

European Union Network for
the Implementation and Enforcement
of Environmental Law

FINAL

IMPEL REVIEW INITIATIVE (IRI)

**“A voluntary scheme for reporting and offering advice to
environmental authorities”**

Report on the IRI of Slovenia
7-10 May, 2018

Ljubljana

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Executive summary: <p>The IRI took place from 7-10 May 2018 in Ljubljana. Besides the interviews that were held at the premises of IRSOP, also a site visit to company Gorenje Surovina, business unit Žalec, was undertaken during the IRI.</p> <p>The scope of the IRI was on the systems, procedures and its implementation of Inspectorate of the Republic of Slovenia for the Environmental and Spatial Planning (hereafter IRSOP) with particular focus on conformity with the RMCEI, IED Directive, Seveso Directive and Waste Directive. Also some aspects of the permitting process were addressed.</p> <p>The IRI team admired the thorough preparation of the IRI by the colleagues of Slovenia and their open communication with the team. Although a number of opportunities of developments have been identified the team agreed that all ingredients are in principle in place to be able to comply with requirements of RMCEI, IED, SEVESO and Waste directive. Further streamlining of data, procedures, tasks, legislation and strategic management would be needed to further optimise the implementation and environmental outcome.</p> <p>Several good practices have been identified:</p> <ul style="list-style-type: none"> ✓ The website of the IRSOP gives good and relevant information to the general public. ✓ IRSOP has lawyers in its organisation who are also assisting the inspectors in their daily work. ✓ The procedures how to deal with complaints are efficient. Complaints are categorised in different priorities, based on the assessment of the potential impact to the environment. ✓ The follow-up actions and procedures after a non-compliance is detected, are clearly defined. The actions are powerful and suited to enforce compliance. ✓ There is large number of guidelines, instructions and templates in place that have to be followed by the inspector and that ensure work is done correctly, transparently and with protection of the rights of the operators. 	

- ✓ Inspectors have good access to external information of partner organisations. Especially the GIS systems provide a lot of information.
- ✓ One of the inspections activities of IRSOP are the so called “Supervision actions”. With these, specific problems (for example from complaints) can be addressed in an efficient way. Especially the way the results are analysed and reported is seen as a good example.

The most important opportunities of development are:

- To improve the cooperation with ARSO (Environment Agency of Slovenia).
- Establish procedures to have a more common follow-up by the inspectors.
- Ensure that municipalities are the authority to deal with the more common complaints of the public.
- Ensure that enforceability and practicability checks are conducted on new legislation before tasks are appointed to IRSOP.
- To define (national) environmental goals together with the MOP and ARSO.
- To broaden the use of risk assessments with more activities.
- Explore if IRSOP objectives could be more focussed on environmental goals of MOP, the achieving of which IRSOP could support with targeted inspection.
- Start monitor the performance of inspection work on environmental outcome.
- Explore if strategic documents defining measures to achieve environmental objectives (e.g. Environmental and other action plans and programmes), could be linked to the IRSOP inspection targets.
- Explore if supervision actions could also be used for installations.
- Explore how the obligatory 3 year plan can be of more added value to IRSOP.
- Develop more technical guidance or training material on how to perform good inspections.
- Share all the good procedures and instructions with the Inspection Council.
- Explore how the 2 databases of IRSOP can merged together and how the IT systems of IRSOP and ARSO can be linked together.
- Consider to employ a data analyst, to benefit more from recorded information.
- Define qualitative performance indicators to provide information on the quality of the work.

Disclaimer:

This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations.

Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years, IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation. Information on the IMPEL Network is also available through its website at www.impel.eu.

Table of contents

1. Introduction	6
1.1. The IRI Scheme.....	6
1.2. Purpose of the IRI.....	6
1.3. Scope of the IRI of Slovenia.....	6
1.4. Structure	7
2. PART A - REGULATORY FRAMEWORK OF ENVIRONMENTAL PROTECTION IN SLOVENIA	9
2.1. Slovenia's system of government	9
2.2. Ministry of the Environment and Spatial Planning (MOP).....	11
2.3. Environmental Agency of the Republic of Slovenia (ARSO).....	15
Objectives:	16
2.4. Slovenian Water Agency	17
2.5. Inspectorate for the Environment and Spatial Planning – IRSOP	19
2.6. Management system of the inspectorate.....	24
2.7. Environment and Nature Inspection Service	29
2.8. Inspection Council.....	34
2.9. Inter-municipal Inspectorate	35
3. PART C - PERFORMING INSPECTION TASKS	38
3.1. Planning of inspections	38
3.2. Execution framework.....	43
3.3. Execution and reporting.....	48
4. PERFORMANCE MONITORING	55
5. PART D – SITE VISIT	56
6. SUMMARY OF FINDINGS.....	58
6.1. Good Practices	58
6.2. Opportunities for Development	59
Annex 1: Environmental Inspection Cycle	62
Annex 2: Terms of Reference for IMPEL project.....	62

1. Introduction

1.1. The IRI Scheme

The IRI scheme is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. It was set up to implement the European Parliament and Council Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI), where it states:

“Member States should assist each other administratively in operating this Recommendation. The establishment by Member States in cooperation with IMPEL of reporting and advice schemes relating to inspectorates and inspection procedures would help to promote best practice across the Community.”

1.2. Purpose of the IRI

The aims of the IRI are to:

- Provide advice to environmental authorities seeking an external review of their structure, operation or performance by experts from other IMPEL member countries for the purpose of benchmarking and continuous improvement of their organisation;
- Encourage capacity building in environmental authorities in IMPEL member countries;
- Encourage the exchange of experience and collaboration between these authorities on common issues and problems;
- Spread good practice leading to improved quality of the work of environmental authorities and contributing to continuous improvement of quality and consistency of application of environmental law across IMPEL member countries (“the level playing field”).

The IRI is an informal review, not an audit process. The IRI is intended to enable the environmental authority and review team to explore how the authority carries out its tasks. It aims at identifying areas of good practice for dissemination together with opportunities to develop existing practice within the authority and authorities in other IMPEL member countries.

1.3. Scope of the IRI of Slovenia

The IRI uses a questionnaire to review the environmental authority against the requirements of the RMCEI, IED, SEVESO and the Waste directive. The IMPEL “Doing the Right Things” Guidance Book for planning of environmental inspections has been used to help structure the questionnaire and the review. The Guidance Book was developed to support Inspectorates in implementing the RMCEI and describes the different steps of the Environmental Inspection Cycle pursuant to the RMCEI.

The scope of the IRI in Slovenia is on the inspection work of the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning (IRSOP). The review covered the RMCEI, the IED, SEVESO and the Waste directive.

The terms of reference for the IRI of Slovenia can be found in Annex 2.

1.4. Structure

A pre-review meeting to discuss details for the IRI was held on 16th and 17th January in Ljubljana. The meeting was attended by the team leader, one of the rapporteurs and the Slovenian hosts.

The review itself took place in the premises of IRSOP in Ljubljana from 7 to 10 May 2018. The preliminary findings were presented to the Chief Inspector of IRSOP and representatives of the Ministry and several other institutions of the Republic of Slovenia on the 10th of May. The Review was structured according to the revised IRI questionnaire developed by the IRI review project during 2009. The IRI Review team consisted of experts from 5 different IMPEL member countries.

Table 1: Slovenian IRI Review Team

Name	Role	Organisation	Country
Tony Liebrechts	Team Leader	Ministry of Infrastructure and Water Management / Inspectorate	Netherlands
Henk Ruessink	Rapporteur	Ministry of Infrastructure and Water Management / Inspectorate	Netherlands
Rob Kramers	Rapporteur	Ministry of Infrastructure and Water Management / Rijkswaterstaat	Netherlands
Joanna Piekutowska	Team member	Voivodship Inspectorate of Environmental Protection in Warsaw	Poland
Elisabete Vieira	Team member	Secretariat of Energy, Environment and Tourism / Environmental Inspectorate of the Azores	Portugal
Romano Ruggeri	Team member	Sardinian Regional Environmental Protection Agency	Italy
Michael Schubert	Team member	Amt der Steiermärkischen Landesregierung	Austria
Bojan Počkar	Team leader	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia
Vladimir Kaiser	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia
Darja Stanič – Racman	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia
Nevenka Žvokelj	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia
Metka Čretnik	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia

Ema Starbek - Gregorič	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia
Pavel Matjačič	Team member	Inspectorate of Republic of Slovenia for the environment and spatial planning - IRSOP	Slovenia



Picture 1: Slovenian colleagues and IRI Review Team



Picture 2: Working session

2. PART A - REGULATORY FRAMEWORK OF ENVIRONMENTAL PROTECTION IN SLOVENIA

In this part the organisations of the authorities, the relevant legislation to comply with and relationships with the public, operators, government and other countries are described.

2.1. *Slovenia's system of government*

The Republic of Slovenia is a democratic country located in the southern part of Central Europe and in the extreme northern part of the Mediterranean. The capital of Slovenia is Ljubljana. The official language is Slovenian, but in the areas with concentrated populations of Italian or Hungarian national minorities, Italian or Hungarian are also official languages. The area of the country is 20,273 km², and it has a population of slightly over two million. The average density is 99 inhabitants per km². Approximately half of the inhabitants live in urban settlements and the remainder in the countryside.

Over half of the territory is covered by forests, i.e., 1,076,474 ha (in Europe, only Finland and Sweden have more forests). Approximately 8% of the territory has the status of protected area under nature conservation legislation. The largest such area is Triglavski narodni park (Triglav National Park, 83,807 ha), which is the only protected area with national park status. The highly varied geological structure, picturesque relief (from sea level to 2864 m above-sea level e) and the fact that Slovenia is spread over four bio-geographical areas have enabled the richness of animal and plant species. In terms of biotic diversity, Slovenia is a “hot spot” of Europe. There is an abundance of endemic plant and animal species, with the fauna of Karst caves and the world-famous human fish (which is endemic to the Dinaric Karst and not limited to Slovenian territory) being especially attractive.

Slovenia has designated 354 Natura 2000 sites: 323 according to the Habitats Directive (SAC + pSCI) and 31 according to the Wild Birds Directive (SPA). Total area of Natura 2000 sites is 7683 km² (7.677 km² terrestrial, 6 km² marine) (Source: Institute of the Republic of Slovenia for Nature Conservation, 2013). The sites in total encompass 37,16 % of the country, which is the highest rate in EU. The Natura 2000 sites were adopted by the Government of Slovenia on April 29, 2004 (Decree on special protection areas – Natura 2000 sites, in English), based on article 33 of the Nature Conservation Act. The Decree was amended several times, including enlarging the Natura 2000 area.

There are 212 municipalities in Slovenia, 11 of which have the status of city municipality. A city municipality is a densely built-up settlement or several settlements linked into a single spatial organism and the urban surroundings connected by a daily population migration. A town obtains the status of a urban municipality if it meets the conditions laid down by law (size, population, infrastructure). The competences and tasks of municipalities are determined by the Local Self-Government Act. The tasks of municipalities relate to: local public services, maintenance of local roads and other public areas, managing property intended to serve the needs of the local population, promotion of culture and other social activities. The tasks of municipalities are specified in more detail in Article 21 of the Local Self-Government Act. In the sphere of environmental protection, the tasks relate to regulation, management and care for local public services, care for protection of the air, soil and water sources, protection against noise, care for waste collection and deposit and performing other environmental protection activities.

Slovenia is headed by a president, who is elected every five years. Executive authority in Slovenia is held by the Government of the Republic of Slovenia, headed by the prime minister. In addition to the prime minister, the Government is composed of ministers heading the ministries. The prime minister is proposed by the President of the Republic of Slovenia and is approved by vote of the National Assembly of the Republic of Slovenia.

The partial bicameral parliament of Slovenia consists of the National Assembly and the National Council of the Republic of Slovenia. The National Assembly has 90 seats, which are partially occupied by directly elected representatives and partially by proportionally elected representatives (and one representative from each of the Italian and Hungarian minorities). The system allows that mayors of urban municipalities may also perform the role of a deputy in the National Assembly. The National Council has 40 seats and consists of representatives of social, economic, professional and locally important groups. The National Council does not have the function of a second (upper) house of the Parliament, since the Constitution does not vest it with these competences. Parliamentary elections take place every four years and elections to the National Council every five years.

The Republic of Slovenia is a member of the United Nation Organisation, NATO, the European Union, OECD organisation and the Schengen Agreement.

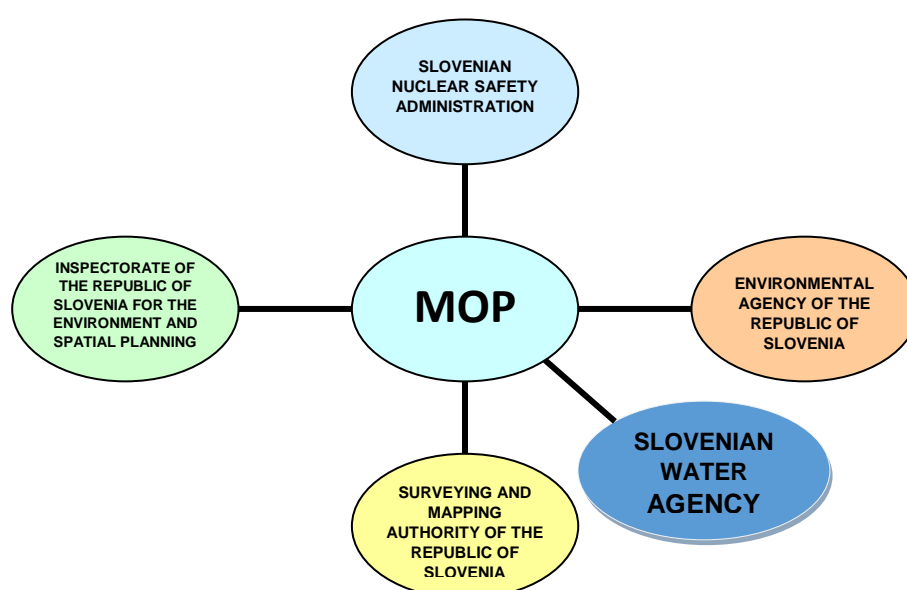


Picture 3: Slovenia on the map of Europe

2.2. Ministry of the Environment and Spatial Planning (MOP)

The environment protection system in Slovenia is organised centrally and is within the competence of the Ministry of the Environment and Spatial Planning (hereinafter: MOP). Responsibility for some obligatory environmental protection public services is by constitution transferred () to local communities – municipalities. Tasks in the environmental protection field are performed within the Ministry by the following bodies:

- Environment Directorate (the Ministry in the narrow sense)
- Environment Agency of the Republic of Slovenia (body¹within the Ministry)
- Inspectorate for the Environment and Spatial Planning (body within the Ministry)
- Slovenian Water Agency (body within the Ministry)
- Slovenian Nuclear Safety Administration's (body within the Ministry)
- The Surveying and Mapping Authority of the RS



Picture 4: The bodies operating within the Ministry of the Environment and Spatial Planning

The Ministry of the Environment and Spatial Planning is a government body with the following tasks:

- to ensure a healthy living environment for all inhabitants;
- to increase society's concern for the conservation of a natural balance and biodiversity;
- to direct the spatial development of settlements and regional planning;
- to ensure all conditions for equal participation in the EU in the area of infrastructural integration and also in the area of environmental standards and rules;
- to cooperate with local communities on the principle of partnership and subsidiarity.

¹ A body within the Ministry is established for performing specialised expert tasks, executive and developmental administrative tasks, tasks of inspection and other supervision and tasks in the sphere of public services, if this ensures greater efficiency and quality in implementing tasks or if the character of tasks and the field of work require an increased level of professional independence in the performance of tasks. The legislative framework for setting up bodies within ministries is the Public Administration Act.

Strategically important long-term directions and goals of the Ministry concerning environmental protection are aimed at preventing or mitigating adverse impacts presenting a threat to sustainable development.

National territory is fundamental to the development of a nation and the entire population of the country, to the strengthening of national identity, to the wise exploitation of spatial potentials and to the conservation of landscape diversity and natural qualities. By encouraging and directing spatial development, the Ministry strives to develop and achieve the social well-being and freedom of every individual while conserving the environment, landscape diversity and natural resources.

General guidelines and principles of urban planning have already been included in Slovenia's strategic documents, such as the Spatial Development Strategy of Slovenia, the Spatial Order of Slovenia and the National Housing Programme. Among other issues, MOP directs human activities in such manner as to minimize the impact of natural disasters. MOP also establishes the mechanisms for solidarity assistance in case of natural disasters.

