necessary practical arrangements for the preparation and implementation of the planned (joint) inspections. The EID case handlers as well are invited for the inspections.

In 2007, the fourteen environmental inspectors of the EID's service for the 'Supervision of Major Hazard Companies' carried out 271 inspections at 224 companies, most of them together with the federal colleagues from the Division for the Supervision of Chemical Hazards. More specifically, these figures mean that in 2007 the EID investigated a partial aspect of the safety issue at 67% of the known lower tier establishments and at 95% of the known upper tier establishments.

For certain inspections, a number of marginal comments must be inserted. One inspection can consist of several types of inspection. For example, an investigation of a specific hazard can be combined with the follow-up inspection of the action plans resulting from previous inspections. One inspection can also be spread over several days. Inspection types such as 'inspection of organisational systems' and 'safety investigation' involve such a thorough investigation that considerable time is needed.

Inspections by the service for the Supervision of Major Hazard Companies	
Number of inspected upper tier establishments	109
Number of inspected lower tier establishments	98
Number of inspected tier 0 establishments	17
Total number of inspected establishments	**224**
Number of inspections carried out	271

In principle, after each inspection an enforcement letter is sent to the company by the inspectorates. In the case of the EID, this may take the form of recommendations or exhortations, which are based both on the Cooperation Agreement and on the Flemish Parliament Act on environmental licences, depending on the problems involved and on the effectiveness of the enforcement.

The breakdown of the inspections into the different types of inspection is indicated in the diagram below. Information about the demarcation of the types of inspection can be found in one of the tables above.

The most striking conclusion is the very large number of follow-up inspections. The follow-up inspection of the action points to be dealt with was an important issue in 148 inspections at 133 companies. This observation illustrates the significance the EID attaches to follow-up inspection.

Another element worth mentioning is the great importance that was attributed to the inspection of organisational systems. Indeed, an analysis of the major accidents that were reported to the European Commission has shown that the majority of these accidents are due to shortcomings in the technical management and organisational field. Good organisational systems are indispensable to control major accident hazards.

Like in previous years, it is striking that a lot of companies are still not succeeding in carrying out a well-documented hazard study to systematically identify, analyse and evaluate major accident hazards. Also, operators still too often draw up action plans without specifying deadlines or people in charge or do not respect the set implementation deadlines for the actions.

The further inventory of the Seveso companies and the definition of the Seveso status continued to be important in 2007. Several initial inspections were carried out following the demarcation of its new scope. In this context, considerable attention was given to ecotoxic products, as more and more existing products are being classified as ecotoxic (e.g. biocides), and given the fact that the thresholds for ecotoxic substances were lowered as a result of the amendment of the Cooperation Agreement.

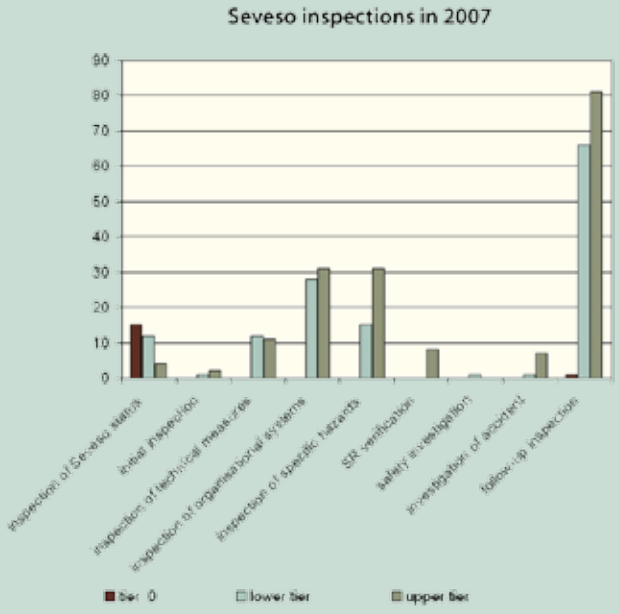
Loading/unloading petrol onto/from ships

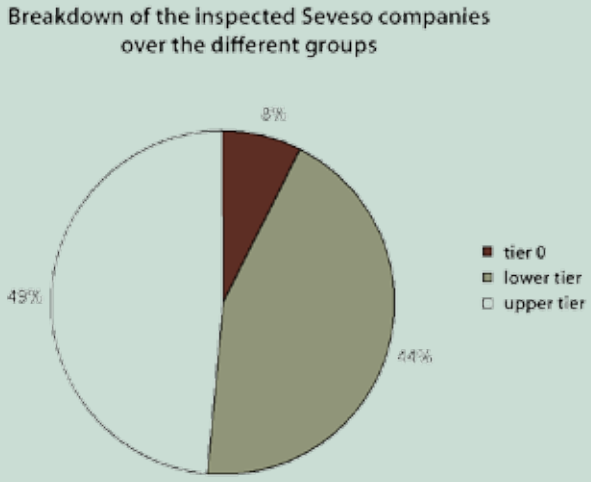
In the past years the inspectorates found that when using the checklist for 'flammable liquids' at several companies, insufficient measures were in place for loading/unloading petrol onto/from ships in order to be able to quickly stop the transloading in case of emergencies or to limit any leaks. That is why the inspection team started an inspection campaign around this theme.

In the period between April and September 2007, Seveso inspectors investigated at the companies concerned to what extent they had complied with an information note from the Seveso inspectorates on the storage and loading/unloading of flammable liquids. This note describes for ten 'danger areas' the measures which the competent inspectorates expect companies to take in order to sufficiently control the hazards concerned. The inspectorates made this note available in April 2007 and asked the companies in the accompanying letter:

- to evaluate whether these measures were provided for in their installation;
- and, if this was not the case, to give arguments which substantiate that the measures in place guarantee an equally high level of protection or to draw up a corrective action plan.

After the inspection, the inspectorates exhorted the companies to submit an action plan with concrete deadlines for implementation. The proper implementation of the action plans is currently under further inspection by the inspectorates.





Waste and Waste Chain Enforcement

Since the introduction of the Better Administrative Policy operation, the EID now also plays a key role in waste chain enforcement. To this end the Division has set up a 'waste chain team' which will, among other things, focus on roadside inspections of waste transport and inspections of waste transport at seaports. Within the framework of waste chain enforcement environmental inspectors can work across provincial boundaries. The activities of the waste chain team and of the working group 'Waste' are very much in line with one another.

In 2007, projects were initiated for the inspection of waste transport by road, the inspection of exported waste streams through seaports and the inspection of waste chain cases. In addition, actions were taken within the framework of animal by-products and waste processing companies.

Inspections at waste processing companies

The shipment and processing of waste is a substantial cost item for producers and for companies shipping and processing such waste. There is a real risk that for economic reasons waste substances are disposed without due care or illegally. This can lead to environmental pollution or damage, an unlawfully acquired financial advantage or evasion of taxes on the disposal of waste.

Since a few years now, the EID has each year planned thorough inspections at waste processing companies to monitor compliance with the provisions of the Flemish Parliament Acts on 'environmental licences' and 'waste', focussing on the following themes: a thorough inspection of compliance with the Heading 2 conditions, the examination of the completeness and efficiency of the adopted work plan, an extensive survey on the procedure for the acceptance of waste streams, an efficient inspection of the registration and traceability of the waste offered and removed, and finally, the inspection of the dilution/mixing of waste.

In 2007, the EID continued the project with the inspection of 35 companies. These included twelve companies processing scrap and/or car wrecks, five companies for the storage and sorting or the treatment of non-hazardous waste, nine companies processing rubble from construction and demolition works, two soil remediation centres, a port reception facility and six companies processing specific waste streams (leftover paint, wood waste, bottom ash, rags, paper and tyres). Each of these companies has an environmental licence, but four of them are still a source of great nuisance to the people living in the neighbourhood. It usually concerns odour and dust nuisance. Dust nuisance can be prevented by constructing a (obligatory) green belt around the company. A green belt consists of an area of at least 5 metres wide with regional standard and half-standard close-growing crops. This green belt was either not or insufficiently in place in 51% of the companies.

Waste processing companies should have an environmental coordinator whose task is among other things to monitor compliance with environmental regulations and to report shortcomings to the company's management. This person must draw up a report each year. In three companies no environmental coordinator has been appointed, whereas in ten companies no annual report could be presented.

Work plan

Vlarem II imposes the drafting of a work plan for each waste processing activity. The content of the work plan is laid down by law. A guide for the drafting of this work plan is available to operators on the EID website.
Out of the 35 inspected companies, eight operators could not present a work plan. 21 of them had a work plan which was approved by the EID. In eleven cases the content of the document did not correspond with the situation in the field or the plan was not detailed enough in terms of content. In six cases a document was in place, but it had not yet been approved by the EID for several reasons.
In 54% of the companies the infrastructure (sign, fence, gate,...) was not completely in conformity with the regulations.

Inspection of supplied waste

Before an operator decides to accept a consignment of waste, he must collect sufficient information to make sure he is licensed to process the supplied waste and that his company has the technical means to be able to process the waste. In eight cases the environmental inspector decided that the operator had insufficient information about the supplied waste.

Waste can only be supplied under the supervision of the operator himself or of someone appointed by him to this end. In four cases the operator had not given the name of his representative to the EID. The trucks must always cross a weigh bridge with automatic registration between 7 a.m. and 7 p.m. A weigh bridge is a fairly expensive in-

vestment, but an important link in the traceability of the waste. In three out of the 35 companies no weigh bridge had been installed, despite the fact that no derogation had been granted for this in the environmental licence. Eight companies transported waste to or from their premises outside the permitted hours.

Once the waste is on the premises, the operator must decide whether or not the supplied waste can be accepted. 22 out of the 35 companies could present formal acceptance procedures. These procedures must describe where the waste is accepted, which inspections have to be carried out on the waste before it is decided to accept it or not and how refusing parties are to be dealt with. Eight companies were established to have insufficient technology to process certain accepted waste. Only in one company did the inspectors find more waste than was allowed in the environmental licence.

Traceability of the processed waste

One of the government's main concerns is that waste is processed in a correct and safe manner. It must be possible to follow waste from the place of production to the place where it is processed, disposed of or recovered. The waste processing companies that were inspected must have a constantly updated processing register in which the consignments of waste that are accepted at the company are recorded.

Half of these companies have a computerised register. Three companies did not have a register. In 72% of the companies the register is updated on a daily basis, as laid down by law. Only 13 companies could present a register which contained all the required information. The table below shows the information each register must contain and in how many cases the registers were incomplete.

Information in the registers	
Information about the supplied waste in the 35 inspected companies	**Number of companies where this information was not registered**
Nature and composition + EWL code	15 (43 %)
Date and hour of delivery	10 (29 %)
Address of the waste producer	10 (29 %)
Possible refusal of the consignment + reason for the refusal	10 (29 %)
Location of the storage on the premises	9 (26 %)
Waste processing method	9 (26 %)
Remarks, disturbances, measurements	8 (23 %)
Address of the waste hauler	8 (23 %)
Quantity	6 (17 %)

The EWL codes, which have been in use since 1 January 2002, still turn out to be insufficiently known. In many cases, the EWL codes are not correctly assigned (either on purpose or not).

In order to check the traceability of the waste, operators were asked to look up in the register some randomly selected waste materials that were present on the premises. 60% of the operators were able to find the consignments on the premises in the register. Companies where consignments of waste were combined into larger consignments before processing could only exceptionally say which supplied consignments the combined consignment consisted of.

Waste which leaves the company as waste again, must be registered anew. This register can consist of a collection of identification forms. Identification forms are documents that must accompany each waste transport. The transport register could not be presented in five cases.

The general ban on waste incineration was respected in all the companies but one. No incineration ash was found on any of the inspected premises which would suggest illegal waste incineration.

Most of the waste of the inspected companies is processed in Belgium. 18 waste processing companies export waste. One of the general European principles in the waste regulations is that Member States must be as self-sufficient as possible in waste disposal. In order to exercise some supervision over this, an administrative procedure has to be completed, depending on the type of waste and its destination, before the waste is shipped across the border. Three infringements of this procedure were established.

Within the framework of this action, eight companies received an official report, two recommendations were made and 29 exhortations were sent.

Inspections within the framework of the Agreement on Animal By-Products

In the federal state of Belgium, the responsibilities which Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption imposes on the Member States of the European Union, fall partially within the competence of the Regions and partially within the competence of the federal Government. The responsibilities for the federal State and the Regions are demarcated in the 28 October 2005 Cooperation Agreement.

Abbatoirs

For some years now, the EID has been carrying out a number of highly specific inspections at each of the 88 Flemish category 1 abattoirs and 38 category 2 abattoirs that are known to it. They are focused on the way in which the different streams of animal by-products which arise in an abattoir are collected, stored and transported. In 33 abattoirs cattle or calves were slaughtered, in 17 sheep or goat, in 27 pigs, in 52 poultry and in 9 rabbits. Following the more than 500 inspections over a period of four years, a total of 39 official reports were drawn up and 192 exhortations were given. In 28 abattoirs (mostly smaller establishments where animals were slaughtered only occasionally) from the list of abattoirs that were initially inspected, no slaughter activities take place anymore. The Mayor was asked to take action with regard to two unlicensed poultry abattoirs. Meanwhile, one of these two abattoirs has received a licence. Two poultry abattoirs limit their slaughter activities to 100 chickens a day – an uncategorised activity – and 1 abattoir currently only carries out ritual slaughterings - a category 3 activity according to the environmental licensing regulations.

Vlarem II still imposes the cold storage of most animal by-products pending their collection. Only half of the visited abattoirs were found to have a cold storage which was totally in agreement with the prevailing regulations. At the end of 2007, there were 26 cases in which not all animal by-products had been stored cold yet. Five operators had received a derogation for this via the environmental licence. Two operators are still waiting for a decision from the Minister on their derogation request. 12 abattoirs are working on a solution for the cold storage of animal by-products (building permits have been applied for, orders have been made, adaptation works are being carried out). This leaves a number of abattoirs for which the investment cost is too high or which do not want to cool certain streams for reasons of market economy. One example of this is the gut mucus and fat which is released when cleaning pig intestines. In some abattoirs this stream is treated with a preservative and transported to a pharmaceutical company which still recovers certain proteins from it. Six operators are still not satisfying the explicit Vlarem requirement of cold storage for this stream. Another problem stream is the feather storage (not stored cold in 18 poultry abattoirs).

In 57 abattoirs animal by-products are stored in closed silos or tanks. It usually concerns blood (54), gut mucus (15) or the content of the gastrointestinal tract (25). Category 2 abattoirs do not have any silos.

In order to prevent the accidental mixing of animal by-products which belong to different categories, all recipients must be identified in a durable manner. In 30% of the abattoirs not all recipients have been identified. Especially the open trays in which offal is collected on a daily basis often do not have a durable notice. As a result, the indications made often disappear after the tray has been cleaned a number of times. At the end of 2007, 20 - mainly category 1 - abattoirs continue to have problems with the identification of the recipients in which they collect offal.

Another point of concern is the colouring of category 1 material (mainly Specified Risk Material or SRM, which may cause Creutzfeldt-Jakob Disease) with a solution of methylene blue. The SRM colouring in the 33 abattoirs where cattle or goat are slaughtered never takes place at the abattoir itself due to the large risk of contamination of meat which is intended for human consumption. Two bottlenecks arose. On the one hand, the colouring of SRM in trays is usually done using a hand sprinkler which only causes the upper layer to turn blue. Whether or not the SRM is sprayed strongly depends on the commitment of the worker who takes the SRM to the waste room. On the other hand, the colouring of SRM in silos requires a technical intervention which is carried out in some abattoirs but not in others. In any case, the most important processor of

category 1 material confirms that the supplied material is rarely coloured when it enters its process installation.

It turns out that the compulsory cleaning and disinfection after every use is mainly a question of discipline, especially as far as the open trays are concerned. The cleaning and disinfection of silos continues to be a problem at 8 abattoirs. Blood tanks are rarely disinfected.

In keeping with Vlarem II, the disposal of destroyed material (this is category 1 and 2 material) is still a daily obligation. 63 abattoirs actually meet this requirement. In 15% of the category 1 and 80% of the category 2 abattoirs the waste is not disposed of on a daily basis due to the small scale or the low waste production. The Animal Waste Decree provides for a two-weekly collection. During the current adaptation of the Vlarem regulations, these two regulations are being aligned with one another. As far as the EID knows, all animal by-products are transported to destinations that are licensed and accredited for this purpose. A register was kept by each of the abattoirs. At a few abattoirs the register was incomplete.

Ensuring compliance with the regulations on the proper collection, storage and disposal at abattoirs requires intensive and continuous enforcement. Operators must especially be reminded to use the proper containers, to properly label the containers, to permanently clean and disinfect the used recipients, to refrigerate all animal by-products and to colour the SRM.

Processors of animal by-products

In 2007, the EID has inspected the processing of animal by-products at 14 Flemish processors. One of the processors had to refine its acceptance requirements because the supplied material contained too much plastic and packaging material. A total of 88 samples were taken of the end products of animal waste processors. Each sample consists of five partial samples on which the prescribed microbial analyses are performed. A Salmonella contamination was found in two samples of two different companies. The sudden outbreak of Salmonella Anatum which was reported last year has not persisted in 2007.
Half of the processors still cause odour nuisance in the neighbourhood from time to time.

Port inspections

The export of waste to Third World countries is governed by Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community, and since 12 July 2007 by Regulation (EC) No 1013/2006 (EU Waste Shipment Regulation). This means that exporters of waste must take into account a number of obligations, ranging from a simple information obligation or a specific licence ("notification") for most of the green listed waste, to a complete prohibition of exports of hazardous waste.

The export of waste is monitored, among other things, at the borders of the European Union, notably the export of waste in maritime containers via the two most important Flemish ports (Antwerp and Zeebrugge). The environmental inspectors are to select the very containers that contain problematic waste from the gigantic number of containers that are shipped through the ports. To this end they use the information that is mentioned on the customs documents. The suspicious containers are then opened on the quay. If it turns out that the load, the destination or the method of processing do not comply with the regulations, the Shipping Police blocks the entire consignment and the EID starts an investigation. This usually means that the EID sends back the containers to the loading location and then carries out a thorough investigation into those responsible for this illegal shipment.

In 2007, the EID carried out twenty routine port inspections; nine at the Port of Antwerp and eleven at Zeebrugge. Apart from these organised, planned inspections, the EID also frequently provided technical assistance in cases in which the Shipping Police, Customs or the Federal Environmental Inspectorate themselves had selected containers.

Findings

In 2007, the EID inspected a total of 190 container consignments. A first selection revealed that 109 of them originated from other Regions or Member States. Depending on the origin of the waste, these cases were transferred to the Brussels, Walloon of federal colleagues. The 81 consignments coming from Flanders consisted of 170 containers or 4,054 tonnes of waste.

The most frequently inspected waste of Flemish origin included ferrous and non-ferrous scrap (43), plastic (12) and paper (6). In 16 out of the 81 cases the containers were found not to hold any waste, but instead new products. The number of illegal shipments has fallen compared to 2006: 12% of the inspected shipments from Flanders was prohibited or did not have the (proper) notification. The problem mainly pertains to scrap consignments that have been insufficiently sorted.

For consignments for which only the information obligation had to be met, 11% of the exporters could not present a duly completed document. The majority of the inspected consignments, originating from Flanders, were exported to China (47) and India (18).

Export of car wrecks

It is estimated that each year 400,000 European second-hand cars are exported to Third World countries via the Belgian ports. A fraction of these cars are considered wrecks and therefore come under the ban which applies for the export of any hazardous waste to non-OECD countries. In 2007, the EID carried out one targeted inspection at an Antwerp car terminal. During this inspection 1,500 second-hand cars were screened. This screening resulted in a selection of ten cars that were thoroughly inspected by an accredited car expert. In three cases this expert concluded that the car was to be classified as 'wreck' because it was impossible to repair it into a safe and road worthy car.

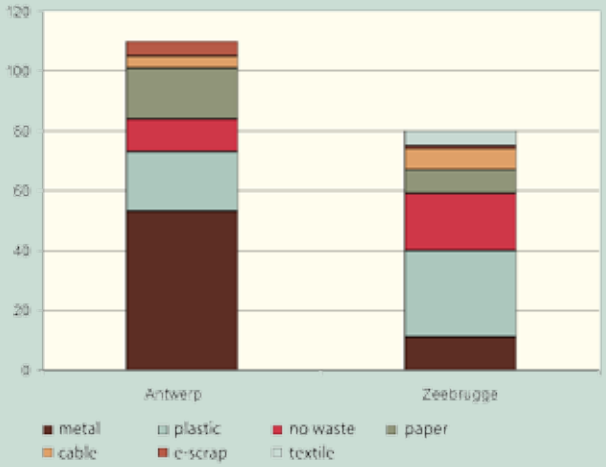
Following the analysis of this inspection day, the EID concluded that the enforcement of this waste stream through physical inspections of the individual cars is extremely time-consuming and that the result is just a drop in the ocean. That is why the EID argues that such vehicles should be accompanied by a road worthy certificate or a pre-export inspection certificate. A random inspection of these documents would be much more efficient and could cover a larger percentage of the number of exported vehicles.

Roadside inspections

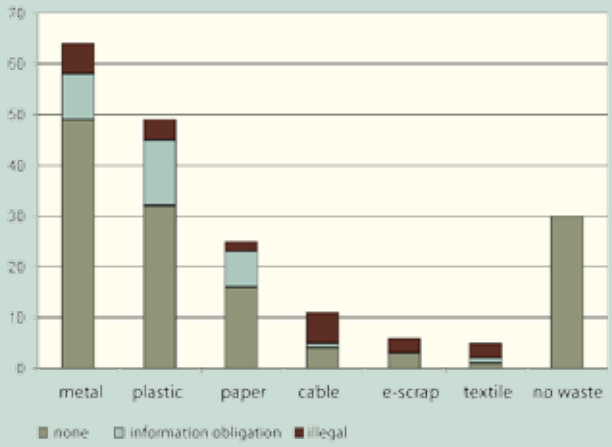
Waste must be traceable at all times. When a truck loaded with waste is inspected by the roadside, it must immediately be clear to the environmental inspector where the waste is coming from, where it will be processed, and more importantly, what is the precise content of the load.

In 2007, the EID carried out 19 roadside inspections, together with the police. Some of these roadside inspections were spread over several days and several locations. The EID inspected a total of 330 trucks like this, 158 of which were loaded with waste. The most frequently inspected waste streams were scrap, mixed industrial waste, building and demolition waste, organic waste, synthetic waste and wood waste. The majority of these waste shipments were national, although a striking number of international shipments were inspected (26%). With 22% of the inspected waste shipments, the EID established a violation against the waste legislation.

Port inspections: inspected consignments per port



Port inspections: results of the inspected consignments



Waste chain inspections

If inspections of road transport, ports or companies raise suspicions of illegal waste shipments, an environmental inspector may deem it useful to proceed to waste chain enforcement to examine where the waste stream concerned was produced, whether it is traceable and whether it was stored, transported and processed in a legal manner.

These waste chain inspections may be limited to one single inspection at a company. This is what happened in 2007, for instance, when illegal consignments were sent back, non-recognised waste haulers were checked or movements of problematic waste consignments, such as electronic scrap, were inspected on a more routine basis.

However, findings of small irregularities can also result in extensive waste chain inspections with dozens of company inspections, whereby an entire waste stream and its branches are investigated by environmental inspectors in the different local services. Examples of large waste chain cases in 2007 included the investigation into the transport of construction and demolition waste which was contaminated by an emptied PCB transformer and the investigation into the transport of a large consignment of glue waste to several unauthorised destinations.

Within the framework of waste chain enforcement, the EID carried out 28 inspections of waste producers, 56 of waste haulers and 56 of waste processors in 2007.

Soil and Ground Water

The working group 'Soil and Ground Water' coordinates, within the EID, any activities concerning inspections of ground water extractions and the abatement of soil and ground water pollution. In 2007, this included among other things a new project for the inspection of manure storage sites and the continuation of the inspections of ground water extractions at several companies.

Inspection of ground water extractions

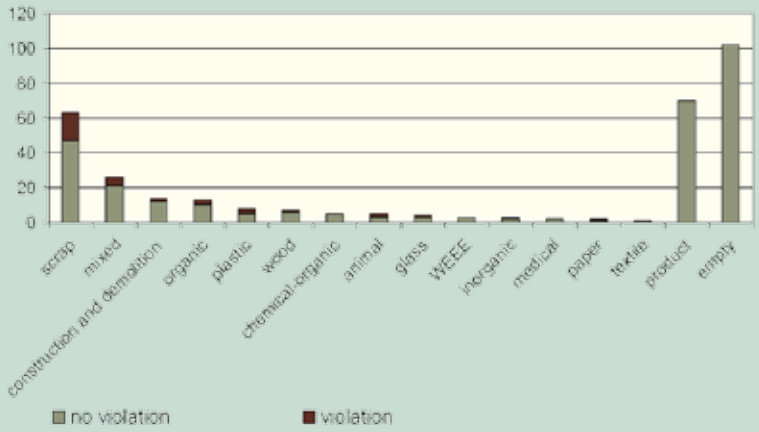
Industry and agriculture as well as drinking water companies and households pump up large amounts of ground water each day. It is of vital importance that ground water reserves are used in a sustainable manner. That is why, in 2005, the EID continued the initiated project, subjecting the ground water extractions of 56 companies from different sectors to an in-depth inspection. The EID selected these companies on the basis of the following criteria:

- ground water extractions with a large flow, including that of the drinking water companies;
- possibly classified as category 1 ground water extractions that have only been licensed as category 2;
- companies or sectors with a dubious reputation in ground water extraction;
- companies extracting ground water in overexploited aquifers.

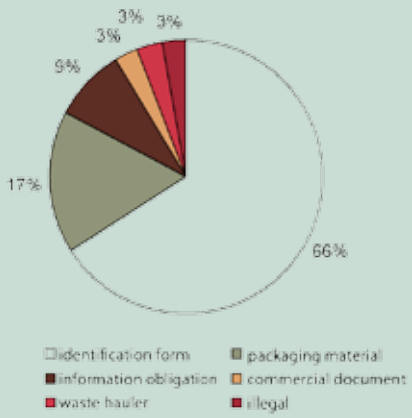
The inspections were carried out using a checklist specifically compiled for this project.

During the inspection attention was paid to the quantity and quality of the ground water. Apart from the volume pumped up and the licence status, the EID also checked

Roadside inspections: inspected consignments



Roadside inspections: nature of the violations



the use of the ground water, the administrative obligations such as flow registration and level registration, the special requirements, the re-drilling or modification of existing wells, the ground water extractions that were put out of service and the equipment of the observation well and the drilled well. To this end, ground water level measurements were carried out and samples were taken of the ground water. On the authority of the EID, flow measurements were carried out in twelve companies by means of a portable ultrasound flow meter.

As for the quantity of the pumped-up ground water, the flow measurement and flow registration left much to be desired in many of these companies. Six companies pumped up too large a flow. In nine companies the flow meters were not properly installed and 24 companies did not have a duly calibrated flow meter.

As for the ground water level measurements and level registration, there were a lot of shortcomings. 21 companies did not have the compulsory number of observation wells and twelve carried out too few or incomplete ground water level measurements.

The self-monitoring of the operator on the quality of the ground water also revealed shortcomings. The EID found, for instance, that nine companies performed too few or incomplete analyses of the ground water and three companies pumped below the licensed extraction level.

In 19 companies the wells were insufficiently finished off. In ten companies the old wells had not been put out of service in a proper manner. Finally, one company did not have a fully licensed ground water extraction.

The EID drew up official reports for eight companies in total. 43 of the 56 inspected companies were exhorted by the EID to remediate the established shortcomings. Three companies received a recommendation.

In addition, the flow registration of 25 companies was retrieved to inspect the self-monitoring. This resulted in multiple inspections and the drafting of exhortations and official reports for not being in the possession of a calibration certificate for the flow meters or for pumping up excessive amounts of ground water.

Inspection of manure storage sites

At ten agricultural holdings the construction and operation of the manure storage sites was checked against the Vlarem II conditions in terms of soil and ground water protection. Priority was given to companies with manure cellars, situated in vulnerable areas or nitrate sensitive areas. In keeping with Art. 5.9.7.1 of Vlarem II, these companies had to have observation pipes or observation wells.

The self-monitoring obligations with regard to observation pipes and related analyses were checked. The EID sampled the observation wells of eight companies. Two companies were exhorted to install observation wells. An initial analysis of the project showed that a number of companies had exceeded the environmental quality standards for a number of parameters.

The project is continued in 2008 and efforts are made to assess the analysis results in consultation with internal and external services.

Noise and Vibrations

In 2007, this working group dealt with a number of complaints on noise and vibrations, as usual. Also, the working group again looked into a number of acoustic investigations by recognised experts. Two problems still arise in this respect: the use of statistical parameters and the evaluation of noise nuisance on the basis of full acoustic investigations.

Using statistical levels as acoustic parameters for the specific noise

The acoustic parameter which characterises nuisance and is linked to the specific noise standard is not defined in Vlarem. That is why, sometimes, a statistical level is wrongfully used as the standard for nuisance. The statistical level $LA_{50,T}$, for instance, reflects the noise level which is exceeded 50% of the time. However, it does not provide any information about the way in which this level is exceeded, viz. about peak noises. It is precisely these peaks which cause the most nuisance. That is why, when using statistical levels one should also report measurement results which give information about peak noises, expressed in $LA_{eq,1s}$ values.

Evaluating nuisance on the basis of 'full acoustic investigations'

The Vlarem legislation provides for two kinds of acoustic investigations: the limited acoustic investigation (LAI) and the full acoustic investigation (FAI). The LAI is the investigation carried out by the supervising authority for the sole purpose of assessing nuisance. In this sense it is limited. The FAI is used for purposes of licensing and policy formulation. Sometimes it is also, wrongfully, used to assess nuisance.

The FAI must meet the provisions of Annex 4.5.1 of Vlarem II. However, the method described in the Annex is in most cases not suitable to assess noise nuisance. If an expert is nevertheless given the task of investigating nuisance on the basis of a FAI he or she should not limited him/herself to the method in Annex 4.5.1, but should complement this method in a responsible manner, as described below.

Measurement locations

In keeping with Annex 4.5.1, the measurements must be carried out in the vicinity of inhabited buildings at less than 200 m of the establishment; that is if there are any. However, the target values of Chapter 4.5 'Noise Nuisance Control' of Vlarem II apply in the open air, which means everywhere where nuisance may occur. For instance near schools, hospitals, gardens,...

If a FAI is used to assess nuisance, measurements should therefore not only be carried out in the surrounding area of inhabited buildings, but also in places where noise complaints have been recorded and where the nuisance or the exceedance of the standards is the highest.

