

付 属 資 料

1. 主要面談者リスト

2. 協議議事録

3. GD337/1999

1. 主要面談者リスト

在ルーマニア日本大使館

- ・ 杉内 直敏 特命全権大使
- ・ 好井 正信 一等書記官
- ・ 飛林 良平 三等書記官
- ・

Ministry of Environment and Water Management

- ・ Ms. Speranta Maria Ianculescu (Minister of Environment and Water Management Ministry)
- ・ Mr. Ioan Jeleu (Secretary of State, Environment Protection)
- ・ Ms. Liliana Bara (Secretary of State, EU Integration)
- ・ Mr. Cornel Florea Gabrian (Director, Directorate of Integrated Monitoring, Permits, Compliance Control)
- ・ Ms. Elena Dumitru (Director, Directorate of Management of Waste and Hazardous Chemicals)
- ・ Ms. Mariana Ghineraru (Directorate of Management of Waste and Hazardous Chemicals)
- ・ Mr. Gheorghe Constantin (Director, Directorate of Strategies, Regulations and Authorization)
- ・ Mr. Costel Hanta (Director, Directorate of International Programmes and Project)
- ・ Ms. Liliana Chirila (Head of Phare Unit, Directorate for Coordination of the European Funds Implementation)

National Research and Development Institute for Environment Protection-ICIM Bucharest

- ・ Mr. Ianculescu (General Director)
- ・ Mr. Aurel Varduca (Scientific Director)
- ・ Ms. Luminita Stefanescu (Head of Waste Department)
- ・ Mr. Liviu N. Popescu (Diplomat Engineer - Main Research, Section for Integrated Monitoring of Environmental Factors and Water Quality Management)
- ・ Ms. Elena Mehedintu (Senior Researcher, Section for Integrated Monitoring of Environmental Factors and Water Quality Management)
- ・ Ms. Silvia Chitimiea (Senior Researcher, Section for Integrated Monitoring of Environmental Factors and Water Quality Management)
- ・ Ms. Rusza Gyongyi (Director, Laboratory for Air Quality and Environmental Radioactivity)

European Union (Delegation of the European Commission in Romania)

- ・ Mr. Cesar Niculescu (Environment Task Manager)
- ・ Ms. Adrianna Micu (Environment Task Manager)

REPA-Bucharest

- ・ Mrs. Corina Rugina (Deputy Executive Director)
- ・ Mrs. Marinera (Head of Laboratory)

REPA-Pitesti

- ・ Mrs. Anca Albu (General Director)
- ・ Mr. Marius Dumitru (Deputy Executive Director)

- Mrs. Popescu Micoleta (Waste Management Department)
- Mrs. Nichifor Silvia (Head of Laboratory)

Direct-Auto company

- Mr. Bogdan (President)
- Mr. Dumitrescu (Trading Manager)
- Mr. Valeriu Pop (Consultant)

Romania Waters National Administration (Apele Romane)

- Mr. Victor Popescu (Director, Water Management Division)
- Mr. Iiescu Serban (Biologist, Laboratory Quality Control)
- Ms. Mihaela Babau (Expert, Monitoring Office)
- Mr. Lucian Constantinescu (Expert, Monitoring Office)
- Mr. Cusa (Expert, Monitoring Office)

Buzau-Ialomita Water Directorate (Buzau City)

- Mrs. Ligia Mariana (Director, Buzau-Ialomita Water Directorate)

Olt Water Directorate (Rimnicu Vilcea City)

- Mr. Garo Smarand (Director, Olt Water Directorate Water Directorate)
- Mr. Nistor Emih (Director, Water Resource Administration)
- Mrs. Mihaela Pana (Head of Water Quality Control Laboratory)

Bucharest Laboratory of Arges - Vedea Water Directorate

- Mrs. Monica Miagu (Head of Water Quality Control Laboratory, Arges - Vedea Water Directorate)

Environment Funds

- Mr. Mihai Florin Solea
- Mrs. Anca Babes

EU/Phare - Twinning for further Assist Romania in the Transposition and Implementation of Legislation on Waste Management – Romania-German Project (August 2002-August 2004)

- Ms. Anja Schwetje (Pre-Accession Advisor)

EU 小規模廃棄物プロジェクト形成のためのコンサルタント

- Mr. Rolf Hunink (Public Administration and Project Management Advisor, Transparency Advisory Services)

UNDP

- Ms. Roxana Suci (Program Associate, Environment and Energy Section)

The Regional Environment Center (REC)

- Ms. Oana Penu (Project Assistant)
- Mr. Lulian Atanasiu (Project Assistant)

2. 協議議事録

4/6 10:00-11:30 Ministry of Environment and Waters Management

Mr. Florea Gabrian (Director), Ms. Elena Dumitru (Director), Ms. Mariana Ghineraru

