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### Terms of Reference (ToR) for a Short-Term assignment

<b>Technical assistance requested:</b>	1 (one) Senior Non-Key Expert in the area of industrial emissions relating to VOCs
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC II), Serbia
<b>Ref:</b>	EuropeAid/137065/DH/SER/RS
<b>Service Contract No.:</b>	(CRIS) 2016/375-724
<b>Main beneficiary:</b>	Ministry of European Integration of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	The Ministry of Environmental Protection
<b>Content of the assignment:</b>	Support in implementation and control of fulfilment of obligations arising from Chapter V of Directive 2010/75/EU on industrial emissions and VOC <sup>1</sup> Petrol Directives 94/63/EC and 2009/126/EC, by training of inspectors at central and local level
<b>Budget Line / Expert Category:</b>	Senior Non-Key Expert
<b>Duration of the assignment:</b>	30 WDs, spent during several missions in the period from December 2017 - (tentatively) June 2018

#### 1. Relevant background information

##### Background information in relation to PLAC II project:

The scope of PLAC II project is to provide support to relevant national institutions in charge of alignment of national legal acts with the EU acquis and to contribute to further building of capacities of relevant national structures for successful carrying out of accession negotiations.

The PLAC II project should achieve two results:

**RESULT 1** - Enhanced compatibility of national legislation with EU legislation and its effective implementation,

**RESULT 2** - Enhanced capacities of the relevant national structures for successful carrying out of accession negotiations.

In general, the project aims at fostering the process of accession negotiations of Serbia by supporting the effective alignment of national legislation with the acquis and its implementation and by further building the capacities of involved carriers of the EU integration process in Serbia. After completion of screening process in 2015, Serbian public administration has entered into much more demanding and obliging exercise of accession negotiations, whereby each step and every decision should result in approaching actual membership in the EU. For this scenario to happen in accordance with planned dynamics, preparedness, adequate institutional capacity of public administration with highly competent staff is of crucial importance. In the core period of the negotiations, PLAC II Project shall support domestic line institutions and the negotiating structures both in performance of quality operational work in relation to harmonisation process and in the effective coordination during various stages and phases in the process for different negotiation chapters.

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<sup>1</sup> VOC: Volatile Organic Compound



## **Background information in relation to Chapter 27 – Environment and climate change and relating to industrial pollution:**

As per Screening Report for Chapter 27 - Environment and climate change, Serbia has achieved in the field of Air quality a good level of legislative alignment with most of the relevant directives, but major efforts are needed in the process of implementation of all Air quality directives. Additionally, Serbia needs to further align with the VOC Petrol Directives - Stage I and Stage II (Directive 1994/63/EC and Directive 2009/126/EC). National *“Rulebook on technical measures and requirements relating to allowed emission factors for volatile organic compounds resulting from the storage and transport of petrol (Official Gazette RS 01/12, 25/12 and 48/12)”* entered into force in 2012 and began to apply on 1 January 2013 (except some provisions, which will start to apply on 1 January 2020). With this Rulebook, the Republic of Serbia further aligned with provisions of both of VOC Petrol Directives. In accordance with the Law on Air Protection and this Rulebook, operators are obliged to apply technical measures to reduce emissions of VOCs and to submit data on type and number of terminals for storage and loading of petrol and on service stations to the Serbian Environmental Protection Agency (SEPA). Data collection activity commenced in 2015, but also needs to be improved. The fuel market players concerned by both of the Directives need to be identified and involved in the process as early as possible, in order to plan and ensure the necessary investments for the required equipment.

In view of prevention of industrial pollution, the implementation process is at an early stage across the entire sector and further strengthening of administrative capacity and inspection system is necessary. The Serbian *“Regulation on the list of industrial installations and activities controlling emission of volatile organic compounds, emission values of volatile organic compounds during the certain consumption of solvents and total allowed emission and emission reduction scheme (Official Gazette RS No 100/11)”*; (abbreviated as VOC Regulation) entered into force in January 2012 and began to apply on 1 January 2013. This VOC Regulation transposes main requirements of Directive 1999/13/EC on VOC installations. Results of the legal gap analysis of the existing national legislation with Directive 2010/75/EU on industrial emissions (IED), in particular, with its specific provisions on installations using organic solvents showed that Chapter V of IED is partially transposed into national legislation. Additionally, in accordance with the Serbian Law on Air Protection (Official Gazette RS No 36/09 and 10/13) and the implementing VOC Regulation, operators using the organic solvents in their production processes are obliged to implement the measures aimed at reducing emissions of volatile organic compounds below the prescribed emission limit values and to submit to SEPA data on installations, which use organic solvents. Data collection has started for registration purposes, but needs to be improved.