Measurement results

The FAI was first introduced in the eighties, even before Vlarem existed. It was developed for the equipment of that time, which shows from the acoustic parameters to be measured: LAeq,1u, LA5,1u, LA50,1u and LA95,1u. One hour of measuring thus only results in four numbers. Of these four numbers, two will usually also be determined by disturbance noises (traffic, barking of dogs..) and can therefore not be used. Moreover, it cannot be concluded from these parameters whether there is any (usually annoying) tonal noise. In addition, it is probably impossible to establish whether or not the target values of Annex 4.5.5 are being exceeded. The law stipulates that environmental noise must be measured as $LA_{eq,1s}$ and is to be entered as such in the reports.

In 2008, the EID is planning to feed back the aforementioned conclusions to the recognised experts.

GMOs

The manipulation of genetically modified organisms (GMOs) and pathogenic organisms can entail certain risks for human health and for the environment. The term GMOs is a collective name for microorganisms (e.g. bacteria and viruses), plants and animals of which the genetic material (DNA) has been artificially altered. Pathogenic organisms are microorganisms that can cause illness in humans, animals or plants.

Legislation

The legislation is based on European Directive 98/81/EEC of 26 October 1998 on contained use of GMOs. The Directive was recently implemented in Vlarem in 2004. Like a number of other European Member States and the two other Regions in Belgium, Flanders has opted to extend the scope of the new provisions so as to have pathogenic organisms also fall within these regulations.

The principle underpinning this legislation is that an establishment that produces or conducts research into GMOs or pathogenic organisms must conduct a risk analysis for these activities. On the basis of this risk analysis the company is classified in one of the four risk categories. Each risk level is linked to a number of measures to prevent humans and the environment from being exposed to these organisms. As the risk level increases, more and tighter containment measures are required.

Given the specific nature of any research involving GMOs or pathogenic organisms, in addition to the environmental licence, establishments must request authorisation from the Environmental Licences Division for each different activity. The EID checks that the licence status is correct and that the containment requirements imposed in the legislation and the authorisation are being applied.

Inspection campaign

Following the inspection campaign that was started in 2005, the EID again inspected in 2007, in the first part of the new inspection campaign, the containment measures in 15 establishments where the user had made his activities known and had received authorisation. In order to

be able to implement uniform and thorough inspections, the EID used for the inspection of these establishments the existing checklist with all the applicable containment measures by type of activity and by risk level.

The following aspects were checked during inspection:
- Are all the separate activities licensed and authorised?
- Has a correct assessment been made of the risk level?
- Are the containment measures that are imposed in the environmental legislation or the authorisation applied in a correct manner?
- Does the user take all the necessary measures to prevent harmful consequences for human health and the environment?

At nine of the fifteen establishments, the EID found shortcomings with regard to the applicable containment measures without there ever being any direct danger to human health and the environment. The EID urged the operators to satisfy all the requirements.

The most common shortcomings included the improper storage of hazardous medical waste (HMW), the non-validation of elimination methods, the insufficient availability of required procedures, the incorrect use of recipients for HMW, the absence of registers containing all organisms and the failure to carry out the obligatory inspection of the microbial safety cabinet.

In a second part of the inspection campaign 14 establishments were inspected which are suspected to perform activities with GMOs or pathogenic organisms, but which had not applied for either an authorisation or an environmental licence for this.

It turned out that out of the 14 inspected companies, 6 did actually work with pathogenic organisms or GMOs. These were mainly hospitals and clinical laboratories, but also included a number of research laboratories. The EID drew up an official report for the non-licensed establishments and exhorted all establishments to satisfy the applicable regulations as soon as possible by submitting a licence application. In the coming years the EID is planning similar inspection campaigns.

Method development: sampling and analysis of GMOs and pathogenic organisms

In order to be able to check to what extent the containment and other protection measures actually lead to an optimal protection of the environment and human health, it must be possible to take samples of the exhaust gases, the waste water, the waste and the infrastructure to analyse them for the presence of these organisms.
As this is currently impossible, the EID initiated some research at the end of 2006 to develop and describe such methods.

This research pertains to the following elements:
- Possible ways of releasing these organisms into the environment (for instance through waste water, waste, air, contact surfaces, other ways…) and the risk of release in the different ways.
- Methods for sampling the different ways.
- Methods for analysing samples for the presence of GMOs or pathogenic organisms on the one hand and for analysing the samples quantitatively on the other hand, if the occasion arises.
- Interpretation of the results: which harmful effects does the release of GMOs and pathogenic organisms have on the environment and on human health and which criteria can be linked to this?

In 2007, an interim report was received which theoretically describes all aforementioned aspects and which defines an approach to the practical implementation of the sampling and analysis. This interim report was discussed for the first time by a steering group composed of experts in the area of contained use of GMOs within the Flemish and federal authorities. This discussion was attended by representatives of the Division of Public Health Surveillance (ToVo), the Biosafety and Biotechnology Section (SBB) and the Institute for Agriculture and Fisheries Research.

In the second half of 2007 two case studies were carried out. In order to draw as much information as possible from these case studies, the EID chose to test the methods both with an institutional body (a university) and with a private enterprise. The successful tenderer also performed tests with both microorganisms and plants. These results were not yet available at the end of 2007.

Air

The working group 'Air' coordinates within the EID any activities connected with the control of air pollution and odour pollution.

In 2007, numerous control actions of the preceding years were continued: ducted and diffuse VOC emissions in the graphics sector, PCBs in shredder plants, particulate matter in storage and transhipment companies in Flemish hot spot areas, heavy metals in metallurgical companies and a set of air pollution parameters, including dioxins in wood waste combustion plants.

The working group coordinated a study to achieve a monitoring system for diffuse VOC emissions via measurements instead of calculations. Furthermore, the working group 'Air' drew up an internal instruction for all environmental inspectors of the EID on how to further deal with this sector. The reasons for this were the alarming results of emission measurements at wood waste combustion plants in 2006. The working group also participated in the drafting of the 'Actieplan aanpak fijn stof in industriële hotspotzones' (Action plan for the abatement of particulate matter in industrial hot spot zones) of the Flemish Minister for the Environment, and coordinated the implementation of this plan in terms of enforcement. Finally, the working group 'Air' also coordinated the implementation of the EID's actions of the 'Cadmium Action Plan' (February 2006) of the Flemish Minister for the Environment.

In 2007, the working group continued work on a methodology for odour nuisance abatement. The overall evaluation study, the aim of which was to make more efficient use of the odour investigation instrument in the future, was completed. Given the fact that this study showed that the EID is to devote more attention to the post evaluation of the odour situation after remediation, the working group 'Air' immediately started a first concrete evaluation study in Rollegem. The manual for environmental inspectors on how to deal with odour complaints was further developed in 2007 as well. Moreover, the working group 'Air' was actively involved in the drafting of a reference methodology for sniffing team measurements.

Diffuse VOC emissions in the graphics sector

Chapter 5.59 of Vlarem II contains, following the transposition of European Solvent Emission Directive 1999/13/EC, the sectoral conditions for activities using organic solvents. Operators must at all times be able to demonstrate to the supervisory authority that the emission limit values or the requirements of the equivalent reduction programme have been met. To this end they must draw up a document each year - hereafter called the VOC document - containing a description of the establishment, an overview of the emission measurements, a calculation of the emissions and a check against the requirements. This VOC document is therefore the most important starting point for the supervisory authority in the enforcement of the sectoral requirements of Chapter 5.59 of Vlarem II.

In 2003, the EID started a first enforcement campaign with regard to this legislation. The project was originally described as an inspection of compliance with all VOC requirements in a number of companies from the sector of publication rotogravure, flexography and rotogravure. It soon turned out that it would be better to divide the project into two parts.

Use of the manual for the inspection of VOC documents of the graphics sector

A first project was aimed at developing a manual for inspecting VOC documents, as referred to in Article 5.59.3.2.§2 of Vlarem II, in a uniform and correct manner. This manual became available in 2005. It actually consists of three parts: a guide for operators of establishments, entered under heading 59, on how to draw up a well-documented and well-substantiated VOC document, a manual containing control questions for environmental inspectors and two supporting documents with background information and answers to frequently asked questions.

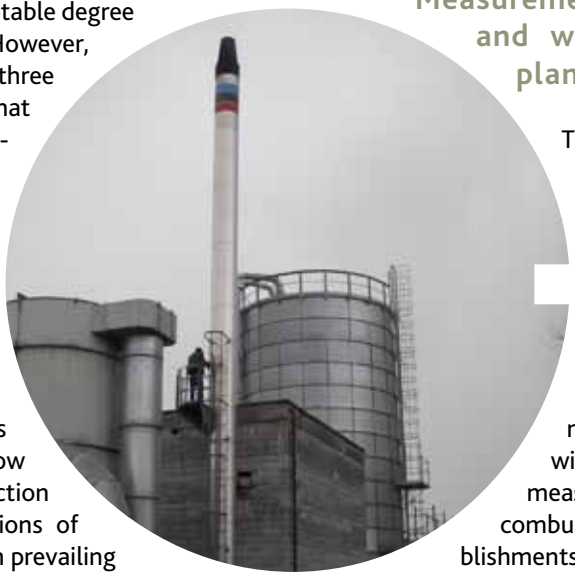
The EID used this manual in the past years for coordinated inspections in companies from the graphics sector and on an ad hoc basis for other activities that make use of solvents. Experience with these inspections shows that quite a lot of adjustments are needed to achieve a proper VOC document and that many companies still do not meet the limit values. The EID will continue these inspections in 2008.

Determination of diffuse VOC emissions in companies from the graphics sector

By using the manual the EID learned that the determination and inspection of diffuse emissions often pose a problem: the companies and experts usually base themselves on their own combination of calculations and indicative measurements to assess these diffuse emissions. The Solvent Emission Directive defines an indirect cal-

culation method, based on mass balance calculations. Research performed on the authority of the Air, Nuisance, Risk Management, Environment and Health Division has shown that in some cases this method generates very inaccurate results. That is why a start was made on another methodology, with a direct quantification of iffuse emissions through measurements.

To this end, the EID put out to tender a research contract, oriented towards companies in the graphics sector. To determine diffuse emissions, the successful tenderer each time used several measuring techniques in three different companies: the measurement of the ducted emissions at the entry and exit of the thermal afterburner, measurements using a portable FID analyser and portable flow meter, the use of tracer gas to determine emission streams and measurements by means of passive samplers and portable flow meters. The research report became available in 2006. The conclusion of this project was that the measurement of diffuse emissions is indeed possible and that these measurement results can be determined with an acceptable degree of measurement uncertainty. However, the measurements with the three companies concerned revealed that the diffuse emissions varied between 40% and 60%, whereas the emission limit value is 20%. With the method for determining diffuse emissions through calculations and/or estimates that has been applied up till now the limit value of 20% certainly seems achievable. However, actual measurements during this EID research show higher values. This is in contradiction to the vision on diffuse emissions of printing businesses that has been prevailing up till now.



That is why the EID started a follow-up research in 2007. The successful tenderers carried out the measurement again at one of the three companies and refined their methodologies. Whereas in the initial research for the control of the VOC mass balance, the solvent use, the ducted emissions and the diffuse emissions were measured at several moments in time, they were now determined simultaneously. It appeared from the results that the limit values were met.

Another purpose of the follow-up research was to develop a fast measurement and monitoring method for diffuse emissions which was to be applicable afterwards by the companies themselves as well as by the supervisory authority in this sector, and by extension, in similar sectors. The research, which was completed early 2008, showed that such a fast method is indeed possible by means of portable FID measurements and portable flow measurements on the different emission points, either in combination with modelling or not. This research also revealed that the accuracy of this method improves as the number of measuring rounds, during which all emission points are measured, increases. The advantage of this method is that it is fast and cheap. No analyses need to be performed and the solvent use need not be registered. However, a good knowledge of the company's air management system is indispensable, whereas in practice this knowledge often seems to be insufficiently present in the companies. The EID is planning to build experience with this fast method in the near future through application in other companies and corporate sectors.

Measurement campaign at biomass and wood waste combustion plants

The Flemish Government Decree of 12 December 2003 makes the limit values and measuring obligations regarding air emissions for biomass and (wood) waste combustion plants dependent, not only on the capacity of the combustion plant, but also on the nature of waste that is incinerated. To monitor compliance with the modified regulations, a measurement campaign for such combustion plants at category 1 establishments was entered in the EIP 2006. The concentration of different pollutants in flue gases was measured. In half of the plants the dioxin emission was determined as well. Simultaneously with the emission measurements, a wood waste sample was each time taken and analysed. Moreover, it was examined whether for these plants the self-monitoring measurement obligations had been met in the past year.

During the winter 2006-2007, the EID had emission measurements carried out with 45 biomass and wood waste combustion plants (36 of which had a capacity lower than 5 MW). In half of the combustion plants an exceedance of the emission limit values of more than 30% was measured for one or more parameters. The

largest number of exceedances (20) is established for the parameter CO. An exceedance of the emission limit values was also established for the parameters dust (5) and NOx (4) in a number of plants. The emission limit value was exceeded in 7 of the 22 plants (32%) where dioxins were measured as well. If exceedances of less than 30% (this is within the permitted error of measurement) are taken into account as well, the emission limit values for one or more parameters are exceeded in 38 of the 45 (84%) inspected plants.

The exceedances of the standards can roughly be attributed to:
- a poor or irregular combustion process (CO exceedance);
- an insufficient development and/or functioning of the filter installations (dust exceedances);
- a poor quality of the fuel or the fact that the installation is not adjusted to this fuel (exceedances for dioxins and heavy metals).

The results of the measurement campaign also indicate that in nearly one third of the plants wood waste is incinerated which does not meet the composition criteria of Article 5.2.3bis.4.14 §1 of Vlarem II for unpolluted treated wood waste. Exceedance of these composition parameters occurs in plants that have a licence for the combustion of unpolluted treated wood waste, but also in nearly half of the plants that had received a licence before for the combustion of untreated wood waste. However, given the fact that these plants are neither licensed nor equipped for the combustion of polluted wood waste, either the licence and flue gas treatment of the combustion plant need to be adjusted to the use of polluted wood waste, or the combustion must be restricted to the combustion of untreated and/or unpolluted treated wood waste.

An overall evaluation which takes account of emission limit values as well as quality requirements for the used wood waste and self-monitoring requirements leads to the conclusion that only one in four of the inspected wood waste combustion plants are operated in full agreement with the applicable standards and measuring obligations.

On the basis of the results of the measurement campaign, the EID drew up 18 official reports for exceedances of the emission limit values. For this, the EID sent 29 exhortations following exceedances of emission limit values and/or the composition criteria for wood waste, non-compliance with the measuring obligations and/or non-conformity of the measurement location.

Stricter monitoring of the quality of wood waste in combustion plants of category 1 licensed companies also implies a more stringent monitoring of the method of operation, the composition of the wood waste and the compliance with the measuring obligations in companies that collect, chop and process these materials. In addition, small and medium-sized combustion plants (< 5 MW) in category 2 licensed companies that are permitted under the heading of biomass waste combustion must be subject to stricter inspections as well.

With a view to a follow-up measurement campaign during the winter of 2007-2008, in mid-2007, the EID drew up an internal instruction for its environmental inspectors to further streamline this coordinated inspection action. The instruction is oriented towards biomass waste combustion plants with a capacity smaller than or equal to 5 MW. It defines what a full inspection is about, how to deal with exceedances of emission limit values in waste gases and of target values of composition criteria of unpolluted treated wood waste and what action is to be taken in case of non-compliance with self-monitoring requirements. Also, a number of guidelines were drawn up for the follow-up inspection after established infringements of the legislation and for action against repeat offenders. Finally, the instruction also gives each environmental inspector the task to continuously update the inventory of biomass waste combustion plants.

Mid-2007, the EID also submitted a report on the results of the measurement campaign that took place during the winter 2006-2007 to the Minister for the Environment. The EID also formulated a number of recommendations for policymakers in this context. Following this report, a broader consultation on this matter was organised, under the direction of the general manager of the Department LNE, between the EID, the Environmental Licences Division and the Air, Nuisance, Risk Management, Environment and Health Division of the Department LNE, the VMM, OVAM and VEA. This consultation resulted in modifications to the Vlarem train which had been adopted in principle by the Flemish Government on 21 December 2007.

The inspection action was resumed in the winter of 2007-2008 in 27 plants. A first look into the provisional results shows an equally disturbing picture of the situation as the one during the winter of 2006-2007. A complete and thorough analysis of the action will be made in the course of 2008.

Particulate matter: tackling diffuse emissions and hot spots

The PM10 fraction in dust, the so-called particulate matter, has an important impact on human health. Suspended particles in the air can be detrimental to man, both indirectly and directly. Particulate matter can be a carrier for heavy metals, polycyclic aromatic hydrocarbons, pesticides and dioxins, among others; these substances enter the body by breathing in dust. On the other hand, the dust in itself is noxious as well. Mainly breathing in the PM10 fraction and smaller particulates could cause serious damage to health; particulates larger than 10 µm are removed more easily from the upper respiratory system because they are captured in the nose and in the mucus in the bronchus.

That is why the World Health Organization (WHO) included particulate matter in the 'Guidelines for Air Quality' (2000). The European Union devoted a separate Daughter Directive (1999/30/EC) to particulate matter, which is a part of the Framework Directive on ambient air quality (96/62/EC). The content of the Directive was fully integrated into Vlarem II (Section 2.5.3). For suspended particulates the Directive requires that necessary measures be taken to limit both the daily average concentrations of PM10 in the air and the annual average concentration. The daily average concentrations of PM10 in the air must, as of 1 January 2005, not exceed 50 µg/m³ more than 35 times per year. The annual average concentration of PM10 must not be higher than 40 µg/m³.

At many measuring stations of VMM where the immission concentrations of particulate matter in ambient air are measured, exceedances of the EU limit values have been established in the past years. The framework Directive on air quality stipulates that when limit values are exceeded the Member States must draw up and implement plans and programmes to ensure that limit values will be met by the set deadlines.

VITO performed a study on 'Hot Spots' on the authority of the Air, Nuisance, Risk Management, Environment and Health Division. The aim of this study was to identify the particulate emitters that contribute to the established exceedances of PM10 in Flanders. Oostrozebeke, Roeselare, Ruisbroek and the Ghent Canal Area were studied as hot spots. It is clear that, apart from a high background concentration and the important contribution of traffic, emissions by nuisance establishments also play a role. Especially diffuse emissions from storage and transhipment activities and from the metal industry contribute to the increased emissions in these areas.

Flanders drew up a comprehensive action plan for particulate matter in 2005. Action 63 of this plan for 2005 pertains to industrial activities that are presented as possible sources in the 'Hot Spots' study. This action encompasses the study of proposed measures, the consultation with the companies involved on the measures to be taken and finally the instruments to be used for the implementation.

In 2007, the EID launched an inspection campaign with regard to particulate matter in the hot spot areas. This campaign was prepared in 2006 in close consultation with the Air, Nuisance, Risk Management, Environment and Health Division. A joint action plan was drawn up which was ratified by the policy council. For the inspections in 2007 it was decided to give priority to sources of potentially hazardous particulate matter: the storage of ores, coal and wood dust, etc. During the inspections the Vlarem requirements as well as the requirements from the BREF 'Storage and handling of bulk materials' and foreign laws were checked against. The EID often urged the companies to call on an accredited expert in 'Air' to perform this check and to draw up an action plan with measures for the reduction and control of particulate matter.

In the course of 2007, further consultation took place with VMM, the Air, Nuisance, Risk Management, Environment and Health Division and the Environmental Licences Division about the hot spots for particulate matter. This resulted in May 2007 in the 'Actieplan aanpak fijn stof in industriële hotspotzones' (Action plan for the abatement of particulate matter in industrial hot spots) of the Flemish Minister for the Environment. This action plan puts action 63 of the aforementioned 2005 Flemish action plan on particulate matter into practice. The action plan for the abatement of particulate matter in hot spots contains 19 actions, 8 of which are directly intended for the EID. In a number of other more policy-based actions, the EID is involved more indirectly, mainly through the feedback of experiences from the field to the policymakers. Some of these EID actions are very concrete and specific for a particular sort of company in a specific hot spot area. Others are more comprehensive and aimed at a systematic inspection of Vlarem, licensing and BAT measures for the reduction of diffuse dust emissions at some dozen priority companies in a hot spot area. Another point of attention of the action plan is the interaction between the EID and the Environmental Licences Division with regard to the imposition and inspection of special licensing requirements for particulate matter.

The inspections in implementation of this action plan will continue in 2008.

Approach to odour problems

Odour methodology: optimisation of the instrument 'odour investigation' and EID's approach to odour problems on the basis of odour investigations

After nearly ten years of experience with the odour investigation tool for the enforcement of complex odour problems, the EID decided to further optimise this methodology for internal use in function of the result to be obtained, viz. the remediation of unacceptable odour nuisance.

That is why, at the end of 2005, the EID ordered an audit of some dozen EID odour investigations that had been carried out a number of years earlier in function of the achieved remediation results. The evaluation study concerned half of all the odour investigations that had ever been carried out and half of all the companies that had been involved in an odour investigation so far. The evaluation study made an assessment of the instrument of 'odour investigation' to determine the acceptability of odour nuisance and of the effectiveness of the enforcement of odour problems through odour investigations. The final report was available late 2007.

The study showed that the odour investigation is a highly effective instrument to assess the acceptability of odour nuisance, especially because of the criterion for the acceptability of odour nuisance that is derived via this odour investigation. In 1 out of three cases the effectiveness of the enforcement approach through odour investigations could not be measured. However, taking account of all the information it could be concluded that the performance is about 50%: in half of the cases the odour nuisance problem was solved thanks to the enforcement approach on the basis of odour investigations. The study showed that this performance may increase when a number of critical success factors are respected. These factors were exposed in the study.

Another important conclusion was that much more attention must be devoted to the post-evaluation of the remediation, both by the operator and by the environmental inspector. Such a post-evaluation can in practice be carried out by an accredited expert through sniffing team measurements in the surrounding area of the company or olfactometry at the most important emission points, followed by modelling and a check against the acceptability criteria for odour nuisance caused by this company which resulted from the EID odour investigation. More attention to post-evaluation will not only result in increased performance, but will also satisfy the established phenomenon of immeasurability.

The EID presented the results of the comprehensive evaluation study in April 2008 at the international conference 'WEF/A&WMA Odors and Air Emissions 2008' in Phoenix (Arizona) in the United States.

In 2008, the EID will produce a manual for its environmental inspectors on the basis of the conclusions of the evaluation study. The aim is to increase the EID's performance.

Post-evaluation of the odour impact of the industrial estate of Moeskroen/Mouscron on Rollegem

As soon as the provisional results of the aforementioned evaluation study of mid-2007became known, the EID decided to perform itself for the first time a post-evaluation of a remediation process following an EID odour investigation. The chosen area was Kortrijk/Courtrai where in 2004 the EID had an environmental investigation carried out to determine the impact of the odour emissions of the industrial estate to the north of Moeskroen on Kortrijk. The remediations by the companies concerned, which had been imposed by the DPE, the Walloon counterpart of the EID, were finished late 2006. In 2007, the EID ordered VITO to carry out a post-evaluation of the impact of the remediation in Kortrijk. The final report became available in February 2008.

The conclusion of the report of the 2004 environmental investigation was that the industrial estate of Moeskroen caused unacceptable odour nuisance for the inhabitants of Rollegem. In Bellegem and Aalbeke, two other districts of Kortrijk, no unacceptable odour nuisance occurred. The companies having the biggest impact and causing the most odour nuisance were a potato-processing company and a soap-producing company. A green composting company was also deemed to have an important impact on the surrounding area. Following the enforcement approach of the DPE on the basis of the results of the EID investigation, the three companies implemented several odour reduction and control measures in 2005-2006.

The conclusion of the environmental investigation which VITO carried out in 2007 on behalf of the EID as a post-evaluation of the remediation was that the industrial estate of Moeskroen still causes unacceptable odour nuisance for the inhabitants of Rollegem. This conclusion was the result of a check of the odour concentrations in the surrounding area, which were calculated via sniffing team measurements, against the acceptability criteria for odour nuisance derived in the 2004 study.

The companies which according to the 2007 investigation, have the biggest impact and cause the most odour nuisance are, in order of importance, the soap-producing company and a (new) potato-processing company which had indeed been operational in 2004 but whose production capacity has grown considerably since then. The investigation report stipulates that the soap-producing company took insufficient measures to reduce the odour nuisance to an acceptable level and must therefore put in additional efforts. The new potato-processing company is currently working on a remediation.

The report also states that the potato-processing company which was already considered in the 2004 investigation can still cause unacceptable nuisance. The company reduced its odour emissions by 30%, but this seems to be insufficient. The company is currently implementing additional measures. Finally, there is another new player (a vegetable-processing company) whose odour emissions are perceptible, sometimes even at great distance. However, it could not be concluded in the evaluation study whether or not this company causes unacceptable nuisance for the surrounding area. It is recommended that this case be followed up.

The green composting company finally took sufficient measures. It is assumed that this company no longer causes unacceptable nuisance, provided it continues to strictly monitor the introduced odour-reducing measures.

The EID submitted the results of this post-evaluation to its Walloon counterpart, the DPE, which will take further enforcement action on the basis of the results of this report.

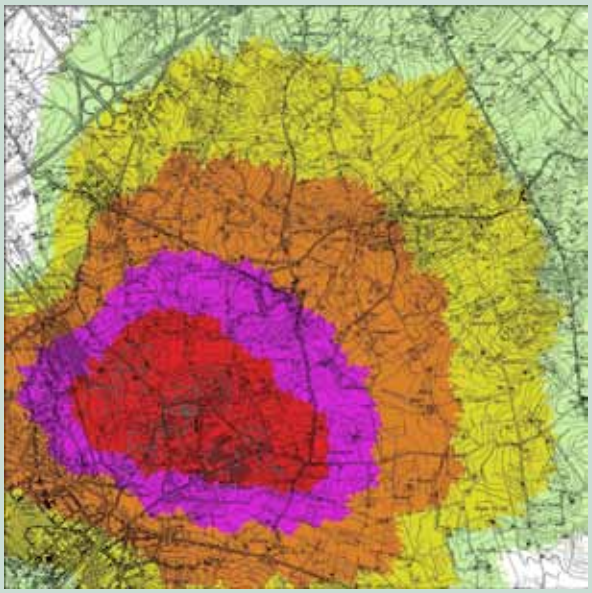
Development of a standard method for performing sniffing team measurements

The EID is using sniffing team measurements as one of the basic techniques to quantify odour nuisance. In order to refine the methodology of sniffing team measurements, the VITO reference laboratory has been carrying out a validation study since the autumn of 2004, in consultation with the EID and the Air, Nuisance, Risk Management, Environment and Health Division.

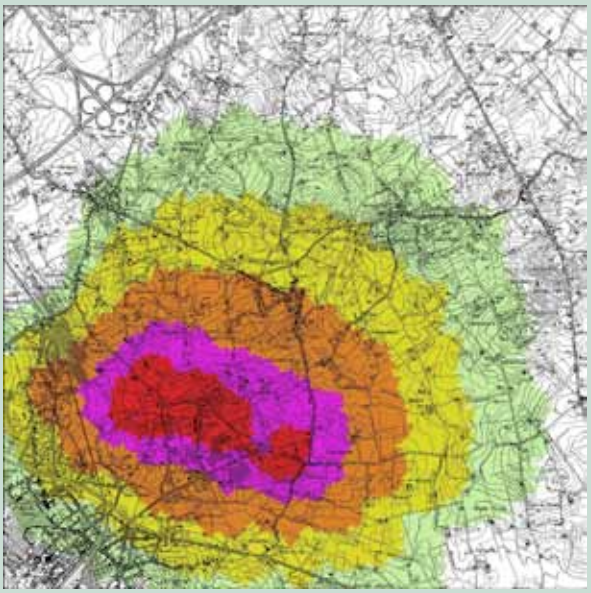
In an initial phase VITO carried out research of literature in which the different available methods were described and evaluated and in which it was examined which parameters could influence the calculation of odour emission and immission.

Mid-2005, VITO started the experimental part of the validation exercise. To this end, VITO set up a discharge system for odour-containing components. On grounds at the Balendijk in Lommel, odour discharges of hydrogen sulphide and butyric acid were organised. The produced odour plumes were recorded simultaneously by different sniffing team members who used a different method to carry out sniffing team measurements. The different methods were also used to process the results of the sniffing team measurements through modelling. In this way, VITO seeks to define the features (preconditions, reliability, etc) of the sniffing team method.

These experiments were continued and finalised in 2006. All the results were evaluated. The impact was defined of different parameters on the average odour emissions that were calculated on the basis of the performed sniffing team measurements. This concerned, among other things, the impact of the calculation method itself, the assessment of the weather conditions in the calculations,



Odour nuisance situation in Rollegem in 2004.



Odour nuisance situation in Rollegem in 2007, exclusive of the new companies.

the number of sniffing team members, the number of sniffing team measurements and the applied dispersion model.

In 2007, VITO developed a code of good practice for the implementation of sniffing team measurements, taking account of the conclusions of the literature research and the findings of the experiments. This was done in close consultation with the EID, the Air, Nuisance, Risk Management, Environment and Health Division and PRG Odournet. The draft code was ready at the beginning of 2008.

The code contains guidelines for the execution of the sniffing team measurements, whereby the selection requirements for the panel members, the number of panel members and the role of coordinator are defined as well. In addition, requirements are set for the number and planning of sniffing team measurements, taking account of meteorological circumstances, among other things. The way in which the odour plume is to be established and recorded is defined as well. A second part of the code lays down the method for calculating the odour emission. More detailed information is given, among other things, on the operational parameters that are to be entered in the calculation model and on the reliability of the method in function of the number of measurements and calculations. The third part discusses the determination of the odour perception frequency on an annual basis via dispersion calculations. The last part outlines the different reporting aspects.

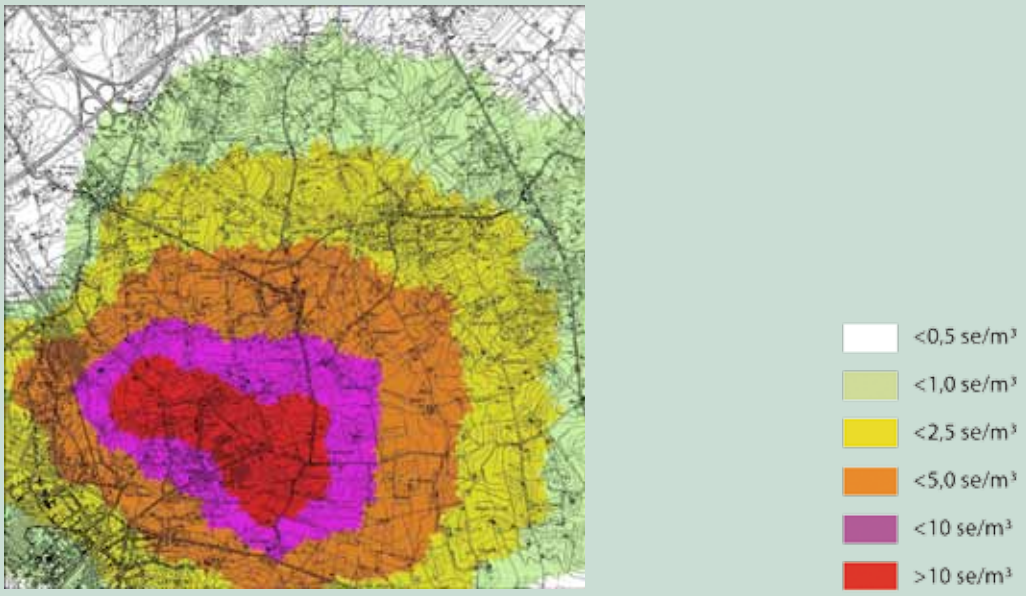
The idea is to have all future sniffing team measurements within the framework of the Vlarem legislation carried out in keeping with the code of good practice. For the moment it is not yet quite clear how the application of the code will be enforced in practice.