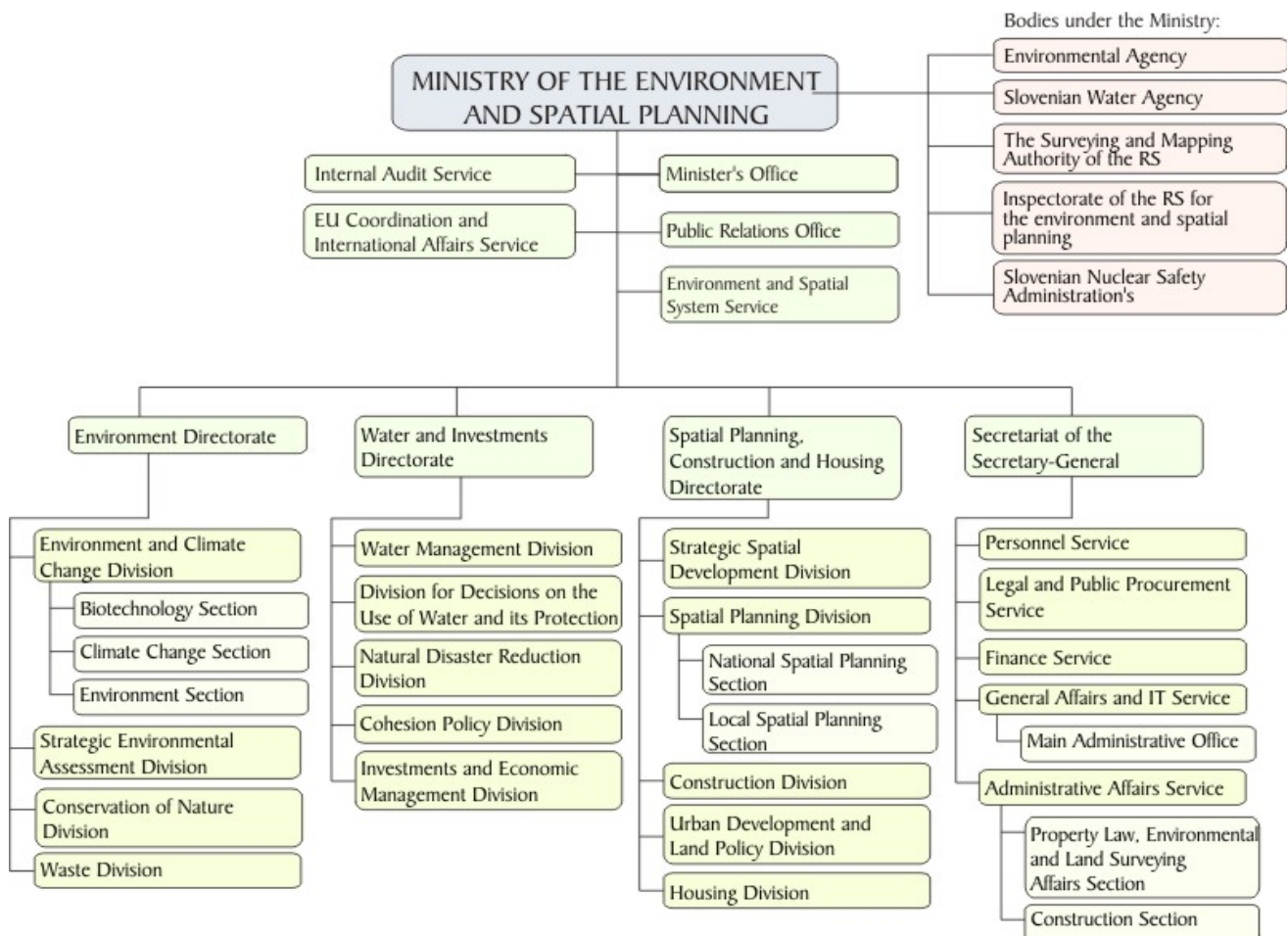
Convinced that the future of the Republic of Slovenia lies within the community of European nations, MOP ensures the conditions required for cooperation on an equal footing in the European Union, both in the area of infrastructural integration and in the area of environmental standards and rules.

The Ministry takes measures to secure supplies of water resources, the quality of water and sustainable regulation of surface and underground waters and the sea, because waters are one of the most important natural resources in the Republic of Slovenia.

The Ministry sees to it that environmental costs are integrated into economic costs at the corporate and national economic levels.

In attaining the aims of sustainable development, it establishes cooperation with local communities on the principles of partnership and subsidiarity. It ensures openness in formulating and implementing policies and measures of sustainable development by encouraging the participation of individuals and groups, organisations of civil society.

Bearing in mind that adjustment to the increasingly pronounced climate changes is one of the key challenges of today, the Ministry of the Environment and Spatial Planning strives to enhance awareness of joint responsibility for the state of the environment, nature and living ambient of all inhabitants of Slovenia.



Picture 5: Organisation chart of MOP

Environment Directorate

The Directorate covers issues in the following environmental areas: biotechnology, noise, industrial accidents, industrial pollution, nature, waste, climate change, environmental impact assessments, radiation and light pollution, natural disaster recovery and air. The Directorate performs professional tasks in relation to legal system issues of the environment, elaborates expert groundwork for drafting regulations in the fields of activity of the Directorate², designs systemic solutions and coordinates tasks in the field of activities falling within the Ministry's competences. Two of the most important laws in the field of this directorate are the Environmental Protection Act and Nature Conservation Act.

The Environmental Protection Act constitutes the regulatory framework for the environment in Slovenia. Moreover, the Resolution on the National Environmental Protection Programme brings

² Some of the most important pieces of environmental legislation are also available in english on MOP web site: http://www.mop.gov.si/en/legislation_and_documents/valid_regulations/, however they were not updated since 2002.

forward the following four key areas: climate change, nature and biodiversity, quality of life, and waste and industrial pollution.

Water and investments directorate

The Directorate acts as intermediate body for investments from cohesion found in municipal water infrastructure and drinking water infrastructure as well as it implementing authority for flood protection investments from cohesion and other funds. The Directorate performs professional tasks in relation to legal system issues in water area, elaborates expert groundwork for drafting regulations in the fields of activity of the Directorate, designs systemic solutions and coordinates tasks in the field of activities falling within the Ministry's competences. The most important law in the water area is the Waters Act.

Public participation

MOP aims to ensure openness and transparency of its decision-making processes and drafting of regulations. In compliance with the *Access to Public Information Act*, MOP thus publishes draft regulations, applicable regulations, international treaties and other relevant documents.

In Article 34a, *the Environmental Protection Act* regulates the procedure of public participation in adopting regulations that may have a significant impact on the environment, as required by Article 8 of the *Aarhus Convention*.

Ministries and the competent authorities of local communities therefore, in the procedure of adopting the regulations that may affect the environment in a significant manner, must inform the general public about draft regulations and enable opinions and comments to be put forward concerning a particular regulation.

Regulations that may have a significant impact on the environment are regulations issued in the sphere of environmental protection, nature protection and management, use or protection of parts of the environment, including management of genetically modified organisms, and other regulations affecting the environment.

In compliance with the *Instruction on public participation in adopting regulations that may have a significant impact on the environment*, draft regulations and invitations to participate in their preparations are published on the website of the Ministry of the Environment and Spatial Planning. The deadline for submission of comments is also published and may not be shorter than 30 days. Comments and opinions may be submitted by e-mail or to the postal address of the ministry.

Link between MOP and IRSOP

The connection between the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning (IRSOP) and MOP can be represented as follows:

- IRSOP is a body within the Ministry;
- the chief inspector of IRSOP is directly responsible to the minister for his/her work and the work of the Inspectorate;
- reporting on the work of the Inspectorate (annual reports, annual inspection plans, strategic directions);
- drafting letters and answers to the minister's questions;
- cooperation in the regulatory cycle (submission of comments on draft regulations);

The Environmental Agency of the Republic of Slovenia, Slovenian Water Agency and The Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning are presented below.

2.3. Environmental Agency of the Republic of Slovenia (ARSO)

ARSO is a body of the Ministry of the Environment and Spatial Planning. It performs expert, analytical, regulatory and administrative tasks related to the environment at the national level. Thus the Agency's mission is to monitor, analyse and forecast natural phenomena and processes in the environment, and to reduce natural threats to people and property. These tasks are performed by the national services for meteorology, hydrology and seismology. The Agency's mission is also to monitor environmental contamination and to provide reliable public environmental data; to this end, the Agency has the appropriate measuring network and laboratories in place. Its mission of exceptional importance is, moreover, to meet the requirements regarding environmental protection deriving from the regulations in force, to preserve natural resources and the biotic diversity and to ensure sustainable development of the country.

ARSO contributes most towards solving environmental problems by implementing environmental legislation. At the Agency, they handle administrative procedures involving those entities required to pay environmental charges: water fees and taxes on water pollution, carbon dioxide emission and waste disposal. The environmental charges are an extremely effective and well thought-out instrument of environmental protection. A considerable part of these funds is used by the same entities themselves to reduce the environmental burden.

The Agency issues a variety of environmental permits. One project of particular complexity is the issuance of permits for large-scale polluters – i.e. IED permits. ARSO keeps records of emissions, regulate and monitor restoration programmes, and undertake similar tasks. ARSO takes an integrated approach to solving climate change – a consequence of excess greenhouse gas emissions into the atmosphere. ARSO monitors and records these emissions and apply relevant system measures in order to reduce them. Since, in Slovenia, climate change is manifested in a modified precipitation regime, changes in temperatures and in the more frequent natural disasters, ARSO monitors the consequences of climate change in a specialised service. ARSO also prepares programmes within individual divisions to reduce the consequences of climate change and make appropriate adjustments. A special role in this process is played by the water management area.

The ARSO pays particular attention to awareness-raising concerning the environment and related issues. If properly sensitised, the public can do a great deal for the protection of our environment. Therefore the quality of ARSO's services is most important for all users. For this purpose, ARSO has acquired the ISO 9001: 2008 Quality Management Certificate and, earlier, the certificates for the calibration laboratory and the chemical analysis laboratory, respectively. The establishment of the quality system and subsequent acquisition of the quality certificate was dictated by the special requirements related to aviation meteorology, which ARSO also covers. Furthermore, ARSO expects it will have important positive effects on operational organisation and streamlining.

The mission, objectives and tasks of ARSO are as follows:

Mission:

- Preserving natural resources, biodiversity and sustainable development;
- Observing, analysing and forecasting natural phenomena and processes in the environment;
- Reducing impact of natural hazards;

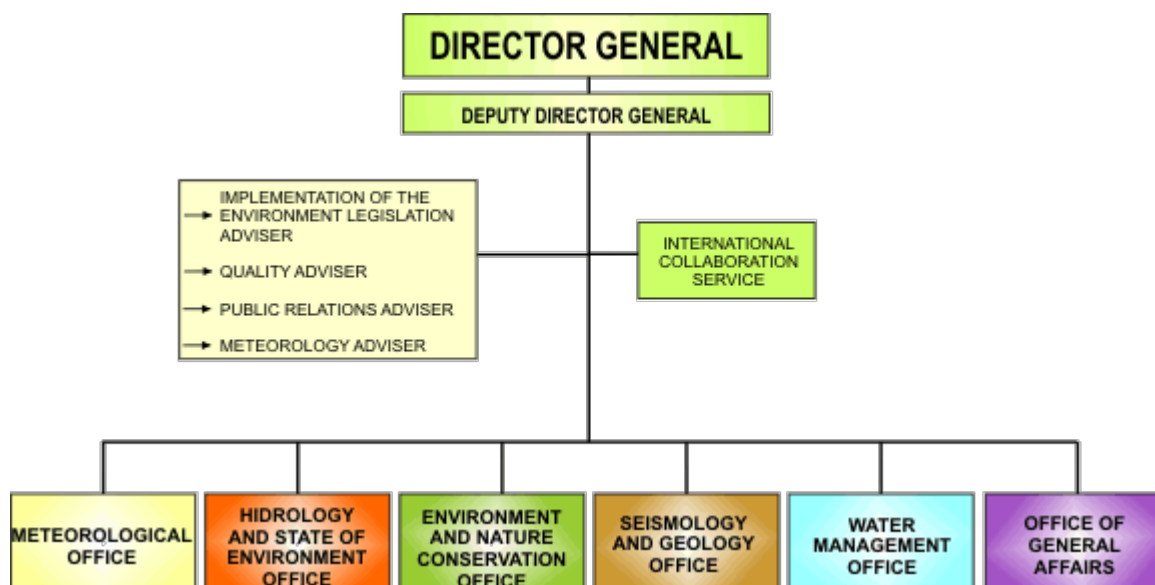
- Ensuring legal protection and professional assistance to participants in environmental encroachment procedures;
- Guiding change of national and personal values system in relation to the environment as well as influencing the value criteria for environmental encroachments;
- Ensuring high-quality environmental data for all target groups;
- raising the awareness of people and institutions about the environment and environmental issues.

Objectives:

- To provide high-quality environmental data, analyses and expert foundations for decision-making;
- To ensure greater general safety and to improve procedures for informing the public prior to unsafe situations in the environment;
- To implement citizen-friendly and simple administrative procedures;
- To increase efficiency and reduce costs in performing regulatory work;
- To provide effective and early information to the broadest circle of people about the environment and environmental issues
- To ensure the greater positive identification of the Agency and its tasks among the public.

Tasks:

- observing, analysing and forecasting natural phenomena and processes in the environment;
- implementing the tasks of national service in the field of hydrology, meteorology, seismology and protection of nature;
- reducing threats to people and their property;
- monitoring the state of the environment and reporting to national and foreign public institutions;
- meeting the requirements of environmental protection deriving from the applicable regulations;
- raising the awareness of people and institutions about the environment and environmental issues;
- providing public quality environmental data;
- preserving natural resources, biodiversity and ensuring the sustainable development of Slovenia;
- prompt provision of information to the public on the results of all specific areas of work of the Agency;
- managing administrative procedures required for the payment of environmental taxes;
- issuing various environmental permits, including IED permits.



Picture 6: Organisation chart and data on the Agency

Link between ARSO and IRSOP:

- exchange of data on entities liable for inclusion in the supervision plan and exchange of data on inspection supervision actions performed,
- exchange of information before issuing environmental protection permits for IED facilities (a mandatory instruction issued by the Ministry on cooperation between IRSOP and ARSO during the procedure for issuing the permit),
- reporting of inspection findings before changing the content of environmental permit (article 78 of the Environmental Protection Act),
- access to ARSO applications (water book, IED base, Environmental Atlas),
- ARSO information on findings based on Article 102 of the Environmental Protection Act (ZVO-1) (monitoring),
- exchange of information on permits issued,
- implementation of training and working meetings.

2.4. Slovenian Water Agency

Slovenian water agency (hereafter: DRSV) is a body within the Ministry for environment and spatial planning, which has started to operate on 1st of January 2016. DRSV performs professional, administrative and development tasks in the area of water management and cooperates in the implementation of a common European water policy in the Republic of Slovenia.

As the central professional body in the field of water management in the Republic of Slovenia, DRSV follows the next key objectives:

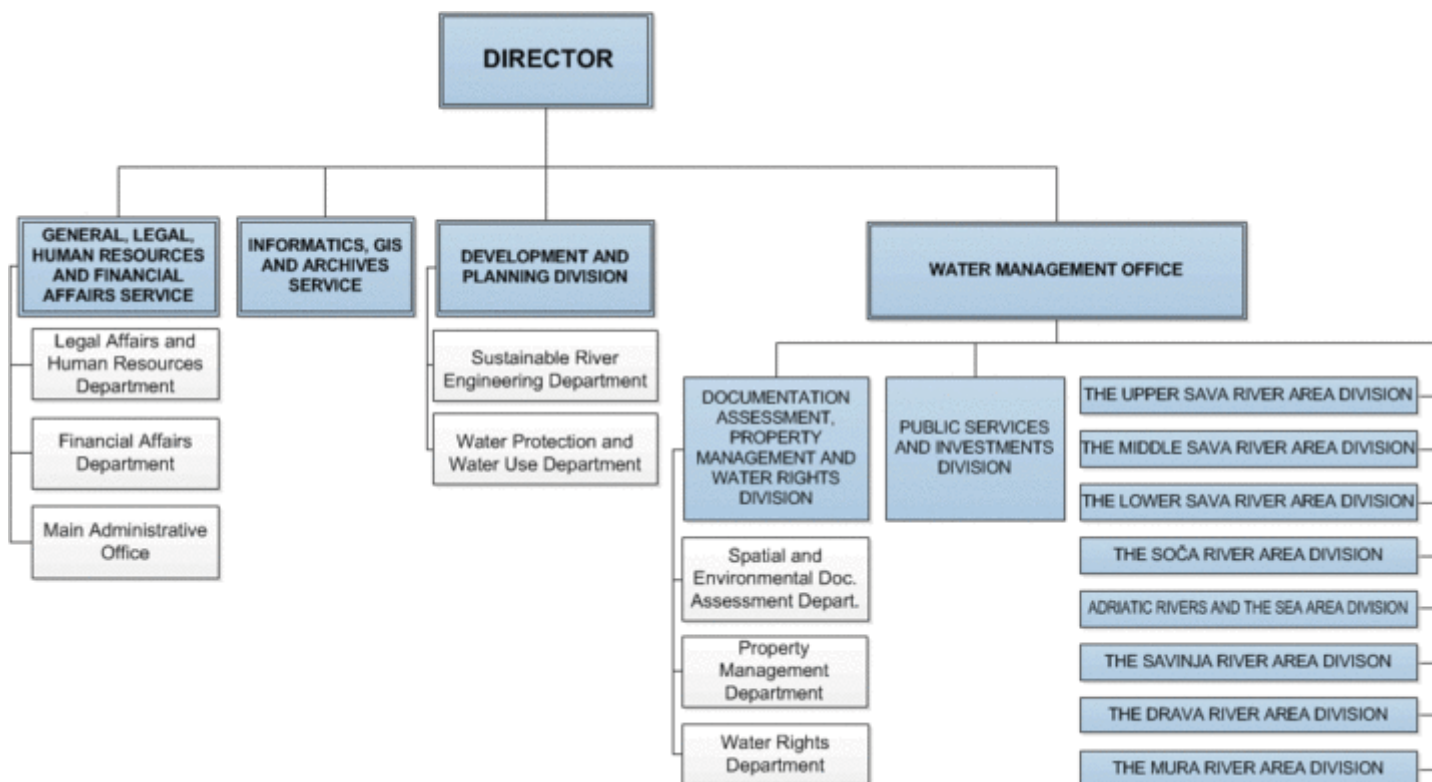
- establishing and promoting development of a modern and integrated operational water management, as well as simulating protection of water and water resources as a national natural strategic resource;
- the sustainable exploitation of the water potential of Slovenia as a national, regional and local development opportunities and
- implementing water management.

DRSV seeks to ensure good water status, to reduce flood or drought threat and the good status of the marine environment.

DRSV manages with the water at the level of the sub-basins and river basins. On Danube river basin are located Sava, Drava and Mura river, in the Adriatic sea basin are located Soča river and the basin of the Adriatic rivers with the sea. To be effective, it develops the culture of cooperation and inclusion of stakeholders into planning.