- Mr. Florea Gabrian からの環境・水管理省について概要説明の後、以下のコメントがなされた。
 - ・ 平成 16 年度の要請案件票の内容については、その内容を十分に把握していないが、必ずしも現状に適したものとはいえない。平成 14 年度の要望は実施に至っておらず、協力規模を縮小した要請とすることで実施可能性が高まると考え、平成 16 年度要請がなされた経緯がある。平成 14 年度の要請時の内容も合わせ新体制に合致した協力内容となるようにしたい。
 - ・ 国立環境レファレンス・ラボラトリーは必要であるが、設立予定の NEPA の中に国立環境レファレンス・ラボラトリーを組み込むかどうかは協議中である。環境・水管理省の外部機関がデータの検証を行うことで市民から信頼の得られる結果を提供することが可能になる。
 - ・ National Environmental Protection Agency (以下 NEPA) の役割は法整備及び環境監視体制のモニタリングになる。また Regional Environmental Protection Agency (以下 REPA) のコーディネーションも行う。
 - ・ ICIM は環境・水管理省がコーディネートしており、その役割は信頼に足るデータを提供するナショナルレベルの機関である。また水分野に関しては、ドナウ川の汚染状況のモニタリングを行い EU に報告する義務を持つ。
 - ・ 水質のモニタリングに関しては、EPA 以外にもが水利公社がルーマニア全土を 11 地域に分け管轄している。
 - ・ ICIM の収入の 30% が環境省からの委託研究費及び環境問題が発生した場合などの緊急時の調査費。他は契約ベースの事業収入。
- ギネラル廃棄物カウンセラーからのコメントは以下のとおり。
 - ・ 坂口団員が調査団長を務めた「全国有害廃棄物管理計画調査」の報告書は有害廃棄物戦略と計画、廃棄物管理ナショナルプランの作成の際、非常に参考になり十分に反映した。2、3ヶ月後に承認を得られる予定である。
 - ・ 汚染地域及び焼却施設からのダイオキシン、PCB などのモニタリングも国立環境レファレンス・ラボラトリーが果たす役割の一部になるのではないかと。

4/6 12:00-14:00 National Research and Development Institute for Environment Protection-ICIM Bucharest (ICIM)

Mr. Ianculescu (General Director of ICIM)、Mr. Aurel Varduca (Scientific Director)

○ Mr. Aurel Varduca からのコメント概要は以下のとおり。

- ・ ICIM の役割は 1999 年の政令で規定されており、当時 360 人であった職員数は現在 250 人

である。EU Phare による支援以外にもオランダの二国間援助による GC-MS の供与などがある。ICIM としては国立環境レファレンス・ラボラトリーとしての役割を担いたいと考えておりそれに向けた協力は歓迎する。

- Ms. Luminita Stefanescu からのコメント概要は以下のとおり
- ・ 業務委託契約金は教育研究省のほうが環境・水管理省より大きい。JICA より供与された原子吸光光度計も問題なく活用している。一部の分析機器は契約ベースの業務のためには更新が必要となっている。

4/7 10:30-12:20 ICIM 打ち合わせ

Mr. Iancurescu (General Director of ICIM)、Mr. Aurel Varduca (Scientific Director)

- Mr. Iancurescu からのコメントは以下のとおり。
- ・ ICIM の予算状況は現在厳しく、改善が困難な状況である。
- ・ ナショナルレファレンスセンターと NEPA はオーバーラッピングしない役割分担が必要とされる。
- ・ ICIM がナショナルレファレンスセンターとなるかどうかは今後関係者の話し合いの中で決まっていくことである。
- ・ ナショナルレファレンスセンターとして ICIM が位置づけられることは、これまでの活動実績から見て十分に考えられる。

4/7 13:00-14:00 Ministry of Environment and Water Management

Mr. Loan Jelev (Secretary of State)

- Mr. Loan Jelev からのコメントは以下のとおり。
- ・ 14 年度及び 16 年度に要請した時点から REPA、NEPA の設立計画などルーマニアの環境行政を取り巻く状況は大きく変わっており、要請内容については現状に合わせた修正が必要である。
- ・ 国立環境レファレンス・ラボラトリーは国レベルの機関である必要がある。ICIM にナショナル国立環境レファレンス・ラボラトリーを設置することも考えられる。
- ・ ナショナル国立環境レファレンス・ラボラトリーは優先課題であることに変わりはないが、どこに設置するかについて検討中である。NEPA にナショナルリファラボラトリーが設置されれば環境省から予算配分を受けることになるが、ICIM に設置されれば契約ベースの自己採算で活動を行うことになる。設置場所が ICIM かどうかは別にしても JICA のナショナル国立環境レファレンス・ラボラトリーに対する支援の実現を希望する。
- ・ 個人的意見としては、これまで環境省は ICIM に対して研究機関として投資を行ってきており、機材及び研究者も十分であるので ICIM を国立環境レファレンス・ラボラトリーとすることも可能性の一つと考える。いずれにしても大臣が最終的な決断を下すことになる。