Ozone Depleting Substances and Fluorinated Greenhouse Gases

The Environmental Policy Plan 2003-2007 (MINA plan 3) stipulates that the emissions of ozone depleting substances from Flanders must be reduced by at least 70% compared to the emissions in 1999. In order to achieve this reduction, priority attention is to be devoted to those activities for which these substances are used the most. In 2007, this was the generation of cold (refrigerant gases). Because the emission of refrigerant gases (both ozone depleting substances and fluorinated greenhouse gases) adds to global warming, the reduction of refrigerant gas losses may contribute to the protection of the stratospheric ozone layer as well as to the fight against the greenhouse effect.

Refrigeration installations

In 2007, the EID inspected 83 companies that use refrigeration installations. A professional refrigeration technician assisted the environmental inspector in performing a random check of a number of refrigeration installations for the presence of refrigerant gas leaks. In the large majority of the 83 companies refrigeration installations were found that were not leak proof. 151 (61%) of the 248 tested refrigeration installations turned out not to be leak proof. Although each installation was only partially tested, a total of 450 refrigeration gas leaks were recorded. Refrigeration installations that are not leakproof tend to cause refrigeration gas emissions via several components, mainly via the components that separate the actual refrigerant circuit from its environment using components such as taps, valves and gaskets that are not permanently gas proof.



Odour nuisance situation in Rollegem in 2007, including all the present companies.

Refrigerating equipment tested on the authority of the EID		
Year	Number of plants	Not leak proof
2007	248	61 %
2006	272	59 %
2005	238	68 %
2004	130	68 %
2003	123	59 %

Operators are under a legal obligation to keep a log for each installation if the refrigerant content of the installation exceeds 3kg and if the refrigerant is an ozone depleting substance or a fluorinated greenhouse gas. In 58 of the 83 companies (=70%) the log – if there was one - did not contain all the required information (data about the technical features of the refrigeration installation, the work carried out on the installation, the malfunctions that may cause leaks, all refrigerant gas refills, the reports on the monitoring of the leak tightness and the periods in which the installation was put out of service). It was therefore the exception rather than the rule for an environmental inspector to be able to gain a complete insight into the annual relative leakage loss of the installations. The relative leakage loss could be estimated for only 19 of the 248 (8%) refrigeration installations that were considered relevant.

Operators are also under an obligation to take any measures that are feasible in accordance with best available techniques to limit the individual leakage loss of their refrigeration installations to a maximum of 5% per year. There is a real risk that if the environmental inspector cannot assess the annual relative leakage loss because of inadequate data management by the company, neither can the operator. As a result the operator is neither aware of nor alarmed by successive refrigerant gas refills because they are simply not registered or evaluated, let alone get sufficient attention. In addition, for months, if not years, installations will emit refrigerant gas without the operator taking any action to have the refrigerant gas leak sealed.

Failing any (pseudo) corrective measures, such as regular refills with refrigerant gas, the refrigeration installation will in the long term break down due to lack of refrigerant. Breakdowns of this kind do indeed alarm the operator and are a daily concern. The operator therefore immediately takes measures when this happens. The reason for this is that the costs incurred as a result of these breakdowns are quite significant. The refrigeration technician who works for the operator will guarantee the operational reliability and availability of the installation which the operator aims at, by avoiding this type of calamity as adroitly as possible, viz. by regular refrigerant gas refills.

This is against the law, however. Indeed, Vlarem II stipulates that refrigeration installations must be maintained in keeping with a code of good practice which sets out, among other things, that no refrigerants must be added until all the leaks have been sealed.

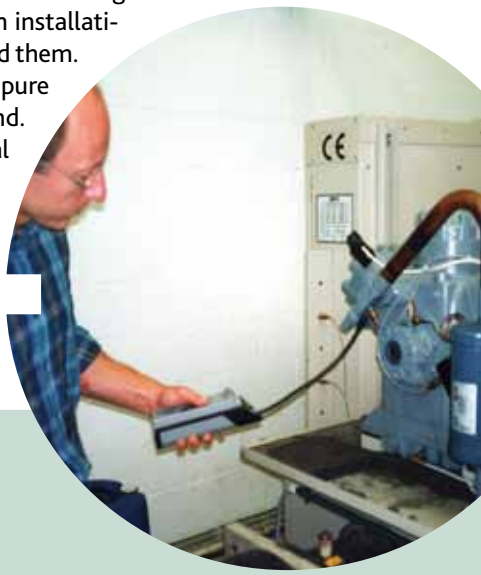
The fact that operators keep aloof from the proper operational management of their refrigeration installations and entrust this blindly to a refrigeration company is also food for thought. Purely business economic criteria can result, for instance, in the structural remediation of refrigerant gas leaks being postponed or in the specific essential experience with in-house refrigeration installations disappearing together with the refrigeration company.

The EID drew up official reports for 2 of the 83 inspected companies. 75 of the 83 inspected companies received an exhortation from the EID, and seven received a recommendation by post. The aim of the exhortations is to encourage operators to make the operation of their refrigeration installation compatible with the environmental regulations within an acceptable period of time. The recommendations provide operators with information on how they can improve their operation from an environmental technical perspective.

Typical instructions include: create or draw up logs as required by Vlarem, seal refrigerant gas leaks, carry out periodic checks for leak tightness, draw up and implement a maintenance programme in keeping with a code of good practice, affix the compulsory instruction cards to the installations, from now on first seal refrigerant gas leaks before refilling with refrigerant, keep available the compulsory pressure and construction certificates and propose measures to limit relative leakage losses. At the end of 2007, most operators had followed the instructions.

Sampling

The EID took 20 samples of the refrigerant gases in the used refrigeration installations of companies and analysed them. In 2 refrigeration installations pure banned refrigerant was found. The EID drew up an official report against the operator and exhorted him to have the banned refrigerant removed by regular means.



Construction and set-up of refrigeration installations

The EID has found during a random check of refrigeration installations for the presence of refrigerant gas leaks that the majority of the inspected refrigeration installations are leaking refrigerant gas through one or more of their components. The causes of this phenomenon can be attributed to the quality of the operation, but also to the quality of the construction of the installations.

In order to reduce the risk of damage to man and the environment to a minimum, Article 5.16.3.3§2 of Vlarem II imposes additional requirements. These requirements must help reduce noxious emissions resulting from the insufficient quality of the construction of refrigeration installations. Not only must the mechanism of refrigeration installations be sufficiently strong, their construction as well must meet a recognised standard or code of good practice. Operators of refrigeration installations must be able to demonstrate to the environmental inspectors that their refrigeration installations satisfy these criteria.

The EID has instructed an environmental expert, who is accredited in keeping with the provisions of Article 1.3.1.1.§2.3° of Vlarem II, to give advice on the completeness and acceptability of the certificate which operators of refrigeration installations must keep available. The EID had the certificates of 76 refrigeration installations at 44 companies examined by this expert.

The advisory opinions received indicate that for many refrigeration installations no acceptable certificate can be presented to the environmental inspector, not even after the operator has been given ample time to collect the required supporting documents together with his competent refrigeration technician. The reason for this may be that the operator did not carefully manage the product specifications and statements of the manufacturer. However, it is also possible that some manufacturers do not issue this certificate to the operators when the refrigeration installation is put into service for the first time, so as to hide the lesser quality of the selected materials and the construction.

In 2008, the EID will further examine the gained results and consult on the future approach.

Water

The working group 'Water' clusters the enforcement expertise with regard to waste water within the EID. In 2007, the focus was, apart from traditional routine sampling, mainly on the inspection of the discharge of various hazardous substances, the discharges from large food companies and the inspection of waste water treatment plants (MWWTPs).

Discharge of hazardous substances

With regard to the discharge of industrial waste water, the substances belonging to families or groups of substances referred to in Annex 2C of Vlarem I, are considered hazardous substances. These substances can only be discharged in exceedance to the environmental quality standard when specific emission limit values have been laid down in the environmental licence.

The EID decided that the discharge of hazardous substances from a wide selection of companies was to be further looked into. In 2007, special attention was devoted to metals, brominated flame retardants, fluorosurfactants, volatile halogenated hydrocarbons, PAHs, dioxins and furans.

Metals

Partially under influence of the findings during the EID inspections within the framework of the Cadmium Plan (see previous Environmental Enforcement Report), the EID decided in 2007 to carry out an extensive action, inspecting the discharge of a whole range of metals.

This action was combined with routine sampling: during a planned sampling the EID had an additional range of 18 metals, selected from the black and grey lists, analysed. The idea was to perform these analyses at least once in each of the inspected companies in 2007. The following metals were focused on in this action: mercury, cadmium, zinc, copper, nickel, chromium, lead, selenium, arsenic, antimony, molybdenum, titanium, tin, barium, boron, vanadium, cobalt, and silver.

The table below gives an overview of some characterising figures pertaining to the results of these analyses. A number of heavily charged waste water streams were established as well as some remarkable recurrent elements. Boron, molybdenum and titanium have been found

several times. In the waste water of the textile industry and the galvanisation treatment, the traditional heavy metals that are also licensed, are recorded. In a number of textile companies concentrations of antimony are frequently measured (among other things as a result of the use of flame retardants).

Results of the analysis of metal in 2007				
	Number of analyses	% of the results > detection limit	% of the results > environmental quality standard	Highest concentration measured (mg/l)
Zn	1459	91 %	25 %	126,00
B	1176	89 %		1330,00
Cu	1425	60 %	20 %	6,10
Ba	1105	68 %	1 %	6,80
Ni	1327	51 %	13 %	7,20
As	1216	44 %	2 %	1,40
Cr	1334	38 %	7 %	4,20
Pb	1283	24 %	5 %	12,00
Ti	1075	22 %		24,00
Mo	1072	22 %		24,00
V	1028	21 %		10,00
Sb	1061	14 %		7,20
Cd	1264	11 %	6 %	0,50
Co	1117	10 %		1,90
Sn	1123	10 %		2,50
Ag	1129	7 %		2,10
Se	1086	6 %	4 %	1,40
Hg	1166	4 %	3 %	0,13

Fairly soon after the start of this action, the EID established that a lot of 'positive' results were reported. This was soon confirmed by reports from companies and federations. Thanks to its 'success' this action will in any case be continued in 2008.

Brominated flame retardants

Brominated flame retardants are substances that are added to all kinds of products (such as electrical and electronic goods, construction materials and textile products) during the production process to reduce the flammability of these products. The substances are persistent and can be bioaccumulative. They are also known to have hormone-disruptive effects. In the event of incineration, brominated dioxins and furans can be released. In Annex 2C of Vlarem I these products are listed as persistent bioaccumulative organic halogen compounds (black list substances).

After the different investigations and inspections of the past years, the EID had waste water samples taken again from textile companies, plastic producers and waste water processing plants and had them analysed for polybrominated diphenyl ethers (PBDE), hexabromocyclododecane (HBCD), tetrabromobisphenol A (TBBA) and other brominated compounds (pentabromotoluene, pentabromoethylbenzene, pentabromobenzyl alcohol, 1,2-bis(2,4,6-tribromophenoxy)ethane, tris(2,3-dibromopropyl) isocyanurate and decabromodiphenylethane).

The EID took 70 samples, spread over two sampling campaigns. In 14 of these samples at least one component with a content of more than 20 µg/l was found. The EID exhorted the companies involved to collect additional information and to put an end to the discharge of the aforementioned substances or to have them included in the standards of the environmental licence. The environmental licence of a textile company already prohibited any further discharge of these substances.

The EID had the taken samples also analysed for antimony. The results confirmed that this substance is often used and discharged in combination with flame retardants. In addition, 14 companies only discharge antimony as flame retardant. Several companies already have a discharge standard for antimony.

In 2008, the EID will carry out further investigations into the use and discharge of brominated flame retardants. In addition to the inventorying phase, various samplings and analyses will be carried out in new sectors. Meanwhile, VITO too has set up a working group so as to allow more laboratories to perform analyses of brominated flame retardants.

Several companies already reported that they will convert to bromine-free flame retardants or that all waste water will be entirely collected in order to convey it to a recognised processor or to the producer to recover the basic product. In the meantime, a number of important dischargers have ceased all of their activities. This is reflected in the falling trend in discharged amounts of brominated flame retardants.

Finally, it can be mentioned that recent proposals for modification of the Vlarem requirements stipulate that it is prohibited to discharge any process baths with brominated flame retardants or antimony.

Fluorosurfactants

Fluorosurfactants, among which PFOA (perfluorooctanoic acid) and PFOS (perfluorooctane sulfonate) are the most toxic, turn out to be wide-spread compounds with numerous applications. They are chemically very stable compounds with a large number of useful properties. They are water, dirt and grease-repellent and have anti-static properties. Due to their surface-active properties they are suitable as spreader, for instance for pesticides, and as fire-fighting agent. Because of these properties, these compounds are used in the textile, paper and paint industries, in metal surface treatment and fire fighting, in the photographic industry and many other sectors. Since early 2000, there has been growing concern about the multiple use of these compounds. Fluorosurfactants are non-readily degradable compounds. They pile up in tissues of organisms and are harmful to the environment. Their ecotoxicity is still being examined.

Together with the measurement campaign for brominated flame retardants, two measurement campaigns for fluorosurfactants were launched in 2007 (as continuation of the action in 2006, as explained in detail in the previous environmental enforcement report). A total of 93 waste water and 49 sludge samples were taken. 33 waste water samples contained more than 20 µg/l of perfluorocompounds in total. For the sludge samples only one value was clearly increased. The elevated values are mainly found in the waste water of waste processing companies and a number of textile companies and chrome plating companies. The various companies have been exhorted to investigate the problem and, if necessary, to apply for a standardisation in the environmental licence.

The policymakers have already given a clear signal by including a discharge standard for PFOA and PFOS and the sum of the other fluorosurfactants in the current proposal for modification of the sectoral discharge requirements for textile companies.

Dioxins and furans

As a result of the transposition of the European Waste Incineration Directive, several new provisions were added to Vlarem II concerning the discharge of waste water from the flue gas treatment of waste incineration plants. These provisions came into effect as of late 2005 for existing plants. An important new provision deals with the discharge of dioxins and furans.

Following the first exploratory measurements in 2005 and the inspections carried out in 2006, the EID continued to monitor compliance with these provisions at the waste incineration plants concerned in 2007. In addition samples were taken at some waste processing companies and a number of plants where dioxins and furans may occur in the production process. In each of the plants (thirteen in total) the EID had a specialised laboratory analyse a sample of the discharge of waste water for dioxins and furans. The measured concentrations were all far below the standard value of 0.3 ng TEQ/l. However, the EID will remain watchful and repeat these inspections.

Volatile halogenated hydrocarbons and PAHs in laundries

These past years the EID found that the waste water of a number of laundries contained elevated concentrations of polycyclic aromatic hydrocarbons. These findings were partially the reason why an action was performed in which special attention was paid to the presence of these substances in the discharge of the waste water from laundries. At the same time attention was also paid to the presence of volatile halogenated hydrocarbons.

In 2007, the EID had additional analyses for volatile halogenated hydrocarbons and PAHs carried out on 71 samples of industrial waste water from 43 (mainly category 1) laundries. In 12 samples the EID detected one or more PAHs with an individual concentration of more than 1 µg/l. 30 samples contained one or more PAHs with a concentration of more than 0.25 µg/l. In one sample a total of no less than 120 µg/l of PAH was found.
Ten waste water samples contained varying quantities of volatile halogenated hydrocarbons and six of them a considerable quantity of chloroform. Furthermore, dichloroethene, tetrachloroethylene and trichloroethylene were found.

Food companies under Directive 91/271/EEC

European Council Directive 91/271/EEC concerning urban waste-water treatment also imposes a number of requirements on the discharges from certain companies (mainly food companies and companies from associated sectors). These requirements were transposed in Article 5.3.2.1 of Vlarem II. To monitor compliance with these provisions, the EID started in 2001 to inventory these companies and to carry out extra inspections in these companies concerned within the framework of routine sampling. Afterwards these inspections were further elaborated and coordinated.

Within the framework of this action the EID checked in 2007 no less than 289 waste water samples in the 90 companies concerned. These samples were taken throughout the year to ensure that the companies with seasonal activities were also inspected well (amongst others many vegetable processing companies).

It appeared from the evaluation of the results that the positive trend of the past years did not continue. On the basis of a limited number of results it was established in 2001 that 64% of the companies concerned complied with the discharge standards. In 2002, this number fell to 57%, which was probably also due to the higher frequency of inspections. However, in 2003 this percentage rose to 78%. After that, it fluctuated around this value: 76% in 2004, 81% in 2005, 82% in 2006 and 77% in 2007.

Judging from the data of the individual company inspections, it can be concluded that in 2007 remediations are still carried out or necessary. Exceedances of the standards were detected in 21 companies. These were due to inadequate tertiary treatment whereby either the nitrogen removal was insufficiently broadly dimensioned or the phosphorus removal process was not yet up to standard. Furthermore, massive sludge washout was recorded on several occasions and some companies will have to readjust their waste water treatment infrastructure following recent production expansions.

The EID drew up an official report on the exceedances of the discharge standards and sent the necessary exhortations to the operators concerned to make sure that the required remediations are carried out within a reasonable period of time. The EID continues to closely monitor these remediations.

Inspection of MWWTPs

As for the inspection of MWWTPs, in 2007 the EID continued on the momentum it had built up. It again focused on two areas. Firstly, it continued the (annual) monitoring of compliance with the emission requirements, and secondly, it devoted attention to the supply and acceptance of waste, especially septic material.

Compliance with the emission requirements

The EID monitors compliance with the emission requirements in MWWTPs on the basis of self-monitoring (as prescribed by Vlarem II). As a result of the exhortations of the past years, the compulsory self-monitoring programme was fully implemented: the correct parameters were determined with the correct frequency on the basis of flow-proportional sampling.

Furthermore, the results of the self-monitoring programme were evaluated. The number of plants with persistent problems appears to be steadily decreasing. Moreover, the EID detected incidental and short-term exceedances in a number of MWWTPs.

Supply and acceptance of waste

The follow-up inspection by the EID of the supply and acceptance of waste, including septic material, at MWWTPs yielded a clear and uniform procedure for the acceptance of waste. All MWWTPs are now using the same procedure, and this procedure is applied not only for septic material, but also for any other types of waste. This procedure was incorporated into the work plans of the MWWTPs.

The EID verified the effective implementation of the procedures in the work plan. In this it placed particular emphasis on the compulsory visual inspection at the time of the acceptance of waste. This visual inspection is an important factor in the detection of suspicious shipments.

In the past the EID also made arrangements concerning the follow-up inspection of refused shipments of septic material. The monitoring of these arrangements continued in 2007: when the competent delegate of Aquafin issues a refusal, the EID too is immediately informed. The EID then carries out an inspection as promptly as possible on the premises of the septic tank pumper to determine the origin of the shipment as well as to check the destination of the refused shipment. These inspections will continue unabated.

In brief

Inspections at the request of VMM

As input for the drafting of the EIP 2007, the EID received from VMM a number of proposals and suggestions, resulting from a survey among the relevant people and services involved. VMM selected 55 companies for this purpose: 20 with remarks about the measurement installation, nine with a measurable negative impact on the receiving surface water and 37 with remarks about compliance with the discharge requirements.

Early 2007, the EID translated this input, taking account of the then state of affairs of these cases, into a proposal for inspections to be conducted. In most companies additional sampling or sampling campaigns were carried out. The measurement installations that were under debate were evaluated. A number of companies were not selected for further action: these companies were already closed or already had very low discharges. In addition the EID decided, within the framework of the increased attention to the inspection of the self-monitoring, to carry out an inspection in the selected companies of the implementation of the self-monitoring and of the results of this self-monitoring.

Additional samples were taken in 33 companies, eight of which with a sampling campaign. In half of the companies the EID still recorded structural exceedances of the discharge requirements. The environmental inspectors drew up the necessary official reports and exhorted these companies to solve the problems. At the end of 2007, the inspected measurement installations were all found to be in order. The environmental inspectors established greater shortcomings in five of the 34 companies where the EID had carried out an inspection of the self-monitoring. The other companies were completely in order or had only small shortcomings. The EID is monitoring the remediation of all these problems.

Camera inspections in sewers and pipelines

The EID frequently has camera inspections carried out of sewers and pipelines to check whether any unknown (illegal?) connections have been made to the sewer system. These inspections can also be used to check, in the case of separate sewer systems, whether the pipes for draining rain water and the pipes for draining industrial waste water have indeed been connected to the correct sewer system. For these inspections, the EID not only uses traditional sewer cameras, but also smaller (push) cameras which can be used to inspect smaller pipelines.

In 2007, (sewer) camera inspections were carried out in Ingelmunster, Torhout, Izegem and Aartselaar.

Discharge of excess drain water in greenhouse businesses

On the basis of the results of the Manure Action Plan (MAP) monitoring network and of the surface water monitoring network of VMM, it has become more and more evident these past years that glasshouse horticulture too has a (considerable) impact on the quality of some watercourses. It was established, for instance, that in regions with many glasshouse horticulture companies particular nitrate peaks could not be explained by regular agricultural practices and were very likely caused by (illegal) discharges of drain water from glasshouses.

At the initiative of the Flemish Minister for the Environment, VLM set up a task force called 'Nitrate Problems in Horticulture'. This task force consists of representatives from the environment and agriculture administrations, agricultural organisations, auction markets, frozen vegetable companies and scientists. The main goal of this task force is to examine how the challenge to also reduce nitrate concentrations in horticultural areas can be responded to. The EID participated in this task force and in the related sub-working group 'Drain water/ Rest Drain'.

In the margin of these meetings, the EID received information about the most important problems of the MAP monitoring network that are probably caused by discharges from the horticultural sector. After having inventoried the possibly involved horticultural companies, the EID inspected 21 glasshouses late 2006-early 2007 (15 of which were situated in the Province of Antwerp). In five of these companies indications were found that rest drain is (sometimes) discharged; in other companies it was either much harder to establish this or there was no rest drain at all. In the course of 2007 the EID evaluated the findings

and followed the evolutions within the task force. This resulted in a proposal to carry out new inspections in greenhouse businesses in 2008.

Environmental relevance and financial advantage when emission limit values are exceeded

When an exceedance of emission limit values (both in case of waste water discharge and of flue gas emission) is established, the EID draws up an official report. In these official reports the EID describes the environmental relevance (or environmental impact) of the established exceedance and gives an initial assessment of the financial advantage which the company has acquired by not ensuring compliance with the licensing requirements.

In order to further optimise the quality of these official reports and to provide the Public Prosecutor with additional information about the environmental relevance and the financial advantage in case of an established exceedance of the emission limit value, the EID had a technically and scientifically underpinned manual drawn up. Late 2006, the EID awarded a contract for this to an external consultancy bureau. At the end of 2007, the EID received the final version of this manual.

With regard to the 'environmental relevance' aspect, this manual provides input for the person who draws up the official report with regard to each parameter for which an exceedance has been established. This input is given in the form of a short non-technical text. The idea of this text is to make the sometimes complicated and technical findings comprehensible for non-technicians. These texts are based on a more comprehensive background document which contains a lot of technical and scientific information about a particular substance.

With regard to the 'financial advantage' aspect, this manual offers the opportunity to make a first assessment of a company's financial advantage in certain well-defined circumstances (for instance, structural shortcomings in case of emissions into water and air). This assessment will then be based on the information available to the environmental inspector and on a few assumptions of potential (treatment) techniques which could result in compliance with emission standards under similar circumstances. This assessment can then be used by the Public Prosecutor as information to determine the amount of an amicable settlement or as input for the further court proceedings.

The EID will distribute this manual internally and implement it in the official reports that are drawn up. This information will also be passed on to the judicial authorities.

Routine Inspections

Routine inspections form the basis for the policy of presence in the field and ensure for example that the chance of an inspection is not related to a campaign or a complaint.

The first part of this chapter discusses sampling and measurements in detail for each environmental health sector. Many samplings and measurements are carried out by the environmental inspectors themselves. The other samplings and measurements as well as any analyses are performed by accredited laboratories.

After that, the other routine assignments are discussed. These concern the operation of nuisance establishments in general, for instance, further to a decision to refuse a licence, a licence with special requirements or self-monitoring.

Routine sampling

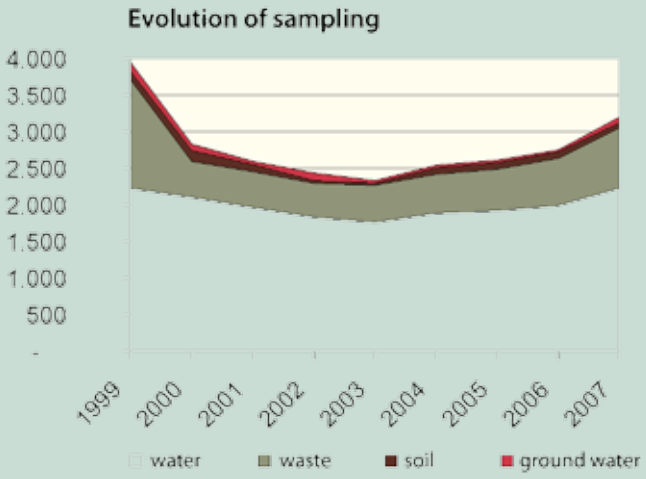
Environmental inspectors can make very many observations with their own senses, but in most cases it is necessary to take samples to make correct and complete technical observations or to determine the exact degree of pollution or non-conformity with the regulations. In the table below it is clear that in 2007 a lot of samples were taken. Given the fact that each sample is analysed for different parameters, this means that many thousands of different analyses were made.

The number of routine samplings for the past eight years is shown in the table below. For years, the number of samplings has been falling, but since 2004 there has been a clear increase.

Routinemonsternames water

Routine sampling of waste water is always planned beforehand. At the end of 2006, a planning was made for the waste water inspections to be carried out in 2007. The concept of basic frequency was again used, just like in previous years. The basic frequency is the minimum inspection frequency of a given company.

The rules for determining this basic frequency were defined on the basis of the discharge flow, the destination of the discharge (MWWTP or surface water) and of whether or not the effluent contains any hazardous substances. These rules are evaluated and possibly adjusted each year and take account of the available budget and personnel. The real sampling frequency also considers a company's previous history in addition to this basic frequency.



Number of samplings	
Waste	827
Soil	67
Ground water	86
Water	2.226
Total	**3.206**

Routine waste water inspections can basically be divided into two categories. On the one hand the EID pursues a policy of presence by carrying out random samplings. This consists of unannounced waste water inspections whereby a spot sample is taken of the waste water which is discharged at that particular moment. These inspections take place both during and outside office hours (even at the weekend). In 2007, the EID also devoted considerable attention again to flow-proportional sampling campaigns. To this end the EID itself installs a sampling device via an accredited laboratory, and the discharge is continuously monitored for one or more weeks. These long-term sampling campaigns are an important tool in the assessment of problem discharges.

In addition to routine waste water inspections, a lot of samplings and analyses were also carried out within the framework of specific enforcement campaigns and to a lesser extent during reactive inspections. Accredited laboratories analysed a total of 2,226 water samples for the EID. In 2007, the EID spent an amount of 876,272.03 Euros on samplings and analyses.

The table below shows the results of the waste water inspections in figures for the 2007 year of operation. 26% of the inspected companies were thoroughly inspected, with more than two samplings. At 12.7% of the inspected companies one or more violations were established in 2007.

Remediation of the waste water treatment of a composting company

Early December 2006, the EID carried out an inspection at a composting company and found that the company discharged untreated industrial waste water in the surface water. Although the company had a waste water treatment installation, the dimensions of this treatment installation were obviously not large enough to treat all the waste water. A great deal of the heavily polluted terrain water poured into the adjacent canal without having been treated. The EID took a sample of this discharged terrain water.

The EID immediately drew up an official report and exhorted the company to take measures in order to avoid the future overflow of untreated terrain water. Given the lack of buffer capacity for the terrain water, it was obvious that additional storage capacity was to be provided.

A few weeks later the EID received the analysis results. These results showed that the imposed discharge standards were seriously exceeded and made the environmental inspector decide to carry out a new inspection. During this inspection it turned out that earthworks were already being carried out to extend the waste water treatment with five buffer tanks of 100 m3 each. As a result of this the company expected to have to treat more heavily polluted waste water and therefore also immediately optimised the operation of the waste water treatment by providing an additional polymer dosing. The EID exhorted the company to complete all the remediations by 1 June 2007.

Mid-May, the EID established that all buffer tanks had been installed and that the additional polymer dosing was nearly operational. Shortly after the expiry of the deadline, the EID established on site that the expansion of the waste water treatment installation had been fully completed and was operational. Moreover, the company now has a larger supply of treated waste water which could be used to humidify the composting material. The EID sealed the overflow into the adjoining canal so that no polluted terrain water could overflow anymore.

In the autumn the EID orally exhorted the company to improve the accessibility of the control installation for the discharge of industrial waste water, so that the equipment used to carry out a flow-proportional sampling campaign could be supplied and set up in a safe manner. The company made the necessary adjustments in a short period of time. In 2008, the EID will have a flow-proportional sampling campaign carried out to check whether the adjusted waste water treatment installation can indeed ensure that the discharge standards are met at all times.

Results of waste water inspections	
	Totaal
Companies inspected	852
- random sampling	612
- extensive inspection	240
Number of samples	2.226
Companies in violation of the regulations (once or more)	131
Companies that received one or more exhortations	119
Companies that remediated	78

Routine sampling of waste, soil and ground water

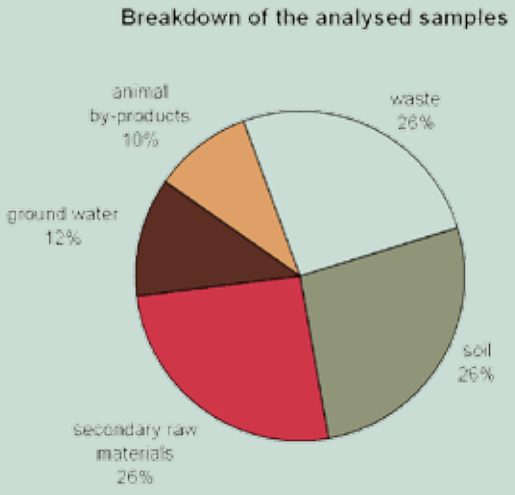
In 2007, the Division used for the first time a table of frequency targets which defined where and how often waste is sampled, taking account of the available budget. This planning includes samplings at waste processing and waste producing companies and at producers of secondary raw materials. Part of the budget is reserved for the sampling and analysis of waste in unplanned situations.