The tasks and responsibilities of DRSV are the following:

- administrative, professional and development tasks in the field of water management,
- administrative, professional, organizational and development tasks in the fields of construction of water facilities and water infrastructure and maintenance of water infrastructure, water and coastal land,
- tasks related to investments in water infrastructure,
- organizational, administrative, professional and development tasks in the field of public utility services in the field of water management,
- individual organizational, administrative, professional and development tasks in the area of the public service of drinking water supply and the discharge and treatment of municipal and precipitation waste water which are not within the competence of local communities,
- administrative, professional and other tasks related to water infrastructure and water and coastal land owned by the state,
- participation in the implementation of tasks of protection against natural and other disasters,
- participation in the elimination of the consequences of natural and other disasters due to the harmful effects of water,
- participation in the fulfilment of international obligations under international treaties in the field of water management,
- regulatory functions of the spatial planner, the consignee and other tasks in the field of water management in the spatial planning sphere, the construction of objects, the environmental impact assessment and other assessments,
- independently participation in tasks relating to the authorization of water use,
- performs the tasks of water protection control,
- prepares expert bases and measures for the preparation of programs and plans in the field of water management,
- keep records and archives from the field of water management,
- cooperates with the public in the field of water management,
- performs other tasks determined by law and by-laws regulating water management.



Picture 7: Organisational chart of the Slovenian Water Agency

Link between DRSV and IRSOP:

- Access to water permits and water consents
- Giving an expert opinion in inspection procedures
- Initiative for action within the competences of the Agency
- Preparing strategic plans as basis for the inspections.

2.5. Inspectorate for the Environment and Spatial Planning – IRSOP

IRSOP is a body within the Ministry of the Environment and Spatial Planning. The Inspectorate is headed and represented by the chief inspector for the environment and spatial planning, responsible for her/his performance and the performance of the Inspectorate to the Minister of the Environment and Spatial Planning.

IRSOP performs the tasks of inspection supervision over the implementation of regulations in the field of:

- waste management and cross-border shipments of waste,
- water management, water regime and water management, industrial pollution and environmental risks,
- protection and conservation of nature,
- air quality,
- chemicals and genetically modified organisms,
- noise,

- electromagnetic radiation and light pollution,
- spatial planning and settlements,
- construction of facilities,
- energy in the part referring to the issued energy certificates,
- mining in the part referring to illegal excavations on building land, protected areas and water,
- housing sector,
- geodetic activity and property registration,

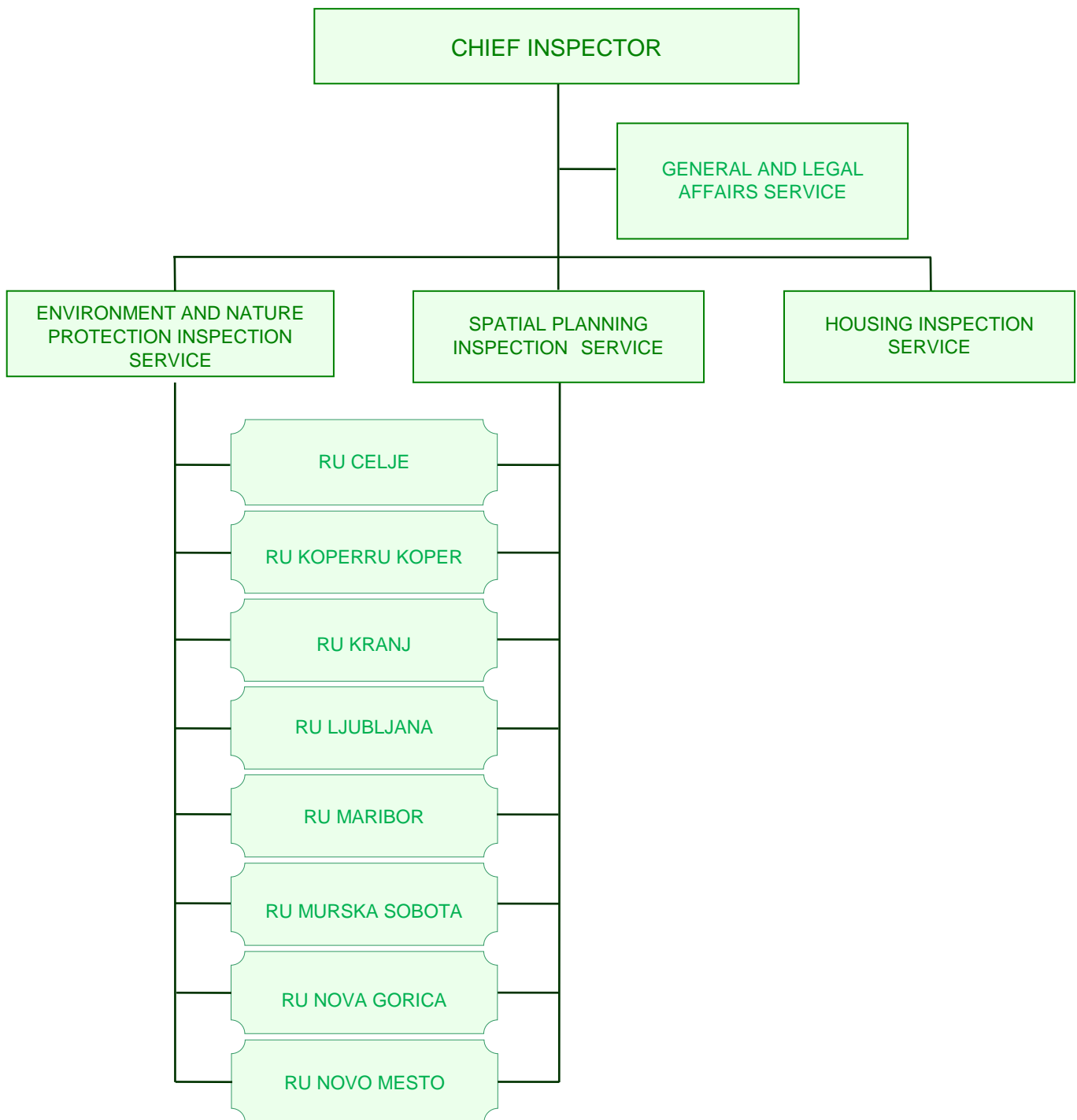
IRSOP also performs administrative and professional tasks in the field of cross-border shipments of waste, with the exception of radioactive waste.

These competences and tasks of the Inspectorate are determined in the Decree on Administrative Bodies within ministries (Uradni list RS (Official Gazette of the Republic of Slovenia), no. 35/15, as amended), adopted on the basis of the Public Administration Act (Uradni list RS (Official Gazette of the Republic of Slovenia), no. 52/02 as amended). Due to such extensive competences, the Inspectorate is divided into three Inspection Services:

- Spatial Planning Inspection Service
- Environment and Nature Inspection Service
- Housing Inspection Service

The organisation of the IRSOP is regulated by the Instrument regulating the internal organisation and classification of posts in IRSOP. In compliance with the Classification Act, the Inspectorate is internally organised into four organisational units in relation to the specific area of work.

- a. Spatial Planning Inspection Service,
- b. Environment and Nature Inspection Service,
- c. Housing Inspection Service, and
- d. General and Legal Affairs Service.



Picture 8: Organisational chart of IRSOP

The inspection services are the most important and largest part of the IRSOP. Each inspection service is headed by an Inspection Service Director, who manages his/her specific working area, regardless of the regional unit in which the inspectors of the inspection service work.

In 2017, the Spatial Planning Inspection Service has 71 construction inspectors and 1 geodetic inspector, the Environment and Nature Inspection Service has 57 environment and nature inspectors and the Housing Inspection Service 5 housing inspectors.

The General and Legal Affairs Service performs activities for the entire inspectorate and is subordinate to the chief inspector. Within this service, there are Legal, Personnel, Financial and Information Technology Services. In 2017, the service employed 19 civil servants in addition to the head of the service. From 1st of January 2017 also performs administrative and professional tasks in the area of transfrontier shipments of waste (TFS), except radioactive waste (competent authority).

In order to ensure the effective carrying out of inspection tasks and appropriate supervision of the entire territory of the Republic of Slovenia, the Inspectorate for the Environment and Spatial Planning is organised territorially in 8 regional units (RU): RU Celje, RU Koper, RU Kranj, RU Ljubljana, RU Maribor, RU Murska Sobota, RU Nova Gorica and RU Novo Mesto.

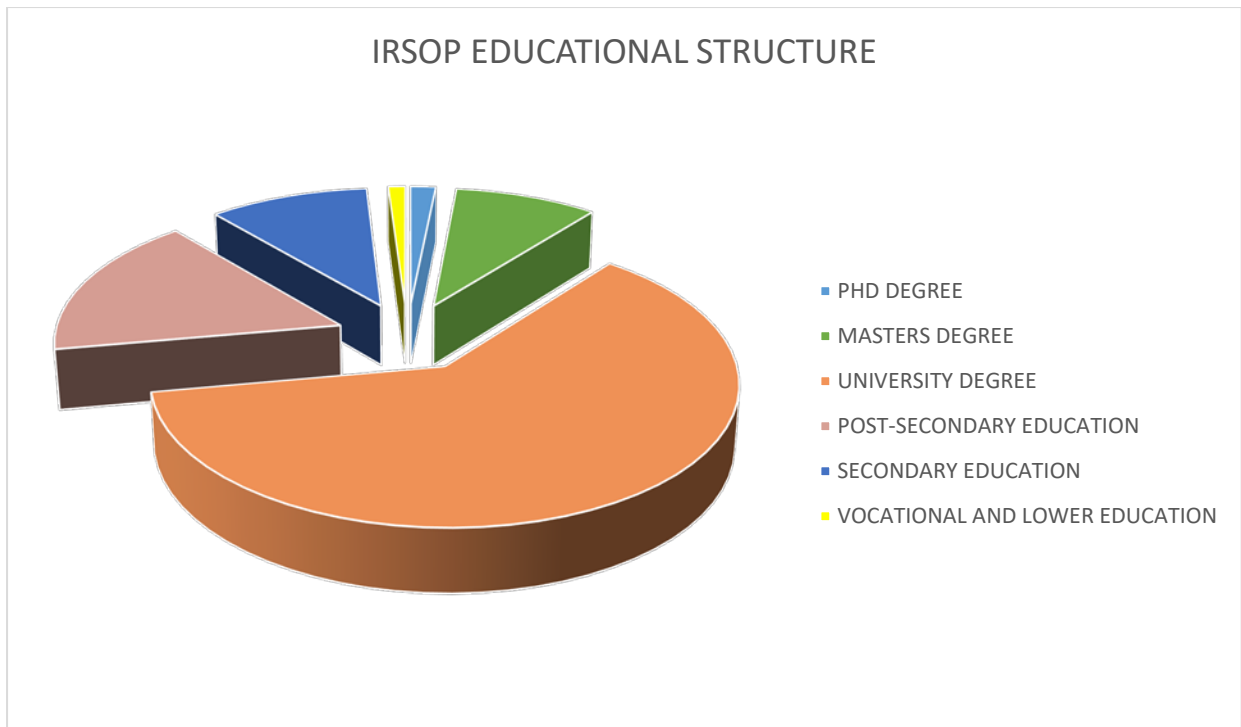
Regional units are led by heads of regional units, assisted in their work by a coordinator, who also provides expert support.



Picture 9: regional units of the IRSOP

IRSOP also includes few supervisor posts. These are officials who can perform all official acts prior to the issuing of a decision (they conduct the procedures but do not decide on the matter) within the framework of inspection procedure, in compliance with the provisions of the Inspection Act and the General Administrative Procedure Act.

In compliance with the Joint Personnel Plan for State Administration Bodies and the personnel plan laid down by the Ministry of the Environment and Spatial Planning, IRSOP had 185 posts planned as the maximum number of employed civil servants as of 31 October 2017. The educational profile of the employees is shown in the graph below.



Picture 10: IRSOP educational structure

As in preceding years, in 2017 IRSOP warned again that such a personnel plan does not allow the employment of sufficient inspectors as are required by the inspectorate in terms of its increasing competences. The inspectors are overburdened, which, over the long-term, may lead to inadequate implementation of inspection supervision, both with respect to the number of matters dealt with (owing to an increasing number of reported irregularities and an enlargement of competences) and to their quality.

The Financial Service, which operates within the framework of the General and Legal Affairs Division, performs planning, monitoring and control of the inspectorate's use of financial resources (collecting, arranging and preparing financial documentation). Within the framework of financial operation, the Financial Service prepares financial plans (budget, plan of purchases and construction) and monitors their implementation. The Service also performs other tasks important for the smooth operation of the inspectorate, such as cooperation in public procurement procedures, monitoring contract obligations and processing financial documents. The annual budget value of the inspectorate is approx. EUR 8,5 million. Budget assets are earmarked for staff salaries, implementation of enforcement procedures, expert opinions, investments and operating expenses. Financial assets are drawn from the integral national budget. Despite the fact that the inspectorate has one of the lowest budgets in comparison with other bodies, it manages to implement the majority of planned activities. The Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning has been calling attention for several years to insufficient funds earmarked for the Inspectorate, unfortunately without success.

The Information Technology Service takes care of installation and maintenance of information systems and computer equipment and other tasks relating to the introduction of information activities, directing the development, standardization and efficiency of information technology in the inspectorate.

General affairs is tasked with matters relating to providing the conditions for the work of the inspectorate as a whole, primarily related to the acquisition and maintenance of business premises and basic fixed assets (purchase of protective equipment for inspectors, purchase of required aids and tools for work, purchase of office supplies, maintenance of service vehicles). They also perform other professional, organisational and coordination tasks, including managing documents, phone connections and similar.

2.6. Management system of the inspectorate

The main purpose of IRSOP's management and control system is to implement the tasks of the mission through continuous training and upgrading, taking into consideration the set vision and consolidation of values developed by IRSOP.

Strategy and planning

Planning is a primary managerial function, significantly affecting the attainment of IRSOP's set objectives. Planning is a process of setting the aims and determining an appropriate route and the activities required for successful attainment of these aims. It involves an analysis of future possibilities, vision of development and setting strategic and tactical objectives.

Elaborating the strategy is the main task in managing the inspectorate:

- it helps to determine the activities referred to the vision and mission of the inspectorate,
- it reflects the success in attaining the set objectives,
- it offers a possibility of comparison,
- it serves as a basis for discussion.

Planned and systematic work ensures effectiveness and transparency of work. On the one hand, this is part of the policy of the ministry, which, with the adoption of the national environmental action programme, set the objectives of the environmental policy, whereby the inspectorate has the key role of supervisory authority. On the other hand, this is a general trend on the part of the European Union, which is gravitating towards more systematic, planned and coordinated operation of bodies responsible for the implementation of legislation. This trend is clearly expressed 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 basic premises for the preparation of the inspectorate's annual operation plan are the following:

- legislation,
- National Environmental Action Programme and other strategic documents and reports,
- findings of inspection supervision in the past period,
- personnel structure.

The work plan, which is the main strategic plan of all inspection services within the IRSOP, is prepared by 1 December for the following year and is adopted by the end of the year. It contains the set aims for every inspection service separately and thus represents a key element for the subsequent evaluation of the achieved work results and of performance.

Management and control

The function of the inspectorate's management and control is combined in the function of the chief inspector of the Republic of Slovenia for the Environment and Spatial Planning. Management involves the process of continuous coordination of factors of the internal and external environment for the purpose of attaining the objectives that had been set. Control, however, is understood as a process of influencing the conduct and activities of an individual or a group (inspection, service, unit) in order to attain objectives in a given situation. For the sound operation of the inspectorate, the following properties are of key importance:

- truthfulness, sincerity and consistency,
- appropriate authority for the personnel,
- own initiative,
- attitude oriented towards attaining the aims,
- communication,
- attitude directed at seeking a win-win solution.

Within the inspectorate, individual business processes are carried out at different levels such as:

Table 2: Business processes

Processes	Decision-making level (process-implementing entities)
PROCESSES LINKED WITH PREPARATION OF WORK	chief inspector, directors of inspection services
PROCESSES LINKED WITH INSPECTION PROCEDURES	chief inspector, directors, inspectors, supervisors
PROCESSES LINKED WITH OFFENCE PROCEDURES	chief inspector, directors, inspectors, supervisors
PROCESSES LINKED WITH OTHER ADMINISTRATIVE PROCEDURES	chief inspector, inspectors
PROCESSES LINKED WITH DRAFTING LEGISLATION	directors of inspection services, head of the General and Legal Affairs Division
PROCESSES LINKED WITH HUMAN RESOURCES MANAGEMENT	chief inspector, head of the General and Legal Affairs Division
PROCESSES LINKED WITH FINANCIAL OPERATION	chief inspector, head of the General and Legal Affairs Division
PROCESSES LINKED WITH DOCUMENTS	head of the General and Legal Affairs Division
PROCESSES LINKED WITH REPORTING	inspectors, directors of inspection services, head of the General and Legal Affairs Division, chief inspector

Indicators are used for monitoring and indicating the progress and attainment of objectives. Because inspection supervision, including taking action, is long-term work, the effects of work cannot be expected immediately. Appropriate and authentic indicators are a management tool for analysing programme implementation, while simultaneously representing a response to the increasing demands of the public for demonstration of the efficiency of the Government's work.

Human resources

The mission and tasks of IRSOP derive from mandatory regulations and do not depend on decisions on each occasion by the head of the authority. They are clearly laid down in the Decree on administrative bodies within ministries. IRSOP thus performs the tasks of inspection supervision of the implementation of regulations and general acts regulating the protection of the environment and nature and ecological supervision at the state border, water regime, regulation and management of waters, efficient use of energy, regulation of space and settlements, construction of facilities and execution of building structures, meeting the essential requirements for facilities, housing matters and geodesic activities. These tasks are determined in more detail in specific regulations, the implementation of which is supervised by the inspectors.