○ Mr. Loan Jelev との質疑応答は以下のとおり。

Mr. Loan Jelev : 日本の国立環境研究所は自己採算で運営する機関と聞くと、ICIM も同様に契約ベースの収入が大部分である。そのような機関に対して日本が支援を行うことは可能か。

田中団長 : 国立環境研究所が独立行政法人化したのは最近である。ODA の方針はあくまで公的機関に対しての協力をを行うものであり、EU と協調した協力を JICA は行うことになる。国立環境研究所が現在の独立行政法人化するまでの経緯は追ってお知らせする。

内田団員 : 今後協力の基本計画を考えていくにしても NEPA をはじめ新しい体制の中での各機関の役割の明確化が必要である。

Mr. Loan Jelev : 数週間後にナショナル国立環境レファレンス・ラボラトリーの計画については明らかになる。

4/7 16:00-18:00 Delegation of the European Commission in Romania

Mr. Cesar Niculescu (Task manager)

○Mr. Cesar Niculescu からのコメントは以下のとおり。

- ・ ルーマニアにとって環境分野はEU加盟に向けた最重要7分野のうちの一つであり、課題が多い。
- ・ ルーマニアに対するEUによる支援年間760百万ユーロのうち環境分野には150百万ユーロが提供されその大部分である120百万ユーロがISPAプログラム(上下水道、固形廃棄物がメイン)によるものである。加盟後は環境分野に対して毎年400百万ユーロ規模の協力が予定されているが、フィージビリティ調査の不足などが想定され効果的な協力の実施が困難になるのではと危惧される。
- ・ 環境省・水管理省は法律や戦略などを策定し、NEPAはその実施について責任をもつ。
- ・ 8地域のREPAと環境省に対してEUによる合計9つのTwinning Projectが予定されている。今年の6月～7月にTwinning Projectの審査が行われ、実際の実施は来年からになる予定。
- ・ 環境・水管理大臣はNEPAの設立を約束しており、設立段階で50人、二年後に360人体制となる予定である。
- ・ 2002年のPhareプロジェクトで大気分析ラボラトリーの整備。ブカレストには8つのモニタリングステーションがあり、クルージュ、クライオバ、イヤシの三つの都市にそれぞれ3～4の観測ステーションを設置予定。この計画を今年中に終わらせる予定である。
- ・ REPAに関する調査は本年4月に終わるが、その後5月中旬までにNEPAの調査を開始する。
- ・ EUの環境に関する法律の85%がこれまでにルーマニアの法律に取り込まれた。拡大EUに加盟するには31のチャプターをクリアする必要がある、チャプター22が環境に関するものである。それをクリアするには230億ユーロが必要。
- ・ 法律が制定されてから5年から15年の執行猶予期間がある。
- ・ 現在のEU Phare及びISPAはEU加盟後それぞれStructural FundとCohesion Fundとなる。

- ICIM をナショナルレファレンスラボラトリーとする構想は EU としても元々は持っており、その調査レポートも出ている。1998 年から ICIM に対して ISO17025 のラボ認証とらせるべく支援をしてきたが、未だ取得されていない。
- ナショナル国立環境レファレンス・ラボラトリーは公的な機関である必要があり、ICIM の一部の機能をナショナル国立環境レファレンス・ラボラトリー設置の際に組み込むことが考えられないわけではない。
- ICIM の収入内訳の 10% が環境省からの収入であるのに比べ、契約ベースの収入割合は 90% と非常に高く公的機関とは言いがたい。
- NEPA, REPA, LEPA の設立計画は地方分権型の組織強化を目的としている。

○Mr. Cesar Niculescu との質疑応答は以下のとおり。

内田団員： ICIM をナショナル国立環境レファレンス・ラボラトリーと位置づけることは何が問題なのか。

Mr. Niculescu： ナショナル国立環境レファレンス・ラボラトリーとして契約ベースによる収入が大部分である ICIM はふさわしくない。ICIM は商業的な活動が主であり、その中には公的機関である REPA や LEPA から集まるデータが一部用いられることがある。公的機関で得られたデータはあくまでも公共の目的にのみ使われるべきであり ICIM のこのような体質は問題である。国立環境レファレンス・ラボラトリーが ICIM とは別に設置されれば、ICIM に REPA や LEPA からのデータが集まることはなくなる。

坂口団員： EU の方針に合致するナショナル国立環境レファレンス・ラボラトリーの計画をルーマニア側が立てたならば EU としてその計画を支援するつもりはあるのか。

Mr. Niculescu： ある。

松江団員： EU Phare により供与された機材のオペレーションコストは問題ないのか。

Mr. Niculescu： 供与後二年間分のオペレーションコストについては保障されているが、その後は何らかの対策が必要となる。

4/8 11:00-12:30 Regional EPA-Bucharest (Region 8 EPA)