The reasons for carrying out samples are diverse. At waste processing companies incoming consignments of waste are sampled to check whether they meet the acceptance criteria. Treated waste streams that will be reused as secondary raw materials, are sampled to check whether their composition satisfies the set standards. Shipments of excavated soil in soil remediation companies or in interim storage facilities and backfill sites at pits and quarries are sampled and analysed to check that the intended destination is legal. Unidentified recipients in a company are sampled to examine whether they contain any hazardous waste. As a result of complaints concerning dust precipitation from a company, the deposited particles are sampled to check whether they are harmful. The microbial purity of end products of animal waste processors is inspected as well.

Besides the routine sampling, the EID also takes samples when carrying out coordinated projects and actions. Environmental inspectors can request analysis packages for a particular sample. Naturally, specific parameters can be analysed for each individual sample. If very specific, hazardous or large numbers of samples must be taken, environmental inspectors can call upon the services of the EID laboratory contractor for this.

In the period between 1 February 2007 and 1 February 2008, a total of 968 samples of waste, soil and ground water were analysed (an average of 14 samples per environmental inspector from the local services), amounting to 485,364 Euros in total.

Overview of the analysed parameter packages in 2007	
Package	Number
Acceptance criteria category 1 landfills	66
Acceptance criteria category 2 landfills	33
Acceptance criteria category 3 landfills	12
Soil (Vlarebo)	266
Ground water (Vlarebo)	17
Secondary raw material - fertiliser/soil-improving substance	65
Secondary raw material - building material	152
End products of processors of animal by-products	81
Wood waste to be incinerated	106
Vlarem parameters for ground water	24
Parameters observation well for manure storage	58



Soil samples confirm chromium pollution in wood company

The EID caught a timber merchant in the act of illegally burning industrial waste, and drew up an official report for this. The waste was burnt in a disused dug-in concrete impregnating tank. The company also turned out to still impregnate wood in a modern installation and to store the impregnating agent (chromic acid solution) in contravention of environmental regulations.

Spillage loss of the impregnating agent had coloured the industrial floor green here and there. The EID took a soil sample to examine whether the soil had been contaminated. The analysis results indicated high concentrations for the carcinogen 'hexavalent chromium', as well as for trivalent chromium. The EID informed OVAM and obliged the operator to have a pilot soil and ground water investigation carried out. Contacts with OVAM revealed that the operator had failed to carry out the obligatory five-yearly soil investigation.

During a follow-up inspection the EID took a sample of the incineration ash which was already taken out of the concrete impregnating tank and loaded into a container for shipment. The environmental inspectors blocked the container because it was suspected to be greatly polluted, all the more because the receiving company was not allowed to accept any polluted waste. The suspicions turned out to be valid: the incineration ash also contained high concentrations of chromium. The EID therefore obliged the operator to transport this waste to a recognised processor, which was what happened.

When the pilot soil and ground water investigation was subsequently carried out, the environmental inspectors pointed out a number of critical locations which were definitely to be sampled. The analyses of these soil samples will show whether or not the applicable soil remediation standards have been exceeded. The local superficial colouring of the soil in any case makes one fear the worst. In this case the matter will be further investigated and the operator will have to remediate the industrial site.

Routine Measurements

Just like with sampling, measurements are required to enable efficient inspections or to determine the exact degree of pollution or violation. In the table below a summary is given of the number of measurements conducted in 2007.

Overview of the number of routine measurements	
Number of measurements	
Air	92
Noise and vibrations	67
Total	**166**

For air, the number of measuring days is indicated. The substances discharged into the air are measured by an accredited laboratory at the request and under the supervision of the environmental inspector. On one day, several parameters are measured and different samples taken.

For noise and vibrations, the number of noise and vibration measurements is given. It must be remarked that a noise measurement can last for several hours. A limited acoustic investigation carried out by the EID can comprise different noise measurements.

The number of routine measurements for air, noise and vibrations of the past nine years are shown in the table below. The number of air measurements has significantly increased since 2000 after a contract was concluded with accredited laboratories for air analyses, making it administratively easier for environmental inspectors to have emission measurements carried out. In 2005, fewer air measurements were conducted. The reason for this is the transition from three-day to one-day measurements for installations with a potentially high dioxin emission and the postponement of measurements at waste incineration plants to the spring of 2006 because

the new regulations for these installations only came into force at the end of 2005.

Routine air measurements

In September 2004, the EID concluded a new contract with accredited laboratories for the implementation of emission measurements on the chimneys of incineration plants and process installations. The contract was valid for one year with the possibility to extend it three times by one year. The contract is divided into two lots, each awarded to another laboratory. The most important innovation is the separate item for the determination of individual organic substances that belong to the groups of aromatic hydrocarbons, ketones, esters and aliphatic halogenated hydrocarbons. In this way, the EID was seeking to anticipate the increased attention that was given to emissions of VOCs following the transposition of the European Solvent Directive into Vlarem legislation.

Lot I specifically concerns the implementation of emission measurements on installations with potentially high dioxin emissions. The measurements taken also include the determination of dioxin. Lot II includes four types of 'standard' measurements, each involving a specific set of parameters. The measurements for both lots are taken on one day. The table below gives an overview of the possible measurements. At the request of the EID, other parameters can also be measured at other types of installations.

In September 2007, the contracts for both lots were extended by one year for the last time.

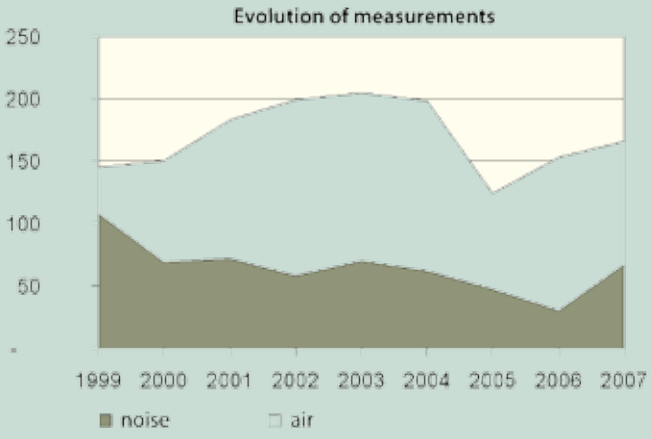
These contracts allow the EID to have emission measurements carried out on a plant of its choice upon simple request. As a result, prompt action can be taken to deal with acute problems and new companies and plants can more easily be inspected.

The following table gives an overview of the number of plants where the EIS had emission measurements carried out in 2007 within the framework of these contracts.

Overview of emission measurements	
Number of plants	
Lot I (including dioxin measurements)	41
Lot II	51
Total	**92**

In 2007, 25 of the 92 measurement campaigns were carried out in wood waste combustion plants. The reason for this is the continuation in 2007 of the 2006 measurement campaign in this sector. More information about this is available in the Chapter 'Specific enforcement campaigns' of this report. Furthermore, measurements were carried out in 21 hydrocarbon-emitting plants. This was especially done to check the proper functioning of afterburners. The other companies that were inspected mainly included chemical plants (12), brickyards (9), waste incineration plants (8), companies from the ferrous and non-ferrous industry (7) and shredders (4).

Overview of possible emission measurements
Parameters
- Reference: flue gas flow, temperature/pressure, oxygen content, CO_2 content, water content - Flue gas composition (a selection of the following parameters depending on the lot and type): dust, CO, SO_2, NO_x, HCl, HF, heavy metals in the dust fraction and in the gas phase, total hydrocarbons (FID measurement), aromatic hydrocarbons, ketones, esters, aliphatic halogenated hydrocarbons, dioxins and furans
Lot I
Incineration plants and process installations whose waste gases are assumed to contain dioxins
Lot II
Incineration plants and process installations whose flue gases are assumed not to contain any significant amount of dioxins Types of plant Type 1: large incineration plants and process installations Type 2: plants with potentially significant emissions of acidifying compounds Type 3: incineration plants fuelled with biomass and afterburners Type 4: plants with potentially significant emissions of volatile organic substances



The table below gives for each polluting substance an overview of the number of significant exceedances of the emission limit values that were established during the abovementioned measurements in 2007. The main exceedances were recorded for dust, CO, dioxins and furans, NOx and heavy metals.

Overview of the number of exceedances of the emission limit values for each polluting substance

	Lot I	Lot II	Total
Parameter			
Dust	7	4	11
CO	4	7	11
SO_2	1	3	4
NO_x	7	2	9
Hydrocarbons	2	2	4
HCl	3	-	3
HF	_	_	_
Heavy metals	6		6
Hg	_		_
dioxins and furans	10		**10**

All exceedances for CO and nearly all exceedances for dust, dioxins, NOx and heavy metals were recorded at wood waste combustion plants which, as mentioned earlier, will receive special attention from the EID in 2007, as was also the case in 2006. The few other exceedances occurred in waste incineration plants and brickyards.

At plants where the results of the measurements showed that the emission limit values were not complied with, the EID drew up an official report and issued the necessary exhortations to take measures to comply with the limit values as soon as possible. In a few cases, the plant was voluntarily or forcibly taken out of operation.

Routinemetingen geluid en trillingen

Noise measurements are almost exclusively carried out following complaints received. To handle such complaints, the EID has a number of environmental inspectors who are specialised in noise issues and have modern measuring equipment at their disposal. A noise meter always measures the total level. This means that not just the specific noise in question is measured, but also all the disturbance noises. In order to be able to assess the spe-

Noise measurements at RC race track

A track for RC cars is a non-categorised establishment and does not require a licence under Vlarem I. However, it must have a town planning permit. A West Flemish city made land available to an association for the relocation of a track.

In order for the town planning permit to be granted, the town council obliged the association to have an acoustic investigation carried out. This investigation was to show that the planned activities would not cause any abnormal noise nuisance for the neighbours. The association appointed a recognised expert in this discipline.

In accordance with this expert's noise investigation, the planned track could be integrated into the urban environment. On the basis of this investigation the Board of Mayor and Aldermen issued the town planning permit that was applied for.

The association invested about 125,000 Euros in the new track. The motivation of the association was the international renown of the track, which complies with the relevant European regulations. Very soon the activities led to complaints about noise nuisance within a radius of 1,500 metres. The noise nuisance was characterised by a sharp tonal sound. The local police made several observations and drew up an official report on the basis of the municipal administrative sanction regulations.

Following these complaints the town council had an additional noise investigation carried out by the association's noise expert. This investigation did not indicate any relevant changes in the noise climate, however. That is why the Mayor asked the EID for advice.

The EID evaluated the investigations and formulated remarks. During the RC European Championship in 2007, the EID carried out its own noise measurements.

cific noise, the key is to be able to distinguish between these different levels. This is not always easy. This may be even more complicated when handling complaints about vibrations.

The current example shows once again that Vlarem continues to be a reference for the assessment of noise nuisance, even within the framework of non-categorised establishments. An adjustment of Part 6 of Vlarem II (Environmental requirements for non-categorised establishments) is urgently required.

Routine Inspections of the Operation

Besides routine sampling and routine measurements there are many routine inspections that relate to the operation of nuisance establishments in general. The inspection following a decision to refuse a permit, the inspection of special licensing requirements and the inspection of the self-monitoring are examples mentioned.
The EID has the following result-oriented objective in this respect:
'To inspect every category 1 establishment for which:
- the licence has been fully or partially refused (in the first instance and after appeal) within a period of no more than three months after receipt of the decision;
- the licence is granted subject to a remediation plan, investigations or measurements, within a period of no more than 6 months after the compulsory completion deadline stated in the licence.'

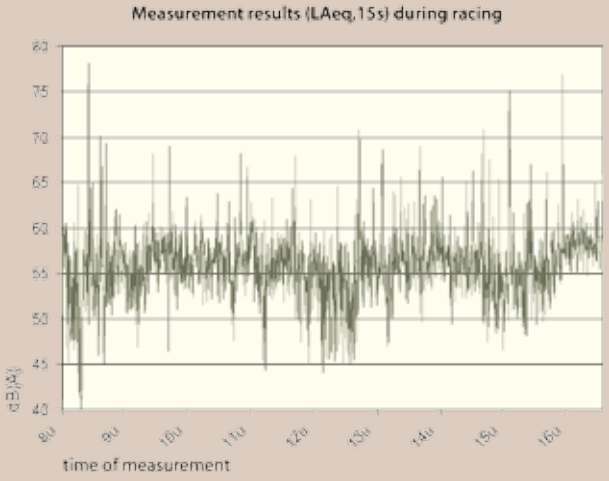
Refusal decisions

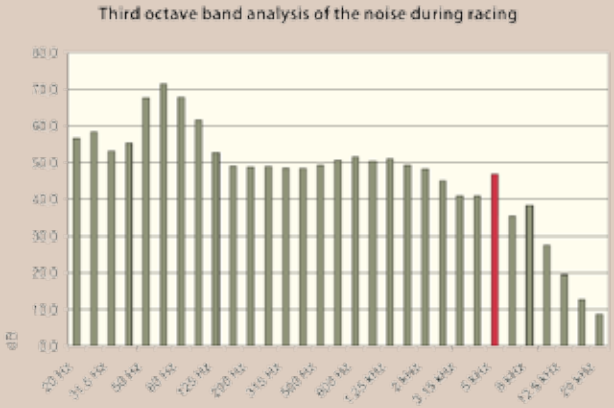
As mentioned in the introduction above, one of the priorities of the EID is to systematically check refusal decisions.

Refusal decisions	
Number received	323
Number of inspections carried out for this	512

The measurement results showed that the specific noise amounted to about 60 dB(A) near the houses. Figure 1 shows the evolution of the relevant values during racing. The noise was also characterised by a tonality at the third octave band of 5 kHz. Figure 2 shows the third octave band analysis of the noise during racing. The EID tested the specific noise against the target values of Vlarem II and against a report from the World Health Organization. This report stipulates that noise levels of 50 dB(A) and more give rise to complaints and noise levels of more than 55 dB(A) to serious complaints.

The EID explained its measurement results to the town council and a delegation of the association and pointed out the responsibilities and tasks concerning nuisance prevention to the Mayor. As a result of this, the town council had two remediation reports drawn up. These reports concluded that to remediate the track would be a very expensive matter. The association could not finance these costs. For the moment only limited use is made of the track. This use is subject to strict conditions set by the town council. Because of the available technical expertise the EID could assist the town council in this matter and achieve favourable results for the complainants.





The number of refusal decisions for the past nine years is shown in the table below. In 2007, the number of refusal decisions received fell back to the level of the period 2000-2004. Nevertheless, the number of inspections carried out in function of these refusal decisions is rising. This shows the importance of these decisions.

Special requirements

A lot of environmental licences contain special requirements. The EID's priority attention goes to companies for which a remediation plan, investigations or measurements have been imposed in the licence. Other special requirements mainly arise during routine inspections or if the company is inspected within the framework of specific enforcement campaigns.

Refusal of a manure storage site

At the end of May 2007, the environmental officer of a municipality in the Vlaamse Ardennen submitted a complaint to the EID from the neighbour of a chicken farm. The neighbour experienced odour nuisance from manure which was stored in the open air. It appeared from the dossier that this category 1 establishment had received an environmental licence for the keeping of 85,000 table chickens. However, this licence had already expired in March 2006. Moreover, in this decision the storage of chicken manure had been explicitly refused.

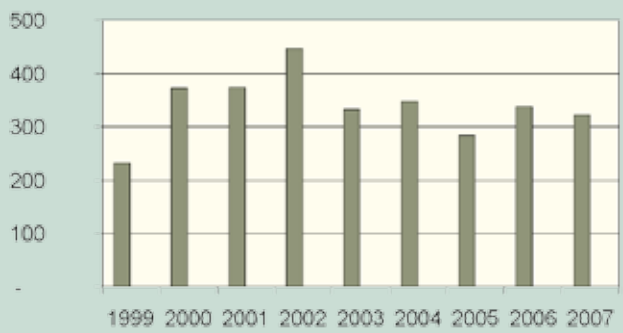
The EID established on-site that the operator had stored about 800 m³ of chicken manure on land next to the stables. This manure was stored in the open air and on an unpaved surface. This caused serious odour nuisance for the people living in the neighbourhood. Given the fact that no environmental licence had been issued and that the activities gave rise to direct nuisance for the people living in the neighbourhood, the EID drew up a priority official report and exhorted the operator to apply for an environmental licence and to remove the chicken manure as soon as possible.

At the end of October 2007, the operator submitted to the EID a copy of the documents proving the removal of the chicken manure. Early November, the EID indeed established on-site that all the manure had been removed.

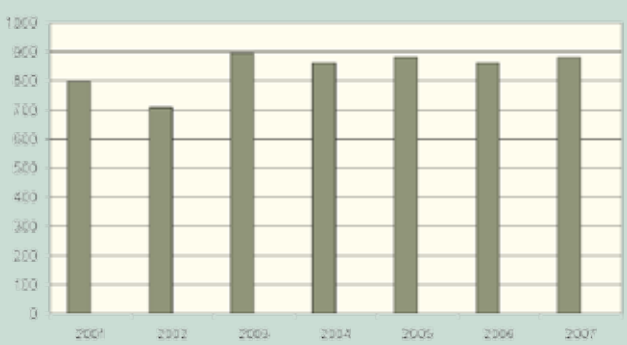
Meanwhile, the operator applied for a category 2 licence with the local council. Because an old chicken stable was no longer in use, the number of chickens had been strongly reduced and therefore a category 2 licence sufficed. Early March 2008, the local council issued a licence for a poultry farm with one stable for the rearing of 19,000 chickens. As special licensing requirement, the storage of manure was strictly prohibited, in consultation with the EID.

In January 2008, the EID carried out an inspection during the cleaning of the chicken stable. During this inspection the environmental inspectors established that all the chicken manure was loaded onto trucks and directly transported to a recognised composting plant. The operator had concluded a contract for this and will continue to remove the manure like this in the future. As a result, no manure will be stored anymore at this company.

Evolution of number of refusal decisions



Evolution of number of licences with priority special requirements



Licences with priority special requirements	
Number received	879
Number of inspections carried out for this	1.446

The number of environmental licences with priority special requirements was outlined in the graph below for the past seven years. Each year, the EID receives an average of more than 800 licences with priority special requirements. This figure remains practically unchanged and seems to reflect a series of important requirements inenvironmental licences that have not been included under the standard general requirements of Vlarem. Yet, in this respect as well the number of inspections that are carried out in function of this sometimes long series of requirements, linked to various deadlines, continues to rise.

Special requirements for tank storage

In 2006, the Provincial Executive granted an Antwerp port company a licence for the operation of a new storage terminal for hazardous substances. Due to the licensed storage quantities for petrol and other petroleum fractions, this company is a lower tier Seveso establishment.

The licence comprises several special requirements with regard to the operation of the tank park. Provisions have been included with regard to the storage of flammable products, the execution of supervised unloading operations, the discharge of rain water from the calamity basin, the treatment of air emissions for odorous and volatile products and the development of a prevention policy.

During the construction phase it was opportune for the EID to check both compliance with the applicable sectoral and special requirements and to sound out the state of affairs with regard to the introduction of a prevention policy as referred to in the Cooperation Agreement. Possible corrective actions could then still be taken into account in the further project implementation.

The idea was to fit the tank park with the best available techniques for the storage of flammable liquids. However, during the inspection it was not clear whether the tanks would be equipped with independent overfill protection systems and fire-proof valves. These technical measures indeed increase the level of protection of installations for the storage and transhipment of flammable liquids. The EID urged the operator to evaluate the necessity of these measures.

Furthermore, the EID pointed out to the company that before the activities are started the following provisions of the Cooperation Agreement have to be satisfied: finalising the risk studies, developing major accident roadmaps, developing and implementing the emergency planning and developing the prevention policy. The EID exhorted the company to take any action necessary to comply with these provisions.

Since the amendment of the Cooperation Agreement, the company has come under the scope of the upper tier regime of these regulations on the basis of the licensed quantities. This implies that it must submit a safety report to the coordinating service at the latest on 6 May 2008.

Self-monitoring inspection

The Flemish environmental health legislation contains many obligations with regard to the measurement and registration of company information. Many of these measurements and registrations serve as first line check of both the rules of procedure and the compliance with the requirements in force. The most obvious examples are the companies' own emission measurements (air, waste water). However, other inspections as well, such as the inspection of incoming waste, the inspections of compressors and the tests of tankers for hazardous substances, can be classified under the 'self-monitoring process'. Putting this type of compulsory self-monitoring in the hands of the operator fully fits in with the idea behind environmental management systems, which are gaining importance in industry.

Self-monitoring has in any case several functions, of which the most important are:
- monitoring compliance with the requirements;
- availability of environmental information to authorities (supervision, emission inventory..) and to the public;
- quality control of the operation of the (treatment) process and incentive for continuous process optimisation;
- proactive measure to offer maximum protection of the environment.

In practice, there is an enormous variety in the observance of these self-monitoring requirements, ranging from strict implementation, quality control and reporting to a total lack of knowledge about these requirements. The EID also notices that companies or sectors in which the EID put a lot of effort in supervising the self-monitoring process in the past, for instance by means of emission measurements at its own initiative, clearly pay more attention to these requirements now.

The self-monitoring information is also relevant for the EID when drawing up the annual EIP, as it serves as one of the criteria for the selection of the companies or industrial sectors to be inspected. These inspections very often include measurements or investigations which are carried out at the EID's own initiative and under circumstances defined by the EID. Results from such inspections tend to differ greatly from the self-monitoring results which were submitted for perusal.

Finally, it can be stated that there is a clear rise in the number of inspections relating to this self-monitoring process. This is among other things due to the explicit request of the Minister for Environment, Nature and Energy.

Self-monitoring inspection	
Specific inspections for the project in connection with the self-monitoring for air	76
Other self-monitoring inspections	165
Total	**241**

Inspection of the self-monitoring of a chipboard company

In 2006, an accredited laboratory carried out periodic emission measurements on the chimneys of the different process components, on the authority of a chipboard company. At the request of the environmental inspector, the company submitted the report on these measurement results to the EID early 2007. When checking the measured values against the emission limit values, it turned out that several standards were almost constantly exceeded. Standard exceedances were measured for the parameters dust, CO, NOx, heavy metals and dioxins for the wood waste combustion installation in the chip section.

Vlarem II stipulates that the operator of a wood waste combustion plant (larger than 5 MW) must inform the EID on beforehand in writing about the date and the supervisor of the periodic emission measurements. Furthermore, he must submit the results of the dioxin measurements as soon as possible, preferably within one month, to the EID. If the measurements show that one or more emission limit values have been exceeded, the operator must report this at once to the EID. Moreover, he must take any measures necessary to comply with the emission limit values as quickly as possible.

The EID established that during the self-monitoring measurements on the wood waste combustion plant dioxin values were registered which exceeded the legal standard ten times and that this company had neither announced nor reported on these measurements. Therefore, the EID drew up an official report and exhorted the company to start up an investigation into these exceedances within the month and to work out and implement proposals for remediation.

Two months later, in August 2007, an accredited laboratory carried out emission measurements on the chimney of this plant on the authority of the EID. It showed from the report on these measurements that the dioxin concentration in the waste gases of the wood waste combustion plant exceeded the legal standard seven times. The other parameters did not meet the emission limit values either.

The EID drew up another official report and imposed a coercive measure because the company did not sufficiently act upon the exhortation. By 1 December 2007, either the wood supply from the silo containing the dust from sanding chipboards had to be disconnected from the combustion installation, or the combustion installation had to be remediated by that date.

The company appealed against this coercive measure with the Flemish Minister for the Environment. The coercive measure was upheld on appeal, but the implementation deadline was postponed until 1 February 2008.

In November 2007, the waste gases of the wood waste combustion plant were ducted for treatment over the wet electrofilter of the dryers of the chipboard section. The expert report on the emission measurements, carried out on the chimney of this plant by a laboratory on the authority of the company at the end of November 2007, showed that the legal dioxin standard in the waste gases was respected. The other parameters were under control as well.
A few months later the company decided to put the entire chipboard section out of service and to permanently discontinue the production of regular chipboards. This decision was also taken for economic reasons. Another part of the company where OSB boards are produced continues to be operational.

Reactive Inspections

Reactive inspections are carried out following an appeal to the EID.

Reactive inspections can be subdivided into a number of groups. Action is taken by the EID, among other things when it receives complaints, reports of incidents, requests to draw up evaluation reports for trial licences, notes of the Public Prosecutor's Office, requests by the Public Prosecutor's Office for technical expertise, requests for advice, parliamentary questions, requests for high supervision and in case of the determination of winter smog. A number of actual dossiers illustrate the different possibilities.

Given the great volume and high pressure of work it is impossible to respond to every appeal. Consequently, not every appeal will result in an on-site inspection. That is why each dossier is checked against the list of priorities.

Complaints

Each year, the EID receives many environmental complaints from the most diverse of parties: private persons, municipal and provincial authorities, Members of Parliament, the Office of the Flemish Minister for the Environment, other Flemish or federal public services, environmental associations, Aquafin and Flemish public institutions, such as OVAM, VLM and VMM. Anonymous complaints are also processed.

The EID also receives many requests and complaints which it does not handle itself. Given the multitude and complexity of the environmental regulations, it is apparently not always obvious which public service can or should handle a particular request or complaint. Below, a number of general guidelines are given.

Which requests and complaints are handled by the EID?

Complaints about category 1 establishments causing environmental nuisance or about category 2 and 3 establishments causing severe environmental nuisance and for which the local authorities do not take any action, are handled by the EID.

A company can cause the following types of environmental nuisance, amongst others:
- odour, dust and light nuisance;
- air pollution(smoke or fumes);
- noise and vibration nuisance;
- soil and ground water pollution;
- pollution of the surface water;
- improper handling of waste;
- shortcomings with regard to the safety of the surrounding area;
- non-compliance with licensing requirements.

Which requests and complaints are NOT handled by the EID?

The EID frequently receives a lot of requests or complaints that are dealt with by other public services. Below, an overview is given of these requests and complaints and the bodies which normally handle the request or complaint in question.

In the environmental health sector
- Complaints about category 2 and 3 establishments causing environmental nuisance: the municipal environmental service;
- Questions about the environmental licence category (1, 2 or 3) of a particular company: the municipal environmental service (the municipality has a public register);
- Questions about the content of a particular environmental licence: the municipal environmental service (all environmental licences are available with the municipality for perusal by the public);

- Questions about the interpretation of the legislation: Environmental Licences Division of LNE;
- Historical soil pollution: OVAM;
- Abandoned industrial sites: OVAM;
- Abandonment of waste:
- in general: local police;
- along roads: Roads and Traffic Divisions (Infrastructure Agency);
- along waterways: Waterways and Sea Canal plc, Shipping plc, and the Agency for Maritime Services and Coast;
- in forests or wildlife areas: Agency for Nature and Forests;
- Burning of domestic waste by private individuals: local police;
- Manure problem (for instance carting manure during a prohibited period): the Manure Bank of the Flemish Land Company;
- Use of sprays: the Service for Pesticides and Fertilisers of the FPS Public Health, Safety of the Food Chain and Environment;
- Health complaints related to nuisance-causing establishments: the Division of Public Health Surveillance of the Agency for Care and Health.

In other sectors
- Building violations: Urban Development Service of the municipality / Agency for the Inspection of Town and Country Planning, Housing Policy and Immovable Heritage;
- Violations in wildlife areas: Agency for Nature and Forests;
- Violations in forests Agency for Nature and Forests;
- Fire or disaster: fire brigade, Civil Protection.

Handling of environmental complaints

For the handling of complaints, the EID has already established an internal procedure in 2002 which was transposed into an internal instruction. The text of the instruction was updated in 2004 and extended to include a coding system to quantify the different sub-streams of complaints. The new instruction has been applied as of the 2005 calendar year.

Environmental complaints are handled in keeping with a number of arrangements that take into account the key objectives of the new procedure:
- Good follow-up inspection of the complaints reported to the local authorities;
- To flesh out the concept of high supervision;
- To establish good communication with the complainants, the municipality, the LNE complaints manager and the Flemish Ombudsman Service.

Below, an overview is given of the most important arrangements for the handling of complaints.

An environmental complaint that concerns a non-categorised establishment, an infringement in the open countryside or a law for which the EID is not competent is immediately passed on to the Mayor or to the competent service.

Environmental complaints about nuisance establishments are handled differently according to the category.
Complaints about category 1 establishments (including complaints via the Minister's Office, the LNE complaints manager and the Flemish Ombudsman Service) are handled by the EID within three months after receipt of the complaint in keeping with internal procedures which include the implementation of inspections, the possible drawing-up of official reports and the issue of exhortations.

A complaint about a category 2 or 3 establishment is immediately passed on to the Mayor, even when the complainant claims that the municipality does not take any or insufficient action. The EID asks the Mayor to initiate an investigation within a period of one month. If the reply of the Mayor is not forthcoming or is insufficient and if there is no serious nuisance, the EID will send a reminder to the

Mayor to reinvestigate the complaint. If once again the reply of the Mayor is not forthcoming or is insufficient, the procedure provides for the complainant, the Minister and the Flemish Ombudsman Service to be informed about this. The complaint is then regarded as settled by the EID. Only if the reply of the Mayor is not forthcoming or is insufficient and when the complaint suggests that it involves severe nuisance, the EID itself will investigate the complaint within the framework of its high supervision, if it is still relevant.

The EID receives many complaints each year and carries out a lot of inspections to assess the complaints and, where appropriate, continue to monitor the findings.

Complaints	
Number of complaints	1.979
Number of inspections carried out for this	2.986

For several years now the EID has received about 2,000 complaints per year. The number of complaints has slightly decreased in 2007 compared to 2006 and is now just below 2,000. The complaints are subdivided per environmental compartment. A complaint can sometimes include several issues. As a result, one complaint may be classified within several compartments.

Complaints per environmental compartment	
Odour	798
Noise	480
Operation	466
Waste	217
Air	186
Discharge	171
Soil and ground water	67
Manure	74
Safety and security	25
Light	6
Total	**2.490**

The graph below shows the breakdown of the complaints by environmental compartment. It can be concluded from this that most complaints concern the environmental compartments of odour, noise and operation. Over two thirds of all complaints are classified in these three compartments.

The table below shows that the EID receives many complaints about nuisance that do not originate from category 1 establishments.

