

**Questionnaire for the report by Member States on the implementation of Directive
2006/21/EC, 2017**

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

Institution/Organisation you are representing:	Administration de l'environnement 1, avenue du Rock'n'Roll L-4361 Esch-sur-Alzette
Country your Organisation is representing:	Luxembourg
Your Name (Family Name, Surname): <u>Example:</u> Einstein, Albert	Mousel Marianne
Your email address:	marianne.mousel@aev.etat.lu
Your Phone Number: (+International Dialling Code - Local Number) <u>Example:</u> +352 9876 12345	Tél. (+352) 40 56 56-600

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

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

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

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

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

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

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

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

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

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

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

- identify major-accident hazards:

¹ OJ L 10 of 14.1.1997 p. 13

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

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

(3) Permit and Financial Guarantee

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

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

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

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

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

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

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

(4) Public Participation, Transboundary effects

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

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

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

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

(5) Construction and management of waste facilities

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

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

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

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

(6) Closure and after closure procedures, inventory

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

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

(7) Inspections

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

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

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

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

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

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

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

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

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

(1) Administrative arrangements and general information

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

Administration de l'environnement
1, avenue du Rock'n Roll
L-4361 Esch-sur-Alzette

Marianne MOUSEL
marianne.mousel@aev.etat.lu

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

0 (tableau no rempli).

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

0.

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

- (a) Please describe in brief:

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

Sans objet.

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

Sans objet.

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

Sans objet.

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

Sans objet.

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

Une telle liste n'a pas été établie, en raison du fait que les seuls établissements d'extraction de ressources minérales en exploitation au Grand-Duché de Luxembourg sont respectivement des carrières à ciel ouvert ou des gravières/sablières à ciel ouvert procédant à l'extraction de minéraux de construction (calcaire, marne, grés, gravier, sable).

(3) Permit and Financial Guarantee

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

Sans objet.

(4) Closure and after closure procedures, inventory

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

Sans objet.

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

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

Sans objet.

(5) Inspections

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

Sans objet.

- Category "A" and the other installations:

Sans objet.

- Inert waste installations:

Sans objet.

- Non inert, non hazardous installations:

Sans objet.

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

Sans objet.

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

Sans objet.

(6) Other relevant Information

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

Sans objet.

How were these possible problems overcome?

Sans objet.

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

Sans objet.

ANNEX

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

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

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

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

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

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

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

¹⁰ Installations treating exclusively inert waste as defined in the Directive