Mrs. Corina Rugina (Deputy Executive Director)

○コリーナ副署長から、環境・水管理省、REPA ブカレストの組織図についての説明及び REPA、LEPA の役割の説明（坂口団員報告参照）がなされる。

- 各 8REPA の現段階職員数は 11 名であり、2006 年までに 8REPA 合計 190 人となる予定である。
- NEPA 設立後は現在 ICIM に集められている REPA、LEPA からのモニタリングデータは、NEPA 及び環境・水管理省で直接集められ管理されることになる。その場合 ICIM は Research Institute としての研究機能のみを有することになる。
- 水質モニタリングの中でも主要な役割は水利公社が果たすことになっている。REPA の役割分担は Surface Water についてのモニタリングである。REPA ブカレストでは 7 箇所河川サンプリ

ングポイント、2～3箇所の湖のサンプリングポイントを設置している。その他、事故が発生した際の調査分析活動も行う。

- ・ モニタリングレポートは各月、四半期、各年の三種類作成される。
- ・ 騒音、土壌については、住民からの苦情を受けて対応を行う。騒音に関しては2005年からEU指令の実施が予定されている。
- ・ REPA, LEPA は企業に対して環境許可付与を出す権限があるが、NEPA にはその役割はない。環境許可は水質だけではなくあらゆる環境指標に対する企業の環境管理に対して付与されるものである。
- ・ 水源は水利公社が、飲料水に関しては保健省傘下 Public Health Institute がモニタリングを行う。

4/8 11:00-12:30 Regional EPA-Pitesi (Region 3 EPA)

Mrs. Anca Albu (General Director), Mr. Marius Dumitru (Deputy Executive Director), Mrs. Popescu Micoleta (Waste Management Department), Mrs. Nichifor Silvia (Head of Laboratory)

○Mrs. Anca Albu からのコメントは以下のとおり。

- ・ REPA アルジェは現在 EU Phare の支援の下にルーマニアで最初の Regional 環境アクションプランを策定している。市民からの意見の収集が終わり次第、県知事などから構成される Regional Council の承認を得る予定。
- ・ この Region には7つの County があり、そのうち3つは産業の盛んな County、残りの4つは農業の盛んな County である。主産業としては石油精製、自動車工業などが挙げられる。
- ・ アルジェ全体では84箇所の Protected area があり、そのうちの2箇所は国立公園である。
- ・ Regional EPA としては次の7つの役割がある。
 - (1) 国家環境政策の実施
 - (2) REGIONAL レベルにおける環境計画立案
 - (3) 地域開発計画との整合性確保
 - (4) IPPC 指令のもとにおける環境許可付与業務
 - (5) ラボラトリー活動の調整
 - (6) 自らのラボ活動の実施
 - (7) ラボ分析方法 (大気、土壌、廃棄物浸出液、工場廃水) に関する統一した技術指導を ICIM により受けている
- ・ ルーマニア全土において11の都市域で大気質モニタリングを行っている。その中のピテシティ、プロエスティでは今後各5台の自動大気観測機が世界銀行の支援により設置される予定である。
- ・ LEPA の現状は原子吸光光度計、ガスクロマトグラフィーといった資金の必要な分析機器が通常設置されておらず、基礎的な分析のみが行われている。
- ・ EPA と水利公社では水質モニタリングの対象・場所・項目・頻度などがそれぞれ異なっている。

- JICA 開発調査「全国有害廃棄物管理計画調査」を通じて供与された機材が有効活用されていることも確認した。

4/8 16:45-18:00 Direct-Auto company

Mr. Bogdan (President), Mr. Dumitrescu (Training manager), Mr. Valeriu Pop (Consultant)

○JICA 開発調査「全国有害廃棄物管理計画調査」パイロットプロジェクト2のサイトを見学し、自動車部品などのメッキ工程における排水削減及び従業員の労働環境の大幅な改善などの成果及びプロジェクト終了後の持続性についても確認できた。

4/9 9:30-10:30 Ministry of Environment and Water Management

Ms. Speranta Maria Iancurescu (Mister of Environment and Water Management Ministry)

- Minister Ms. Iancurescu からのコメントは以下のとおり。
 - ・ ナショナル国立環境レファレンス・ラボラトリーの設置については現在検討中である。政府としてその設置が決定された後、必要であれば要請内容の変更を含めて新しい提案書を作成し提出したい。政府として設置が決定次第、ジェレフ次官を通して JICA ルーマニア事務所に速やかに報告する。

GD337/1999

Decision regarding the establishment of National Research-Development Institute for Environmental Protection - ICIM Bucharest

Romanian Government

Decision no. 337

From April 29, 1999

Regarding the establishment of National Research-Development Institute for Environmental Protection - ICIM Bucharest

Based on articles 19 and 25 from Governmental Ordinance no. 25/1995 regarding settlements of organization and funding the research-development activity, approved and modified through Law no. 51/1996, with subsequent modifications,

Romanian Government decides:

Art. 1. - (1) It is established National Research-Development Institute for Environmental Protection - ICIM Bucharest, Romanian legal person, having registered office in Bucharest, Splaiul Independentei nr. 294, sectorul 6, being in co-ordination of Ministry of Waters, Forest and Environmental Protection, through re-organization of Research and Engineering Institute for Environment (ICIM) which will be abolished.