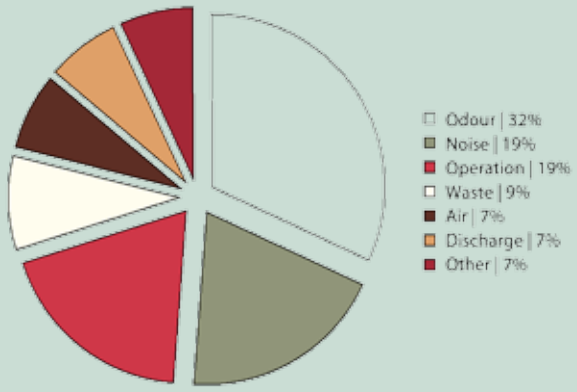
	Number of complaints	Number of companies or sites involved
Category 1	1.458	521
Category 2	220	177
Category 3	70	44
Non-categorised establishments / other	231	147
Total	**1.979**	**889**

Handling of complaints within the framework of the Flemish Parliament Act on Complaints

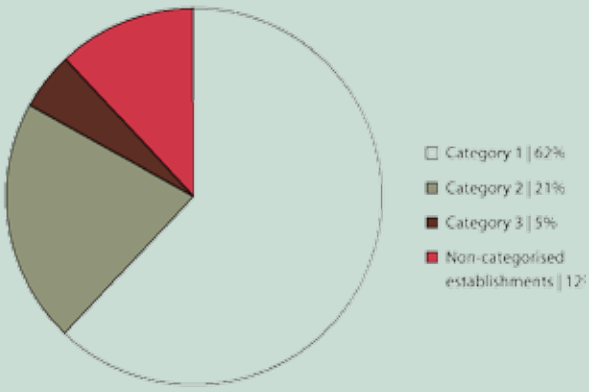
A complaint within the framework of the Flemish Parliament Act on complaints is a manifest expression of a dissatisfied citizen who complains to the authorities about an action or service performed (or not, as the case may be) by those same authorities.

Complaints that fall under this Flemish Parliament Act and that are initially submitted to the Flemish Ombudsman Service or the complaints manager are first of all referred by those services to the civil servant handling the case or to his or her direct superior.

Complaints per environmental compartment in 2007



Companies with complaints in 2007



If the problem is not resolved at the level of the service, the complainant can refer the complaint to the LNE complaints manager. The complaint is registered and handled in conformity with the guidelines of the Flemish Parliament Act on complaints: the complaints manager confirms receipt of the complaint within ten calendar days and handles the complaint within 45 calendar days. To this end, the complaints manager asks the head of the division in question to draw up a draft reply.

If the complainant is not satisfied with the reply of the complaints manager, he can then refer the case to the Flemish Ombudsman Service, which can initiate an investigation according to the same procedure: the complaint

Remediation at a textile company after complaints about noise

For quite some time now, the EID has been receiving complaints about noise nuisance, caused by a West Flemish carpet factory. The investigation of the complaint showed that the noise nuisance was caused partially by the continuous running of the machines in the extrusion section of the company and partially by the increased frequency of the unloading of tank trucks filled with synthetic grain throughout the day. When granulate is supplied, the grain is blown into the company's storage silos by using the compressor of the tank truck itself. Especially the simultaneous unloading of several trucks causes excessive noise nuisance.

On the basis of the measurements a noise expert recommended to tackle the sources of continuous noise on the roof of the extrusion section in a phased and source-oriented manner. The aim of the measures was on the one hand to reduce the number of emission points by clustering the noisiest sources and on the other hand to install silencers on the remaining emission points. The immission report on control measurements following the implemented remediation measures showed that the noise nuisance coming from the continuous sources on the roof could be substantially reduced as a result of this. In the neighbourhood of the company, reductions in the sound pressure level of 6 to 10 dB(A) were recorded at night for all wind directions.

To unload the trucks, the company invested in an internal transport air supply to blow over the granulate with the company's own blower system, set up in the extrusion section. Because of this blower system the tank trucks no longer had to use their own compressor, as a result of which there was practically no noise nuisance anymore. All granulate suppliers were informed about the new unloading procedure and the tank trucks which do not have the required connection material are no longer allowed to unload.

On the basis of the source power and the noise spectrum of the risers that was measured by the expert during the granulate transport, all risers of the storage silos were in addition fitted with specific noise isolation, which also reduced the noise nuisance of the granulate transport to a minimum.

Following the remediation of these noise sources the only remaining noise nuisance was caused by trucks driving to and from the loading and unloading docks of another section of that same company at night. The noise expert drew up a report for these activities as well, evaluating the feasibility of various alternatives, such as the installation of a noise reducing barrier and the relocation of the unloading docks is currently being assessed through simulation in a calculation model.

is referred to the Head of Division, the Head of Division initiates an investigation and reports to the Flemish Ombudsman Service which then gives the complainant a reply.

In 2007, the EID handled 7 cases referred by the LNE complaints manager and 13 referred by the Flemish Ombudsman Service. An overview is given in the tables below.

List of cases from the Flemish Ombudsman Service handled in 2007		
Number	**Description**	**Category**
2003-0512	Unlicensed parking of trucks	2
2003-0753	Building violation and bus company which has no environmental licence (including communication of provisional qualification)	3
2004-0493	Operation of unlicensed establishment and environmental nuisance (including communication of provisional qualification)	2
2005-0391	Odour nuisance at a composting company (including communication of provisional qualification)	1
2005-0689	Dust nuisance at a pallet factory (including communication of provisional qualification)	1
2006-0291	Noise nuisance caused by a concrete company (including communication of provisional qualification)	1
2006-0822	Noise nuisance caused by a food company	2
2006-0851	Dust nuisance caused by a waste processing company (including communication of provisional qualification)	1
2007-0174	Complaint about a weaving mill (including communication of provisional qualification)	3
2007-0201	Building and environmental violations and non-compliance with the licence by a frozen food company	2
2007-0470	Noise and dust nuisance at a motocross track (including communication of provisional qualification)	1
2007-0633	Unlicensed party hall	2
2007-0944	Odour nuisance as a result of rotting leek	1

List of cases from the LNE complaints manager handled in 2007		
Number	**Description**	**Category**
LNE/KL/2007/3	Environmental violation by a sheep company	3
LNE/KL/2007/4	Noise investigation – lack of administrative openness	1
LNE/KL/2007/13	Complaint about control of odour nuisance from a manure processing company	
LNE/KL/2007/19	Complaint about the supervision of dust and noise nuisance from a demolition and waste company	1
LNE/KL/2007/20	Complaint about the supervision of odour nuisance from an abattoir	1
LNE/KL/2007/21	Complaint about the supervision of noise nuisance at a brickyard	1
LNE/KL/2007/26	Complaint about the communication by the EID at a metal works	2

Reports of Incidents

During the operation of their companies, operators have the obligation to take any measures necessary to protect the neighbourhood against the risks and consequences of accidents. This implies, among other things, that the necessary intervention resources must be in place and that any necessary measures must immediately be taken when any nuisance, damage or danger occurs. Any pollution must be remediated in an ecologically sound manner.

However, despite all possible preventative measures, unforeseen emissions still occur that may cause nuisance. Sometimes these incidents escalate to such an extent that damage is also caused to human health and to the environment in the surrounding area of the company.

Apart from the duty of care, operators also have a reporting obligation: the incidents and measures taken must be reported to the Mayor and to the EID. If an incident has taken place, the EID will ascertain, if relevant, whether the necessary impact-reducing measures were indeed taken.

In 2007, a total of 1,060 incidents were reported to the EID. These incidents are not restricted to accidents in the narrow sense of the word. Operators must also report breakdowns of treatment plants or breaches of standards.

Reports of incidents	
Number of reports	1.060
Number of inspections carried out for this	53

According to the provisions of the Cooperation Agreement, Seveso establishments must, in case of a major accident, initiate the internal emergency plan and inform the 100 service and the Government's Coordination and Crisis Centre (CGCCR). The CGCCR reports the incident to a number of bodies, including the competent inspectorates which may then proceed to the scene to check that the necessary emergency measures were taken.

The EID takes action after a failure to report a calamity

In the summer of 2007 a municipal environmental service informed the EID about gas oil pollution in a watercourse. In close consultation with the local police, the EID carried out an investigation into the source of the pollution.

This investigation led to a category 1 wood-processing company where the EID found clear traces of gas oil pollution in the company's sewer system. Following the overfill of an above ground storage tank at a fuel distribution plant a considerable amount of gas oil entered the company's sewer system for the discharge of rain water. This drains to a pond which provides for fire extinguishing water. Via an overflow and a number of dikes this pond was connected to the polluted watercourse.

The company had neglected to report this calamity to the EID in conformity with Article 4.1.3.4. of Vlarem II. The EID immediately gave an oral exhortation to the company on site to close off the overflow of the pond by means of an industrial balloon in order to prevent the gas oil pollution from spreading any further. Following the measures taken by the EID the company immediately ordered a specialised firm to suck up the gas oil pollution in its sewer system and the pond and to neutralise the oil slick on the dike system and the watercourse by spraying a biodegradable detergent.

The EID drew up an official report and imposed additional structural measures through a written exhortation to prevent such calamity from happening again. The company had an overfill protection system installed on the oil storage tank and the oil separator (belonging to the forecourt) was emptied, cleaned and provided with an alarm with level indication. In addition, the company's existing sewer system was recorded and adjusted so as to completely separate the sewer system for rain water from the system for industrial waste water.

Evaluation Reports

A trial licence can be issued for a period of two years at most. In implementation of Article 40 of Vlarem I, the EID draws up an evaluation report for each licence. This report is forwarded to the licensing authority which takes a final decision. Only one provincial licensing authority makes frequent use of the opportunity to grant trial licences in order to be able to actually monitor a promised or compulsory remediation. The number of trial licences is gradually rising.

Evaluation reports for trial licences	
Number of reports	45
Number of inspections carried out for this	81

Notes

Via notes the Public Prosecutor's Office asks questions concerning an official report or the progress of the administrative processing. By means of a reasoned request environmental inspectors are sometimes asked to participate in an investigation as technical experts under the authority of a magistrate or an officer of the judicial police. In 2007, 64 on-site visits took place for this.

Notes		
Notes received	in priority official reports	in other official reports
Antwerp	23	27
Bruges	5	2
Brussels	15	18
Dendermonde (Termonde)	23	91

Ghent	9	84
Hasselt	16	42
Ypres	1	6
Kortrijk (Courtrai)	9	41
Leuven (Louvain)	22	9
Mechelen (Malines)	6	21
Oudenaarde (Audenaerde)	2	11
Tongeren (Tongres)	47	28
Turnhout	1	12
Veurne (Furnes)	5	5
Total	**184**	397
Number of inspections carried out for this	86	258

Work Plan Evaluation

Article 5.2.1.3 of Vlarem II stipulates that the operator of an establishment where the activity of 'waste processing' takes place must have a work plan which is adopted by the supervising authority before the activities are started. This Article also mentions which aspects the operator must clarify in his work plan. A large number of points are added to this for landfills, as mentioned in Article 5.2.4.2.1.§1 of Vlarem II.

The EID seeks to give a reply to the operator within four weeks following the receipt of a work plan to be adopted. This reply may be an approval of the work plan, but also a request for clarification of some items. In exceptional cases this term can be extended to three months at the latest after submission of the work plan by the operator.

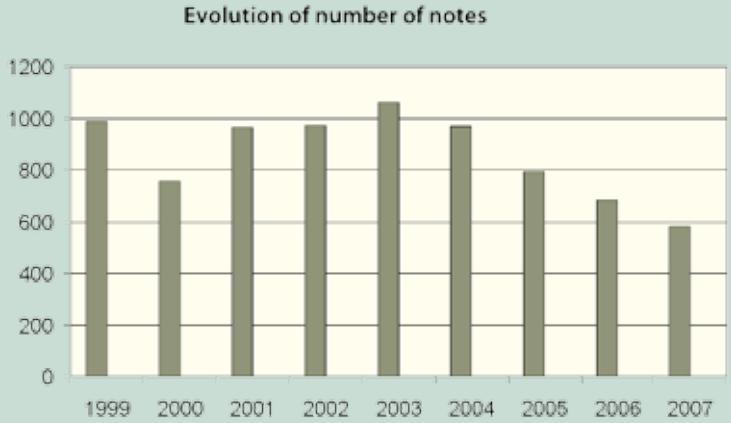
The EID has developed an internal procedure to handle and evaluate these work plans. It is of vital importance that the completeness of both the form and the content of the submitted work plan are checked. It is indeed obvious that the work plan is a powerful and useful enforcement instrument for environmental inspectors to use during future on-site inspections. Therefore, the on-site status must always be reflected in the adopted work plan. If this is not the case, the operator must submit an application for adjustment of the work plan. It is also conceivable that an environmental inspector finds that a particular aspect of the business management has been insufficiently described in the work plan. The logical consequence is that he or she exhorts the company to further deepen these elements. These applications for adjustment are then handled in the same way as a newly submitted work plan.

In 2007, 189 such applications were submitted to the EID for processing. It goes without saying that the evaluation and follow-up of these work plans entails a considerable workload within the set of tasks of environmental inspectors.

Questions from the Flemish Parliament

Each year, the EID provides considerable input with a view to answering different questions put by the Flemish Parliament. It concerns written questions, requests for explanation and interpellation requests. Below an overview is given of the questions handled. Usually, these questions do not require the implementation of additional inspections: most of the cases are very familiar to the EID and there is usually little time available between the question being asked and the answer being given.

Input in response to questions put by the Flemish Parliament	
Number of written questions handled	29
Number of interpellation requests handled	1
Number of requests for explanation handled	6



Overview of the questions from the Flemish Parliament that were handled			
Date	**Subject**	**Type**	**No.**
14/12/06	Environmental inspections by the Environmental Inspectorate Division	Request for explanation	
20/12/06	The results of the environmental enforcement report and the problems with the Environmental Inspectorate Division	Written question	257
21/12/06	The enforcement of the environmental policy	Request for explanation	
10/01/07	The Flemish Internet one-stop-shop for the registration and follow-up of environmental complaints	Request for explanation	
10/01/07	Illegal dumping - enforcement policy	Written question	189
11/01/07	The results of the biomonitoring study of adults and the policy pursued by the Flemish Government with regard to environmental pollution	Interpellation request	
11/01/07	DDT pollution – Causes and measures	Written question	196
24/01/07	Environmental enforcement policy - Bottlenecks	Written question	239
31/01/07	Import of waste - Inspections	Written question	258
07/02/07	Fuel oil discharges into watercourses - Limburg	Written question	263
13/02/07	Landfill "Binkom II" Lubbeek – Follow-up	Written question	288
21/02/07	Military sites – Environmental legislation	Written question	305
6/03/07	The environmental impact of waste wood incineration	Request for explanation	
26/03/07	Filling brook valleys with spoil	Request for explanation	
11/04/07	Motocross track Waterloos (Maaseik) – Environmental licence	Written question	403
18/04/07	Air pollution Genk-Zuid - Measures	Written question	414
18/04/07	DDT pollution – Causes and measures (2)	Written question	410
16/05/07	Asbestos dump site Neerijse – Precautionary measures	Written question	462
14/06/07	Public communication – Communication bureaus	Written question	490
14/06/07	Illegal waste transports	Request for explanation	
04/07/07	Resolution environment and health – Initiatives (2)	Written question	526
05/07/07	Groenenhoek Berchem – Noise nuisance	Written question	537
06/07/07	Municipal park Boom – Quality of water in the pond	Written question	541
19/07/07	Health risks of waste dumping – Policy initiatives (2)	Written question	562
26/07/07	Small-scale wood waste incineration – Environmental impact	Written question	574
09/08/07	Environmental incidents – Crisis management	Written question	587
09/08/07	Asbestos waste - Collection	Written question	586
05/09/07	Recycled materials and products – Flemish government	Written question	606
13/09/07	Noise and health – Permanent noise measurements	Written question	631
18/09/07	Zenne Halle-Lot – Fuel oil pollution	Written question	650
18/09/07	Dender Teralfene – Fuel oil pollution	Written question	651
20/09/07	Tessenderlo Chemie – Discharge plans 2012	Written question	256
07/11/07	Biofuels - Current status	Written question	119
21/11/07	Environmental Inspectorate – Asbestos inspections	Written question	147
06/12/07	Flemish environmental covenant with the municipality	Written question	47
18/12/07	Dender Geraardsbergen – Water pollution (2)	Written question	210

High Supervision

Article 58 of Vlarem I stipulates that the inspectors of the EID, who have been appointed by the Minister, are responsible for the supervision of category 1 establishments and for the high supervision of category 2 and 3 establishments. However, the environmental legislation does not contain any definition of 'high supervision'. 'High supervision' is not interpreted by the EID as 'acting in the place of the defaulting party'. After all, in its current form, the Division only has a very limited number of environmental inspectors at its disposal who are preferably deployed to carry out preventive inspection actions at category 1 establishments.

Furthermore, the EID cannot enforce the supervision by municipal authorities because it does not have any hierarchical authority over these authorities. In order to implement this 'high supervision' in a proper manner, the EID has developed and introduced a procedure to closely monitor the first line supervision by the municipalities and to ensure the enforcement of the environmental legislation in serious cases where the municipality manifestly refuses to intervene.

Winter Smog Roadmap

When the meteorological conditions are poor, air pollution can sometimes rise strongly, creating smog which affects man and environment in an adverse manner. Vlarem II contains a regulation whereby those companies that pollute the air the most must take anti-smog measures in order to reduce their emissions of hazardous substances into the air. In addition to supervising compliance with these measures, the EID has also been entrusted the role of 'messenger'.

The EID is to warn operators of companies when winter smog occurs. When notice is finally given of the winter smog period, the EID must warn them and ask them to take measures. Once the smog period is over, the EID must also notify the companies that these measures are no longer required. The companies must then, within a period of two months, provide the EID with any information which will allow it to evaluate the effectiveness of the measures taken. The EID is also required to inform the other Regions, the neighbouring countries and the press.

The translation of these Vlarem provisions into a practicable scheme for the EID, with written procedures and standardised warnings and alarm messages to all aforementioned parties involved, has resulted in the Winter Smog Roadmap. In 2007, this roadmap was updated for use in the winter of 2007-2008.

Vlarem makes a distinction between 'alert stage' and 'alarm stage'. The alert stage starts when the hourly average value of NOx or the moving daily average value of SO2 that is measured exceeds a predefined threshold value. These measured values represent the concentrations of these substances in the ambient air. VMM measures them continuously at 35 measuring stations throughout Flanders. Vlarem also contains a threshold value for announcing the alarm stage. To make sure that the measures taken actually work when the alarm stage is announced, it is important that action be taken by companies situated in the smog zone. Hence Flanders has been divided into seven zones, including two separate zones for the Antwerp and Ghent port areas. The alert stage or alarm stage is announced as soon as the threshold value has been exceeded at at least two measuring stations in any of the zones. Only the companies in that zone must take action when the alarm stage is announced. For this reason, the duty environmental inspector of the Chief Inspectorate monitors the evolution of the measured concentrations at the Flemish measurement locations on the website of IRCEL within the framework of his or her standby duty. Every day the environmental inspector receives by e-mail a report of the measurements taken at all measurement locations from VMM which manages the Flemish monitoring network.

Only the largest emitters are required to take steps to reduce their contribution to air pollution through measures when the alarm is issued. The winter smog companies are selected every year on 1 October on the basis of the annual loads reported in the emission report of the preceding year. 31 winter smog companies have been selected for the winter of 2007-2008. These are mainly power plants, metallurgical companies, brickworks, refineries and large chemical companies.

In the event of an alarm, the winter smog companies are required to temporarily cut down any production and incineration processes that cause air pollution, to temporarily suspend any air polluting activities that can be postponed and to defer the start-up of any processes that might involve extra emissions. Additionally they must temporarily switch to low-sulphur fuel, and if possible, to natural gas. The operators must send a fax to the EID within 24 hours, indicating the measures they have taken exactly. The EID monitors these actions.

Follow-up Inspection and Personal Initiative

To ensure remediations and to keep the credibility of enforcement high, it is absolutely necessary that we have a firm and vigorous follow-up inspection of the measures imposed until the desired remediation is achieved.

This chapter also devotes attention to personal initiative: each environmental inspector can select and inspect companies at his or her own initiative on the basis of a critical selection. These inspections are not part of the planned inspection activities.

Both the follow-up inspection and the personal initiative are an important part of the key process of 'inspecting and taking measures'. 35% of the time is spent on this aspect.

Follow-up Inspection of a Dossier

The EID makes optimal use of the enforcement instruments to ensure the success of the follow-up inspection. The imposed instructions must therefore lead to actual remediations. In cases where the instructions given do not lead to the anticipated remediations, the EID will proceed with administrative acts (coercive measures, orders) or propose to the licensing authority to impose administrative sanctions (suspension or withdrawal of the licence). In addition the EID can also submit a proposal to change or supplement the licensing requirements.

Personal Initiative

When carrying out his or her daily activities the environmental inspector is faced with (potential) environmental offences that (could) constitute a risk to man and environment. Attentiveness is a basic principle in situations such as an operation of a company which at first sight seems careless or unsafe, an illegal discharge, soil pollution, suspicious plumes from a chimney, acute odour, light, noise and vibration nuisance, illegal dumping or burning of waste. In this case it is appropriate for the environmental inspector to act (immediately) at his or her own initiative. About 6% of the available time is reserved for this action.

A Few Examples of EID Enforcement

Peak noises at a steel company

In the autumn of 2006 the EID received several complaints from local residents about continuous noise nuisance from a nearby steel company. It turned out that the noise nuisance was mainly caused by the activities at the scrap yard of the company. As raw material for the production of stainless steel use was made of steel scrap, which was shipped by means of a number of large jib cranes. This scrap is non-magnetic and therefore regularly falls from the jibs. This causes very annoying peak noises.

The EID has a weather resistant noise meter which can register measured values for a long period of time and which also allows a better analysis of the company's operations at night. In February 2007, the EID set up a measurement campaign near the house of one of the complainants for a period of three weeks.

The measurements showed that the peak noises resulting from the operation of the scrap yard could be heard throughout day and night. Although the measured values of these peak noises were very variable, they could be clearly distinguished and were irrefutably caused by the steel company. The sound of falling metal could also clearly be heard in the audio recordings. This was established by the EID itself during the many inspections at the company.

Given the fact that the complaints from the people living in the neighbourhood indicated that they mainly experienced nuisance at night (between 10 pm and 7 am), the EID decided to evaluate this period in particular. Another reason was that at night fewer noises from other sources could be heard.

When checking the measured noise values against the provisions of Vlarem II it turned out that, in comparison to the criteria to be checked for new establishments, the standard for impulse noise was at certain moments exceeded by 15 dB(A) at night. The EID drew up an official report and exhorted the company to take proper measures to abate the noise nuisance. At a meeting with the EID the company could study the noise measurements and listen to the audio recordings. The EID also gave it a digital version of all the results.

After that, the company took a number of measures that mainly focused on the adjustment of the work methods. This was supported by a number of technical aids. For instance, at the industrial site two noise meters (with audio recording) have meanwhile been installed which can be continuously monitored by the company and by the contractor who manages the scrap yard. In this way the actions of the crane drivers can be monitored at all times, including at night. The idea is to reduce the noise nuisance during the handling of scrap as much as possible by optimising and constantly adjusting the internal procedures.

Since the measures have been introduced, the number of peak noises has been reduced drastically. The company seems to be aware how important it is to constantly monitor compliance with procedures so as to reduce the potential noise nuisance for the people living in the neighbourhood to an acceptable level. The EID will continue to follow the impact of these measures.

Remediation of an asbestos dump site

During the inspection of an inert waste landfill the EID established that the dumping of bonded asbestos cement had not proceeded in conformity with Vlarem II regulations. This waste was supplied in so-called big bags. The EID found that several bags had torn open, especially as a result of the way in which they were handled at the tip itself.

It was clearly visible that a wheel loader had driven over the bags back and forth and had torn these bags, as a result of which part of the content was crushed and pulverised under the pressure of the caterpillar tracks. The EID also found that the rear part of the tip, which was reserved for the dumping of this waste, had partially been flattened and was insufficiently covered. Also, because of the dry weather there was large formation of dust.

In several places containers were placed on subsoil which showed clear traces of bonded asbestos cement. By moving these containers and because of the passing traffic, this waste was crushed and pulverised. This caused the dust, which possibly contained asbestos fibres, to be dispersed into the surroundings. The formation and dispersion of dust were not prevented by spraying it with water, for instance.

The inspection took place after a long period of dry weather and there was a strong wind. Although these were exceptional circumstances, the problem was now very clearly visible.

Article 5.2.4.1.9§5 of Vlarem II was violated. The EID drew up an official report and the environmental inspector promptly gave the order on site to moisten the terrain and to cover the bags with bonded asbestos waste in keeping with the applicable Vlarem II regulations.

The people in charge of the tip immediately took any measures necessary by moistening this part of the tip one the one hand and by covering the dumped big bags on the other. Instructions were then also given to the suppliers of this waste with regard to the dumping of big bags. In addition, the personnel concerned received both oral and written instructions.

Follow-up inspection at a chemical plant

During an inspection mid-2007 at a chemical plant in the Ghent area, the EID established that on the one hand the inspection of electrical installations was not conducted in accordance with the imposed frequency (annually) and that on the other hand the presented inspection reports showed that several installations did not meet the AREI (General Regulations on Electrical Installations) requirements. The EID also established that three tanks for the storage of hazardous substances were not subjected to the compulsory inspections.

The EID drew up an official report against the company and exhorted it to conduct the necessary inspections and to act upon the remarks in the inspection reports. Meanwhile, the necessary inspections have been carried out and most of the remarks in the inspection reports have been complied with.

Late 2007, the EID itself had measurements carried out following several incidental SOx emissions which had an impact on the surroundings. These measurements showed that the emission limit values for SO2 were largely exceeded. The EID drew up another official report against the company and exhorted it to introduce measures to reduce emissions to below the imposed emission limit values.

Meanwhile, the company made adjustments to the installation, which resulted in a substantial decrease of emissions. The company is planning further measures to reduce SOx emissions (especially when the installations are started up and shut off) by installing a scrubber.

Unlicensed activities at a wood processing company

A wood-processing company produces wood pellets and wood briquettes from wood waste, which is supplied, among other things, by sawmills. However, the company is not allowed to accept just any wood waste. The special requirements of the environmental licence limit the supply by imposing composition criteria for supplied wood waste.

Within the framework of the routine waste sampling the EID made an on-site visit to sample the sawdust and the wood shavings that are used to make pellets and briquettes. During this inspection the environmental inspectors established that on the industrial site a mobile installation was grinding painted and treated wood. Although these wood chips are not used for the production of wood pellets and wood briquettes, but are supplied to the chipboard industry, the EID drew up an official report, since the storage and mechanical treatment of treated wood waste were not licensed. The EID also sent an exhortation to the company and monitored the regularisation of this situation. Late 2007, the Public Prosecutor could already be informed about the state of affairs.

Illegal processing of building waste

In March and April 2007, the EID received complaints from several local residents about the operation of a construction site in a densely populated neighbourhood. A large contractor carried out road and collector works in the near surroundings and used for this purpose a site to store broken-out asphalt and concrete. This waste was also crushed on the site. A soil mixer was also available to mix soil with cement or lime.

The EID carried out an inspection and established that the neighbourhood indeed experienced a lot of nuisance from the busy traffic of trucks and tractors and that there was constant dust nuisance in the entire neighbourhood. According to the local council and the contractor, the operation of the installations on this construction site did not require a licence, because the classification list contains an exception clause for 'the mechanical treatment on the construction site itself of inert substances which are developed during the execution of road works, if these substances are recovered at this construction site itself.' As a result, the EID could not draw up an official report for this nuisance as a violation against the duty of care, as it is laid down in the Flemish Parliament Act on environmental licences.

The EID kept monitoring the situation. During an inspection in October, the EID requested to peruse the documents regarding the origin of the supplied material and the destination of the crushed and mixed material. Delivery notes and company charts showed that at least 3,700 tonnes of inert waste (soil with stones, asphalt rubble, chunks of concrete) were supplied from four other sites of this contractor. The exception clause for the licence obligation thus no longer applied to this operation.

The EID drew up an official report for operating without environmental licence, for causing abnormal nuisance and for not complying with the sectoral environmental requirements for the processing of waste. Moreover, the EID proposed the Mayor to order the discontinuation of any unlicensed activities.

The contractor decided to discontinue all the activities on this site and to clear the site by late 2007. Early 2008, the EID indeed established that the site concerned had been fully cleared.

The EID and the Public Prosecutor together ensure the discontinuation of illegal motocross activities

Late 2005, the EID suddenly received several complaints about noise nuisance caused by motocross activities on the premises of a former gravel pit. Research showed that in 2005 an environmental permit was issued for the further operation of the cross track, but that the necessary town planning permits were not in place. On the other hand, a provincial spatial implementation plan had been drawn up with the aim of converting the area where the motocross track is situated from nature area into recreation area. However, the procedure was not yet completed. Because the environmental licence was linked to the town planning permit, this resulted in a suspension of the granted environmental licence pending the granting of the town planning permit.

At the start of the 2006 cross season, the local residents of the cross track went to court to have the operation discontinued via a preliminary injunction. The judge complied with this request, as a result of which nearly no cross activities took place on the site in 2006. However, at the end of 2006 this judgement was nullified on appeal on the basis of the consideration that no urgency could be invoked in this case.

Meanwhile, the EID informed the operator that the environmental licence would be suspended as long as the situation of the town planning permits had not been regularised and that consequently no cross activities could be organised on this site anymore. The EID also informed the Mayor of this position.

In spite of this, in early 2007 when the new competition schedule was published, there were indications that the operation of the cross track would be resumed. The first activity listed on this calendar was the Belgian Championship. This competition would take place on a Sunday in April 2007. The EID then asked the Mayor which measures he would take if the operation of the cross track would be resumed. The Mayor replied that he would not introduce any coercive measures, but would instead respect any legal judgement that might be passed.

Because the Mayor did not want to take any action, the EID itself ordered, a few days before the first cross competition was to take place, the discontinuation of the illegal operation and of any illegal activities that took place on the site. The operator, however, blatantly ignored the discontinuation order. The Belgian Championship in April 2007 as well as the other competitions and test rides in the following weeks and months simply continued. The EID drew up several official reports because the operator continued the illegal operation and did not act upon the discontinuation order. Moreover, the further operation gave rise to repeated complaints from local residents about noise nuisance, odour nuisance caused by exhaust fumes and dust nuisance.

Because the track could not be sealed just like that, the Flemish government, at the initiative of the EID, started a legal procedure within the framework of the 12 January 1993 Act on a right of action with regard to the protection of the environment. In June 2007, the appointed solicitor filed an appeal with the Court of First Instance to issue a prohibitory injunction against the operator of the motocross track.

In December 2007 the judge passed judgement and ruled that the regulations on the protection of the environment had apparently been violated. He ordered the discontinuation of any licence-requiring activities and of any activities that were inextricably linked to the operation at the aforementioned cross track, under penalty of a fine of 5,000 euros per violation.

Meanwhile, in October 2007, the Public Prosecutor had the cross track sealed by the judicial police. This was done following the official reports drawn up by the EID. Because the track was sealed, the operator could no longer organise any cross activities at this site.