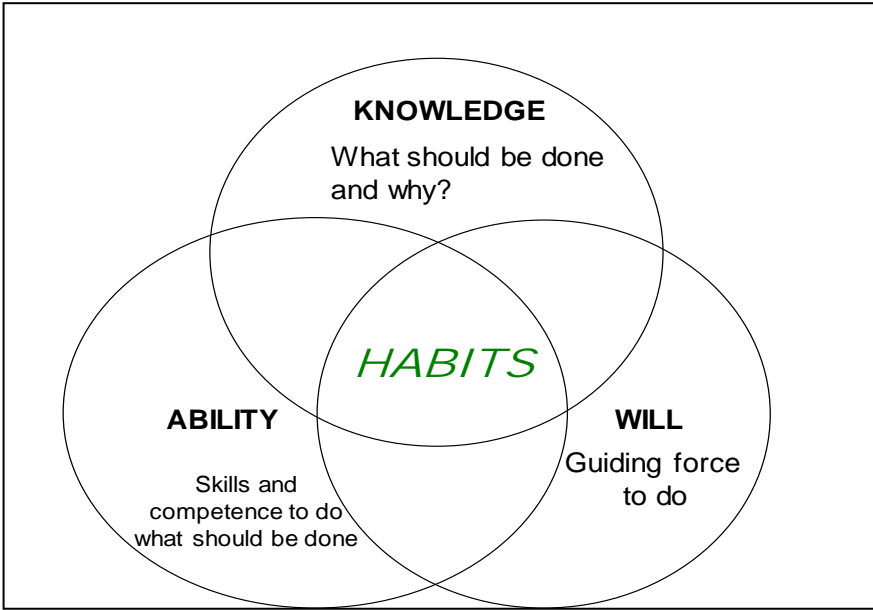
In order to attain this objective, IRSOP prepares a plan of employment in compliance with the requirements of working processes, as appropriate. In elaborating the personnel plan, IRSOP takes into account primarily staff requirements resulting from retirement. Promotions, further training and transfers are not included in the personnel plan but are part of the monitoring of the working process and assessment and remuneration of individual employees' performance. IRSOP has been systematically identifying staff requirements and monitoring the implementation of the personnel plan.

The performance of civil servants is evaluated once a year. The purpose of evaluation is to obtain an assessment of civil servants performance in order to check whether they meet the requirements for promotion at their post or for a title belonging to a higher salary category. Data sources for the formation of evaluation are the following:

- report of the working achievements of the civil servant for the past year,
- aide-memoire of the head – evaluator concerning the work of the civil servant in the preceding year,
- commendations and complaints of clients,
- personal observations of the head - evaluator;
- other verifiable data on the civil servant's performance.

Culture of the Inspectorate

Within the context of understanding the organisational culture, the culture is defined as something common to a group, something that holds a group together: physical connection, manner of communication, tradition, history. The major value of the inspectorate is good knowledge and constant improvement of capacities, team work and professional attitude internally and externally. The inspectorate aims to provide consistent decisions, based on evidence and established legal practice.

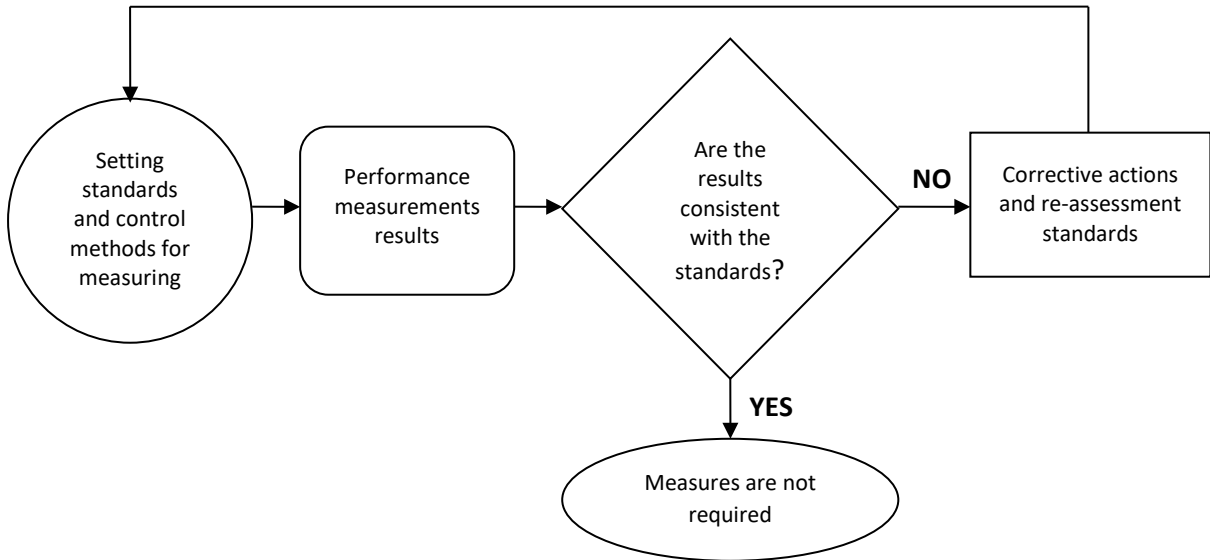


Picture 11: Culture of the Inspectorate

Measurements, analyses and improvements

Both planning and assessment are a continuing process ensuring that the current activities of an organisation are in compliance with the planned activities. The key steps in the inspectorate’s control process are:

- elaborating standards and methods to measure the achieved results,
- measuring the achieved results,
- checking whether the results are in compliance with standards,
- corrections and reassessment of standards.



Picture 12: Measurements, analyses and improvements

Managing documentation, information technology, the working environment and other infrastructure

IRSOP is aware that in order to ensure effective management, transparency and timeliness, a system must be established providing, on the basis of the envisaged path of documentation, that the workers for whom a particular document is intended are acquainted with it as soon as possible. It must not be neglected in this that such a system must also enable traceability of documents. One of the tools for achieving this aim is the adoption of an appropriate internal document that specifies in detail the authorities of particular staff, and the circulation of documents. The traceability of documents is only possible on the basis of an appropriate information system and information equipment allowing documents to be properly recorded.

In order to achieve consistent observation of all adopted internal documents that determine the receipt and submission of documents, staff need to be adequately informed. For this purpose, IRSOP has all its internal documents published on an electronic notice board accessible to all employees, regardless of their location. The electronic notice board consists of different sections which receive documents and other materials and notices in relation to the contents or area that they regulate.

Staff access the intranet pages by entering a username and a password. Intranet pages are divided according to inspection services, with each inspection service determining the contents that is (will be) published and is useful in the everyday work of a particular inspection service.

Website content

- Organisation and tasks of the inspectorate
- Areas of work of particular inspection services
- IED reports
- Examples of inspection decisions by working areas
- TFS issues
- Annual plans and reports
- Strategic directions
- Public information access
- Useful links
- Legislation and documents
- A description of filing complaints (complaints and initiatives for action are an important part of our everyday work, but complaints within inspection procedures are considered only as initiatives for inspection action, so a person submitting a complaint or initiative does not have the status of a party to the inspection procedure).
- News
- Frequent questions
- Intranet pages for staff.

Complaint procedure

Each complaint may be submitted in writing, by phone, in person or by e-mail to the regional unit of the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning (IRSOP) that covers the territory of report. The complaint must be furnished with as much data as possible. The complaint should indicate the location – identification of the facility/construction or disputed works, if possible their investor (contractor), description of works and other data in connection with the circumstances of the subject of the complaint. In compliance with the provision of paragraph 2 of

Article 16 of the Inspection Act, inspectors are obliged to protect the confidentiality of the sources of a complaint and sources of other information on the basis of which an inspection is carried out. A complaint may also be submitted through the e-Government website portal (via the pre-prepared form for the submission of a complaint).

Communication

In addition, the inspectorate answers in writing questions sent to the inspectorate via post or e-mail by clients or persons submitting a complaint. The inspectorate has scheduled office hours for clients (Mondays and Wednesdays from 9 a.m. to 11 a.m.), during which clients may communicate by phone or in person with the inspectorate's office or regional unit. Answers to questions that are most frequently asked by clients at particular inspection offices and through which the public may get acquainted with the Inspectorate's areas of work are also published on the website.

In cases of considering a complaint, inspectors are obliged to notify the person(s) who submitted the complaint on the action taken, if he/she has made such a request.

Answers to medias' questions are coordinated through the press release office of the ministry. The answers are usually prepared with the assistance of the inspectors who are conducting the procedures to which the questions refer.

2.7. Environment and Nature Inspection Service

The fields of work of the Environment and Nature Inspection Service (ION) are the following:

- air quality,
- waste management,
- water quality, emissions of substances into waters,
- protection of the environment and nature and ecological supervision at the national border,
- water regulation and management,
- nature protection,
- chemicals and genetically modified organisms,
- industrial pollution and risks,
- noise,
- electromagnetic radiation.

The powers and competencies of ION are defined in the following four main environmental laws listed below and their implementing regulations as well as in some other acts and their implementing regulations.

- Environmental Protection Act (ZVO-1),
- Waters Act (ZV-1),
- Nature Conservation Act (ZON),
- Management of Genetically Modified Organisms Act (ZRGSO).

ION currently supervises around 450 regulations.

The organisation of inspection services in general, the conduct of procedures and authorities of inspectors are determined by the Inspection Act. Inspection supervision is one of the administrative functions of the state, providing supervision over the implementation of adopted legislation and

offering feedback information that enables the administration assess the efficiency and if appropriate adopt regulations and measures. The enforceable nature of inspection work ensures that, in his/her mission, an inspector implements supervision over adopted regulations and general acts (e.g. permits, consents, rights..) and takes appropriate action when irregularities are detected. The enforceable nature of inspection work ensures that entities liable to respect legal standards adhere to the regulations and implement the imposed inspection measures. The measures that may be used by an inspector in his/her procedure are determined by the Inspection Act and include:

- ordering measures to remedy the irregularities and deficiencies within a time limit specified by him/her;
- carrying out procedures in accordance with the General Offences Act;
- reporting a criminal offence or filing criminal charges prosecuted *ex officio*;
- proposing measures to the competent body;
- imposing other measures and performing activities for which he/she is authorised by law or other regulation.

If an inspector establishes that a liable person has gained financial benefit by committing a criminal offence or a minor offence, the inspector shall propose to the competent court that such proceeds be forfeited.

When, in the course of an inspection, an inspector establishes that a law or other regulation or act, the implementation of which is under the supervision of another inspection service, has been violated, the inspector shall determine the facts and prepare a report on the findings and forward it to the competent inspection service.

The umbrella act regulating the protection of the environment is the Environmental Protection Act. This Act regulates the protection of the environment against burdens, which is a basic condition for sustainable development, and within this framework lays down basic environmental protection principles, environmental protection measures, environmental monitoring and environmental information, economic and financial instruments for environmental protection, public services for environmental protection and other related issues.

In compliance with this act, a person/entity causing pollution must have an environmental protection permit for the installation involving an activity that may pollute the environment with emissions. In view of the above, the following categories of installations and/or permits exist:

- installations in which activities will be carried out that may cause large-scale pollution of the environment – IED installations (IED permit)
- installations in which activities will be carried out that cause emissions into the air, water or ground, for which limit values are prescribed or at which waste management is performed (environmental protection permit)
- installations for which the producer or manager guarantees compliance with the prescribed values or if the latter is established in accordance with regulations that govern the compliance of products and for which an environmental protection permit is not required
- permit for an installation posing a risk to the environment (SEVESO).

Within the context of this Act, an environmental inspector has the right and obligation to order the following measures (ZVO-1, Article 157) when performing the activities of inspection supervision:

1. To order that irregularities detected in relation to the source of environmental pollution or during the period of carrying out an activity affecting the environment, are remedied within the time limit set by the inspector;
2. To order implementation of measures for remedying the sources of excessive environmental burdens within the time limit specified by the inspector;
3. To impose restriction or adaptation of the installation's operation to the prescribed limit values or rules of operation;
4. To order implementation of control monitoring;
5. To propose to the competent ministry the withdrawal of an environmental protection permit;
6. To ban the operation of the installation or plant if it is operating without an environmental protection permit or permit for the emission of greenhouse gases when this is required.

If the entity causing an excessive environmental burden refuses to act in compliance with the measures listed under the first three points above, the competent inspector may prohibit temporarily or permanently:

1. Operation of the facility or plant,
2. Performance of the activity
3. Use of dangerous substance
4. Implementation of technological procedure or
5. Use of a facility/plant, transport means or product or its release on the market.

An inspector may order implementation of control monitoring within an extent, time, time limit and place determined by himself/herself, without prior notice to the person who is obliged to provide the operation monitoring. In the event of detecting irregularities, the operator of the installation at which these irregularities have been established shall bear the costs of control monitoring.

The enforceable nature of inspection work guarantees that imposed inspection measures are indeed implemented. During the inspection procedure, legal protection of the controlled installation is ensured. The appellate body at second instance is the Ministry of the Environment and Spatial Planning.

In addition to authority for taking measures in an inspection procedure, an inspector also has authority to conduct and decide in an offence procedure. This is a fully independent and separate procedure, in which the inspector imposes a fine on the offender against the regulation. The appellate body at second instance in an offence procedure is a court.

List of directives in the field of environment supervised by ION:

- Agricultural Use of Sludge (from a wastewater plant) Directive
- Air Quality Framework Directive
- Bird Directive
- Cells and Accumulators Directive
- EIA Directive
- ELV Directive

- Flood directive
- GHG European Trading Scheme Directive
- GMO Directive
- Habitat Directive
- IPPC Directive
- Incineration and Co-incineration Waste Directive
- Landfill Directive
- LCPD Directive
- Marine Directive
- Ozone Depleting Substance Regulation
- Paint and Refurnishing Vehicle Directive
- POP Regulation
- PCB's Directive
- SEVESO Directive
- TFS Regulation
- Urban Waste Water Directive
- VOC's Directive
- Waste Framework Directive
- Water Framework Directive (including daughter directives: Groundwater Directive and Environmental Quality Standards Directive)
- Water Protection from Nitrate Pollution Directive
- WEEE Directive

Number of controlled installations supervised by ION, and method of supervision

The environment and nature inspection service supervises around 10000 controlled installations within the framework of their fields of work. Owing to the inadequate staff structure that would enable performing all the prescribed tasks, controlled installations are classified into three categories in view of the impact of their activity on the environment. ION has been developing the methodology for a few years, and regularly monitored the effects and made corrections if necessary.

Category I: Regular annual inspections of the entities included in this category are carried out at least once a year.

Category II: Regular annual inspections of the entities included in this category are carried out at least once every two years .

Category III: Regular annual inspections of the entities included in this category are carried out in three to five years.

The aim of this categorisation is to ensure regular inspection of polluters who, in view of their size and type of activity, pose the greatest risk to the environment. These polluters include IED plants (there are currently 210), SEVESO plants (31 lower-risk plants and 31 higher-risk plants).

Supervision is carried out through routine inspections and non-routine inspections. In addition to IRSOP, indirect supervision over a controlled installation is also performed by ARSO, to which controlled installations must submit various types of reports.

When ARSO detects lack of or gaps in reporting obligations or non-compliance of installations with regard to the prescribed obligations, it sends this information to ION. These information relates in particular to:

- non reporting of the ozone-depleting substances and F-gases,
- non reporting of the volatile organic compounds and halogenated volatile organic compounds,
- exceed the emission limit values of the substance into the air,
- exceed the emission limit values of substances in waters,
- non reporting the use of water,
- non reporting on drinking water supply and
- non reporting on the collection and treatment of waste.

IRSOP consider this information as complaint. Usually IRSOP collects data on the findings and measures of inspection on the basis of these notifications and sends feedback to ARSO.

Organisation of work

The duties and tasks of inspection are carried out in line with the three-annual operation plan, which also includes the annual work programme. The need for planned and organised work in the field of supervision is expressed 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, in the Environmental Protection Act and in the Inspection Act. In this way, we wish to ensure effective and transparent work, undertaken in a responsible manner.

The three-annual operation plan identifies the priorities of the work within the three categories introduced in the area of inspections and in controlled installations. IRSOP has developed criteria for classifying controlled installations into three categories on the basis of the size of the pollution source and risk to the environment posed by the activity of the source. Focusing on the principle of *doing the right things*, IRSOP has categorised controlled installations into three categories; each year a work programme is prepared by means of a software application, which includes an actual list of controlled installations classified into three categories to be inspected in the relevant year. From 2013 IRAM tool is used for categorization of IED plants and waste management facilities. The implementation of the work programme is monitored weekly, and an analysis is carried out monthly.

Routine inspections form the foundation of site inspections of controlled installations; they are planned in advance and do not result from complaints or inspection actions. Companies are classified into three priority categories-classes, which provide the basis for an inspection obligation (category 1: once a year; category 2: once every two years, category 3: once every three years or more). Regular work also includes inspection actions, which aim at simultaneous inspections of the implementation of particular legal requirements in Slovenian territory.

Cooperation with other authorities

Cooperation with other inspection authorities (health, marketing, inspectorate responsible for the protection against natural and other disasters, etc.) is carried *ex officio* within the framework determined by the Inspection Act. Cooperation together with the customs service and police in the area of cross-border shipment of waste was established (Memorandum of Understanding signed). In the area of chemical security, a group for preparing joint inspections has been established, in which the Environment and Nature Inspection also participates.

A case of cooperation between the authorities is participation in the Inspection Council and regional coordination groups of enforcement authorities.

2.8. Inspection Council

The Inspection Council is a permanent inter-ministerial working body for the coordination of work and for attaining enhanced efficiency of various inspection services. It was established on the basis of the provisions of the Inspection Act.

The Inspection Council is headed by the minister responsible for public administration or a person authorised by the minister. Members of the Inspection Council are chief inspectors, heads of official bodies, management bodies governed by public law in which an inspection service operates, or persons authorised by the head or the management body.

Issues relating to the work of the Inspection Council are addressed in the rules of procedure adopted by the Inspection Council in agreement with the Government.

Working area of the Inspection Council

For the purpose of increased efficiency of operation, the Inspection Council deploys the following activities:

- plans joint implementation of inspection supervision tasks by various inspection services and ensures prompt transfer of information,
- deals with common professional and organisational issues linked to the operation of particular inspections,
- determines and monitors indicators of performance, efficiency and quality of the inspection services' work,
- plans and proposes the training of civil servants in inspection services according to needs,
- plans standardization of equipment, files and access to databases required for more efficient implementation of inspection supervision and conduct of violations procedures,
- provides a common information system for all inspection services for exchanging their data,
- ensures uniform interpretation of regulations relating to the work of inspection services,
- provides legal aid in demanding operative cases,
- considers proposals for amendments to regulations,
- participates in resolving questions in the sphere of competence,
- considers the reports of working bodies.