(2) National Research-Development Institute for Environmental Protection - ICIM Bucharest runs according to the provisions set up in art. 17-21 from Governmental Ordinance no. 25/1999 regarding settlements of organization and funding the research-development activity, approved and modified through Law no. 51/1996, with subsequent modifications, and according to the Regulations for organization and function, from Annex no. 2.

Art. 2. - National Research-Development Institute for Environmental Protection - ICIM Bucharest has as main object of activity, fundamental and applied research, technological development, participation to studies elaboration, synthesis and forecasts for national programs and national environmental protection strategies, public utility activities, technological design in the field of environmental protection and water works, technical and economic norms of public and national interest regarding environmental protection field, scientific co-ordination of national network for environment monitoring, technical guidance and training the staff of local environmental protection agencies, professional perfecting in the field of environmental protection.

Art. 3. - Organizational structure of National Research-Development Institute for Environmental Protection - ICIM Bucharest is presented in Annex no. 1.

Art. 4. - (1) The value of the assets for National Research-Development Institute for Environmental Protection - ICIM Bucharest, established on basis of patrimony situation in June 30, 1998, is 9,142,477,000 ROL, out of which patrimony registered as social

capital of ICIM Bucharest is 1,126,288,161 ROL, and this is took over with a protocol for taking over from ICIM Bucharest.

(2) The value of the patrimony will be set up after finishing its re-estimate activity, according to the provisions of G.D. nr. 983/1998 regarding re-estimates of buildings, special constructions and land, and to the provisions of the other legislative acts in the field, according to the law.

Art. 5. – National Research-Development Institute for Environmental Protection - ICIM Bucharest is running its activity according to the legislation in force and according to the Regulations for organization and working presented in Annex no. 2.

Art. 6. - National Research-Development Institute for Environmental Protection - ICIM Bucharest will take over all the rights and duties of Research and Engineering Institute for Environment (ICIM), according to legal or contractual provisions, being substitute for ICIM in all-running litigations.

Art. 7. - (1) The staff of National Research-Development Institute for Environmental Protection - ICIM Bucharest is taken over from Research and Engineering Institute for Environment (ICIM) and the level of salaries will be the same until the negotiation of the new collective working contract.

(2) The new collective working contract will be registered to directorate for labor and social protection within 60 days from entering into force of this decision.

Art. 8. – The buildings, appendixes and the respective land, located in Bucharest, Splaiul Independentei no. 294, sector 6, in which Research and Engineering Institute for Environment (ICIM) was running, ICIM experimental station, located in Glina, village Bobesti, Sos. Libertatii no. 154, Ilfov County, as well as those in which is running the Laboratory for environmental devices, located in Sibiu City, Str. Autogarii no. 14, Sibiu County, will be managed by National Research-Development Institute for Environmental Protection - ICIM Bucharest.

Art. 9. – Ministry of Waters, Forests and Environmental Protection, as a co-ordination minister, will foresee in its own budget the necessary funds for investments, procurements, services performing, apparatus, equipments and installations.

Art. 10. – The Annexes no.1 and 2 are parts of the present decision.

Art. 11. – The position no.1, point II letter C "Research and design entities being in co-ordination of Ministry of Waters, Forests and Environmental Protection" from Annex no. 2 to G.D. no. 104/1999 regarding organization and function of Ministry of Waters, Forests and Environmental Protection, published in Official Journal of Romania, 1st Part, no. 85 from March 1, 1999, will be modified and will be like following:

"1. National Research-Development Institute for Environmental Protection - ICIM Bucharest "

PRIME-MINISTER
RADU VASILE

Countersigned:
Minister of waters,
forests and environmental protection,
Romica Tomescu
The President of National Agency
for science, technology and innovation,
Lanyi Szabolcs
for Minister of labor and social protection,
Norica Nicolai,

secretary of state
Minister of finance,
Decebal Traian Remes

Bucharest, April 29, 1999.
No. 337.

ANNEX No. 2

REGULATIONS
for organization and function of
National Research-Development Institute
for Environmental Protection - ICIM Bucharest

CHAPTER I
General provisions

Art. 1. - National Research-Development Institute for Environmental Protection - ICIM Bucharest, herein named institute, it is a legal person being in co-ordination of the Ministry of Waters, Forests and Environmental Protection, which is functioning according to G.O. no. 25/1995 regarding settlements of organization and funding the research-development activity, approved and modified through Law no. 51/1996, with subsequent modifications, and running its activity according to legal provisions in force and to the present regulation.