To facilitate practical implementation of requirements, the Ministry in charge for environmental protection has run pilot training for environmental inspections performing inspection in scope of supervision of the compliance with the provisions of the Law on Air Protection and the aforementioned bylaws. Training of certain number of environmental inspectors at national, provincial and local level was conducted with assistance of PLAC I Project. In the revised version of the NPAA for 2016-2018, the second phase of training for inspectors on VOC Petrol Directives and Chapter V of IED has been planned, at several locations in Serbia.

## **2. Description of the assignment**

### **2.1 Specific objectives**

The specific objective of this assignment is the assistance in capacity building of inspectors and awareness raising of operators using volatile organic compounds, in specific requirements of relevant



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EU and national legislation in this area, preparing them for future implementation of obligations arising from Chapter V of IED (VOCs) and VOC Petrol Directives - Stage I and Stage II.

For this purpose, training (with theoretical and practical component) for environmental inspectors and operators has been planned at 6 selected locations of the country, in the cities of Belgrade, Novi Sad, Niš, Čačak and Zaječar. Training participants will be organised in groups and invited to training in the relevant city from the following regions:

1. Belgrade/ City of Belgrade without districts;
2. Belgrade/ Belgrade with the following districts: Južno banatski, Sremski, Mačvanski, Kolubarski, Podunavski, Braničevski;
3. Novi Sad/ Novi Sad with the following districts: Zapadno bački, Severno bački, Severno banatski, Srednje banatski, Južno bački;
4. Niš/ Niš with the following districts: Nišavski, Pirotski, Jablanički, Pčinjski, Toplički;
5. Čačak/ Čačak with the following districts: Moravički, Šumadijski, Zlatiborski, Raški, Rasinski;
6. Zaječar/ Zaječar with the following districts: Zaječarski, Borski, Pomoravski.

At each location, 3-day training has been planned and including:

- Day 1: informative workshop on requirements and best available techniques for operators, environmental inspectors and representatives of competent authority, i.e. MEP/SEPA, in total for up to 15 - 25 participants (depending on the region),
- Day 2: practical workshop on requirements and best available techniques and enabling the participants to learn from practical exercises and case studies, for environmental inspectors and representatives of competent authority, i.e. MEP/SEPA, in total for up to 20 participants (depending on the region),
- Day 3: on-the-spot training, simulating performance of on-the-spot control at one VOCs installation and one petrol station in the region, for environmental inspectors in charge of inspection of selected installations and representatives of competent authority, i.e. MEP/SEPA, in total for up to 10 participants (depending on the region).

## 2.2 Requested services

Senior NKE is expected to provide the following services:

- a) To draft guidelines for VOCs installations (e.g. solvent mass balance, reduction schemes, emission monitoring of VOCs installations, reporting duties and inspection of VOCs installations and petrol stations);
- b) To draft check lists for inspections of specific types of VOCs installations;
- c) To draft the list with requirements for operators of specific VOCs installations and the list(s) with operators' obligations to implement measures for the reduction of the emission of VOCs within the meaning of Chapter V of IED for the specific types of installations and within the meaning of VOC Petrol Directives, separately for Stage I and Stage II;
- d) To prepare suitable training materials for theoretical and practical part of training, delivered at workshops and on-the-spot visit of two installations and relating to:
  - requirements and best available techniques in the area of Chapter V of IED and VOC Petrol Directives, relevant for environmental inspectors and competent authority and for awareness raising on the latter by operators,
  - practical aspects of actual performance of checks in direct relation with requirements and best available techniques in the area of Chapter V of IED and VOC Petrol Directives, complemented



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with practical examples and case studies, relevant for environmental inspectors and competent authority (including also ad hoc advice on actual inspection cases, e.g. checking solvent mass balances),

- e) To deliver 3-day thematic training at each of 6 selected regions;