The Inspection Council operates through sessions and through its working bodies. Sessions are led by the Council's president or a person authorised by the president. Members of the Council and their colleagues participate in sessions of the Inspection Council. The president of the Inspection Council may independently or on the proposal of the Council's members invite other participants to the meeting who may contribute in a relevant way to successful resolution of particular issues on the agenda.

Regional coordination of inspectors

Based on the Inspection Act, regional coordination groups of inspectors have been established for coordination of the work of inspection services at the regional level. Members of regional inspectors' coordination groups are heads of regional inspection units and the president of a particular regional coordination group is the head of a regional unit of one of the inspection services.

Connection between the Inspection Council, regional coordination groups and IRSOP

- participation in the Inspection Council (chief inspector)
- cooperation and heading particular regional coordination groups

- cooperation in coordinated supervision actions.

2.9. Inter-municipal Inspectorate

The legal basis for establishing inter-municipal inspectorates is the Local Self-Government Act and Local Traffic Warden Act. Rules of operation, organisation, authorities and everything else related to inspection are laid down by the Inspection Act.

The Inter-municipal Inspectorate performs inspection supervision over adopted municipal regulations and conducts inspection and violations procedures in municipalities.

It supervises the implementation of the following decrees:

- Decrees on municipal roads,
- Decrees on safety in road traffic on municipal roads,
- Decrees on waste management,
- Decrees on advertising and campaigns,
- Decrees on municipal taxes,
- Decrees on taxi services,
- Decrees on natural and cultural monuments,
- Decrees on burial services,
- Decrees on regulation and maintenance of public and green areas,
- Decrees on municipal waste water discharge and treatment,
- Decrees on drinking water supply,
- and other regulations authorising the municipal inspection service for inspection supervision.

The competences of municipalities in the environmental protection area are specified by the Environmental Protection Act (Article 149), which imposes the establishment of mandatory public environmental protection services that must be provided by a municipality.

A. Mandatory municipal public environmental protection services are the following:

- Drinking water supply
- Discharge and treatment of municipal waste water and meteoric water
- Collection of municipal waste
- Treatment of municipal waste
- Depositing the residues of processing or removal of municipal waste, and
- Landscaping and cleaning of public areas.

B. The facilities and plants required for the implementation of public services referred to in the preceding paragraph are infrastructure of local relevance.

C. The Government prescribes in more detail:

1. types of tasks that are implemented within the framework of public services as stated in the first paragraph of this Article

2. methodology of price formation, maintenance standards and technical, maintenance, organisational and other measures and norms for the implementation of public services as stated.
- D. The municipality provides the implementation of public services in compliance with the regulations governing public services.
 - E. If the municipality fails to provide the implementation of public service, the state undertakes to fulfil them in the territory of the municipality and at the expense of the municipality. The method of provision is determined by the state.

IRSOP is responsible for inspecting the tasks referred to in the paragraph C.1 above.

The rules of conduct referring to the above mentioned services are determined by municipalities through municipal decrees that fall within the competence of municipal inspection supervision. Municipal inspection supervision is performed directly by inspectors acting as officials with special powers and responsibilities in compliance with the law governing inspection supervision. The second instance body in the appellate proceedings is the mayor.

No connection exists between the inspectorates of local communities and IRSOP except cooperation in the case of considering a matter outside their jurisdiction. There is no connection between the national and local supervision bodies with respect to the organisation of work or supervision of the quality of work because there are no legal grounds for such a connection.

With regard to the regulatory framework, the following good practices and opportunities for development have been identified:

Good practices

- ✓ The website of the Inspectorate (IRSOP) gives good and relevant information to public.
- ✓ On a yearly basis the ministry (MOP) and IRSOP make agreements on the work to be done. These agreements are shared with the Inspection Council (IC). This gives the possibility to the IC to coordinate and align the work of the national Inspectorates, when appropriate.
- ✓ Inspectors have the authority to work in the whole of Slovenia and are not bound to a certain region or task. This makes it easier to execute specialised work.
- ✓ IRSOP has a few lawyers in its organisation that are also assisting the inspectors in their daily work.

Opportunities for development

- To improve the cooperation with ARSO by:
 - Establishing a coordination table
 - Develop common work procedures (e.g. annual report self-monitoring)
 - Creating possibilities to change permits initiated by IRSOP
 - Aligning environmental goals and priorities (also with MOP)
 - Developing a common IT system: including EPRTTR, SEVESO installations, expected revisions of permits, (EID) installations, reports, permit procedures, permits and applications, industrial processes

Notes: A project will start after summer 2018 to improve the quality of permits. It's expected that this will also help the cooperation between the two institutions.

Industry also noted that cooperation should be improved.

- Establish procedures that ensures a more common follow-up by the inspectors when they find a non-compliance. The establishment of an intervention matrix could help in this.
- Explore if an internal network or platform for inspectors could be of added value to exchange knowledge and experience between the inspectors.
- Initiate the change of legislation so municipalities can deal with minor complaints from public. The important work of an inspector is now often disturbed by complaints that have a low priority and should be dealt with by a municipality.
- Clearly demonstrate on the website the way in which accidents and incidents are dealt with and the role of the inspectorate after accidents. Explore also the possible involvement of the inspectorate during SEVESO accidents, in order to optimise learning from the events.
- IRSOP is responsible for a large amount of legislation. With the current capacity it is not possible to execute all the tasks. It is advised to first conduct an enforceability and practicality check on new legislation, to see if additional staff (inspectors) are needed to execute these tasks before new legislation is drafted and additional tasks are appointed to IRSOP.
- Initiate the development of a national register for environmental accidents and incidents. This register would provide intelligence to prevent future accidents and provide analysis to allow focused inspections.

3. PART C - PERFORMING INSPECTION TASKS

In part C the inspection tasks are reviewed based on the steps of the Environmental Inspection Cycle, see Annex 1. The review team gained an understanding regarding how the authority operates in terms of planning of inspection activities (gathering data, setting priorities, defining objectives and strategies and developing an inspection plan), the provisions, instructions, arrangements, procedures and equipment that are in place to enable inspectors to carry out inspection activities, how the inspections are executed and reported and how the authority deals with monitoring of its performance.

3.1. *Planning of inspections*

Describing the context

The context of the inspection operations is defined by the following elements:

- The applicable legislation;
 - o This refers to all the acts and regulations at the national level and implemented directives and regulations on European level, in total around 450 pieces of legislation. IRSOP can only handle this broad working area and its tasks and responsibilities after further selection and prioritizing;
- The geographic jurisdiction defined by the territory of the Republic of Slovenia;
 - o Despite the regional division of IRSOP, the inspectors are competent for all of the Slovenian territory.
- The available human resources;
- It should be noted that most inspectors are generalists; some are specialized, though.
- List of facilities (such as list of IED and SEVESO installations, database OIS);
- Priority topics for inspection that IRSOP agreed with the Ministry (so-called supervision actions). Generally the Ministry/Agency does not give much guidance in prioritising and directing the activities of IRSOP. For the overall outcome of the work, a better interaction would be welcomed by IRSOP.

Additional information is collected to further describe the context in which IRSOP performs its tasks, and to define the scope of its activities:

- Data about installations (via Agency), as far as available, like annual reports, permits, notifications, monitoring reports;
- Data about previous inspections, taken from the information system IRSOP;
- Obligations of sites directly derived from legislation;
- Different databases (e.g. regarding waste – IS odpadki, list of different environmental permits, Atlas okolja, Vodna knjiga)
- Information about complaints, accidents and incidents, collected from other authorities (e.g. Customs, Police, other inspection authorities)

Setting priorities

In order to define its priorities, IRSOP performs a risk assessment to produce a ranked list of installations or activities along the following lines/procedures:

- For IED installations the IRAM methodology is used.

- A demonstration of IRAM to the review team showed that the tool is used in a good way, within the constraints the method inherently has.
- For SEVESO sites, the upper-tier installations are inspected every year, the lower-tier installations every three years.
- The bigger non-IED waste management facilities are prioritized using IRAM
- For all other facilities the risk is assessed on basis of the expertise judgement and knowledge of inspectors, leading to an inspection frequency of 1 up to 3 years. This refers to a large group of facilities, potentially as much as 10,000, which are only partly known, thus far. IRSOP is working to obtain a better overview of those facilities and their environmental compliance, e.g. from the analysis of self-monitoring reports of facilities. This is an important but challenging job.

It is noted that the new SEVESO-3 requirements are nearly fully implemented now. The maintenance of the list of SEVESO installations is a responsibility of the Agency. Changes over time turn out to be rather limited.

For the risk assessments the following criteria are applied:

- For IED installations, the IRAM risk criteria are emissions to air and water, waste management, probability of accidents, noise, sensitive areas, consistency with permit, responsiveness of the operator, and quality systems (like EMAS, ISO 14000).
- Regarding non-IED waste management facilities, the applied IRAM risk criteria are: annual quantities of waste, type of recovery or disposal operation, TFS – annually shipped quantities, consistency with permit, number of received complaints, and number of observed illegal shipments on yearly basis.

To produce the risk assessment, inspectors are actively involved in the process of evaluation of facilities/operators through IRAM and information in OIS. Each inspector assesses facilities/operators which are supervised by him/her. The outcomes of the risk assessments are directly connected with frequency of the inspection(s).

Regarding time allocation to the different elements of the inspection process, IRSOP does not have specific data. The baseline is that IRSOP has sufficient staff for properly inspecting all high risk facilities (IED, SEVESO, major waste operators). A site-inspection takes typically 1 day and is done by 1 inspector.

The ratio of time spent on planned inspection to unplanned inspections is scheduled to be 60%/40%. Experiences from past years show however, that usually IRSOP performs all planned inspections, and realizes more unplanned inspections than foreseen. IRSOP indicated that the mentioned ratio is probably considered to be less relevant as predefined goal in the future.

Defining objectives and strategies

In relation to the objectives, strategies and priorities of inspections, IRSOP takes the assumption that compliance with regulations and permits leads to acceptable pressure of the operator's activities to the environment. When applicable regulations change, ION pays extra attention to check if the facilities operate in line with new requirements. Apart from doing inspections, also curative/corrective, repressive and preventative activities are seen as very important. In case of specific problems with an installation, the focus is laid on solving such issues.

Objectives and targets

ION has set the following objectives for 2018:

- to improve the quality of work in the field of inspections and actions, particularly through regular training of inspectors, and more efficient implementation of enforcement proceedings and the extraordinary monitoring mechanism. Actual solving of compliance problems is a key objective;
- to modernise and upgrade the internal information system;
- to perform complete supervision of plants bearing high risk to the environment (SEVESO), entities liable for waste management and devices which cause large-scale pollution (entities liable for IED), determined in the 2017–2019 Supervision Programme;
- to gradually introduce supervision actions in other fields of work;
- to intensify activities in the field of waste management;
- to implement preventive actions, particularly by providing information on-line, and responding to questions and initiatives of journalists and customers.

It is noted that IRSOP has not yet clear objectives and targets that contribute to environmental outcome, but rather focuses on output. To make the required steps forward, a stronger collaboration between Ministry, Agency and IRSOP is an important condition.

Strategies

Several strategies have been developed that help to achieve good inspection results and targets:

- If the analysis of the findings of inspection supervision actions indicates that a problem regarding compliance or inspection is caused by the legislation, IRSOP informs the Ministry about suggested changes in the regulation;
In enforcement procedures, when it comes to execution measures by other authorized person, IRSOP will try to achieve better/ more decisions regarding depositing the amount necessary for the execution measures from the liable person
- In order to maintain a good level of productivity of work, inspectors are not allowed to have more than 20 open cases to work on simultaneously.
- Minimum workload for an inspector to define the number of inspections, offence measures that he/she is supposed to achieve, and which is a parameter for the planning process as well as criteria in the assessment of individual inspector performance.

Communication strategy

IRSOP uses the following internal communication strategy and channels:

Internally within IRSOP, there are monthly meetings with heads/coordinators of regional units, working meetings for inspectors, and working groups on specialized topics. Also, several tools are communicated, like list of legislation, court practices, instructions/guidance documents, and opinions issued by the Ministry

With regard to the external communication, information is shared with stakeholders, and with the general public. The website of IRSOP is the main communication channel.

It is noted that the Public Information Access Act governs the procedure which ensures that all Slovenian citizens have free access to and may re-use public information held by state bodies, local government bodies, public agencies, public funds and other entities of public law, public powers holders and public service contractors

Planning and review

The planned work of IRSOP consists of two segments:

- Inspection activities regarding operators/facilities. Planning is based on inspection frequencies, derived from risk assessments. The annual work programme contains a list of facilities, with names of inspectors who inspect individual facilities. This refers to the 'obligatory' category of IED, SEVESO and non-IED large waste installations.
- Inspection actions with specific control topic(s). These are selected on different grounds, like changing of regulations, findings on previous years, political pressures, etc. To harmonise the approaches of inspectors, action guidelines are drawn up. After the action the results are analysed and reported. Depending on the findings, IRSOP informs the Agency (in case of flaws in the permits) or the Ministry (in case regulation is not well written, IRSOP also suggests possible solutions to the shortcomings).

IRSOP works with an annual inspection plan, which has to be prepared on the basis of the Inspection Act. The plan does not include a provision for inspection requests of the Agency, since such inspections are unplanned by nature. Several times per year at meetings of head/coordinators of regional units the progress of the annual plan is reviewed. The activities described in the plan are permanently monitored by individual inspectors, heads of regional units, and director. On a yearly basis, the execution of the work plan is evaluated in the annual report. The evaluation is mainly based on numbers/output, and not on (environmental) outcome. The resulting conclusions are taken into account when preparing the next annual plan. Also plans are produced on regional unit and individual inspector level.

By legal requirement, IRSOP has also to produce a 3-year plan. This plan covers the goals that have to be achieved in perspective of the legal developments in the given timeframe. The 3-year plan is less operational than the annual plan. Currently, the added value of the 3-year plan seems to be limited. It could be considered to make it more useful for the strategic steering of the organisation.

With regard to planning of inspection tasks, the following good practices and opportunities for development have been identified:

Good practices

Describing the context

- ✓ The website of the Inspectorate (IRSOP) gives good and relevant information to public.
- ✓ On a yearly basis the ministry (MOP) and IRSOP make agreements on the work to be done. These agreements are shared with the Inspection Council (IC). This gives the possibility to the IC to coordinate and align the work of the national Inspectorates, when appropriate.
- ✓ Inspectors have the authority to work in the whole of Slovenia and are not bound to a certain region or task. This makes it easier to execute specialised work.
- ✓ IRSOP has a few lawyers in its organisation that are also assisting the inspectors in their daily work.

Setting priorities

- ✓ The procedures how to deal with complaints are efficient. Complaints are categorised in different priorities, based on the assessment of the potential impact to the environment.
- ✓ IRSOP makes good use of the Integrated Risk Assessment Method (IRAM) to prioritise the workload in the area of industrial installations.

Defining objectives and strategies

- ✓ The follow-up actions and procedures after a non-compliance is detected are clearly defined for the inspector. The actions are powerful and suited to enforce compliance.

Opportunities for development

Describing the context

- To define (national) goals together with the MOP and ARSO based on environmental data. These goals (on environmental outcome) could then be used to prioritise the workload of IRSOP
- To define key data on the preparation, execution and reporting of inspections to make sure resources are well allocated and to ensure the quality of inspections.

Setting priorities

- To explore if different types of inspections or less detailed inspection will save capacity so more resources will be available.
- To broaden the use of the Risk assessment with more activities (not only the one currently included). A risk assessment could also be used on a higher level to priorities between the large amount of tasks IRSOP is responsible for.
- Consider sending more than one inspector at a time to large sites to cover a wider range of specialisations and therefore prevent regulatory blindness. This would also help deliver a consistent approach among inspectors.
- Explore if it is possible to enlarge the number of planned inspections.
- Consider if storage of dangerous goods could be one of the impact criteria in the IRAM.

Defining objectives and strategies

- Explore if objectives could be more focussed to what IRSOP would like to achieve with its inspections (in terms of quality of the environment). The objectives (and inspection targets) should be derived from the national goals and priorities, and be defined more on outcome and not just output.
- Explore if strategies could be linked to the inspection targets that IRSOP would like to achieve.
- Inform the public on the results that IRSOP has reached in an attractive and understandable way.
- Explore if supervision actions could also be used for problems related to installations/facilities.
- Clarify in an easy way to the operators how the follow-up procedures (as a responds to a non-compliance) work so there is no misunderstanding.

Planning and review

- Explore how the 3 year plan can be of more added value to IRSOP. At this moment the annual work plan contains the same information as the 3 year plan. A multi-annual plan could be of interest if the objectives are also set for a longer period.

3.2. Execution framework

The Inspection Act of the Republic of Slovenia gives to inspectors the authorization to conduct inspections. It also regulates general principles of inspections, organization of inspection authorities, position, rights and duties of inspectors, inspection procedure, as well as measures and other topics, connected to inspections.

Handbooks, guidances and protocols

In addition to what is regulated in the Inspection Act, IRSOP has issued internal instructions and guidelines to help inspector regarding specific problems in practice, and which are instrumental to harmonise responses of inspectors. The instructions and guidelines are also helpful in the application of non-routine acts. Also, a series of templates which can be applied by inspectors in the process of inspection procedures and reacting to minor offences are available on the intranet system of IRSOP. The procedures concerning execution of sanctions by another person are described in a special handbook.

For the processing of complaints, which is an important part of the (unplanned) workload of IRSOP, guidelines are available to determine the order of priority in dealing with complaints.

It should be noted that the instructions and guidelines are only mandatory for the inspectors when they are prescribed/endorsed by the Chief Inspector. In all other situations, the inspector is competent to act as a professional in a way he/she considers to be the best under the given circumstances. Furthermore, it is observed that the available guidance materials are mainly of procedural and administrative nature, and not so much technical.