Art. 2. - (1) Organizational chart is presented in Annex no. 1 to the decision.
(2) The institute can establish within its organizational structure other compartments, not being legal persons, needed for accomplishment of its activity objective. The method of establishing and their relationships within institute and with third parties are regulated by present Regulations for organization and function.

CHAPTER II
Goal and object of activity

Art. 3. – The Institute it is established with the purpose to run scientific research and technological development activities in the field of environmental protection, by participating to development strategy of the field and to achieve the scientific and technological goals of National Research-Development and Innovation Plan, as well as to those of National Research and Technological Development Programme “Orizont 2000”.

Art. 4. – The institute object of activity includes:

A. Research-development activities:

a) In the framework of National Research-Development and Innovation Plan, as well as of National Research and Technological Development Programme “Orizont 2000” the institute will do fundamental and applied research, of public and national importance, regarding:

- raising level of knowledge in environment field;

- carrying out of experimental models, stalls and pilot-stations, as well as of technologies and installations for further applied research in different fields of activity, related to environment;
- studies and applied research elaboration taking into consideration the technology updating and modernizing of economic enterprises in order to assure the quality of environmental factors;
- strategies elaboration, diagnosis and forecasts studies, management plans for environmental protection;
- standards and norms designing.

b) Besides National Research-Development and Innovation Plan and National Research and Technological Development Programme “Orizont 2000”, the institute will do:

- applied research and technological development in order to solve complex problems in the field of environmental protection and water management;
- environmental impact assessment, environmental audits and risk assessments.

Research-development activity is divided in research programs and sub-programs, themes being structured on the following main directions:

1. the state and evolution of the environment quality:

1.1. continuous monitoring of environment quality (water, air, radioactivity, etc.);

1.2. human activities impact assessment on the environment media quality:

- atmospheric pollution (greenhouse effect, ozone depleting, atmospheric acidification, etc.);

- water resources pollution;

- persistent pollutants accumulation in ecosystems;

- noise and vibrations;

- others;

2. mathematical modeling and semblance of physic phenomenon for transport, transfer and transformation of substances in environment in order to assess and forecast the quality of environment media;

3. physical modeling of natural and human related processes;

4. the elaboration, improvement and adoption of techniques, methods and standards for determination of pollutants and noxious substances that can affect the quality of environmental media;

5. integrated monitoring of environmental media:

5.1. the elaboration and updating of the Catalogue with the quality indicators of environment media;

5.2. setting up the monitoring networks and related technical parameters, in order to obtain relevant information regarding quality indicators of environment media;

6. designing technology for environment media pollution control;

7. carrying out methodologies; equipments, installations, instruments and devices for environmental media investigation;

8. environmental risk assessment, forecast, prevention and its effects reduction:

8.1. removing environmental effects in case of industrial accidents, natural disasters etc.;

8.2. data flow optimization for lightening decision making, in the case of special events;

8.3. accidental pollution prevention;

9. the safety evaluation of hydro-technical works, including special ones (slag and ash landfills etc.);

10. analysis methods for environmental impact of products life cycle;

11. methods, technology and technique for remediation, rehabilitation and ecological reconstruction;

12. methods and technology for recycle, re-use and disposal of waste;

13. socio-economic options for sustainable development:

- sustainable environmental management;
- scientific substantiate of legislative acts and norms in the field of environmental protection;

- environmental economy.

B. Activities in connection with research-development activity achieved by the institute:

- technical assistance and consulting;
- scientific and technology services providing in the field of environmental protection;
- public utility activities;
- expert appraisal and counter valuation;
- technology design and special product design of interest for the institute profile;
- product, technology, equipment and installation testing related to homologation;
- technology design in the field of monitoring networks for air and water quality, radioactivity, water treatment plants, water supply plants, waste water treatment plants, waste treatment plants, hydro-technical works, as well as technology design in the field of hydro-town;
- co-operation with economic enterprises in order to achieve self-monitoring polluting sources (emission, ambient air concentrations).

C. Operative activity in the field:

1. gathering and processing data from the integrated environmental monitoring system and transmission to the central environmental protection authority of necessary information for the elaboration of annual synthesis and Romanian State of Environment Report;

2. creation, maintenance, improvement and management of database regarding the state of environment media, waste management and chemical safety;

3. participation, by central environmental protection authority request, to:

- the process of legislative harmonization of national legislation in the field of environmental protection and water management with EU legislation;
- international conventions provisions implementation in the field of environmental protection and water management;
- international projects and programs in the field of environmental protection and water management;
- the accreditation process within local environmental protection agencies and water management authorities;
- inter-calibration and data validate activities;
- elaboration and updating of National Strategy for Environmental Protection and of National Environmental Protection Action Plan;
- control of National Environmental Protection Action Plan implementation;
- technical specifications and criteria elaboration for procurement of apparatus, equipments and installations specific to environmental monitoring activities by environmental protection authorities;
- auction and technical taking delivery commissions activity organized for procurement of apparatus, equipments and installations for environmental monitoring activities;
- activity in homologation commissions for technologies, equipments and apparatus in the interest field of Ministry of Waters, Forests and Environmental Protection;