### 2.3 Outputs

Senior NKE is expected to deliver the following outputs:

- Draft guidelines for VOCs installations (e.g. solvent mass balance, reduction schemes, emission monitoring of VOCs installations, reporting duties and inspection of VOCs installations and petrol stations),
- Draft check lists for inspections of specific types of VOCs installations,
- Draft list of requirements for operators of specific VOCs installations and draft list(s) of operators' obligations to implement measures for the reduction of the emission of VOCs within the meaning of Chapter V of IED for the specific types of installations and within the meaning of VOC Petrol Directives, separately for Stage I and Stage II,
- Training materials for 3-day training to be held at 6 selected regions; training material shall be suitable for environmental inspectors and competent authority to learn about requirements and best available techniques and their implementation in practice, as well for raising awareness by operators that have to ensure compliance with regulations,
- Delivery of 3-day thematic training at 6 selected regions.

### 2.4 Reporting

The NKE shall provide the following reports by using the templates of the Project:

- Brief Mission Reports with description of activities and outputs provided, at the end of each mission under this assignment,
- Final Mission Report, no later than 1 week after completion of tasks under this assignment. This Report will include description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- Draft Mission Report shall be submitted to the Team Leader of the Project for review and comments at the end of the mission.
- Final version of the Mission Report prepared in the relevant quality shall be submitted to the Team Leader of the Project for review, comments and final approval. The reports shall be signed by the NKE and the Team Leader responsible for endorsing the Report.
- The Report and all prepared documents shall be submitted in hard copy and electronic version to the Team Leader of the Project.

### 2.5 Specifics

The NKE shall work under the guidance and follow the instructions of the Team Leader. The NKE shall collaborate with the Project Team, other experts involved and representatives of beneficiary institutions and national structures, as relevant.



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The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the implementation of the Project, depending on the evolving needs of the Project and main beneficiaries. Each of the short-term mission, its timing and duration shall be agreed with the Team Leader prior to each mission.

## **2.6 Final use of intervention and perspectives for the future**

By training of competent authorities and environmental inspectors at republic, province and local level, capacity of regulatory structures at various levels will be strengthened for practical performance of its functions. On the other hand, familiarisation of operators with relevant EU and national legal framework in the area concerned will contribute to raising their awareness of requirements they shall comply with from the moment of their application.

## **3. Expert input**

### **3.1 Total working days**

30 working days (WDs) in total have been planned for this assignment.

### **3.2 Period of the assignment**

December 2017 – (tentatively) June 2018

### **3.3 Starting day**

It is expected that the work will be performed during up to six missions in the period from December 2017 until tentatively, June 2018 and starting, at the earliest, from 4 December 2017 onwards. However, exact starting date and the actual number of missions will be agreed at a later stage.

### **3.4 Location/Place of assignment**

The NKE has to deliver 100% of the input in Belgrade and in selected regions in Serbia.

### **3.5 Working language**

English

## **4. Expert Profile**

### **4.1 Qualifications and skills (25 points)**

- University degree (where university degree has been awarded on completion of three years study in an university or equivalent institution) in Natural or Technical Sciences, Law or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications)

### **4.2 General professional experience (25 points)**

- Minimum 10 years of postgraduate professional experience in environmental sector

### **4.3 Specific professional experience (50 points)**

- Minimum 5 years of professional experience in the implementation of Directive 1999/13/EC and/or Chapter V (VOC) of Directive 2010/75/EU and in the implementation of VOC Petrol Directives - Stage I and Stage II (94/63/EC and 2009/126/EC)
- Proven professional experience in carrying out environmental inspection duties in relation to VOCs in a Member State,



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- Previous professional experience and/or knowledge of the legislation of the Republic of Serbia in the respective area would be an advantage

## 5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to [SEPLAC@altairasesores.es](mailto:SEPLAC@altairasesores.es) no later than 17:00 hrs, **29 October 2017**, titled: **“Application for the position – Senior NKE in the area of industrial emissions relating to VOCs”**.

References must be available on request. Only short-listed candidates will be contacted.

The Project is an equal opportunity employer.

All applications will be considered strictly confidential.

Advertised posts are not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact Project Manager at Altair Asesores S.L.: [m.garcia@altairasesores.es](mailto:m.garcia@altairasesores.es) / Tel. +34 91 3952798