In addition to the above facilitation, inspectors have the possibility to request expert advice, e.g. on matters relating to Waters Act, or Nature Conservation Act, and for effective assessment of the facts relevant to resolve cases.

Information management

To manage the information needs of IRSOP and the information exchange with partners, several information systems (databases) are in place:

Internal information systems:

INSPIS is directly related to the inspection activities of IRSOP. It covers several type of cases, e.g. inspections, minor offence procedures, complaints, follow-up of inspections. Each case, when selected, can directly be linked to the relevant documents. INSPIS offers the possibility to run queries to search and filter specific information, e.g. with regard to the status of cases (finalized, waiting, active), or number of inspections over a period of time. Also the system flags relevant deadlines and other time-constraints of cases. The challenge for data analysis is the lacking manpower to such work.

OIS is the information system regarding the facilities/installations. It has also applied for the planning and monitoring of the inspections. An inspector can read his/her program via login/internet, as well as status of progress. OIS ensures transparency and continuity of the inspection of the individual operator and makes significant contribution to the effectiveness of inspections as a whole. Different analyses can be carried for internal management (number of inspections, number of measures, offence measures, progress of annual plan, etc.). OIS does not include the permits, consents. The Agency is working on an information system for the permits, and IRSOP will be probably connected to that. OIS contains data regarding environmental situation of the installations, except information regarding external safety. External safety is a topic of under the responsibility of the Ministry of Defense.

Both databases have been developed separately over time, and inspectors have to work with the two systems in parallel. Currently work is in progress to merge the two systems, in order to make the work for inspectors more efficient. This effort turns out to be tedious as a result of IT and organizational issues.

External information systems:

IRSOP uses a variety of external databases. Closed sources that are consulted via access through passwords or digital certificates:

- E-zemljiška knjiga (E-land Register)
- Centralni register prebivalstva (Central Population Register)
- AJPES (Register of business entities)
- E-risk (Register of the Ministry of the Interior, containing personal data of natural persons, like place of residence, documents (identity cards, passports, driving licenses, etc.), and ownership of registered vehicles)
- IS- Odpadki (IS-Waste - electronic system for monitoring inland waste shipments and annual reporting on waste management)
- IJSVO (Registers and records for the public utility services, e.g. drinking water, municipal waste water)

Open source databases in use with IRSOP are:

- Atlas okolja (The Atlas of the Environment).
An online service that gives access to environmental spatial data via internet. This service is developing more and more, potentially also with the inclusion of permit information. See: http://gis.arso.gov.si/atlasokolja/profile.aspx?culture=enUS&id=Atlas_Okolja_AXL@ARSO
- E-vode (Electronic data on the aquatic environment). See: <http://www.evode.gov.si/atlas-voda/>
- Naravovarstveni atlas (Nature Conservation Atlas). See: <http://www.naravovarstveniatlas.si/web/?culture=sl-SI>

Equipment

To do their work in a safe and effective way, the inspectors are provided with several means. This refers to a car, personal protective equipment as based on the safety statement with risk assessment of IRSOP, a smart phone, a computer with access to various databases required for more efficient implementation of inspection supervision and conduct of violations procedures. With regard to sampling: IRSOP is not authorized for taking samples therefore does not have such equipment. Sampling, measurements and analysis are done by accredited laboratories or institutions, authorized by the Environmental Agency.

Qualifications of staff

Inspectors must have a prescribed education in accordance with the act governing the system of public officials. An academic higher education is required, together with a relevant specialism (chemistry, biology, etc). The work experience, as stipulated by relevant regulations for state administrative bodies, should be 4 years minimum for an environmental inspector, and 6 years minimum for an environmental inspector advisor.

An inspector has to pass a professional inspector's examination that consist of the following parts:

- administrative and dispute procedures;
- conduct of and minor offence decision-making procedures;

- inspection procedures.

Individuals without the required professional inspector's examination may, exceptionally, be appointed as inspectors, provided that they pass the required professional examination within six months after their appointment at the latest.

General conditions that are to be met are knowledge of official language, nationality of the Republic of Slovenia, and without record of sentencing by a final judgement to an unsuspended prison sentence longer than three months for the intentional criminal offence that is subject to prosecution by the public prosecutor, and no final charges for the intentional criminal offence that is the subject of prosecution by the public prosecutor are brought against the person. Furthermore, the person has to be adequately trained on conducting and deciding in an administrative procedure.

For legal staff and administrative staff, and supervisors the following conditions apply:

- prescribed education in accordance with the act governing the system of public officials;
- general conditions (same as for inspectors);
- professional examination in administrative procedure (only for legal staff and supervisors)

Recruitment

IRSOP may follow two approaches. The first option is a transfer from another government body; this implies an internal competition.

The other way is via new employment, through open competition. The subsequent steps in this procedure are:

1. Publication of an open competition (on the website of the Ministry of Public Administration and of the Employment Service of Slovenia);
2. Appointment of a selection committee;
3. Selection procedure (defining selection criteria, written exam and/or interview with all individuals that have passed the written exam);
4. Selecting the candidate who has proved himself as the most professionally competent;
5. Appointment to a title and signing the employment contract;

The 5 recently employed inspectors for the Chimney Sweeping Act have been recruited via an open competition.

Professional ethics

In performing their public duties inspector shall act in an honourable manner in accordance with the rules of the professional ethics (Civil Servants Act), in particular the Code of Ethics for Public Employees in State Bodies and Administration of Local Communities. Guiding principles of this Code are: legality, transparency, responsibility in relation to natural and social environment, honesty, respect, trustworthy individuals, honour, professionalism, sincerity, and reliability.

If an inspector's behavior is contrary to the ethical principles, this is a possible reason for the establishment of disciplinary measures against the individual or a so-called supervision of an inspector. The latter is a rather rigorous instrument which is usually applied when persistent problems with an individual are at hand. Such cases occur 2-4 times in a year.

Instruments that are in place to stimulate ethical behaviour of inspectors are: integrity plans (tools and internal control mechanisms aimed at identification and curbing of corruption risks) , and rotation of inspectors on sites (for IED, SEVESO facilities). It is noted, however, that rotation is often not easily accomplished in small regional entities with only a few inspectors.

Capacity building

The training needs of inspectors are discussed in the Annual Employee Development Dialogue, which is in place for monitoring the work, professional qualifications and career of civil servants. Further indication for training needs are taken from the internal supervision of the inspector's work (routine or/and non-routine supervision), as well as from records of other surveillance authorities (the Administrative Inspection, The Court of Audit of the Republic of Slovenia, Human Rights Ombudsman)

In order to perform their duties in an optimal way, inspectors are trained on a regular basis. The training is accomplished in accordance with the programme and a budget as endorsed by the Chief Inspector (Inspection Act, Art. 12), i.e. the Annual Education Plan. This plan is prepared on basis of input from inspection services, and offers training in Slovenia and abroad, training for different working areas, and training on general topics (e.g. administrative procedure, offence procedure, communication, stress management training, workplace health promotion). Also, when new policy or legislation is adopted, unplanned trainings are provided, in addition to those of the Annual Education Plan. Most of the trainings are in the area of development of procedures and skills. Technical trainings are advertised when available. Sometimes, training is offered for free in IRSOP's access to commercial databanks on legislation.

The Training in 2017 consisted of participation in IMPEL projects (12 different participants from IRSOP, about 56 days of training) and of the participation in other trainings, workshops, seminars in Slovenia for different fields of work (waste management, water regulation and management, genetically modified organisms, nature protection, etc. (38 trainings, with 511 participants from IRSOP, 345 days of training)

In 2017, the average number of training per employee was almost 7 days per year.

The training results are evaluated in the following way:

- a. Discussions during the Annual Employee Development Dialogue;
- b. Annual Assessment of Work Performance in order to check whether inspectors meet the requirements for promotion at their post or for a title belonging to a higher salary category. The performance is assessed in terms of:
 - work results,
 - independence, creativity and accuracy in the performance of work,
 - reliability in the performance of work,
 - the quality of cooperation and organisation of work, and
 - other capabilities relating to the performance of work.

Professional development of inspectors is also achieved through international exchanges in the context of the IMPEL TFS Enforcement Actions project. In the past IRSOP hosted 3 such exchanges, and another will follow end of June 2018 (representatives from Austria, Germany and Sweden).

Awareness of new developments

IRSOP tries to follow relevant policy, legislation and also technological developments. The scarce human resources limits the possibilities to absorb all things satisfactorily. More specifically, the following activities can be mentioned:

- Following relevant policies (e.g. The National Environmental Action Programme 2030, River Basin Management Plan, etc.);
- Following the legislation (monthly updated list of legislation, which is accessible to all inspectors);

- Actively involving in procedures of changing legislation (suggestions, initiatives)
- Following the legal practice;
- Following the technical developments.

With regard to the executing framework, the following good practices and opportunities for development have been identified:

Good practices

- ✓ There is large number of guidelines, instructions and templates in place that have to be followed by the inspector and that ensures work is done correctly, transparently and protect the rights of the operators.
- ✓ There is a Code of ethics and an Integrity plan in place to ensure the staff of IRSOP works as can be expected from a civil servant.
- ✓ Every year a training needs assessment is conducted which leads to an annual education plan. The results of these trainings are evaluated on a yearly basis.
- ✓ The Intranet of IRSOP contains a lot of useful information and supports the inspector in his or her daily work.
- ✓ The information systems of IRSOP contain a lot of useful information.
- ✓ Inspectors have good access to external information of partner organisations. Especially the GIS systems provides a lot of information for the inspectors.

Opportunities for development

- Consider if it is possible to give inspectors specific tasks according to their career grade, for example different tasks for inspector level 3 and the inspector advisor.
- Most of the procedures and instructions refer to the administrative part of the work and less on the technical issues (e.g. how to do a good inspection). Develop guidance or training material how to perform a good inspection within the already existing training procedures that is in place. Focus on the technical skills that are needed.
- Share all the good procedures and instructions with the Inspection Council so they can disseminate this to other national Inspectorates when appropriate.

Specifically with regard to information systems (INSPIS and OIS):

- The two databases that are in place are not connected. Inspectors need to fill in both systems which is not efficient. Explore how these two systems can be linked together.
- The systems within IRSOP contain a lot of data. Consider to employ a data analyst in order to extract more useful information from the systems. This will help setting the right priorities, and the preparation and execution of inspection work.
- Explore the possibilities to connect the IT systems of IRSOP to the systems of ARSO. This will benefit both organisations and will make work more efficient and effective.
- Consider if inspection information could be added to GIS information of ARSO.

3.3. Execution and reporting

Routine inspections

The execution of routine inspections of operators/facilities are the basis of IRSOP's inspection activities. These inspections are usually planned in advance and laid down in an annual inspection plan.

Upon the discretion of the inspector the controls are announced or unannounced.

The advantages of announced inspections for IRSOP are that responsible persons of the operator are present, and their performance can be checked. Also documents and records can be made available for checking.

For inspection of a site, the inspector takes the following steps:

1. *Preparation;*
The inspector checks relevant documents, permits, and obligations from legislation. If relevant, data from operators is requested in advance. Also findings and results from former inspection procedures are studied.
2. *Announcement;*
The inspector announces the site visit to the responsible person of the operator via phone, mail, letter, to ensure that relevant persons and documents are available. The inspector may also decide to go onsite without announcement.
3. *Execution;*
The inspector executes the actual site visit, in which the compliance with the permit conditions and other regulatory requirements is checked through an integrated or partial approach.
4. *Recording;*
The inspector, while still on the spot, writes minutes of the inspection with the findings concerning (non-) compliance. This is a document representing the factual observations of the inspector, in a template required by legislation. At the end of the inspection, the document is signed by inspector and operator. The operator receives one copy. The minutes constitute a public document.
5. *Follow-up;*
in case of minor irregularities, the inspector issues a warning note to operator; in case of significant irregularities an appropriate response through an administrative inspection decision is started. When no irregularities are found, he/she stops the inspection procedure.

Responses to offences

Depending on his/her findings during an inspection of a facility, the inspector may take the following measures:

- Warning
- Inspection decision
- Start of minor offence procedure
- Enforcement procedure (compulsory payment or execution by other authorized person)

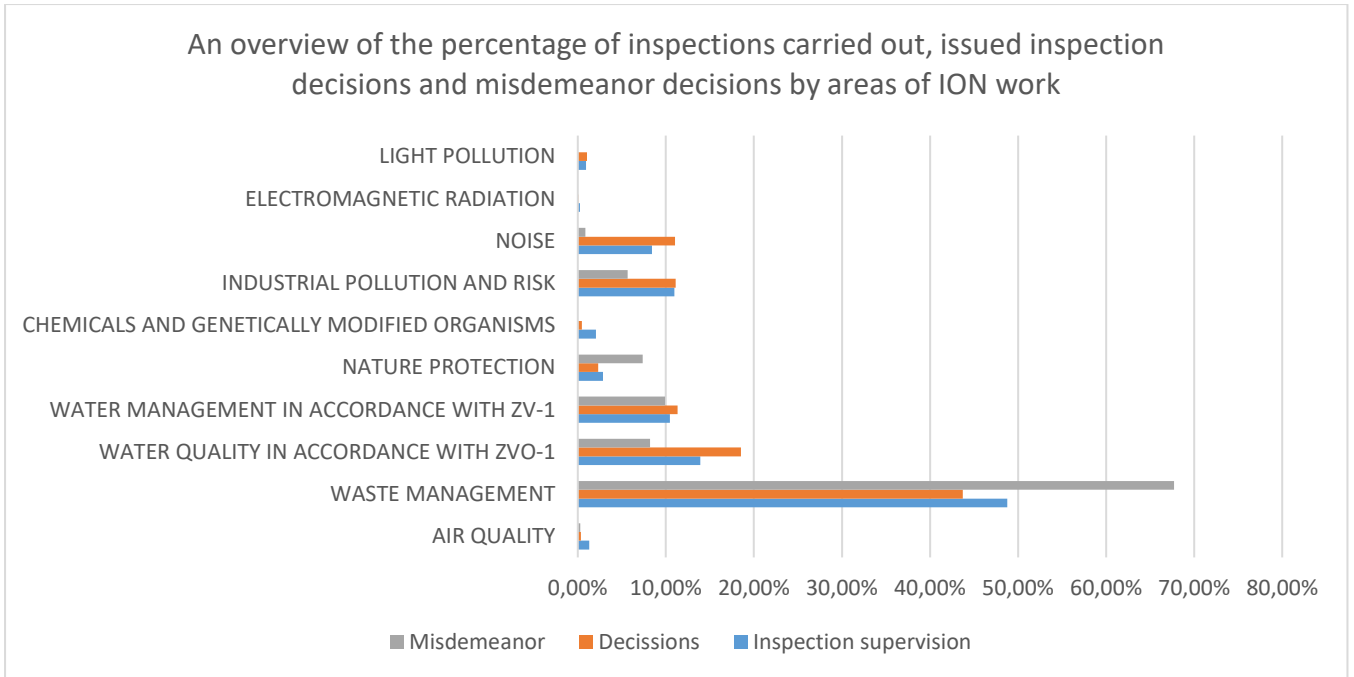
An overview of the financial sanctions that may be imposed on the operator or responsible person, is given in Table 3.

Table 3: Sanctions in Environmental Protection Act

OPERATOR	FINE (€)
Doesn't have an environmental permit or the plant is operating in contrast with the permit (same for SEVESO)	75.000 - 125.000
Doesn't notify the Ministry and the Inspectorate prior of beginning of operation/doesn't notify the Ministry of the definitive ceased of the operation of the plant (same for SEVESO)	40.000 – 75.000
After major accident doesn't implement all the prescribed measures/ doesn't have at least one environmental protection authorized person (same for SEVESO)	20.000 – 40.000
After major accident doesn't notify regional notification centre (same for SEVESO)	10.000 – 40.000
RESPONSIBLE PERSON	FINE (€)
Doesn't have an environmental permit for the plant is operating in contrast with the permit (same for SEVESO)	3.500 - 4.100
Doesn't notify the Ministry and the Inspectorate prior of beginning of operation/ doesn't notify the Ministry of the definitive ceased of the operation of the plant (same for SEVESO)	2.000 – 3.500
After major accident doesn't implement all the prescribed measures/ doesn't have at least one environmental protection authorized person (same for SEVESO)	1.000 – 4.500
After major accident doesn't notify regional notification centre (same for SEVESO)	1.000 – 4.500

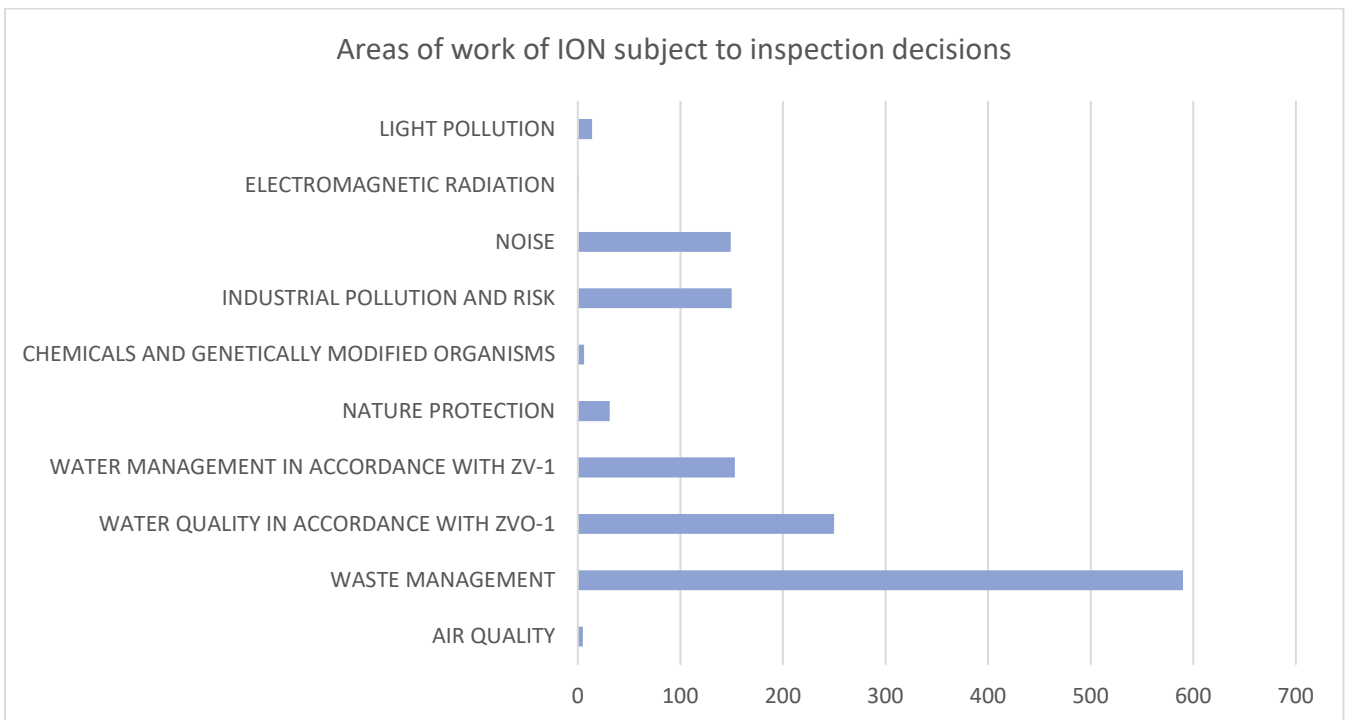
In 2017, environmental inspectors issued 977 inspection decisions. ION estimates that in the environmental area 30% of the inspection procedures ends with the issuance of an inspection decision, which points to the relatively low environmental compliance of the parties. The situation is even less favorable, if minor violations would also be taken into account, whereby a warning is given to the persons concerned to remedy the deficiencies.