- pollutant sources and emission inventory;
- 4.** scientific and technical assistance providing to request of central environmental protection authority;
- 5.** analysis, evaluations and expert appraisals regarding environment radioactivity, nuclear safety, radioprotection and quality assurance in nuclear range;
- 6.** analysis, evaluations and expert appraisals regarding environmental protection investments;
- 7.** elaboration of development programs for qualitative and quantitative assurance of water resources, defense against destructive water action, as well as water potential capitalization related to sustainable development and according to environmental strategy and policies;
- 8.** participation to international environmental protection and water management programs;
- 9.** co-operation with central environmental protection authority for organizing international and national seminars;
- D.** Continuous training and professional specialization in the field of environmental protection:
 - 1.** elaborates and proposes to central environmental protection authority approval methodologies for improving environmental protection agencies capacity for:
 - organization, carrying out and improvement of integrated environmental monitoring;
 - necessary procedures implementation in order for the laboratories to be accredited and data quality system implementation;
 - 2.** assures the necessary experts for training, methodological and technical program achievement, organized by central authority for the staff of local environmental protection agencies.
- E.** Editing and printing of specialized publications activity:
 - magazine "Mediul înconjurător";
 - studies, reports, synthesis and other publications in the field of environmental protection;
 - periodical print-out of informer bulletins regarding international and national technical evolution in the field of environmental protection.
- F.** Technology transfer activity of the results of research in the field of environmental protection and water management, according to legal provisions.
- G.** Capitalization of the environmental protection and water management research outputs, according to legal provisions.
- H.** Production activities in order to sustain research and development in the field, realized by unique and small series of products, micro-production (for capitalization of applied research), as well as by exhibitions in the range.
- I.** (1) Interior trade activities import-export activities, according to legal provisions, in order to fulfill its object of activity.
(2) The activities mentioned in item (1) could be done within international contracts.
- J.** The institute it is the national reference laboratory in the field of water, air, radioactivity, noise, vibrations and waste.

CHAPTER III

Patrimony

Art. 5. - (1) The institute owns a patrimony of de 9,142,477,000 ROL, according to

patrimony evaluation on June 30, 1998.

(2) The value of the patrimony will be set up after finishing re-estimate activities, according to the provisions of G.D. nr. 983/1998 and other legislative acts in force.

Art. 6. - (1) The institute is administering, like a good proprietary, goods of public proprietary as well as other goods obtained legally. Public proprietary goods as well as those obtained by public funds are administered by the institute and are separately recorded in its patrimony.

(2) The research results that resulted in tangible and intangible assets, achieved by public funding or any other funding, are obtained goods, if there is no other provision in contract, and are registered in the institute book-keeping.

(3) In exercising its rights, the institute owns and uses the goods from its patrimony, according to legal provisions and, in any circumstance, decides on these, in order for its object of activity to be achieved, being the beneficiary of goods using results>

(4) Granting or renting of some sub-units, services or activities can be done only with the purpose of stimulating the transfer of the results from the research-development activity, according to legal provisions and being approved by the Ministry of Waters, Forests and Environmental Protection and by National Agency for Science, Technology and Innovation.

(5) The patrimony of the institute can be modified according to legal provisions in force.

CHAPTER IV

Organizational and operating structure

Art. 7. - (1) The institute can have in its structure sub-units, sections, laboratories, as well as any other organizational structures needed for fulfillment of its object of activity.

(2) According to specific activities, can be organized specialized compartments or interdisciplinary compartments.

Art. 8. - (1) Modification to organizational and operating structure of the institute are proposed by general director, with administration board notification, and are approved, according to legal provisions, by Ministry of Waters, Forest and Environmental Protection..

(2) General director establishes relationships between institute sub-units, as well as relationships between sub-units and third-parties, can grant to the head of compartments representation mandate for the institute, having administration board notification.

Art. 9. – Head of compartments from institute structure are responsible for fulfillment of their duties, responsibilities and competences to administration board and general director.

CHAPTER V

Managing body

Art. 10. - (1) Managing of the institute it is assured by:

- administration board;
- director's committee;
- general director.

(2) Technical and scientific guidance of the institute is assured by scientific council.

Art. 11. - (1) Administration board it is formed by 7 members nominated for a mandate of 4 years, the mandate can be renewed.

(2) Administration board is formed by:

- one president;
- one vice-president;
- 5 members.