Actions under Criminal and Administrative Law

"The work of an environmental inspector only commences when the inspection is finished." Although this is a rather bold assertion, it contains more than a grain of truth. During an inspection all kinds of observations are made which all have to be checked against the prevailing regulations. The assessment of all the information and the further dealing with infringements observed can require much more work and time than the preparation and the actual onsite inspection.

To act upon the observations the EID has a set of enforcement instruments at its disposal. When an infringement has been established, the EID draws up an official report and sends it to the Public Prosecutor. At the same time the EID enforces a remediation using the proceedings under administrative law. For this purpose the EID uses a quality manual to ensure the uniform, speedy and correct handling of the case.

Inspections

Most inspections are carried out during normal working hours. However, since environmental pollution is not a nine to five issue, sometimes inspections are also conducted in the evening, at night and at weekends. An inspection report is drawn up for each inspection. In many cases, samples must be taken or measurements must be carried out to ensure efficient inspection or to determine the precise level of pollution or infringement. The purpose and the results of the inspections are described in greater detail in earlier chapters of this report.

Another of the tasks assigned to the EID is to ensure a 24-hour on-call service. In each province at least one environmental inspector is on call. This civil servant can be summoned by the Flemish Minister for the Environment, hierarchical superiors, judicial authorities, such as attorney-generals or examining magistrates and the Government Crisis Centre (CGCCR). During periods of winter smog, the Chief Inspectorate monitors the air quality (NOx and SO2) 24 hours a day and takes the necessary action, if necessary, with the support of the provincial local services.

The on-call environmental inspectors and heads of service have the necessary logistics equipment to respond immediately to a call and to go to the scene of the incident. They have a service vehicle and basic equipment at their disposal required to take samples or carry out measurements.

The table below gives an overview of the number of inspections and the inspected companies in 2007.

overview of the number of inspections and the inspected companies in 2007	
Number of inspections carried out	
During office hours	7.715
In the evening (from 5 pm to midnight)	2.428
At night (from midnight to 8 am)	1.240
At weekends (Saturday, Sunday and official public holidays)	634
Total	**12.017**
Number of inspected companies	4.422

The number of inspections declined in 2007 compared to 2006. This is among other things due to the fact that the EID constantly seeks to improve the quality of the inspections carried out. It is obvious that more thorough inspections during which certain environmental of safety aspects are thoroughly checked, also take more time. Especially Seveso inspections, IPPC inspections and the many inspections that are conducted within the framework of specific enforcement campaigns are the most time-consuming. An additional factor is the attention which the EID devoted in 2007 to checking compliance with self-monitoring provisions. These inspections are often administrative inspections which are not necessarily accompanied by on-site inspections.

One inspection can involve one, several or all environmental disciplines, including waste water, air, noise, waste, safety, soil and ground water, GMOs, and IPPC. Therefore, one single inspection does not always imply that all the environmental aspects of a company are inspected.

On the other hand it is possible for a company to be inspected several times a year, for instance following an odour complaint or for a new licence, a waste water sampling, an air emission measurement or a follow-up inspection of an ongoing remediation. Aspects such as environmental impact, reporting of complaints, new licences, preventive inspection campaigns, samplings, follow-up inspections and remediations play an important role in this.

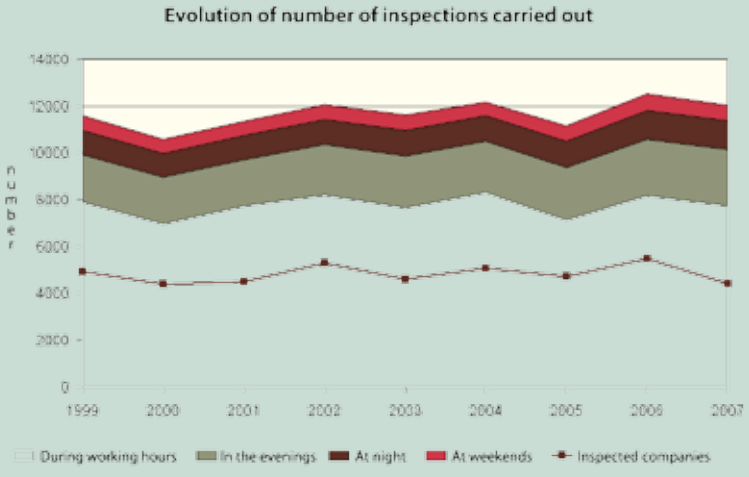
Official Reports

An initial official report is drawn up following the establishment of an infringement of the environmental health legislation and is sent to the Public Prosecutor. Several infringements can be reported in one single official report. In the overview of the official reports drawn up a distinction is made between violations against the Flemish Parliament Act on environmental licences and violations against other legislation. Within the Flemish Parliament Act on environmental licences itself a distinction is made between the failure to present a (full) licence and non-compliance with the requirements. That is why in the table below the sum of the last three rows is larger than the number in the first row.

Since the "prioriteitennota vervolgingsbeleid milieurecht in het Vlaamse gewest" (Priorities Document on the Prosecution Policy for Environmental Law in the Flemish Region) was adopted on 30 May 2000 by the Prosecution Policy Committee (hereafter called Priorities Document) and since the adjusted code of good practice for official reports has come into effect on 1 January 2001, the EID can in an official report make note of the priority nature of a violation in accordance with the criteria entered in the Priorities Document.

With regard to this matter, the Priorities Document states among other things that if the administration draws up an official report for priority offences, it must expressly state the priority nature for the benefit of the Public Prosecutor, and indicate why it deems the inspection in question and any ensuing criminal prosecution to be a priority. Indicating a criminal violation as a priority implies that action is to be taken in the most efficacious manner, under both criminal and administrative law.

Initial official reports	
Total	587
Number of priority official reports	249 (42 %)
Number of non-priority official reports	338 (58 %)
No or partial licence	152
Non-compliance with requirements	349
Other legislation (Flemish Parliament Act on waste, Flemish Parliament Act on soil remediation, Flemish Parliament Act on fertilisers)	92



The graph below makes a comparison for the last nine years between the different violations that give rise to the writing of an official report. This graph shows that until 2006 the number of official reports that is drawn up due to the lack of an environmental licence is falling in terms of percentage in comparison to the number of official reports that is made following non-compliance with the licensing requirements. In 2007, however, the number of official reports due to no licence or partial licence is increasing again in terms of percentage. In most cases it concerns an incomplete environmental licence in which one or more licence-requiring sections are not included.

In addition to the initial official reports, a lot of follow-up official reports are drawn up. They are used to provide the Public Prosecutor with additional information about an initial official report. This is done on the initiative of the EID itself or following notes from the Public Prosecutor. In this way information is given on the EID's administrative follow-up inspection, a statement can be given by the person criminally responsible for the company or it can be reported that facts have again been established. If after an exhortation from the EID a company meets all the requirements, this is also reported.

Follow-up official reports	
Total	753

Taking Measures

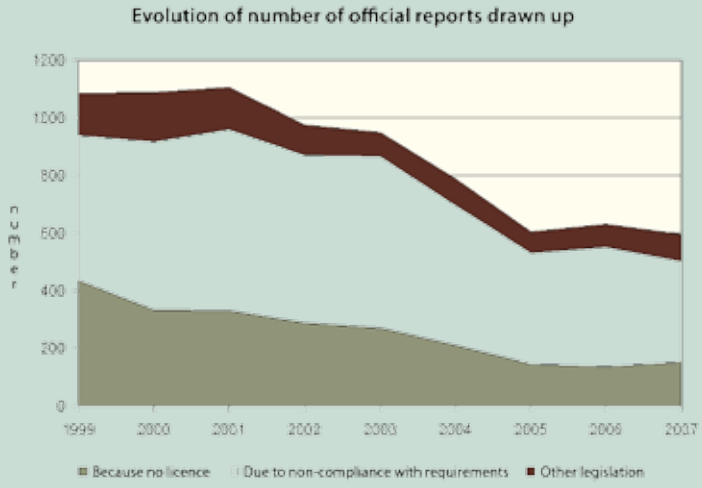
Taking measures to put an end to an observed infringement is one of the core tasks of an environmental inspector. The proceedings under administrative law start with the issuing of exhortations. By means of these exhortations the EID seeks to achieve the actual remediation of shortcomings. If a company does not meet the planned result, the EID must assess what following steps can be taken. The EID takes account of the information of a specific case when choosing between administrative proceedings on the one hand and the proposal of administrative sanctions on the other. In the first case this will result in the ordering of the discontinuation of an activity, the sealing of devices and the enforcing of the immediate or provisional closure of the establishment. In the second case the EID will propose the licensing authority to either change or supplement the licensing requirements or to suspend or withdraw the licence.

Types of measures

Recommendations and exhortations

If during an inspection the EID does not establish any violations, but instead has indications that an infringement can take place in the future, for instance, because new or adjusted legislation will come into force or because on the basis of his expertise the environmental inspector thinks installations could fail, a recommendation can be sent to the operator to make sure that the current situation of conformity with the legislation also remains in the future.

However, if the EID does establish violations, the operator will be exhorted at all times to remediate the situation and to comply with all applicable provisions in laws, Flemish Parliament Acts, decrees and licences. Usually an exhortation suffices to ensure that the necessary remediations are made. In most cases an exhortation consists of different partial exhortations, which are to be complied with by different deadlines. Only when all partial ex-



hortations have been met, will the EID register that the remediation has been carried out.

Recommendations and exhortations	
Without official report	1.234
Remediated	1.341
After official report	498
Remediated	456

The graph shows the remediations alongside the recommendations and exhortations for the period 1999-2007. In both a distinction has been made between those accompanied and those not accompanied by an official report. The number of exhortations after an official report and associated remediations has for the first time slightly increased again in 2007 after the falling trend of the past years. The number of recommendations and exhortations without an official report continues to rise in 2007 compared to the previous years.

Requests for the Mayor to take action

Along with the EID environmental inspectors the Mayors too have been given an important role to play in enforcing environmental health legislation. They play a key role in imposing coercive measures, including for category 1 establishments. If a category 1 establishment is operated without or partially without a licence, the EID can suggest the Mayor to order the discontinuation of the activities, to seal the equipment or to close down the establishment. This happens frequently.

Requests for the Mayor to take action	
Requests put to the Mayor	52
Action by the Mayor or remediation by the operator	53

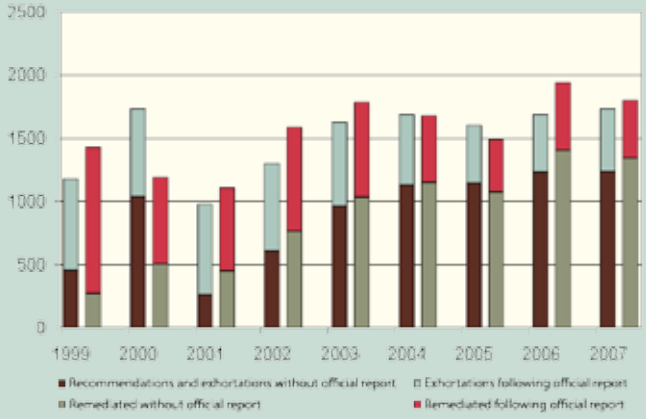
EID coercive measures

When the EID proposes to the Mayor to order the cessation of the activities, to seal the equipment or to close down the establishment and if the Mayor fails to act or does so ineffectively, the EID is able to take action itself. Also when an establishment is operated in contravention with the licensing requirements and the operator refuses to act on exhortations issued, the EID can impose coercive measures.

Administrative sanctions

If the operator does not comply with the provisions of the Flemish Parliament Act on environmental licences and its implementing orders, or with the licensing requirements, the competent authority can wholly or partially suspend or withdraw the licence or change or complement the licensing requirements. This can be done at the proposal of an environmental inspector.

Evolution of number of recommendations, exhortations and remediations



Overview of EID coercive measures and administrative sanctions proposed by the EID

EID coercive measures (follow-up inspection in previous years)			
Business activity	**Date**	**Description of coercive measure**	**Situation at the end of 2007**
Heliport	6/02/03	Discontinuation of the activities	The Council of State overturned the discontinuation decision, arguing that no licence is required for a heliport. The company is still in operation.
Farm	17/04/03	Compliance with number of licensed pigs	Appeal against coercive measure is ongoing with the Minister
Petrol station	27/04/05	Discontinuation of storage and distribution of fuel for motor vehicles	Activities discontinued
Petrol station	17/10/06	Discontinuation of the activities	EID sealed the establishment
Petrol station	30/10/06	Discontinuation of the activities	EID sealed the establishment
Aluminium processing	20/11/06	Order to close down as of 29/11/2006	EID sealed the establishment after ruling by the Correctional Court of 20/02/2007
Petrol station	28/11/06	Discontinuation of the activities	Activities discontinued
Petrol station	19/12/06	Discontinuation of the activities	Minister has extended the term of the coercive measure - term still running

EID coercive measures (new in 2007)			
Business activity	**Date**	**Description of coercive measure**	**Situation at the end of 2007**
Water collection company	11/01/07	Order to replace hour counter	Hour counter was replaced
Petrol station	12/02/07	Discontinuation of the activities	Situation remediated
Petrol station	30/03/07	Discontinuation of the activities	Situation remediated
Motocross track	4/04/07	Discontinuation of the activities	Activities discontinued after track was sealed by Public Prosecutor and after ruling by Civil Court of 14/12/07 (discontinuation order)
Ski run	25/05/07	Discontinuation of the activities	Establishment has obtained a new licence
Petrol station	31/07/07	Discontinuation of the activities	EID sealed the establishment
Petrol station	31/07/07	Discontinuation of the activities	EID sealed the establishment
Petrol station	20/08/07	Discontinuation of the petrol distribution installation	Derogation request submitted by operator – no ruling yet
Meat processing	20/09/07	Discontinuation of the discharge of industrial waste water	Term of the order is still running
Wood waste combustion plant	18/10/07	Discontinuation of the former wood waste combustion plant	Judgment on appeal: term of coercive measure extended to 01/02/2008
Chipboard company	5/12/07	Discontinuation of the wood waste combustion plant	Appeal lodged, no ruling yet

Proposals for suspension or withdrawal of the environmental licence (follow-up inspection in previous years)			
Business activity	**Date**	**Description of proposal**	**Situation at the end of 2007**
Waste processor	19/10/04	Proposal to Provincial Executive to suspend the environmental licence	No ruling yet
Car demolition	20/10/05	Proposal to Provincial Executive to suspend the environmental licence	Licence was suspended. Mayor was requested to close it down. Mayor did not take any action, but company remediated and complied with regulations. Final ruling of Provincial Executive about whether or not the licence will be suspended or withdrawn is envisaged for 2008
Meat processing	19/01/06	Proposal to Minister to suspend the discharge licence	No ruling yet
Waste processing	24/03/06	Proposal to Provincial Executive to suspend the environmental licence	Decision of the Provincial Executive not to suspend the environmental licence
Waste processor	4/05/06	Proposal to Provincial Executive to withdraw the environmental licence	Obtained new licence
Waste processor	12/05/06	Proposal to Mayor to withdraw the environmental licence	No ruling yet. New official report drawn up
Production of surfactants	31/07/06	Proposal to Provincial Executive to suspend the environmental licence	The suspension of the environmental licence was ruled by the Provincial Executive and confirmed by the Minister (comes into effect on 1 June 2008)
Vegetable processor	29/08/06	Proposal to Provincial Executive to withdraw the environmental licence	Trial licence granted
Waste processing	7/11/06	Proposal to Provincial Executive to suspend the environmental licence	The suspension of the environmental licence was ruled by the Provincial Executive and confirmed by the Minister

Proposals for suspension or withdrawal of the environmental licence (new in 2007			
Business activity	**Date**	**Description of proposal**	**Situation at the end of 2007**
Storage and sorting of scrap	8/02/07	Proposal to Provincial Executive to suspend the environmental licence	No ruling yet
Farm	5/03/07 and 03/10/07	Proposal to Provincial Executive to withdraw licence	Additional special requirements imposed
Petrol station	11/04/07	Proposal to Provincial Executive to suspend licence	Activities discontinued
Petrol station	11/04/07	Proposal to Provincial Executive to withdraw licence	Activities discontinued
Farm	3/10/07	Proposal to Provincial Executive to withdraw licence	No ruling yet
Storage and sorting of waste	16/10/07	Proposal to Provincial Executive to suspend the environmental licence	No ruling yet

Proposals to change or supplement the environmental licensing requirements (follow-up inspection in previous years)			
Business activity	**Date**	**Description of proposal**	**Situation at the end of 2007**
Chemical company	1/02/05	Proposal to AMV (Environmental Licences Division) to adjust the discharge licence and impose a feasibility study of the water consumption	No ruling yet
Production of fine chemicals	4/02/05	Proposal to AMV to improve the safety systems, optimise the production process, examine VOC recovery and alternative means of transport	No ruling yet
Processing of citric acid	27/01/06	Proposal to AMV to oblige the application of cooling water in closed circuit and to convert from semi-open to closed storage site for citrogypsum;	No ruling yet
Non-ferrous	24/07/06	Proposal to AMV to adjust discharge requirements in function of BAT	Proposals are included in new environmental licence

Voorstellen tot wijziging of aanvulling van de vergunningsvoorwaarden (nieuw in 2007)			
Business activity	**Date**	**Description of proposal**	**Situation at the end of 2007**
Farm	31/01/07	Request to Provincial Executive to impose supplementary supply requirements	The Provincial Executive has imposed additional requirements
Metal working	12/09/07	Proposal to AMV to impose an examination of the possibilities of extending life of baths and recycling of treated water	No ruling yet
Waste processor	21/12/07	Request to Provincial Executive to impose additional requirements	The Provincial Executive has imposed additional requirements

Examples of Measures Taken

Mayor orders discontinuation at the request of the EID

An entrepreneur who mainly carries out earthworks and road and construction works established himself in a rural area where he started to operate a nuisance establishment. He did not have an environmental licence and the local council obliged him to submit an application. Because such a company is incompatible with an agricultural area in terms of town planning, the competent authority refused to include a lot of different items in the licence, mainly regarding the storage and mechanical treatment of waste, wood and soil.

Following a complaint about dust nuisance from the closest resident, the EID established on site that the operator continued his activities unabatedly, thereby largely exceeding the threshold of overall amounts of waste for category 1 establishments. In addition, the company did not have a calibrated weigh bridge or the necessary green belt and its premises were freely accessible via two entrances. Neither did it have a work plan or a waste register.

The EID drew up an official report and asked the Mayor to discontinue the operation. The Mayor acted upon this request. The operator discontinued the supply as well as any crushing and sifting of waste and promised to legally remove the waste that was still present at the company.

Exhortations to a Seveso company

Within the framework of the Seveso inspection programme the service for the 'Supervision of Major Hazard Companies' and the Division for the Supervision of Chemical Hazards inspected a chemical company in the Province of Antwerp. The aim of the inspection was to check whether and how the hazard study on one of the installations was carried out and to what extent the measures presented in this study were executed. The Cooperation Agreement on the prevention of serious accidents indeed stipulates that all Seveso establishments must identify the operation-specific hazards and must take any measures required to minimise these hazards.

During the inspection the company presented a fairly recent hazard study, however without an evaluation of the measures already in place and those still to be carried out. The team carrying out the study drew up a detailed action plan. Upon verification of the implementation of this action plan, the environmental inspectors established that in the meantime a number of actions from this action plan had been deleted without any clear motivation. At the same time it turned out that a large number of actions, including some priority actions, had not been carried out yet at the time of the inspection. No alternative measures (either contemporary or not) had been provided for.

During the inspection it was argued that the study defined a lot of unnecessary actions, both priority and non-priority ones. This statement was not substantiated by means of documents.

Following these observations, the service for the 'Supervision of Major Hazard Companies' and the Division for the Supervision of Chemical Hazards exhorted the company to gain an insight into the real hazards and the effectively required measures in the short term. The company carried out a new hazard study, with an objective assessment of the measures in place and a list of the measures still to be introduced. Implementation deadlines were set and people in charge were appointed. In this way the company ensures that the recommendations from the hazard study are properly monitored.

The EID orders the discontinuation of the discharge

In the previous years the EID drew up several official reports on violations against a company producing pâté products, because it simply did not succeed in observing the discharge requirements. Time and time again the EID exhorted the operator to treat the industrial waste water and to install the flow measuring flume in conformity with the regulations. These instructions were not acted upon.

In April 2003, the EID requested the Provincial Executive to suspend the discharge licence. Because no decision was taken, the EID was forced to make a similar suspension request to the competent Minister in January 2006. Again, this was not acted upon.

In 2007, the EID again took spot samples of the discharged industrial waste water. The test reports again showed that the discharge standards were largely exceeded and that the exceedances continued, with the expected consequences for the water quality of the receiving watercourse. VMM also indicated this company as a problem company as far as the discharge of industrial waste water is concerned.

Because the suspension request was not acted upon, the EID decided to follow a different strategy: in September 2007, the EID ordered the discontinuation of the discharge of industrial waste water. The operator appealed against this decision. Although the competent Minister endorsed the discontinuation decision, he extended the deadline by which the company was to comply with the regulations. After expiry of this deadline, new samples will have to demonstrate whether or not the company is complying with the discharge requirements. If this is not the case, the EID will officially make sure that the discharge is discontinued.

EID seals petrol stations

At two petrol stations of one and the same petrol company in the Antwerp region, the EID established that the petrol-distribution installations were operated under a building. The EID exhorted the operator to put an end to this situation.

This company disputed the discontinuation. In a first instance the EID requested legal advice on the alleged conflict between the relevant Articles of Vlarem II. After this advice, the EID started the discontinuation procedure. The Minister confirmed the discontinuation decisions of the EID on appeal. The petrol company lodged an action for annulment with the Council of State against these decisions.

The Minister did not comply with the company's request to derogate from the relevant Articles of Vlarem II either. Following these decisions the EID sealed the petrol tanks of the two distribution installations. After that, the operator initiated a writ in summary proceedings with two different courts. The Court of First Instance of Antwerp judged that it was incompetent, whereas the Court of Brussels ruled that the case was not urgent.

The company then lodged an appeal with the Antwerp Court of Appeal. Also, two actions are still ongoing with the Council of State for the annulment of the decisions of the Minister not to grant any permission to derogate from the relevant Articles of Vlarem II. Meanwhile, the petrol tanks remain sealed.

Criminal Prosecution

Amicable settlements following official reports from the EID

During a routine inspection at a brickyard the EID established that the amount of ground water that was pumped up largely exceeded the licensed volume. Neither could the operator present a valid calibration certificate of the flow meter. The EID drew up an official report for this and exhorted the company to either present a remediation plan for the pumping up of ground water or to apply for an extension of the environmental licence for the volume of ground water that is pumped up each year. Furthermore, the company had to have the available flow meter calibrated by an authorised calibration institute.

In a reaction the company admitted that much more ground water was pumped up than allowed. The company initiated an investigation into the causes so as to map out the most important reasons for the increased water consumption. The company also drew up an action plan, which included the drafting of an environmental licence application for a higher flow, the redesign of the internal water-pipe network, the improvement of internal controls and the optimisation of the water recovery system. Also, the flow meter was calibrated.

The Public Prosecutor made a proposal to the operator to pay 10,000 euros as an amicable settlement. The operator paid this amount.

A few years earlier the EID had drawn up an official report against the same brickyard for not complying with the frequency of measurements of the flue gases emitted into the air. Following this official report, the Public Prosecutor had then proposed the company to pay 400 euros as an amicable settlement.

Although the EID has been asking Public Prosecutors for years now to give feedback about the handling of official reports, the EID is receiving little information about this. This may be partly due to the fact that a decision on an official report can sometimes be taken years after the establishment of the first violation or that a decision may pertain to several official reports. However, the EID continues to press for effective criminal proceedings and a smooth flow of information from the Public Prosecutors.

The EID does not give an overview of the information received in this report, but refers to the Federal Public Service 'Justice' for a complete overview.

In case offences that are considered a priority by the environmental inspector in the official report are dismissed for the sake of expediency, the administration can submit a substantiated request for reconsideration to the Public Prosecutor. In 2007, the EID submitted three such requests for reconsideration.

Conviction due to the exceedance of noise standards

In April 2005, the EID received a complaint from a private person about noise and vibration nuisance caused by a company which produces concrete blocks and sells building materials. One month later the EID carried out a first noise measurement in the garden of local residents: the sound pressure level of the specific noise in open air which was caused by the company exceeded the permitted values.

The EID drew up an initial official report and exhorted the company to have a full acoustic investigation carried out as well as to draw up a remediation plan. The company timely sent the EID a report on the acoustic investigation that was carried out. The need for remediation was confirmed in this investigation. Despite multiple written reminders, the company did not submit a (draft) remediation plan. Meanwhile, the other people living in the neighbourhood had filed noise complaints as well.

During a follow-up inspection in October 2006, it turned out that a remediation plan had still not been drawn up and that the manager could not demonstrate that measures had actually been taken to reduce the noise nuisance to an acceptable level. The EID drew up another official report and sent a new exhortation. The EID received a number of e-mails, documents and bids for a soundproof wall from the company, but still not the requested remediation plan.

In April 2007, the environmental inspectors carried out long-term noise measurements, which revealed exceedances by more than 20 dB(A). Again, the EID drew up an official report for this violation.

Things took a more rapid pace when the Public Prosecutor summoned the company and its operator. The operator understood that he would only be able to expect some leniency from the judges when he actually tackled the problems. During a public session in November 2007, the Correctional Court of Leuven sentenced the legal person, as well as the person criminally responsible to pay a fine of 27,500 euros and 13,750 euros respectively or to an alternative imprisonment of 3 months.

During an inspection in late November 2007 the environmental inspectors established that the company had installed a soundproof wall, that a number of noise-reducing adaptations had been made to the machinery and that even more sound-absorbing measures were planned. This was in any case an improvement. However, only new noise measurements in the spring of 2008 will be able to give a decisive answer about whether or not the prevailing noise standards are being met.

Cooperation and Consultation

The EID works together with various bodies to ensure an optimal enforcement of environmental health legislation. Below only a few specific subjects are described, with the emphasis on cooperation that has a direct impact on the sharing of supervision tasks between the EID and other bodies and on the proceedings under criminal law for infringements observed.

The EID frequently receives requests to participate in the most diverse consultative structures. The EID takes part in these structures only if a number of preconditions are met. For instance, the independence of the supervision and the enforcement must be guaranteed at all times. In addition, the expertise of the EID can only be used if it really contributes to the improvement of the environment and the regulations in general and of the enforcement in particular.

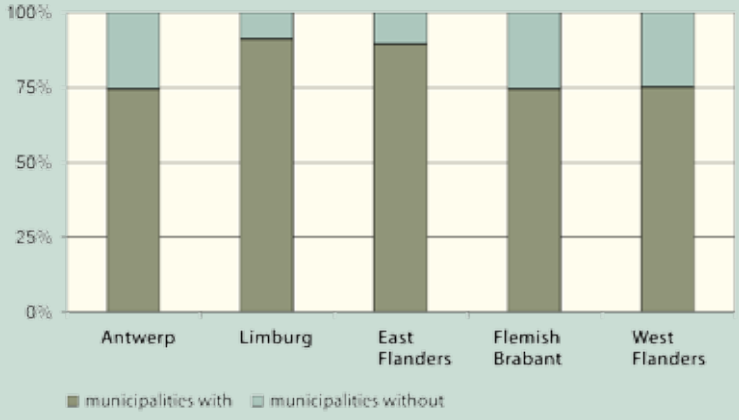
Cooperation with Municipal Vlarem Environmental Inspectors

The Flemish legislator has conferred the first line supervision of the environmental health legislation for category 2 and 3 establishments on the municipalities. To this end each municipality must appoint technical officers or agents from the local police who must first obtain a certificate of competence. This certificate of competence is issued to them after they have followed the special Vlarem training and have passed the associated competence test.

A lot of things are going wrong in the appointment of Vlarem environmental inspectors. Although the municipalities have had the authority of supervision over category 2 and 3 establishments for over 15 years, many of them have still not appointed a Vlarem environmental inspector. According to the data from the Environmental Licences Division, in 2007 this was still not the case in one out of five (20.1%) Flemish municipalities. After a slight improvement in the past years (29% in 2001, 27% in 2002, 24% in 2003, 23% in 2004, 22% in 2005 and 20.5% in 2006), this number appears to be stagnating.

The 62 municipalities without Vlarem environmental inspector and the way in which they are broken down over the provinces are presented in the figure on the following page. There seems to be a huge difference between the different provinces: whereas in Limburg and East Flanders a Vlarem environmental inspector has been appointed almost everywhere, there are still a lot of gaps in the provinces of Antwerp, Flemish Brabant and West Flanders. In 2007, several Vlarem training programmes have started, so it can be expected that a number of new appointments will be made within the not too distant future.

Municipalities with and without Vlarem environmental inspectors (late 2007)



In addition, reality shows that even when a Vlarem environmental inspector has been appointed, this is no guarantee for effective municipal enforcement. These inspectors are indeed also responsible for giving advice on licence applications and various other tasks. The action taken by these inspectors often depends on their personal commitment and the local political support regarding environmental enforcement. Local enforcement also depends on the size of the city or municipality and on the number of personnel working at the municipal environmental service.

And yet, it is of the utmost importance that the supervision of category 2 and 3 establishments is carried out effectively by the Vlarem environmental inspectors who have been appointed for this task by the municipality. To this end the EID maintains regular contacts with these inspectors. There is usually a fairly good understanding between the enforcers of the local authorities and the EID. The EID offers the necessary support as requested in the handling of problem cases.

Municipal responsibilities are often discussed during the contacts of the EID with the municipal enforcers and the Mayors. This consultation should allow the EID to spend less time on the high supervision of category 2 and 3 establishments and to devote its full attention to category 1 establishments.

The new Cooperation Agreement with Municipalities for the period 2008-2013 can only be an incentive for adopting a new approach to the supervision of category 2 and 3 establishments.

Cooperation with Judicial Authorities

Within the framework of the criminal prosecution of reported violations, consultations take place between the EID and the various judicial authorities. In addition, the EID helps with the training of judicial trainees.

Consultations at the level of the judicial districts

Contacts with the judicial districts are established at the level of the EID local services. The aim of these contacts is to achieve a more efficient follow-up inspection of the official reports through consultation and communication. In certain cases, the EID is also asked to provide technical expertise.

The content of this consultation differs from local service to local service and from district to district. The local service can also contact the Public Prosecutor to consult on specific cases. In 2007, consultations with four Public Prosecutors Offices were run along well-structured lines. This consultation pertains to specific dossiers as well as to means of structured cooperation.

Judicial trainees

Since a few years now an appointment to the magistracy is possible for lawyers who have less than five years experience at the bar. After at least one year of practical training, they must pass a competitive examination and then successfully complete a judicial apprenticeship. This apprenticeship lasts one and a half years for candidates for the post of Magistrate of the Public Prosecutor's Office (substitute Public Prosecutor) and three years for candidates for the post of judge.