Picture 13 shows the relative number of inspections carried out, issued inspection decisions and misdemeanor decisions in the areas of ION work in 2017.



Picture 13: Overview of ION work in 2017

Picture 14 shows the areas of ION work, to which most of the measures for inspection decisions relate. In considering data in Figure 14 it should be taken into account, that in one inspection decision the inspector may also order several measures from different areas of the ION work, therefore the total sum of the number of measures by areas is greater than the number of decisions issued.



Picture 14: Areas of work of ION, subject to inspection decisions

In 2017, the inspectors introduced 219 enforcement procedures, issuing 38 decisions on the permission to execute by another person and 181 decisions on the authorization of enforcement with compulsory payment. 78 decisions on execution with compulsory payment were issued in the total amount of EUR 332,250. By decision, 155 enforcement actions were suspended in 2017, as the parties fulfilled the obligation imposed before the expiration of the deadline for the subsequent execution of the obligation.

In 2017, 95 proposals for the initiation of the minor offence procedure were received, 544 minor offence proceedings were introduced, of which 516 were resolved.

167 minor offence decisions were issued in the total amount of the imposed fines of EUR 371,748 and 56 payment orders under the Minor Offence act in the total amount of fines imposed EUR 200,610.

In 2017, EUR 261,558 were paid for fines and another 100,509 EUR of fines for which the offenders did not file a request for judicial protection against a payment order, and therefore, according to the Minor Offence Act, half of the imposed fine was paid within eight days after the decision was final. In 261 minor offence procedures, a warning was issued.

The offender to whom environmental inspector issued minor offence decision or order to pay a fine, may make a request to the court for judicial protection. Inspector who issued an act in minor offence procedure, provides the request of offender with an explanation to a District Court. The court can confirm the inspector's decision or can impose a higher fine or decide for an admonition.

Relevant data/findings from the inspection are entered in the databases of IRSOP, in particular in INSPIS and OIS, as described before.

Inspections related to issuing new or revised permits

For a *new* permit IRSOP usually does not participate in the process of issuing. In the case that the Agency, as the permit writer, needs some information about the facility, IRSOP gives feedback, suggestions and remarks. However, the Agency is not obliged to take into account this information in the procedure of issuing the new or revised permit. Communication usually takes place via phone or email.

The *change* of a permit is regulated in Article 77 (request of operator) and Article 78 (ex officio) of the Environmental Protection Act. When an application for change of permit is completed, the Agency sends notification to IRSOP, whereupon an extraordinary inspection is performed within 30 days after receiving the notification. After the inspection a report is prepared. If irregularities are found, IRSOP issues an inspection decision to the operator. In this case the Agency stops the procedure of changing the permit until the operator fulfils all obligations of the inspection decision.

IRSOP has also a possibility to suggest withdrawal of the permit to the Agency in case that the operator does not fulfil the obligations laid down in an inspection decision. It is the Agency's competence to decide on this.

Inspections after complaints, accidents and emergencies

The Inspection Act of the Republic of Slovenia stipulates that IRSOP has to deal with complaints, appeals, messages and other statements in its jurisdiction. IRSOP is not competent for direct intervention in case of fires and extraordinary events. After notification about such events from

other competent authorities, the responsible inspector collects all relevant data and inspects on the site once the situation is safe and cleared by responsible authorities.

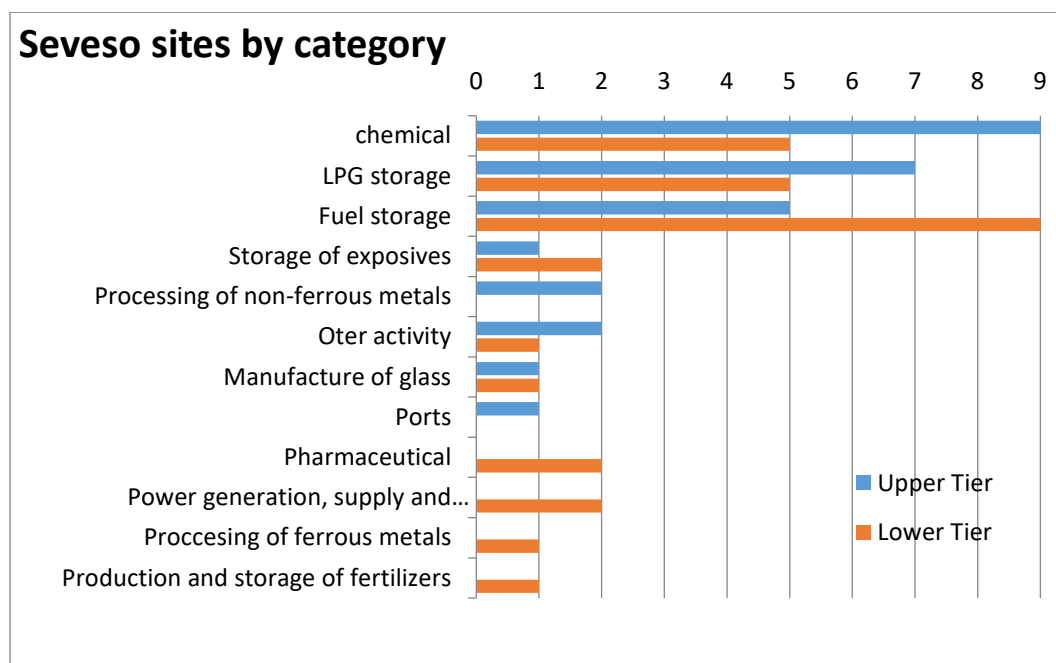
Each year IRSOP receives many complaints and initiatives (3218 in 2017), whose content is varying and often difficult. This work needs a lot of capacity. To manage the workload, IRSOP has adopted a guideline for processing of complaints in 2015. The guideline determines 4 priorities, the highest is when complaint clearly indicates that health, safety of people and public security are threatened, e.g. with a high-risk facility (SEVESO). Currently the complaints of lowest priority are put on a waiting list, and treated when time becomes available. In general such complaints are handled in 6-12 months. Although legally not feasible at the moment, it would be helpful for the work burden of IRSOP if another body, e.g. a municipality, would be competent for the simple type of complaints. The non-routine inspections in case of complaints are normally non-announced, and will focus only on the statements of the complainer. He/she will be informed about the results of the inspection. The first communication with the complainer should be within 15 days after receiving the complaint.

Non-routine inspections are also performed in case of investigation of extraordinary events, serious environmental accidents and cases of non-compliance.

Inspection of SEVESO installations

The position of IRSOP with regard to inspection, accidents and reporting concerning SEVESO installations are laid down in the Environmental Protection Act and in the Decree on the prevention of major accidents and mitigation of their consequences. SEVESO-3 obligations have been implemented in the legislation.

In Slovenia 31 installations of upper tier and 31 installations of lower tier are operational. The majority of the installations are dealing with chemicals, and storage of fuels and LPG. A more precise distribution can be found in the graph below.



Picture 15: SEVESO sites by category

IRSOP employs 3 inspectors specialised in SEVESO installations. Together, they act in a working group that prepares the programme for routine inspections of all establishments. Upper tier installations are inspected annually, lower-tier installations every 3 years. This implies that each of the SEVESO-inspectors checks around 10 upper tier and 3 lower tier facilities per year.

In principle, SEVESO installations are checked in an integral approach. To this end, in addition to the SEVESO inspection, the installation is also checked on non-SEVESO topics by another inspector. The coordination between the two inspections seems to be limited.

After the inspection a report is produced, dealing with the scope of the inspection, the findings of the inspector, indication of the non-compliances, and required follow-up. Annually, the head of the working group of SEVESO inspectors, prepares a report for the Chief Inspector.

In case of an accident in a SEVESO site, the operator has several obligations imposed by law:

- Notification of accident by phone to responsible authority;
- Implementation of mitigating measures, based on emergency plan;
- Remediation of environmental damage.

IRSOP is informed about the incident by the Ministry of Defense (MoD), who is competent for such emergencies. MoD informs MOP regarding the nature of the incident. MOP evaluates the information, also with the objective for prevention in the future. Also MOP determines if the European Commission needs to be informed.

Normally IRSOP performs a non-routine inspection as soon as possible after the incident, as soon as the site is safe to enter, and informs the MOP of the findings. In the case offences are found, monetary sanctions can be imposed; see Table 3.

Complaints, accidents and incidents with SEVESO installations are treated with high priority by IRSOP, within the competences it possesses.

Communication with other inspecting authorities

When one or more inspection authorities are competent for supervision, they should participate together with IRSOP upon request. In the area of TFS inspections, IRSOP has signed a Memorandum of Understanding with Police and Financial Administration about collaboration with regard to joint inspection actions, exchange of information, trainings, etc.

Also, IRSOP participates in coordinated inspections on different working areas, as initiated by the Slovenian Inspection Council.

Information on inspections to the public

The Inspections Act determines that the general public has to be informed on the preventive actions of inspection bodies. This communication consists of the following aspects:

- Communication, information, and publication on IRSOP website with the purpose of reducing the number of complaints and questions, and to promote a higher level of compliance with regulations;
- Information about the work of IRSOP;
- Preparation of responses and clarifications in relation with complaints that are not under the jurisdiction of IRSOP;
- Publication of IED reports;
- Answers to questions of the press;
- Answers to the Ministry, other institutions (e.g. ombudsman), applicants and others;
- Annual reports to the Ministry, Ministry of Public Administration.

With regard to executing and reporting, the following good practices and opportunities for development have been identified:

Good practices

- ✓ Inspection reports on IED installations need to be published so the public knows what the outcome of inspection work is. IRSOP found a good balance of sharing essential information about inspections on their website without publishing the full original report on the website.
- ✓ One of the activities that are executed are the so called “Supervision actions”. With these actions different problems (for example from complaints) can be addressed in an efficient way. Especially the way the results are analysed and reported are seen as a good practice

Opportunities for development

- Consider to change the guideline so that complaints about serious environmental issues will be in priority 1.
- Consider to use the outcome of IED inspections when preparing an SEVESO inspection. This could be relevant in case an installation falls under the IED and SEVESO.
- Explore how cooperation with other institutes with competences concerning SEVESO installations can be established and intensified on a regular basis

4. PERFORMANCE MONITORING

IRSOP uses the following approach with regard to monitoring its performance:

The output and environmental outcome of inspection activities are evaluated and the resulting information is used in the Environmental Inspection Cycle. Indicators are data on number of routine and non-routine inspections, imposed measures (through inspection procedure, and offence procedure), enforcement measures. Such indicators are produced on level of individual inspectors, regional units, and the organisation as a whole, also in terms of the quality of the work. In this way, the realisation of the annual working plan and the goals of IRSOP are monitored.

The results of the monitoring are reported to the minister, and notified to the public via the Annual Report of IRSOP. Of course the findings of the performance monitoring are taken on board when preparing the annual plan for the next year.

With regard to performance monitoring, the following opportunities for development have been identified:

Opportunities for development

- Start monitor the performance of inspection work on outcome instead of output. For this it is necessary to set national environmental goals, objectives and smart targets on outcome.
- Define qualitative performance indicators to provide information on the quality of the work, in order to help IRSOP and its inspectors in making effective decisions and stimulate good outcome of the work.

5. PART D – SITE VISIT

The site visit was a joint effort of two of the IRI team members and one inspector of IRSOP, who was not involved in the process of the IRI. They visited together a non - IED waste management facility, Gorenje Surovina, business unit Žalec. The site visit was very interesting and informative, also as a result of the open conversations with the inspector and the operator. Some earlier observations of the audit team were confirmed in the discussions during the inspection.

The facility, which deals with collection, recycling and recovery of non-hazardous and hazardous wastes, has two permits, one for recycling of waste and water discharges and one for collection of waste. The processes on the plant are characterised as R12 and R13.

The operator has to report annually the following environmental self-monitoring data: quantities of waste collected and recycled, waste produced, water discharges, and noise (every third year).

With regard to planning, preparation, execution and follow-up inspections, the following can be noted:

Planning

In general terms, 40% of the inspection efforts are directed towards non-IED installations (and 6-10% to IED installations, 20% to small enterprises without permit, and 30% to complaints). A typical inspector's week scheme is 2 days outside/inspecting, and 3 days in the office. The average production is around 10 – 12 inspections/month. Up to 3 inspections in one day is possible. For an IED-inspection 2 days are required, however.

The initial planning appoints the inspector for 30 inspections. On a yearly basis, around 100 inspections are executed. In addition, complaints are dealt with. The personal plan is flexible and there is a substantial degree of autonomy for the inspectors. Nevertheless, the burden of work is felt to be considerable.

As a target, an inspector is expected to produce at least 12 orders and 7 minor offence procedures each year.

The regional inspection units are subdivided in smaller areas, with one inspector responsible for all types of inspections in such area (IED, Natura 2000, water, complaints).

Preparation

The visit was announced to the operator 2 days in advance. The inspector, in order to prepare, took account of the results of the previous inspection and the permit requirements and any changes of the permit. Also, on the internet relevant open data with regard to the enterprise were checked. Normally this preparatory work takes around 4 hours for a non-IED facility. For this inspection the use of a dedicated checklist for was not deemed necessary. The use of checklists is to the discretion of the inspector.

Execution

The inspection, done by one inspector, particularly focused on the information in the (self) monitoring reports, like waste production and correct records of disposal of waste oil. Such reports are not directly available for the inspectors, since they are submitted to ARSO. Therefore, the content of the reports are checked during the visit. The same is done for the conclusions of the noise report. All relevant documentation was found to be available.

Further specific attention was given to storage of waste on the premises of the plant, e.g. regarding the application of correct waste labeling, adequate separation of the storage areas, the wastewater sampling point and the analyses of the wastewater. In addition, the functioning of the oil separator was verified; the inspector asked for the certificate (EN858) and checked the register of maintenance.

During the inspection, no infringements of the permits or regulations were found. Therefore, no reasons to start any enforcement procedure. At the end of the inspection, the inspector drew up the minutes (2 pages), using the operator's PC; sometimes the inspectors use their own PC. The minutes are signed both by the operator and inspector, after reading out loud. Both sides keep one copy.

Follow-up

The minutes are entered in a digital archive. It is not required to send them to ARSO. Although no reasons to do so in this particular case, it is up to the inspector in his/her capacity and discretion to decide if a follow-up procedure like a warning or penalty is needed. The inspection procedure was closed.

Further observations

The inspector proved to have a good knowledge of the facility and its installations. Also the operator was knowledgeable and he was well prepared for the visit. He indicated that most inspectors have a good level of expertise. Sometimes there seem to be certain deficiencies in terms of technological know-how, however.

Regarding ARSO, the operator stipulated that practical field experience seems to be missing often, which leads to situations in which conditions of the permit are difficult to apply. Cooperation between ARSO and IRSOP could improve things, but seems largely missing, unfortunately. Furthermore, the permit is not always updated with the newest regulations. This gives ambiguities for proper compliance, also for the inspectors. Any feedback from ARSO on self-monitoring reports is not received.

The inspector confirmed that technical training and guidance would be much welcomed. Training of skills and procedures is regarded as sufficient already.

It can be stated that adequate means for inspections are supplied by IRSOP: car, laptop, personal protective equipment, and camera. A portable printer is not considered to be very convenient, since already a lot of materials have to be taken along for an inspection. Protective glasses were supplied by the operator.

6. SUMMARY OF FINDINGS

During the IRI good practices and opportunities for development were identified. They have already been mentioned for the different steps of the inspection cycle in the previous parts of this report. In this section an integral overview is presented.

6.1. Good Practices

Regulatory framework

- ✓ The website of the Inspectorate (IRSOP) gives good and relevant information to public.
- ✓ On a yearly basis the ministry (MOP) and IRSOP make agreements on the work to be done. These agreements are shared with the Inspection Council (IC). This gives the possibility to the IC to coordinate and align the work of the national Inspectorates, when appropriate.
- ✓ Inspectors have the authority to work in the whole of Slovenia and are not bound to a certain region or task. This makes it easier to execute specialised work.
- ✓ IRSOP has a few lawyers in its organisation that are also assisting the inspectors in their daily work.

Setting priorities

- ✓ The procedures how to deal with complaints are efficient. Complaints are categorised in different priorities, based on the assessment of the potential impact to the environment.
- ✓ IRSOP makes good use of the Integrated Risk Assessment Method (IRAM) to prioritise the workload in the area of industrial installations.

Defining objectives and strategies

- ✓ The follow-up actions and procedures after a non-compliance is detected are clearly defined for the inspector. The actions are powerful and suited to enforce compliance.

Executing framework

- ✓ There is large number of guidelines, instructions and templates in place that have to be followed by the inspector and that ensures work is done correctly, transparently and protect the rights of the operators.
- ✓ There is a Code of ethics and an Integrity plan in place to ensure the staff of IRSOP works as can be expected from a civil servant.
- ✓ Every year a training needs assessment is conducted which leads to an annual education plan. The results of these trainings are evaluated on a yearly basis.
- ✓ The Intranet of IRSOP contains a lot of useful information and supports the inspector in his or her daily work.
- ✓ The information systems of IRSOP contain a lot of useful information.
- ✓ Inspectors have good access to external information of partner organisations. Especially the GIS systems provides a lot of information for the inspectors.

Execution and reporting

- ✓ Inspection reports on IED installations need to be published so the public knows what the outcome of inspection work is. IRSOP found a good balance of sharing essential information about inspections on their website without publishing the full original report on the website.
- ✓ One of the activities that are executed are the so called “Supervision actions”. With these actions different problems (for example from complaints) can be addressed in an efficient way. Especially the way the results are analysed and reported are seen as a good practice

6.2. Opportunities for Development

During the questioning and discussions the following opportunities of development have been identified. They are listed per step of the environmental inspection cycle.

The regulatory framework

- To improve the cooperation with ARSO by:
 - Establishing a coordination table
 - Develop common work procedures (e.g. annual report self-monitoring)
 - Creating possibilities to change permits initiated by IRSOP
 - Aligning environmental goals and priorities (also with MOP)
 - Developing a common IT system: including EPRTR, SEVESO installations, expected revisions of permits, (EID) installations, reports, permit procedures, permits and applications, industrial processes

Notes: A project will start after summer 2018 to improve the quality of permits. It's expected that this will also help the cooperation between the two institutions.

Industry also indicated that cooperation should be improved.

- Establish procedures that ensures a more common follow-up by the inspectors when they find a non-compliance. The establishment of an intervention matrix could help in this.
- Explore if an internal network or platform for inspectors could be of added value to exchange knowledge and experience between the inspectors.
- Initiate the change of legislation so municipalities can deal with minor complaints from public. The important work of an inspector is now often disturbed by complaints that have a low priority and should be dealt with by a municipality.
- Clearly demonstrate on the website the way in which accidents and incidents are dealt with and the role of the inspectorate after accidents. Explore also the possible involvement of the inspectorate during SEVESO accidents, in order to optimise learning from the events.
- IRSOP is responsible for a large amount of legislation. With the current capacity it is not possible to execute all the tasks. It is advised to first conduct an enforceability and practicality check on new legislation, to see if additional staff (inspectors) are needed to execute these tasks before new legislation is drafted and additional tasks are appointed to IRSOP.
- Initiate the development of a national register for environmental accidents and incidents. This register would provide intelligence to prevent future accidents and provide analysis to allow focused inspections.

Describing the context

- To define (national) goals together with the MOP and ARSO based on environmental data. These goals (on environmental outcome) could then be used to prioritise the workload of IRSOP
- To define key data on the preparation, execution and reporting of inspections to make sure resources are well allocated and to ensure the quality of inspections.

Setting priorities

- To explore if different types of inspections or less detailed inspection will save capacity so more resources will be available.
- To broaden the use of the Risk assessment with more activities (not only the one currently included). A risk assessment could also be used on a higher level to priorities between the large amount of tasks IRSOP is responsible for.
- Consider sending more than one inspector at a time to large sites to cover a wider range of specialisations and therefore prevent regulatory blindness. This would also help deliver a consistent approach among inspectors.
- Explore if it is possible to enlarge the number of planned inspections.
- Consider if storage of dangerous goods could be one of the impact criteria in the IRAM.

Defining objectives and strategies

- Explore if objectives could be more focussed to what IRSOP would like to achieve with its inspections (in terms of quality of the environment). The objectives (and inspection targets) should be derived from the national goals and priorities, and be defined more on outcome and not just output.
- Explore if strategies could be linked to the inspection targets that IRSOP would like to achieve.
- Inform the public on the results that IRSOP has reached in an attractive and understandable way.
- Explore if supervision actions could also be used for problems related to installations/facilities.
- Clarify in an easy way to the operators how the follow-up procedures (as a responds to a non-compliance) work so there is no misunderstanding.

Planning and review

- Explore how the 3 year plan can be of more added value to IRSOP. At this moment the annual work plan contains the same information as the 3 year plan. A multi-annual plan could be of interest if the objectives are also set for a longer period.

Execution framework

- Consider if it is possible to give inspectors specific tasks according to their career grade, for example different tasks for inspector level 3 and the inspector advisor.
- Most of the procedures and instructions refer to the administrative part of the work and less on the technical issues (e.g. how to do a good inspection). Develop guidance or training material how to perform a good inspection within the already existing training procedures that is in place. Focus on the technical skills that are needed.
- Share all the good procedures and instructions with the Inspection Council so they can disseminate this to other national Inspectorates when appropriate.

Information system (INSPIS and OIS)

- The two databases that are in place are not connected. Inspectors need to fill in both systems which is not efficient. Explore how these two systems can be linked together.
- The systems within IRSOP contain a lot of data. Consider to employ a data analyst in order to extract more useful information from the systems. This will help setting the right priorities, and the preparation and execution of inspection work.
- Explore the possibilities to connect the IT systems of IRSOP to the systems of ARSO. This will benefit both organisations and will make work more efficient and effective.
- Consider if inspection information could be added to GIS information of ARSO.

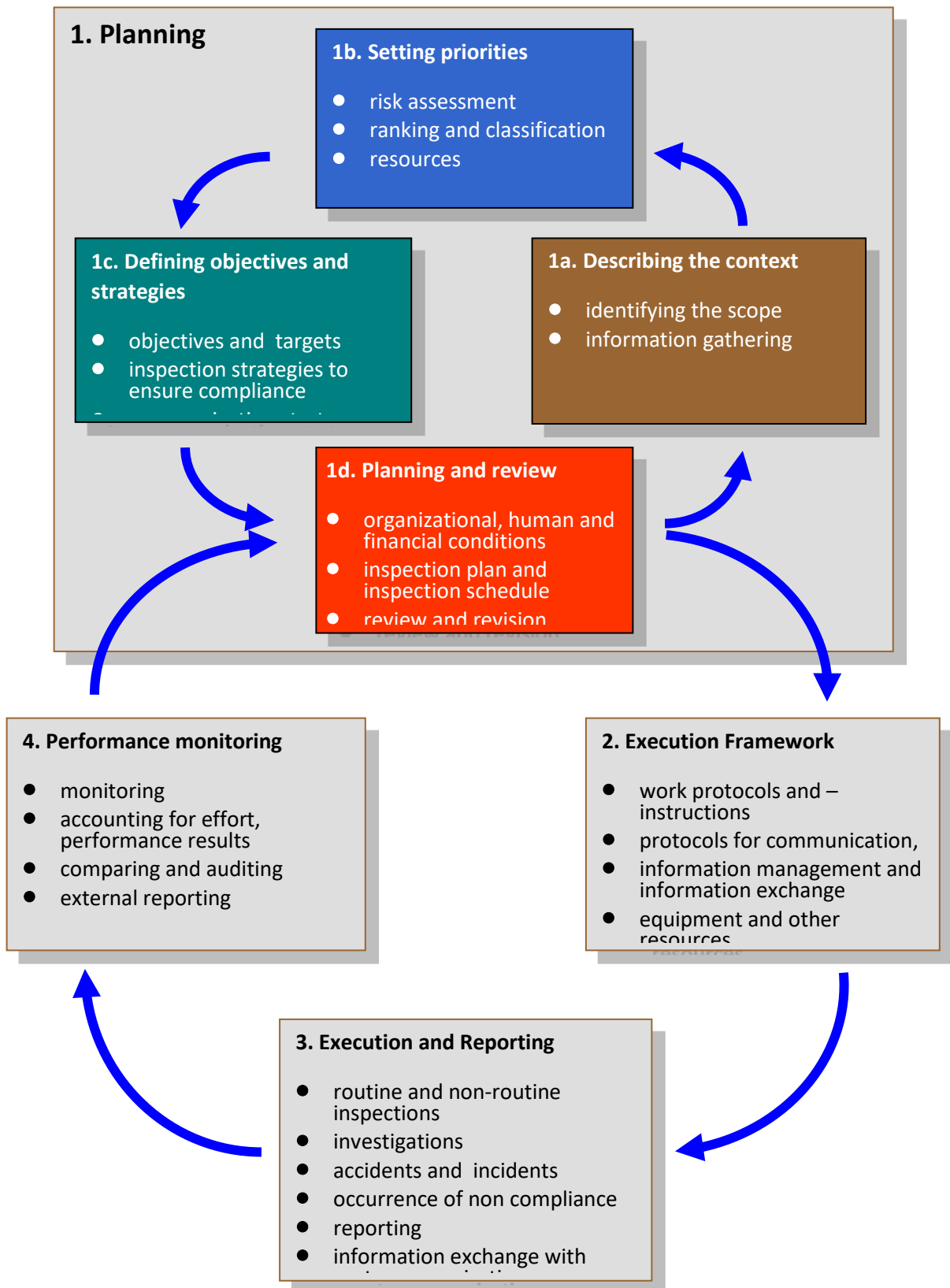
Execution and reporting

- Consider to change the guideline so that complaints about serious environmental issues will be in priority 1.
- Consider to use the outcome of IED inspections when preparing an SEVESO inspection. This could be relevant in case an installation falls under the IED and SEVESO.
- Explore how cooperation with other institutes with competences concerning SEVESO installations can be established and intensified on a regular basis

Performance monitoring

- Start monitor the performance of inspection work on outcome instead of output. For this it is necessary to set national environmental goals, objectives and smart targets on outcome.
- Define qualitative performance indicators to provide information on the quality of the work, in order to help IRSOP and its inspectors in making effective decisions and stimulate good outcome of the work.

Annex 1: Environmental Inspection Cycle



Annex 2: Terms of Reference for IMPEL project

TOR Reference No.:	Author(s): Tony Liebrechts, Bojan Počkar
Version: 1.0	Date: 17 January 2018
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title: IRI Slovenia – 2018

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry & Air	<input checked="" type="checkbox"/>
Waste and TFS	<input checked="" type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input checked="" type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input checked="" type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe):	
1.3 Full name of work (enough to fully describe what the work area is)	
IRI – Review of the Inspectorate of Republic of Slovenia for the Environment and Spatial Planning, Environment and Nature Protection Inspection Service.	
1.4 Abbreviated name of work or project	
IRI-IRSOP	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)	
<p>Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI)</p> <p>IED (2010/75/EC)</p> <p>Waste Framework Directive (2008/98/EC)</p> <p>Seveso Directive</p>	
2.2 Link to IMPEL MASP priority work areas	
<ol style="list-style-type: none"> 1. Assist members to implement new legislation 2. Build capacity in member organisations through the IMPEL Review Initiative 3. Work on ‘problem areas’ of implementation identified by IMPEL and the European Commission. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
2.3 Why is this work needed? (background, motivations, aims, etc.)	
<p>The IRI scheme is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. It was set up to implement the European Parliament and Council Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI), where it states:</p> <p>“Member States should assist each other administratively in operating this Recommendation. The establishment by Member States in cooperation with IMPEL of reporting and advice schemes relating to inspectorates and inspection procedures would help to promote best practice across the Community.”</p> <p>The potential benefits of the IRI include:</p> <ul style="list-style-type: none"> • providing advice to environmental authorities seeking an external review of their structure, operation or performance by experts from other IMPEL member countries • encouraging capacity building in environmental authorities in IMPEL member countries • encouraging the exchange of experience and collaboration between these authorities on common issues and problems • spreading good practice leading to improved quality of the work of inspectors and other officials working within environment authorities • environmental authorities and contributing to continuous improvement of quality and consistency of application of • environmental law across the EU (“the level playing-field”). <p>The European Parliament and Council Recommendation on Providing Minimum Criteria for Environmental Inspections in Member States (2001/331/EC)</p> <p>Recommendation 2001/331/EC – Scope and definition. Article 4: “In order to promote best practice across the Community, Member States may, in cooperation with IMPEL, consider the establishment of a scheme, under which Member States report and offer advice on inspectorates and inspection</p> <p>procedures in Member States, paying due regard to the different systems and contexts in which they operate, and report to the Member States concerned on their findings.”</p>	

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

To undertake an IRI of IRSOP:

The benefits of the project are:

- Slovenia will benefit from an expert review of its systems and procedures with particular focus on conformity with the RMCEI, IED Directive, Seveso Directive and Waste Directive.
- the participants in the review team will broaden and deepen their knowledge and understanding of environmental inspection procedures
- other Member States will benefit through the dissemination of the findings of the review through the IMPEL network.

2.5 Does this project link to any previous or current IMPEL projects? (state which project's and how they are related)

IRI's of all other MS

IRI of IRSOP in 2010

Recommendation 2001/331/EC – Scope and definition. Article 4: “In order to promote best practice across the Community, Member States may, in cooperation with IMPEL, consider the establishment of a scheme, under which Member States report and offer advice on inspectorates and inspection

procedures in Member States, paying due regard to the different systems and contexts in which they operate, and report to the Member States concerned on their findings.”

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

This particular IRI will include the following aspects:

- give an overview of the main national environmental policies applicable to the authority,
- legal and constitutional setting of the authority,
- structure and managerial organisation, including funding, staffing and lines of authority and responsibility for regulatory and policy functions,
- procedures for assessment of training needs and provisions for training and maintaining current awareness,
- qualifications, skills and experience of inspection staff,
- setting the priorities for IED and other installations: the evaluation aspects, the risk assessment and classifications of risk,
- procedures, criteria and guidance for the development and revision of inspection plans, programmes and inspection schedules,

- procedures for carrying out of routine and non-routine inspections, including follow-up and reporting,
- procedures related to penalties in cases of non-compliance with permits or illegal activities,
- performance monitoring: evaluation of the output and where feasible environmental outcome of inspection activities. The assessment of the quality of inspection performance and for improvement if appropriate,
- systems used to collect and store data on the Inspectorate’s activities and the use of these data.

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

In addition to the benefits listed in Section 1.6, tangible products will include:

- A written report of the review for Slovenia including the best practices and opportunities for development
- Relevant extracts from the review report, as agreed with Slovenia, for dissemination to IMPEL members and the European Commission, Training and Educational material on “lessons learnt” and on examples of good practice for incorporation into training schemes of IMPEL member country inspectorates.

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

- Preparatory meeting – 1,5 day meeting 16 -17 January 2018
- Project meeting – 4 days meeting in Ljubljana 2nd or 5th week in April 2018
- Delivering the report at the end of the project meeting

3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)

Mr. Bojan Počkar

4.2 Project team (who will take part: name, organisation and country)

IRI review team – to be decided.

Team leader Tony Liebrechts (NL)

Rapporteurs Henk Ruessink (NL) and Rob Kramers (NL)

4.3 Other IMPEL participants (name, organisation and country)

4.4. Other non-IMPEL participants (name, organisation and country)

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

DRAFT!	Year 1 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	€7.790,00			
How much money is to be co-financed				
Total budget	€7.790,00			

6. Detailed event costs of the work for year 1

	Travel € <small>(max €360 per return journey)</small>	Hotel € <small>(max €90 per night)</small>	Catering € <small>(max €25 per day)</small>	Total costs €
<u>Event 1</u>	2 x €360,00 =	2 x €90,00 x 2	2 x €25,00 x 3	€1.230,00
<i>Preparatory meeting</i>	€720,00	= €360,00	= €150,00	
<i>January 2018</i>				
<i>Ljubljana</i>				
<i>2</i>				
<i>3 days / 2 nights</i>				
<u>Event 2</u>	8 x €360,00 =	8 x €90,00 x 4	8 x €25,00 x 4	€6.560,00
<i>IRI Project</i>	€2.880,00	= €2.880,00	= €800,00	
<i>April 2018</i>				
<i>Pristina</i>				
<i>8</i>				
<i>5 days / 4 nights</i>				
<u>Total costs for all events</u>	€3.600,00	€3.240,00	€950,00	€7.790,00

7. Detailed other costs of the work for year 1

7.1 Are you using a consultant?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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7.2 What are the total costs for the consultant?	
7.3 Who is paying for the consultant?	
7.4. What will the consultant do?	
7.5 Are there any additional costs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7.6 What are the additional costs for?	Namely: Meeting room, dinner, travel within Kosovo, etc.
7.7 Who is paying for the additional costs?	Host
7.8. Are you seeking other funding sources?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:

8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when (all to be sent to the communications officer at the IMPEL secretariat)	TOR ✓ *	<input checked="" type="checkbox"/>	January 2018
	Interim report ✓ *	<input type="checkbox"/>	April 2018
	Project report ✓ *	<input checked="" type="checkbox"/>	
	Progress report(s) ✓	<input type="checkbox"/>	
	Press releases	<input type="checkbox"/>	
	News items for the website ✓ *	<input checked="" type="checkbox"/>	April 2018
	News items for the e-newsletter	<input type="checkbox"/>	
	Project abstract ✓ *	<input checked="" type="checkbox"/>	
	IMPEL at a Glance ✓	<input type="checkbox"/>	
	Other, (give details):	<input type="checkbox"/>	

8.2 Milestones / Scheduled meetings (for the website diary)	January pre-meeting April 2018 IRI
8.3 Images for the IMPEL image bank	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.4 Indicate which materials will be translated and into which languages	<ul style="list-style-type: none"> • Final Report in English • Project abstract (website) in English
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required	
8.6 Identify which groups/institutions will be targeted and how	-
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	-

✓) Templates are available and should be used. *) Obligatory

9. Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?