The trainees do the work of a Magistrate of the Public Prosecutor's Office or judge under the guidance of a supervisor. However, part of the apprenticeship is also carried out in the field with a number of services and institutions of their choice. Generally speaking, the trainees opt for prisons, police services and judicial services, but sometimes also for less conventional services, such as the EID.

In 2007 too, four judicial trainees opted to complete part of their training with the EID (three in East Flanders and one in Limburg). At the local service they learn about on-site inspections. During these inspections they come face to face with all kinds of aspects, such as diverse samplings, noise measurements, drafting official reports, and monitoring exhortations and coercive measures. The standard inspection tasks also include checking the licensing situation of a business and compliance with the general, sectoral and special requirements. Naturally, they also pay attention to complaints processing. The mutual exchange of information and the cooperation between the judicial trainees and the EID can offer significant added value for both parties.

The EID expects this added value to imply among other things that more and more magistrates will be working at the Public Prosecutors Offices who are familiar with environmental legislation, so that in the future this results in better cooperation and a more target-oriented prosecution policy.

Cooperation within the Framework of Food Chain Safety: Animal By-Products Committee

The Animal By-Products Committee was established in 2006 to monitor the proper implementation of the agreement with the same name. It is composed of the FAVV (Federal Agency for the Safety of the Food Chain), the Federal Public Service 'Public Health, Safety of the Food Chain and Environment', the EID, OVAM (Public Waste Materials Company for the Flemish Region), the VLM (Flemish Land Company) Manure Bank, BIM (Brussels Institute for Environmental Management), DPE (Division de la Police de l'Environnement) and OWD (Office wallon des déchets).

In 2007, this Committee met six times. The rules of procedure were adopted and the website listing the companies that are accredited in accordance with Regulation (EC) No 1774/2002 was finalised. Feedback was given on the discussions of the European Commission's Animal By-Products Working Group. The adaptation of new European and local regulations on animal by-products was discussed, inspections by the European Food and Veterinary Office were prepared and furthermore consultations were held about practical bottlenecks in the implementation of the Regulation.

An important item was the implementation of TRACES. TRACES is a European monitoring system which allows the competent authorities to electronically monitor the intra-Community traffic of animals, animal products and now also animal by-products. The system also allows the exchange of necessary documents between the authorities concerned. TRACES is used to monitor the international trade traffic of category 1 material, category 2 material, processed products that derive from category 1 and category 2 material and processed animal proteins. Animal by-products no longer fall within the scope of the new EU Waste Shipment Regulation. Since the implementation of this Regulation on 12 July 2007, the reporting system through TRACES has replaced the former requirements of the EU Waste Shipment Regulation.

Cooperation with OVAM

Since the reorganisation of the Flemish public administration following the Better Administrative Policy operation in April 2006, the EID has also exercised supervision over the collection, shipment, storage and processing of industrial waste, in addition to the monitoring and enforcement of the environmental regulations in categorised establishments. A cooperation protocol which clearly defines the reorganisation of the enforcement tasks of the EID and OVAM promotes the smooth cooperation around the subject of waste.

The interaction between OVAM and the EID is very diverse. In terms of policy, the EID provides input for the transposition of European regulations, like in 2007 for the transposition of Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators. The EID was also involved in the drafting of documents on the sorting and processing of wood waste that were presented by OVAM at the consultation platform on Wood Waste where governments and people from the relevant sector met.

In 2007, OVAM and the EID also consulted about the processing of waste electrical and electronic equipment (WEEE). The reason for this is that OVAM is responsible for monitoring compliance with the acceptance obligation for this waste stream. The EID on the other hand enforces the proper shipment and processing of this waste. In 2007, the EID also participated in a practical training course about the de-pollution of WEEE in a processing company.

The EID is also involved in the drafting of new procedures for the sampling of different types of waste. Furthermore, OVAM and the EID worked together in landfill dossiers and the processing of end-of-life vehicles. The consultation on Regulation (EC) No 1774/2002 laying down health rules concerning animal by-products not intended for human consumption started to gradually intensify in 2007. This consultation is necessary due to the complex nature of this European regulation.

Within the framework of the EU Waste Shipment Regulation, the EID and OVAM also maintained very intensive contacts on the processing of dossiers concerning the import and export of waste. More even than the enforcement of environmental regulations on companies the effective and rapid processing of problem import and export dossiers requires a good understanding between the authorities involved.

Cooperation on Waste Transports

Since April 2006, the EID has been carrying out inspections of waste transports in the seaports as well as roadside inspections. These inspections are always conducted in cooperation with the police services as well as with other bodies, such as the Federal Environmental Inspectorate. The intention to work closely together in this field was clearly agreed in September and November 2006. In 2007, the joint transport inspections in the field continued along the same lines and the cooperation was made even more concrete during additional consultations.

On 22 May 2007, for instance, the EID took the initiative to bring together Customs, the police and the federal and regional environmental inspectorates to make an inventory of the different supervision responsibilities which these services use when halting and inspecting waste transports. On 28 August 2007, the EID made arrangements with the Federal Environmental Inspectorate to exchange operational data on waste transports and on 12 September 2007 the EID had a consultation with the Environment Service of the Federal Police in the build-up to the drafting of the EIP 2008.

Alignment of Monitoring and Enforcement Tasks

At the request of the LNE policy council, OVAM, the VLM Manure Bank, VMM and the EID made arrangements about the exchange of information between the different entities, with a view to achieving a better alignment of monitoring and enforcement programmes. The policy council formally adopted these arrangements.

The exchange of information concerns among other things:
- the mutual exchange of suggestions for annual and measurement programmes;
- the mutual exchange of observations that come under the responsibilities of another entity or that require action by another entity;
- the exchange of dossier-linked measurement data to the EID to support observations laid down in an official report;
- the mutual exchange of annual reports of measurements that may be used to define priorities when drafting measurement and annual plans;
- the mutual reporting of calamities with a considerable environmental impact;
- the reporting of EID observations to VLM Manure Bank, OVAM and FAVV regarding products which are not in conformity with licences for use in companies which export to the agricultural sector.

The policy council has set itself the objective of annually evaluating the implementation of this cooperation agreement, and if necessary, of adjusting it. The first evaluation was made early 2008.

Cooperation with the Division for the Supervision of Chemical Hazards

We already indicated earlier in this report that the inspections under the Cooperation Agreement on the prevention of serious accidents (Seveso inspections) are carried out by an inspection team made up of the regional environmental inspectorate (EID in Flanders), and the federal inspectorate which is competent for matters involving employee protection. Coordination within the inspection teams and general coordination are guaranteed by the Division for the Supervision of Chemical Hazards of the FPS 'Employment, Labour and Social Dialogue' (WASO).

From 19 to 21 September 2007, the Division for the Supervision of Chemical Hazards hosted a seminar for all Seveso inspectorates. The EID took part in this seminar with a large delegation of Seveso team members. The main objective was to make arrangements for the implementation of the inspection programme system which was developed by a joint working group. At the seminar projects and inspections (tank storage, inspection instrument for environmental hazards, E-index,...) were dealt with, environmental inspectors worked around the inspection instrument 'Meta Technical Evaluation System 3' (MES 3) and feedback was given about the implemented inspection campaigns.
During the consultation the inspectorates agreed to implement the inspection programme system based on 'areas of inspection' (the different technical and organisational systems that are to be inspected in Seveso companies) as of 2008. Information about the cooperation on the drafting and implementation of the Seveso inspection programme has already been given earlier on in this report.

Cooperation with other Regions

Since 2004, the EID has been working together with its colleagues of the Walloon Division de la Police de l'Environnement (DPE) to tackle the cross-regional odour problem in Rollegem (Kortrijk/Courtrai), caused by an industrial estate situated in the north of Mouscron in Wallonia. The inspectorates agreed that in 2004 the EID would determine the impact of the odour on Rollegem and the surrounding area through an environmental study and that in 2005 the DPE would take highly targeted actions on the basis of these results so as to reduce the odour emissions from the Walloon companies.

The environmental study consisted of a complaints analysis, a telephone survey among the population, the keeping of odour diaries by the local residents and the performance of sniffing team measurements by environmental inspectors and by professional sniffing teams. The conclusion of the report was that the industrial estate of Mouscron caused unacceptable odour nuisance for the inhabitants of Rollegem. The companies having the biggest impact and causing the most nuisance are a frozen vegetable company and a frozen chips company, a soap works and a green composting company. The report concludes with the recommendation to the DPE to tackle these three companies as a priority.

Early 2005, the EID discussed the results of the environmental study with the DPE. Shortly afterwards, the DPE draw up a plan of action which was endorsed by the EID. The DPE conducted a thorough inspection at the three prioritised companies in 2005. Measurements were carried out, among other things to determine the chemical substances which caused the odour nuisance. On the basis of the results of these inspections and measurements, the DPE imposed a remediation plan on these companies. At the same time, the DPE had three monitoring stations installed in the neighbourhood of these companies so as to monitor the concentration of the measured odour components in the ambient air.

In the autumn of 2005, the EID and the DPE met to discuss the state of affairs of the remediation. Late 2006, a consultation took place in Mouscron between the EID, the DPE and the city council during which the executed remediation works were discussed and visited on site in the companies.

In 2007, the EID and VITO evaluated the impact of the odour on the inhabitants of Rollegem and its surrounding area after the remediation through an environmental study and sniffing team measurements. These took place between September and late November. The results will be clustered by VITO by May 2008 so that they can be discussed with the DPE in July 2008.

Policy

Technical Consultation on Environmental Regulations (TOM)

The process of implementing environmental policy shows us that regular updates of the complex and very extensive environmental law is and will remain necessary. The legislation must be simplified and its quality improved. As a consequence of the many amendments and supplements of the regulations, the various Flemish Parliament Acts and decrees must also be sufficiently harmonised with each other in good time.

Hence the creation of the TOM consultation body in early 2000. TOM stands for Technisch Overleg Milieuregelgeving, which is translated as Technical Consultation on Environmental Regulations. It is a permanent consultation body for all the administrations and services involved in the implementation and enforcement of the policy on environmentally polluting establishments and activities. TOM is made up of representatives of the LNE Department, VMM, OVAM, VLM, other policy areas of the Flemish public administration that have an interest in environmental policy, and local authorities through the Association of Flemish Provinces (VVP) and the Association of Flemish Cities and Municipalities (VVSG).

TOM aims, via as much consensus as possible between its members, to achieve a uniform and correct application of the environmental regulations from a technical and legal perspective. In this, particular attention is devoted to resolving overlaps, gaps and inconsistencies in the regulations and their implementation and enforcement, so as to ensure coherent, results-oriented regulations and implementation.

Since the start-up of TOM several bottlenecks have been identified, inventoried and analysed. TOM's recommendations are submitted for decision to the Flemish

Minister for the Environment.
The definitive TOM recommendations are published, together with the reply of the Flemish Minister for the Environment, on the LNE website under the link www.lne.be/themas/regelgeving/tom/adviezen-tom.

The EID also participates in TOM consultations. As supervisory authority it is represented both in the plenary meeting and in ad hoc working groups. The EID ensures that during the discussion of identified bottlenecks due account is taken of enforcement experiences gained in the field. The EID hereby strives to achieve a minimum of ambiguity, combined with maximum feasibility and enforceability.

Participation in regulatory initiatives

Policy formulation and evaluation by feeding back field experiences is one of the core responsibilities of the EID. One way in which the EID seeks to fulfil this task is through participation in regulatory initiatives, thereby incorporating itself indirectly into the decision cycle.

Flemish Parliament Act on environmental enforcement

In the previous environmental enforcement reports you could read how the EID contributed to the drafting of the Flemish Parliament Act on environmental enforcement. On 21 December 2007, the Flemish Government ratified the Flemish Parliament Act complementing the Flemish Parliament Act of 5 April 1995 holding general provisions on environmental policy with a Title XVI 'Supervision, Enforcement and Safety Measures'. Typical of this Flemish Parliament Act is that it makes a distinction between environmental offences that are penalised under criminal law and environmental infringements that are taken out of criminal law, but for which an exclusive administrative fine can be imposed.

In the autumn of 2007, discussions started for the drafting of an implementing order to the Flemish Parliament Act on environmental enforcement and for the drafting of a supplementary Flemish Parliament Act, whereby the scope of the Flemish Parliament Act on environmental enforcement will be extended to include the legislation on environmental management and manure. In both dossiers, the EID contributed largely to the achievement and discussion of the proposals.

Vlarem update

In May 2007, the EID received a draft text of a proposal for modification of Vlarem I and Vlarem II from the Minister for the Environment. In this Vlarem update ('Vlarem-actuatrein') central focus is on the update in terms of content in the light of the technical evolution (BAT). Also, administrative simplification is pursued, each time without detracting from the set environmental objectives. The EID was invited to formulate its remarks on this text. It did so within a period of a few weeks.

The remarks and proposals for improvement of the EID consisted of three parts:
- general remarks, mainly with a view to properly assessing the implications of the proposal for amendment of the classification headings and the related modification of the EID's supervisory responsibilities;
- a list of comments and proposals for improvement, broken down by articles;
- a repetition of the Vlarem modifications proposed to the Minister in 2006, which were not included in the draft text of May 2007, with the proposal to include them after all.

The entire document of the EID counted over 200 pages.

In August 2007, the EID was invited by the Minister's Office for a debate and consultation on the formulated remarks. In the autumn the Minister's Office processed the selected remarks. On 21 December 2007, the Flemish Government gave its approval in principle to the presented Vlarem update for the first time.

International Context

The continuing process of globalisation is placing enforcement in an ever more international context. One of the EID's tasks is therefore toestablish international contacts, and actively participate in the creation of international innovations and trends. Part of the EID's mission is to play an active role in the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL). This chapter describes the various contributions to this network.

Furthermore, the EID lends its expertise in the enforcement of environmental health legislation to various European and global organisations. These contributions are outlined as well.

IMPEL

Background

The European Union Network for the Implementation and Enforcement of Environmental Law, or IMPEL, is an informal network of Member States of the European Union (27 countries), of candidate Member States (Croatia, Turkey and the Former Yugoslav Republic of Macedonia), Norway and the European Commission.

This network was set up in 1992 in accordance with the Fifth Environment Action Programme. It is an informal organisation through which delegates can share information, discuss problems and give each other practical advice. In this way, they can accrue important knowledge and exchange best application methods in the field of inspection, supervision and enforcement within the entire European Union.

The idea behind the IMPEL network is to guarantee systematic implementation of the relevant European directives by the Member States and ensure adequate supervision of this. Indeed, without the proper resources to supervise the application of European environmental law, this legislation is as good as worthless. It is only if the different Member States have the necessary motivation and resources to enforce the rules in place, that people can be sure the environment they live and work in will benefit from permanent protection.

In the meantime, IMPEL has been formally recognised in the Sixth Environment Action Programme as well as in the Recommendation of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States.

The current structure of IMPEL is as follows:
- a plenary meeting as decision-making body, with one representative per country, possibly assisted by two or three staff members or colleagues;
- several ad hoc working groups and project teams for the practical implementation of the approved projects; these are composed of representatives from the participating Member States and the European Commission and are under the direct supervision of the plenary meeting;
- one national coordinator for each Member State who is responsible for the flow of information between the network and the Member State.

More information on IMPEL is available at the following website: http://ec.europa.eu/environment/impel/.

Six-monthly plenary meetings

Two plenary meetings were held in 2007: the 29th plenary meeting in Berlin (Germany) from 30 May to 1 June and the 30th plenary meeting in Lisbon (Portugal) from 28 to 30 November.

The plenary meeting is each time held in the Member State holding the EU Presidency and is chaired by the host country and the European Commission.

Plenary meeting in Berlin

Belgium was represented in Berlin by delegates of the three Regions. All of the EU Member States, the European Commission, Norway, Croatia and Turkey (the latter three as observers) were present.

The most important item on the agenda was the future of IMPEL. The discussion started with an explanation of the results of the activities of the ad hoc Working Group 'IMPEL Legal Status'. The key points were:
- to keep the network open and informal;
- to maintain the secretariat to help run the network;
- to continue the special relationship with the EC;
- to secure funding from the EC for projects and secretariat.

The subsequent discussion resulted in the following conclusions:
- IMPEL cannot continue its work to the same extent without financial support from the Commission. Without a legal status IMPEL cannot get funding from LIFE+.
- Therefore the preparatory work should be continued taking into account that IMPEL's character should be kept as informal as possible.
- The formulation of a potential legal entity should be further investigated in order to identify solutions acceptable for all IMPEL Members, with special regards to Membership and Membership fees.
- The ad hoc Working Group 'IMPEL Legal Status' is given the task to continue to work on a proposal for draft statute of an international non-profit association under Belgian law by the next plenary meeting.

The following final reports were adopted and will be published on the IMPEL website:
- Review of approaches to the reconsideration and updating of IPPC permits
- Workshop on the licensing of installations in ambient air polluted zones
- Emission trading II final report
- TFS (Transfrontier Shipment of Waste) Conference
- Finnish Comparison Programme.

An interim report on ongoing projects and a proposal for a number of new projects were presented, including the organisation of the 2009 IMPEL Conference in Romania.

Plenary meeting in Lisbon

Belgium was represented in Lisbon by delegates of the three Regions. All the EU Member States (except for Denmark and Malta), the European Commission, Norway, Croatia and Turkey (the latter three as observers) were present.

Two parallel workshops took place.

The conclusion of the first workshop 'IMPEL Conference 2009' was that the theme of 'New developments within each Member State related to environmental policy, permitting, inspections and enforcement' needs to be further deepened.

The second workshop pertained to the 'Minimum criteria for environmental inspections in the Member States: further IMPEL input to the revision of the RMCEI'. The meeting concluded that the revision should focus on the clarification of the scope and important definitions, on the further development of criteria for the planning of inspections and a new reporting system. An IMPEL project covering the aforementioned themes will therefore be completed as soon as possible.

Several finalised reports were adopted and it was decided to put them on the IMPEL website.

The most important item on the agenda was once again the future of IMPEL. The proposal developed by the ad hoc Working Group 'Legal Status' for the draft statute of an international non-profit association under Belgian law was presented, together with a draft Business Plan and Roadmap.

The subsequent extensive discussion resulted in the following conclusions:
- The Plenary gave its final approval for establishing the new association.
- The proposed statute will be amended by written procedure on the points put forward during the discussion (including as to the Membership).
- The first draft Business Plan will be further developed and be submitted again to the next plenary meeting.
- The Roadmap was approved.
- The ad hoc Working Group will continue its work and support the Provisional Board, which is composed as

follows: Chair Gerard Wolters (Netherlands), Vice-Chair Terry Shears (UK) and the other members, the three Cluster chairs and the three Troika members.
- The Provisional Board is given a mandate to undertake all the necessary actions for establishing the new association.
- The Secretariat will continue its work within the European Commission in 2008.

Resolution of environmental conflicts through dialogue

A first project Informal resolution of environmental conflicts by neighbourhood dialogue-I was already carried out in 2004 and 2005. The focus of the project was on existing sites with neighbourhood complaints where a ialogue process was used as a voluntary instrument to try and resolve the conflict.

This project was concluded with the following recommendation: using dialogue processes as voluntary instruments in the implementation and enforcement of environmental law, in particular:
- using dialogue as an option within complaint procedures
- using dialogue before permit procedures (e.g. within IPPC permits)
- encouraging companies to use the dialogue process as part of operating their site.

The follow-up project started in 2006. The aim of this project was to develop a toolkit to be used to start and support dialogue between companies, neighbourhoods and authorities. In this special attention was devoted to IPPC companies and the role of inspection authorities.

The project started with a written exchange of information. After that, a work meeting took place in Berlin to discuss, further develop and prioritise the various tools. Finally, a final report was drawn up which was adopted by the IMPEL plenary meeting at the end of 2007. The EID actively participated in the project activities.

Workshops regarding RMCEI

Within the IMPEL network two workshops were organised in Frankfurt (Germany) in September 2007 in which a representative of the EID participated:
- Doing the Right Things First (Part II);
- IMPEL-input for the further development of the Recommendation on Minimum Criteria for Environmental Inspections (RMCEI).

During the first workshop the Dutch delegation, who acted as lead country in this project, presented a 'step-by-step guidance book for planning of environmental inspection'. In this guidance book the ideal planning cycle for an environmental inspectorate is outlined in an abstract manner.

During the workshop a number of possibilities were also put forward for setting priorities with regard to enforcement actions in other European Member States on the basis of a risk assessment

Finally, the content and statute to be given to this guidance book were also discussed. The aim of this guidance book is indeed to increasingly flesh out the content of one of the RMCEI requirements, namely that environmental inspections must be planned in advance and that an environmental inspection plan must always be in place.

In the second workshop the text of the RMCEI was discussed in detail. The aim of this workshop was to be able to submit to the European Commission a proposal with amendments for the improvement of the text from the IMPEL network. Apart from the drafting of a proposal with actual changes to the text, a document was also drawn up which motivates why certain passages of the text have either been modified or not.

IMPEL-TFS

IMPEL-TFS (Transfrontier Shipments of Waste) is the IMPEL cluster which deals with matters on transfrontier shipments of waste. The core activities of TFS are joint enforcement projects and the exchange of knowledge of and experience with the enforcement of the EU Waste Shipment Regulation.

Plenary meeting in Paris

The EID took part in the annual plenary TFS conference which took place from 21 to 23 March 2007. At this conference future and ongoing projects were presented or subjected to interim evaluation. The main theme, however, was the new EU Waste Shipment Regulation (1013/2006) which was to enter into effect on 12 July 2007 and which still contained many unclear passages at that time. Following this conference the EID decided to appoint two of its members of staff to be responsible for the international

cooperation in terms of checks on waste transports which is obliged in Article 50.6. This plenary meeting was combined with a first session of the NCPs (National Contact Points).

End-of-Life Vehicles Project

This project is aimed at standardising the inspection of the export of end-of-life vehicles (ELV) all over Europe. Within this project it was proposed to leave it to a recognised car expert to distinguish a second-hand car from an end-of-life vehicle. On 11 January 2007, the EID brought the Regions and the Federal State together to discuss a work definition of 'end-of-life vehicle' which was supported by the four bodies. In June 2007, the EID organised an inspection at a car terminal in the Port of Antwerp, with the support of a recognised car expert. The EID invited Portuguese colleagues that day. In December 2007, the EID itself took part in a quay inspection in Lisbon. The experiences gained during the inspection day in Antwerp form an essential basis for the conclusions of the ELV project. TFS will ask the correspondents group to design guidelines for the export of end-of-life vehicles. However, in the long term the EID proposes to adjust ELV Directive 2000/53/EC in order to make a pre-export inspection compulsory for all second-hand cars.

Enforcement Actions Project

During the term of this project (December 2006 - April 2008) four European inspection periods are planned. During these periods the participating countries agree to focus on transport inspections of transfrontier shipments of waste and to report the planning and results to the project management. The project also allows for waste shipments to be monitored by foreign inspectorates, and for environmental inspectors to be exchanged. The EID organised transport inspections for the project in February, June and October. One of its environmental inspectors joined a quay inspection in the Netherlands. Finally, in December 2007, all participating countries attended an interim project meeting at Ham Castle.

Cooperation with the European Commission and China

Under the impulse of IMPEL-TFS the Commission has recently also started to take an interest in the element of enforcement of the EWSR Regulation. In 2007, it organised meetings in several Member States so as to gain a better insight into the cooperation between the inspectorates concerned. The EID took part in one of these meetings on 19 March 2007 in Mechelen.

On 5 December 2007, an important meeting took place in Brussels between the Commission, the Member States and a delegation of the Chinese environmental administrations and inspectorates. At this meeting Europe and China agreed to cooperate more closely in the future, among other things with regard to the exchange of information on illegal shipments. This cooperation is to result ultimately in a Memorandum of Understanding between IMPEL-TFS and China. In the build-up to this consultation, the EID organised, together with FLI, a port inspection in Antwerp where the Belgian method of port inspections was demonstrated to the Chinese delegation.

Lessons learnt from accidents

The BARPI (Bureau d'analyse des risques et des pollutions industrielles) and the SEI (Service de l'environnement industriel) of the French Ministry for Town and Country Planning and Environment organise the biannual seminar 'Lessons learnt from accidents' in France. Since 1999, this is done under the auspices of the IMPEL network.

This seminar took place in Paris on 30 and 31 May 2007. The most important aim of the meeting was the exchange of experiences with regard to accidents. In cooperation with the Division for the Supervision of Chemical Hazards, the EID gave a presentation on a major accident which occurred at the Port of Antwerp in 2005: the breaking of a storage tank for crude oil in a tank park, as a result of which the entire content of the tank (37,000 m^3) was released in a time span of about fifteen minutes. During the presentation the causes of the accident were analysed and recommendations were formulated to avoid similar incidents in the future.

Other

Dioxin 2007

In September 2007, the EID participated in the 27th 'International Symposium on Halogenated Persistent Organic Pollutants', or DIOXIN 2007 (http://www.dioxin2007.org) in Tokyo, Japan.

At this annual forum, which is the most important forum on halogenated persistent organic pollutants (the most commonly known of which are dioxins and PCBs) in the world, the latest findings on this subject are presented. During this conference the formation, environmental spread, toxicological and epidemiological aspects, sampling and analysing methods, the prevention and reduction of emissions were discussed in lectures, poster presentations and exhibition stands. The symposium was attended by hundreds of participants from scientific, commercial, technological and government environments from dozens of different countries. This year as well a fairly large Belgian delegation (about 20 members) participated.

These past years the symposium has also been paying attention to brominated and fluorinated organic substances which have recently gained interest. An entire session (10 oral presentations and 29 posters) was devoted to persistent fluorinated organic compounds. Following the EID's presentation of last year on brominated flame retardants, this year the EID also submitted a paper entitled 'Reducing the emissions of perfluorinated chemicals – the enforcement approach'. In this paper the EID presented the results of an investigation that was performed into the emissions of fluorosurfactants via the waste water and sludge from water treatment from 53 companies which could be suspected of using fluorosurfactants in their production process. The investigation was started up following the pollution of German drinking water which may have been the result of contaminated sludge that is said to have been imported from the Flemish Region, among other things.

Information was given about the selected companies, the conducted samplings, the analysis results and the processing of the observations under administrative and criminal law. Finally, it was also indicated which suggestions were formulated to the policymakers to prevent these compounds from being emitted into the environment ever again.

MJV

In October 2007, the exchange programme 'Mutual Joint Visits Programme on Inspections under the Seveso II directive' took place in Plock, Poland. An MJV is an exchange programme for Seveso inspectors under the auspices of the European Commission and is especially aimed at the exchange and recording of experiences and good (inspection) practices. During the MJVs the Seveso inspectors are given the opportunity to exchange (inspection) experiences about the practical implementation of the Seveso II directive.

For the first time one of the Member States that has recently acceded to the European Union organised the exchange programme. The meeting was chaired by representatives of the State Fire Service. This body is in charge of implementing and executing the Seveso II directive in Poland, together with the Ministry for the Environment. The exchange programme was attended by 68 participants, among whom 22 European Seveso inspectors from 16 different Member States.

The meeting was conceived as a workshop for Seveso inspectors and consisted of a combination of presentations and discussions to exchange information so as to achieve a joint approach to enforcement throughout Europe. The workshop was divided into three themes, viz. 'Legal and Organisational Issues', 'Inspection Methodology' and 'Educational System'.

In Poland, 353 Seveso companies are registered, among whom 197 lower tier establishments and 156 upper tier establishments. During the MJV the division of responsibilities with regard to the implementation of the directive and the coordination of the supervision was discussed in detail. The urban area of Plock contains one of the largest concentrations of Seveso companies in Poland. During the workshop two of them gave a short speech. This was followed by a brief company visit.

The most important conclusions of the workshop were that inspections in Poland are still mainly aimed at 'fighting' major accidents rather than at the preventative and protective aspect. For the moment Poland does not have any system for the systematic execution of joint inspections with the competent public bodies. The lack of a 'central', coordinated public service is considered a

disadvantage by them. Another point of concern was the fact that a number of recent accidents in Poland have highlighted the catastrophic consequences of major accidents in near-Seveso companies as well. Finally, it was also established that there are different speeds in terms of training. In particular the East European and to a lesser extent the Southern countries have progressed less far in this respect.

CEM 2007

From 5 through 6 September 2007, the EID participated in the conference CEM 2007 '8th International Conference on Emissions Monitoring' (organised by Joint Research Centre of the European Commission, together with the Source Testing Association, IEA Clean Coal Centre, Luftunion, Swiss Federal Bureau for Environment FOEN, Cercl' Air and ET(P)), which took place in the buildings of EMPA Akademie in Dübendorf (Zürich) in Switzerland.

The conference focused on recent developments in the field of the sampling, measuring and modelling of emissions into the air. It was attended by about 180 participants from scientific, commercial, technological and government environments and from industry. The participants were mainly European.

Before the participation, the EID submitted, together with VITO, an abstract, entitled 'Compliance check of the solvent balance according to the EU Solvent Directive with diffuse emission measurements in the printing sector'. The EID and VITO were asked to write an article for the Proceedings of this conference and to give an oral presentation during this conference.

The presentation pertained to the objective and the results of an investigation into VOC emissions in the graphics sector. During this investigation it was in particular tried to check the solvent accounting of three printing companies via direct measurements of the diffuse emissions. The result was the introduction of an inspection method to be applied by the EID on printing companies to check the implementation of the provisions of the VOC directive.

Annexes

Contact Persons within the EID

Support in terms of content								
	Staff	**Chief Inspectorate**	**Major hazard companies**	**Local service Antwerp**	**Local service Limburg**	**Local service East Flanders**	**Local service Flemish Brabant**	**Local service West Flanders**
Head of Service		Martine Blondeel	Inge Delvaux	Linda Van Geystelen	Freddy Noels	Paul Van Gijseghem	Marc Vanthienen	Roland Loontiens
Working Group 'Waste'		Hans Delcourt Bart Palmans		Michael Allison	Peter Brien	Gert Govaerts	Robert Dupont	Marc Sevenant
Waste Chain Team				An Van Steenbergen	Tom Nuyts	Steven Overmeire	Patrick Bergen	Jeannine Tassyns
Working Group 'Soil and Ground Water'		Greta De Maesschalck		Hendrik Meulemans	Sybille Vanderhenst	Greta De Maesschalck	Tina Poels	Karel Debeuf
Working Group 'Noise and Vibrations'		Louis Daens		Ludo Segers	Tom Maes	Frans Van der Cruyssen	Koen Mandonx	Henri Trypsteen
Working Group 'GMOs'		Geert Keppens		An Swinnen		Marian Lagrou	Tina Poels	Karel Debeuf
Working Group 'Air, Light and Odour'		Martine Blondeel		Jos Moeskops	Peter Schoups	Peter Wesemael	Liesbet Rommens	Geert Van Landschoot
Working Group 'Ozone Depleting Substances and Fluorinated Greenhouse Gases'		Paul Cuypers		Els De Jonghe	Peggy Cloostermans	Frans Van der Cruyssen	Mathy De Preter	Karel Vandamme
Working Group 'Water'		Peter Schryvers		Ann Van Deun	Rudi Rademaekers	Wilfried Van Vaerenbergh	Dirk Crivits	Robrecht Pillen
IPPC Core Team		Martine Blondeel Paul Cuypers Hans Delcourt Greta De Maesschalck Peter Schryvers	Inge Delvaux Marc Van Kerckvoorde	Lief Mannaerts	Johan Ballings	Frank Verslype	Jef Feyaerts	Wim Delaere

Organisational support								
	Staff	**Chief Inspectorate**	**Major hazard companies**	**Local service Antwerp**	**Local service Limburg**	**Local service East Flanders**	**Local service Flemish Brabant**	**Local service West Flanders**
Information technology	Koen Mandonx	Geert Keppens	Wilfried Van den Acker	Jan Valckx	Jos Tits	Luc Verhaeven	Koen Mandonx	Peter De Neve
Material	Chris Van Baelen Tanja Verschaeren			Ilse Colman	Guido Gerits	Dony Vandormael	Theo Strobbe	Johan Corveleyn
Environmental Enforcement Report		Peter Schryvers	Leentje Timmerman	Wim Vermetten	Tom Maes	Lieve Joos	Marc Vanthienen	Georges Van de Walle

Vervuilende stoffen in moedermelk gedaald

BRUSSEL • Het gehalte aan dioxines, pcb's en de meeste pesticiden in moedermelk is gedaald. De hoeveelheid dioxines is zelfs met 40 procent gedaald tegenover vijf jaar geleden. Goed nieuws, zegt Kristine Vickx, coördinator van de nieuwe studie POP's in moedermelk.

POP's zijn persistente organische polluenten of vervuilende stoffen die teruggevonden worden in het milieu. Ze kunnen in het lichaam worden opgenomen en zijn erg moeilijk afbreekbaar. Moedermelk is een goede bron om de opstapeling van die vervuilende stoffen in de bevolking te meten. Hoewel er geen normen voor bestaan, is het wel de bedoeling dat de gehaltes zo laag mogelijk gehouden worden.

Gisteren werden de resultaten van de jongste meting in opdracht van de Interministeriële Conferentie Leefmilieu Gezondheid gepresenteerd. Het gaat om de Belgische bijdrage aan metingen door de Wereldgezondheidsorganisatie.

De aanzienlijke verdere daling van de dioxines kwam ook voor de onderzoekers als een positieve verrassing. "Het daalde al langer", zegt Vinkx. "Dit wijst erop dat de inspanningen die geleverd zijn om de emissie te reduceren en de controle in de voedselketen vruchten afwerpen."

De dioxines blijven evenwel een aandachtspunt, vervolgt ze. "Bij de vorige metingen zat ons land inzake dioxines telkens aan de hoge kant en was er toch een probleem. Er is nu een belangrijke reductie, maar we weten nog niet hoe we het doen tegenover de andere landen."

Voor dioxineachtige pcb's was de trend minder duidelijk. "Ze zijn moeilijker meetbaar en de normen daarvoor zijn ook nog kort nog effecten van recente maatregelen."

De oude organochloorpesticiden komen bijna niet meer voor. "Een afgeleide vorm van DDT is nog wel bij alle moeders teruggevonden", zegt Vinkx. "Hoewel het gehalte lager ligt dan vroeger, is het toch vreemd dat het nog zo algemeen aanwezig is."

Gebromeerde vlamvertragers, stoffen die de brandveiligheid moeten verhogen, werden wel meetbaar teruggevonden. "We kunnen niet zeggen of ze een gevaar vormen voor de gezondheid, maar we zijn blij dat we geen stijging hebben gezien tegenover vijf jaar geleden."

Zogenaamde muskstoffen of geurstoffen die in parfum en cosmetica voorkomen, werden nu voor het eerst aangetroffen in moedermelk. Ze moesten ook nu pas voor het eerst worden gemeten. "De teruggevonden gehaltes aan muskxyleen en muskketon lijken vrij normaal."

Vinkx benadrukt nog dat het hoe dan ook ...

■ De aanzienlijke verdere daling van de dioxines in moedermelk kwam ook voor de onderzoekers als een positieve verrassing.

... meer stinken

Champignonmestproducent Walkro nam zopas een geurwasinstallatie in gebruik. De stankhinder die vooral de inwoners van As, Groot Homo en de Eisdense Tuinwijk tot nog toe ondervinden, moet na de lopende opstartfase grotendeels tot het verleden behoren.

Ludo Coenen

'Over een paar weken moet het probleem zo goed als opgelost zijn', vertelt directeur Freddy Hermans. 'Iedere dag zijn specialisten in het getouw om de werking van de luchtwassers beetje. Alleen verloopt het bij ons wat sneller. Tot in het Ruhrgebied halen we in manèges en stallen paardenmest op. Vermengd met stro, gips, water en kippenmest dat omwille van de geur just-in-time toekomt, wordt dat in vier tot vijf weken een substraat waar we in de laatste fase het mycelium van het gevraagde champignonras aan toevoegen.'

De aanmaak is in feite een doorgedreven composteringsproces in afgesloten tunnels waarbij de broeitemperatuur toeneemt tot 80 graden en er vooral amoniakgeur vrijkomt. Die wordt in de verschillende fasen opgevangen en 'gewassen'. Op vraag van de milieu-inspectie en de gemeente investeerde Walkro ... worden we aan alle eisen ... men. Toch gaan we nog ... want over enkele jaren is ... van de fabriek aan vernieuw... Dan wordt het productiepr... ledig ingetunneld en ont... aan de buitenlucht.'

Wekelijks verlaat volgens ... Hermans zo'n 2.500 tot 2... doorgroeid substraat de ... 'De champignonkweker leg... laagje aarde over en drie w... ter is de vrucht er.'

Walkro produceert sinds 19... dustrieterrein Onder de Be... tijds nog helemaal in de ... lucht. Nu werken er een 75-t... sen. Met een dertigtal oplog... porteert Walkro vooral ... Nederland, Zwitserland en ...

Wegenbouwer dumpte illegaal puin in Oost-Vlaamse gemeente

Bewoners versus breekwerf: in Haaltert wint de aanhouder

Zeven maanden lang kloegen de inwoners van de Dreef in het Oost-Vlaamse Haaltert over helse lawaai- en stofhinder in hun straat. De firma Wegebo installeerde er namelijk een tijdelijke werf voor de verwerking van afval van wegenwerken. Volgens de milieu-inspectie is de werf illegaal.

DOOR CATHY GALLE

HAALTERT • 'Kijk, nog ene.' Willy ... hier verwerkt worden. Maar als je zag w... illegaal aangevoerd werd, dan ko...

Opnieuw stank in Lendelede

LENDELEDE Nadat het er maanden weinig of hier rook stinkt het opnieuw in Lendelede. Het mestverwerkende bedrijf uit de Kortrijkstraat wordt met de vinger gewezen. Burgemeester Georges Gheysens (CD&V): "Vanaf december kwamen er geen klachten meer over reukhinder. Maar sinds halfweg maart kregen we opnieuw twee klachten. We hebben die doorgegeven aan de milieu-inspectie in Brugge. Binnenkort moeten we naar de vergunningscommissie." Het bedrijf kreeg een proefvergunning voor één jaar. Georges Gheysens: "We geven ongunstig advies voor een bestendige vergunning. Maar willen wel nog een vergunning op proef geven voor één jaar." Als er klachten blijven komen, waarom dan toch opnieuw een proefvergunning? "Omdat de betrokken landbouwer een geurstudie het uitvoeren. Volgens die studie kan het bedrijf niet stinken." (odw)

MILIEU-INSPECTIE BEVEELT ORGANISATOREN OM WEDSTRIJD AF TE BLAZEN

«Belgisch kampioenschap motorcross op illegaal circuit»

In Waterloos bij Neeroeteren ... Belgisch kampioenschap motorcross plaats. Volgens de milieu-inspectie mogen er geen ac... plaatsvinden. De dienst is wel niet van pla... kampioenschap zelf stil te leggen, maar lichtte de procureur wel in. «Als er gecrost wordt, dan is dat illegaal», stelt afdelingshoofd Baert van de milieu-inspectie. De inspectie zakt zondag af naar Neeroeteren. «Wij gooien ons niet voor de motoren. Maar zullen wel de nodige vaststellingen doen.» De organisator voelt zich geviseerd.

GUNTHER BOMANS

«Als de organiserende club ons bevel negeert, krijgt dit een strafrechtelijk staartje», zegt afdelingshoofd Baert van de milieu-inspectie. Paasdag is voor cro... liefhebbers een hoogtepunt ... kampioenschap ... kiezelgroeve ...

> Wij hebben een milieuvergunning van de provincie om te mogen crossen

van het circuit, een andere groep is radicaal tegen. Bij de provincie schuift men de hete aardappel door naar de stad en de milieu-inspectie. «Er is een milieuvergunning, weliswaar onder voorwaarden», klinkt het op het kabinet van gedeputeerde Frank Smeets. De milieu-inspectie kan de ver... intrekken, of maatrege... toezien op de ...

crosskalender. Hij stelt ook vragen over het feit dat er een vergunning is van de provincie in een natuurgebied. «Die is volgens mij ...

Het terrein waar de cross zondag plaatsvindt. Foto Moors

«Verantwoordelijkheid in hogere kringen»

«Wij hebben dit probleem niet veroorzaakt», reageert een aantal buren. «Politici en autoriteiten hadden eerder hun verantwoordelijkheid moeten nemen. Moest het een doofpotoperatie worden?» Sommige buurtbewoners zien de toekomstplannen op het circuit niet zitten. «De gigantische plannen die men wil verwezenlijken in de kiezelgroeve zijn nooit bekend gemaakt door de stad. Alle overheden zijn al jaren op de hoogte van de onwettige toestand. Hier hangt een geurtje aan. De bewoners zullen wellicht weer met de vinger worden gewezen, omdat we ook nu gelijk krijgen van de inspectie.» (GBO)

brief van de milieu-inspectie. «De crossers hebben een tijdelijke vergunning precies opdat de club zich in orde zou kunnen stellen», ...

17 gevaarlijke bedrijven in Limburg

Overheid verspreidt Seveso-brochures

Milieu-inspectie stapt naar rechtbank om circuit te sluiten

HASSELT – De milieu-inspectie stapt zelf naar de rechtbank om het circuit te sluiten. «Onze vraag tot stopzetting van de illegale activiteiten blijft men negeren», zegt diensthoofd Freddy Noels van de milieu-inspectie.

De crossers ... buren rust. De pro... diep geworteld. De top van de milieu-inspectie moeit zich nu met de zaak. «Wij hebben het bevel gegeven tot het stopzetten van alle activiteiten. De club, de stad ...

«Wij blijven bij ons standpunt dat het circuit moet sluiten. We stappen nu zelf naar de rechtbank.»

Het diensthoofd verduidelijkt dat er geen vergunningen zijn om het circuit nog langer open te houden.

«De vergunning van de provincie is niet rechtsgeldig. De milieuvergunning is geschorst omdat de stedenbouwkundige vergunningen ontbr... het.

... controleert ... transporten

ANTWERPEN • De politie onderwierp in de districten Wilrijk en Hoboken alle afvaltransporten aan een grondige controle. Afvalvervoer staat hoog op het prioriteitenlijstje van de federale politie. De lokale politie kreeg versterking van een hele resem overheidsdiensten: de douane, de milieu-inspectie, Sociale Zaken en Vreemdelingenzaken. Ook de verkeerspolitie en de stedelijke woondienst rukten mee uit.

In totaal werden 39 transporten tegengehouden, waarvan 20 afvaltransporten. Van de 39 transporten werden er bij 23 inbreuken vastgesteld. Van de 20 afvaltransporten bleken er 7 niet te voldoen aan de regels. De controleurs inden voor ruim 16.000 euro boetes. De voornaamste inbreuken waren het niet respecteren van rij- en rusttijden, knoeien met de tachograaf en het ontbreken van de nodige vervoervergunningen en vrachtbrieven. Een aantal chauffeurs beschikte niet over het juiste rijbewijs.

Oorzaak dioxinevervuiling in Stabroek is compleet raadsel

De dioxinebesmetting bij melkveebedrijven in de Antwerpse gemeente Stabroek is ernstiger dan eerst werd gedacht. Drie bedrijven zijn geblokkeerd, twee andere worden scherp in de gaten gehouden. De diensten die op zoek zijn naar de oorzaak van de besmetting staan echter voor een groot raadsel.

DOOR CATHY GALLE

STABROEK • **In Stabro... wijzen de boer... besch... nab... van ... geen ... besm...**

Een ... de situati... om een ... dekt is da... lesysteem. ... besmette m... keten terech... Houbaert va... dat 'peanuts', ... om kleine bed...

er zeker geen acuut gevaar voor de volksgezondheid.

Maar de zoektocht naar de besmettingsbron baart de bevoegde diensten blijkbaar wel zorgen. Zolang niet geweten is wat de besmetting veroorzaakt, is het namelijk moeilijk te zeggen hoe groot het probleem precies is. Het Voedselagentschap, de Vlaamse Milieumaatschappij en de Milieu-inspectie staken gisteren de koppen bijeen ... het kabinet van milieuminister Hilde ...vits (CD&V). Conclusie van het overleg: ...een tast nog volledig in het duister.

... Milieu-inspectie bekeek alle industrie ... omgeving. "Voor bedrijven met ...steenemissies bestaat een controle... waarmee we dag op dag kunnen ... de toegestane normen niet overschrijden. We hebben nergens een anomalie vastgesteld", stelt Robert Baert, afdelingshoofd van de Milieu-inspectie.

Voor alle duidelijkheid: ook bij verbrandingsoven Indaver werd niets gevonden. De inspectie bekeek ook het stort de Hooge Maai, dat een verspreider van pcb's zou kunnen zijn. Ook daar niets. De inspecteurs namen voorts bodemstalen op tal van locaties. De voorlopige analyseresultaten tonen evenmin iets abnormaals.

ROBERT BAERT (MILIEU-INSPECTIE):

Bij geen enkel bedrijf hebben we een anomalie vastgesteld

De zaak begon toen vorige week bij een steekproefsgewijze controle in het slachthuis bij een stier van een Stabroeks melkveebedrijf drie keer zoveel dioxines en pcb's dan toegelaten werden gevonden. Woensdag werd in twee nabijgelegen bedrijven eveneens een overschrijding vastgesteld. Bij twee andere vond het voedselagentschap een verhoogde aanwezigheid van dioxines, maar zonder dat de norm overschreden w...

Bij alle bedrijven ... clean te zijn, terwijl ... besmet bleek. In het ... besmet kuilgras ... gras dat in het ... in een kuil bew... tisch zijn dat ... plaatsvond. "D... met controle... het veevoed... len voeder ... den ter co... werd gez... wat dos... besmet... terug ... De ... loop... Wo... st... ...

Grazende koeien in een Stabroekse wei, met de verbrandingsoven van Indaver op de achtergrond. ... van vervuiling gevonden.

Sint-Truiden

Schroothandelaar verwerkte illegaal afval

De Hasseltse correctionele rechtbank heeft een schroothandelaar (56) uit Sint-Truiden veroordeeld tot een geldboete van 55.000 euro, waarvan 49.500 euro met uitstel. De milieu-inspectie had de Truienaar in februari en april 2005 betrapt op een hele reeks inbreuken. De man beschikte niet over een exploitatievergunning en had evenmin een stedenbouwkundige vergunning voor zijn bedrijf aan de Oude Tongersebaan in zijn stad.

De aanwezigheid van mobiele kranen met een magneet, een grijper en een schepbak, verscheidene heftrucks, een laspost en een weegbrug bewees dat er wel degelijk afval werd verwerkt in het bedrijf. Autobanden, velgen en schroot lagen gestapeld in containers. Diverse afvalstoffen, waaronder koelvloeistof met het uiterst gevaarlijke CFK en loodaccu's met geconcentreerd bijtend zuur, waren ook in het bedrijf opgeslagen, naast meer onschuldige stoffen als papier, karton en piepschuim. De bodem was verontreinigd met olie en zuren. De milieu-inspecteurs noteerden dat elektrische toestellen niet op een voor het milieu verantwoorde wijze opgeslagen lagen, dat de technische voorschriften met de voeten werden getreden en dat de verwerking van autowrakken gebeurde zonder de daarvoor noodzakelijke erkenning. De handelaar haalde voorts ook afval op zonder over de vereiste vergunning te beschikken. Hij verbrandde tot slot afvalstoffen in een metalen vat.

Buren zijn stofhinder Linopan beu

WIELSBEKE Verschillende bewoners uit de Merellaan dagvaarden spaanderplatenbedrijf Linopan en zaakvoerder S.V. voor de rechtbank. Reden: het bedrijf veroorzaakt stofhinder en overschreed de emissienormen.

De bewoners (vier burgerlijke partijen) uit de Merellaan pikken het niet langer dat ze elke dag moeten vaststellen dat er fijn stof ligt op hun daken, in de regenputten, in huis en elders. Het gaat hier vooral over de periode november 2005 tot september 2007. Maar ook tot eind vorig jaar en zelfs begin dit jaar lieten bepaalde bewoners pv's opstellen over stofhinder.

Volgens de procureur werden de emissienormen in bepaalde periodes overschreden en heeft het bedrijf in 2006 geen analyses en metingen laten uitvoeren.

'Alle overtredingen zijn bevestigd door de milieu-inspectie. In bepaalde gevallen gaat het zelfs over drie tot zes keer de overschrijding van de gestelde normen.' Hij vorderde de verbeurdverklaring van 12.200 euro vermogensvoordelen en zowel voor het bedrijf als de bedrijfsleider een boete van 8.250 euro.

... komstig van het doorgaande zwaar verkeer langs de gewestweg N382, dat sinds enkele jaren langs de Merellaan passeert. De rechtbank spreekt zich uit op woensdag 12 maart. (djw)

Brouwerij krijgt pv voor lozing

...n afvalwater uit het zuiveringsinstallatie ... brouwerij Alken-Maes uit... ...der van aanpassingswerken ...ingsinstallatie, krijgt een ... De dienst milieu-inspectie ...rmeel dat ze hiervoor

...menteel inderdaad ...ingsinstallatie. De ... voorafgaande... ...n de afdeling ...g toegelicht ... Noels van de Milieu-inspectie. "Maar de Milieu-inspectie kan op geen enkele wijze akkoord gaan met de lozing die in het weekend heeft plaatsgevonden. Tijdens het plaatsbezoek maandagvoormiddag werd trouwens vernomen dat er tijdens het weekend met het afvalwater ook slib werd geloosd, wat zeker niet voorzien was in het vooropgestelde scenario. Wij zullen tegen de brouwerij pv opstellen wegens het niet melden van deze accidentele lozing aan de Milieu-inspectie, en het nemen van onvoldoende maatregelen om de gevolgen voor mens en milieu te beperken." Gisterenvoormiddag werden er stalen genomen van het geloosde water.

Bij de eerste contacten met buurtbewoners en getuigen bleek dat de beek zwart kleurde van het geloosde afvalwater, totdat de lozing op politiebevel werd stopgezet. De resultaten van de stalen zullen eerstdaags uitsluitsel moeten brengen. De lozing had volgens een buurtbewoner een massale vissterfte tot gevolg, maar volgens milieu-ambtenaar Els Verwimp was daarvan al niets meer te zien tijdens de vaststellingen door de politie en door haarzelf.

Steven Denedts van brouwerijen Alken-Maes benadrukt dat er gisteravond nog contacten waren met Milieu-inspectie om tot een oplossing te komen en stelt dat de brouwerij haar werkzaamheden zondag meteen stopte na de klachten. Voorts installeerde de brouwerij zuurstofpompen aan de waterloop en startte het een milieuvriendelijk proces op om het slib te verdunnen. "Dit is zeker niet toxisch, het wordt ook toegepast in de landbouw." (Van...

Burgemeester Hulshout vindt illegaal stort in zijn gemeente 'niet z... erg'

Naast de sporthal van de Kempen... een braakgrond vol afval. Vanwa...

...ente Hulshout ligt ...idelijk.

VLAAMS MILIEUCONVENANT Gemeentebesturen zien het niet zitten om alle kla... II-bedrijven komende zes jaar minstens eén keer te controleren

70.000 milieucontroles op til

(tijd) - De Vlaamse regering wil de milieucontroles bij zo'n 70.000 kleinere bedrijven opvoeren. Aan de gemeentebesturen wordt gevraagd de komende zes jaar alle klasse II-bedrijven minstens één maal te controleren. De gemeentebesturen zien dat niet zitten.

Klasse II-bedrijven zijn firma's met een matig potentieel milieurisico. Het gaat in veel gevallen om kmo's, zoals een zelfstandige schrijnwerker, een garagist of een stomerij.

De milieucontrole van die 70.000 bedrijven is al jaren een taak van de gemeenten. Maar nooit werd er zo'n concrete doelstelling op geplakt. Dat gebeurt nu wel in een nieuw milieuconvenant 2008-2013 dat de Vlaamse regering vori-

Kort

Rechtbank spreekt Primeur vrij

... ...ste- ...con- ...sidieert ...n gemeen- ...r dergelijke ...iet bevorderen ...rskracht?", vraagt ...af.

...n betere controle van de milieuregels is aanvaardbaar. Als de regels maar minder

Contact Persons for Cooperation, Consultation and Regulatory Initiatives

Cooperation with third parties, consultation structures and regulatory initiatives	
	Contact persons
Adaptation of the sectoral regulations in the policy areas of Environment and Nature within the framework of Better Administrative Policy	Inge Delvaux Peter Schryvers
Adaptation of sectoral discharge standards and updating of performance characteristics of reference measurement methods	Peter Schryvers Roland Loontiens
Action group 'Particulate Matter Hot Spots'	Martine Blondeel
Alignment of monitoring and enforcement programmes: EID – OVAM – VLM - VMM	Peter Schryvers Hans Delcourt Martine Blondeel
BAT/EMIS steering group	Martine Blondeel Peter Schryvers
Cadmium Plan	Martine Blondeel
Crisis management	Inge Delvaux
Icolev (Internal Communication on the Environment)	Chris Van Baelen
Environmental boat	Chris Van Baelen
Flemish Parliament Act on environmental enforcement	Robert Baert Inge Delvaux Peter Schryvers
Agreement on animal by-products	Hans Delcourt
Consultation on waste transport inspections with the police, FLI, DPE and BIM	Bart Palmans Hans Delcourt
Consultation on light nuisance policy	Martine Blondeel
Consultation on cross-compliance between ABKL and environmental administrations	Greta De Maesschalck
Consultation on odour policy	Martine Blondeel
Consultation with VMM on deposition and immission measurements	Martine Blondeel
Reduction programme for the discharge of hazardous substances	Peter Schryvers
Cooperation with the Environmental Licences Division for the recognition of experts in the discipline 'noise and vibrations'	Louis Daens
Cooperation with the FANC	Linda Van Geystelen
Cooperation with the Federal Agency for the Safety of the Food Chain and OVAM	Hans Delcourt Bart Palmans
Cooperation committee Seveso-Helsinki	Inge Delvaux
Steering group 'VITO reference tasks'	Peter Schryvers Martine Blondeel
Steering group 'Regulatory costs of environmental policy instruments'	Chris Van Baelen
Steering group 'Avian influenza'	Hans Delcourt
Task force 'Nitrates problem in horticulture'	Peter Schryvers Ann Van Deun
Technical Consultation on Environmental Regulations (TOM)	Paul Van Gijseghem
VITO working group with regard to the analysis of organic and inorganic parameters in water	Peter Schryvers
Working group 'Valorisation of sewage sludge in agriculture	Hans Delcourt

Abbreviations Used

Instanties

A&WMA	Air & Waste Management Association
ABKL	Administration for the Management and Quality of Agricultural Production (of the ALV)
ALBON	Land and Soil Protection, Subsoil and Natural Resources Division (of the LNE Department)
ALV	Agency for Agriculture and Fisheries
AMV	Environmental Licences Division (of the LNE Department)
BIM	Brussels Institute for Environmental Management
CGCCR	Government Coordination and Crisis Centre
DPE	Division de la Police de l'Environnement (Wallonia)
EC	European Community
EID	Environmental Inspectorate Division
EU	European Union
FANC	Federal Agency for Nuclear Control
FAVV	Federal Agency for the Safety of the Food Chain
FLI	Federal Environmental Inspectorate
FPS	Federal Public Service
ILVO	Institute for Agriculture and Fisheries Research
IMPEL	Implementation and Enforcement of Environmental Law
IRCEL	Interregional Unit for the Environment
LNE	Department of Environment, Nature and Energy
OECD	Organisation for Economic Cooperation and Development
OVAM	Public Waste Materials Agency for the Flemish Region
OWD	Office Wallon des Déchets (Wallonia)
TOM	Technical Consultation on Environmental Regulations
ToVo	Division of Public Health Surveillance (of the Agency for Care and Health)
VEA	Flemish Energy Agency
VITO	Flemish Institute for Technological Research
VLM	Flemish Land Company
VMM	Flemish Environment Company
VOKA	Flemish Network of Enterprises
VROM	(Dutch) Ministry of Housing, Spatial Planning and the Environment
VVP	Association of Flemish Provinces
VVSG	Association of Flemish Cities and Municipalities
WASO	FPS Employment, Labour and Social Dialogue
WEF	Water Environment Federation
WHO	World Health Organization
WIV	Scientific Institute of Public Health

Environmental terms

ARAB	General Regulations on Industrial Safety
BAT	Best Available Techniques
BBB	Better Administrative Policy (the reorganisation of the Flemish public administration)
BREF	Best Available Techniques Reference Document
CLEEN	Chemical Legislation European Enforcement Network
DIN	Deutsches Institut für Normung
EIP	Environmental Inspection Plan
EIR	Environmental Impact Report
ELV	End-of-Life Vehicle
EMAS	Eco-Management and Audit Scheme
EWSR	EU Waste Shipment Regulation
FAI	Full acoustic investigation

FID	Flame Ionization Detector
FTE	Full-Time Equivalent
GMO	Genetically Modified Organism
HMW	Hazardous Medical Waste
ICT	Information and Communication Technology
IPPC	Integrated Prevention and Pollution Control
LAI	Limited acoustic investigation
LOW	List of Wastes
MAP	Manure Action Plan
MES	Meta Technical Evaluation System
MINA-plan 3	2003-2007 Environmental Policy Plan
MJV	Mutual Joint Visit
NEC Directive	National Emission Ceilings Directive (Directive 2001/81/EC)
NeR	Netherlands Emission Guidelines for Air
PE	Population Equivalent
PLDA	Paperless Customs and Excise
PLOEG	Internal performance management cycle of planning, managing, monitoring, evaluating and being appr-ciated within the Flemish public administration
REACH	Registration, Evaluation and Authorization of Chemicals
RMCEI	Recommendation for Minimum Criteria for Environmental Inspections
SR	Safety Report
SRM	Specified Risk Material
TA-Luft	Technische Anleitung zur Reinhaltung der Luft
TEM	Transmission Electron Microscopy
TEQ	Toxic Equivalents
TFS	Transfrontier Shipments of Waste
TRACES	Trade Control and Expert System
Vlarea	Flemish Government Decree laying down the Flemish regulations for waste prevention and management (of 1 June 1998)
Vlarebo	Flemish Government Decree laying down the Flemish regulations for soil remediation (of 5 March 1996)
Vlarem I	Flemish Government Decree laying down the Flemish regulations for environmental licences (of 6 February 1991)
Vlarem II	Flemish Government Decree laying down general and sectoral provisions for environmental health (of 1 June 1995)
WWTP	Waste water treatment plant

Stoffen en parameters

AOX	Adsorbable organic halogens
BOD	Biological oxygen demand
CFC	Chlorofluorocarbon compound
COD	Chemical oxygen demand
DDT	Dichlorodiphenyltrichloroethane
DNA	Deoxyribonucleic acid
HBCD	Hexabromocyclododecane
MAH	Monocyclic aromatic hydrocarbons
PAH	Polycyclic aromatic hydrocarbons
PBDE	Polybrominated diphenyl ether
PCB	Polychlorinated biphenyl
PCDD	Polychlorinated dibenzodioxins (dioxins in short)
PCDF	Polychlorinated dibenzofurans (furans in short)

penta-BDE	Pentabromodiphenyl ether
PFOA	Perfluorooctanoic acid
PFOS	Perfluorooctane sulfonate
PFT	Fluorosurfactant
pH	Acidity
PM10	Dust particles with an aerodynamic diameter smaller than 10 µm (particulate matter)
TBBA	Tetrabromobisphenol A
VOC	Volatile organic compounds

Addresses

Head of Division and Staff
Head of Division: Dr. Sc. Robert Baert, Inspector-General-
Koning Albert II-laan 20 bus 8
1000 Brussel
Tel.: 02-553 81 83 Fax: 02-553 80 85
E-mail: milieu-inspectie@lne.vlaanderen.be

Chief Inspectorate
Head of Service: Martine Blondeel
Koning Albert II-laan 20 bus 8
1000 Brussel
Tel.: 02-553 81 83 Fax: 02-553 80 85
E-mail: milieu-inspectie@lne.vlaanderen.be

Supervision of Major Hazard Companies
Head of Service: Dr. Sc. Inge Delvaux
Koning Albert II-laan 20 bus 8
1000 Brussel
Tel.: 02-553 81 89 Fax: 02-553 80 85
E-mail: milieu-inspectie@lne.vlaanderen.be

Local service Antwerp
Head of Service: Lic. Linda Van Geystelen
New address since 14 May 2007
Lange Kievitstraat 111-113 bus 62
2018 Antwerpen
Tel.: 03-224 64 25 Fax: 03-224 64 28
E-mail: milieu-inspectie.ant@lne.vlaanderen.be

Local service Limburg
Head of Service: ir. Freddy Noels
Koningin Astridlaan 50 bus 5
3500 Hasselt
Tel.: 011-74 26 00 Fax: 011-74 26 29
E-mail: milieu-inspectie.lim@lne.vlaanderen.be

Local service East Flanders
Head of Service: ir. Paul Van Gijseghem
Apostelhuizen 26k
9000 Gent
Tel.: 09-235 58 50 Fax: 09-235 58 79
E-mail: milieu-inspectie.ovl@lne.vlaanderen.be

Local service Flemish Brabant
Head of Service: Ing. Marc Vanthienen
Waaistraat 1 bus 2
3000 Leuven
Tel.: 016-21 11 50 Fax: 016-21 11 51
E-mail: milieu-inspectie.vbr@lin.vlaanderen.be

Local service West Flanders
Head of Service: ir. Roland Loontiens
Koningin Astridlaan 29 bus 4
8200 Brugge
Tel.: 050-40 42 11 Fax: 050-39 15 12
E-mail: milieu-inspectie.wvl@lne.vlaanderen.be

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Responsible editor
Dr. Sc. Robert Baert
Inspector-General
Head of Division
Koning Albert II-laan 20 bus 8
1000 BRUSSEL

Editor-in-chief
ir. Peter Schryvers

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