Art. 12. - (1) Compulsory, in the administration board there are:

- general director of the institute - president;
- one representative for National Agency for Science, Technology and Innovation;
- one representative for Ministry of Waters, Forests and Environmental Protection;
- one representative for Ministry of Finance;
- one representative for Ministry of Labor and Social Protection;
- the president of the scientific council.

(2) The 8th member of administration board can be engineer, economist, legal expert or other from the institute field of activity.

(3) Administration board nominates its vice-president.

(4) The nomination of the administration board members is realized through an order of minister of waters, forests and environmental protection, having agreement of National Agency for Science, Technology and Innovation, and being proposed by the leader of the authority they came from.

(5) Dismissal of the administration board members for serious infringements or for lack of activity in mandate execution it is done by the same body who nominated them.

Art. 13. – Administration board members are Romanian citizens:

- a)** they keep their post in their institution, as well as all rights and duties coming from this position;
- b)** they are paid for their activity in the administration board with a monthly allowance established by the administration board;
- c)** they cannot be members in more than two administration boards, and cannot participate, in the same position, to commercial enterprises with whom the institute has contractual relations or being in competition;
- d)** there are inconsistent with administration board membership those who, personal or husband, wife, children or relatives up to second degree including, are in the same time owners or associates of private commercial enterprises with the same profile or different profile, with whom the institute has direct or competitive commercial relations.

Art. 14. – Administration board is running its activity on the basis of its own Regulations for operating and in accordance with legislation in force. It decides in the problems regarding institute activity, excepting those who, according to legal provisions, are of somebody else competency.

Art. 15. - (1) The administration board meetings are once per month or whenever imposed by the institute interests, administration board being called by the president or, at least, by one third of its members.

(2) Administration board debates are leaded by president of the board, and in his absence, by vice-president.

Art. 16. - (1) Administration board can run its activity in the presence of, at least, two third of its members. If not accomplished this condition, the meeting can be re-scheduled in and interval of up to 15 days, having the same agenda.

(2) Administration board decisions will be taken with the majority of the present members, but no less than half plus one from the total number of the members.

Art. 17. – The representative of the union and/or the representative of the personnel not union members are permanent guests to the administration board meetings.

Art. 18. – For complex decision making the administration board can use in the analysis activity councilors and consultants from different sectors. Their activity will be paid according to legal provisions.

Art. 19. - (1) Members of the administration board are responsible, according to legal provisions, for fulfillment of their duties.

(2) Members of the administration board that were against one decision found to be harmful for the institute are not responsible, if they wrote down their position in the meeting register of the administration board, and they announced, in writing, about this the coordinating body.

(3) Members of the administration board that have not observed the provisions of art. 13, para. c) are responsible for the damages caused to the institute by this fact.

Art. 20. – The administration board has, in principal, the following prerogatives:

a) notifies the change of organizational and operational structure of the institute, the establishment, abolishment and joining of sub-units from its structure, needed for achievement of institute object of activity;

b) approves, at scientific council proposal, the strategy and concrete development plans for the institute, for the introduction of top technology and for updating of the existing ones, according to general strategy for its own field;

c) proposes annual plan for research-development and innovation to Advisory Council for research-development and innovation;

d) examines and notifies the draft income and expenditure budget and then submit it to the Ministry of Waters, Forests and Environmental Protection for approval through Governmental Decision;

e) examines and notifies the balance sheet and income statement which will submit for approval to the Ministry of Waters, Forests and Environmental Protection, and approves the management report of the institute for the previous year.

f) examines the semester report regarding institute activity, approves measures for smooth running of institute activity in conditions of income and expenditure budget equilibrium.

g) examines, approves or, after case, proposes to approval, according to legal provisions, the investments that are going to be realized for the institute;

h) proposes for approval, according to legal provisions, patrimony increase or decrease, granting, renting or administration tenancy of some goods, services, production sub-units from the institute patrimony ;

i) approves the partnership of the institute with third legal parties in order to have joint activities of common interest for partners, activities from the institute object of activity, according to legal provisions;

j) approves capitalization of the obtained goods complying with legal provisions;

k) substantiates and submits to Ministry of Waters, Forests and Environmental Protection proposals for funds assurance, through ministry's income and expenditure budget, for funding public interest projects, specific to institute activity;

l) approves the volume of banking credits stipulated in art. 35 para (1) and establishes the reimburse way for them;

m) approves the mandate for collective labor contract negotiations;

n) exerts any other competences, according to legal provisions.

Art. 21. – In the first quarter of each year, the administration board submits to the Ministry of Waters, Forests and Environmental Protection a report regarding the institute performance in the previous year and regarding the performance for the current

year.

Art. 22. – The secretariat of administration board will be ensured by the institute; competences for the secretariat are stipulated in the regulations for operating of the administration board.

Art. 23. – The effective management of the institute will be ensured by a director committee, formed from general directors and directors from the organizational structure of the institute.

Art. 24. – Director committee establishes the necessary concrete actions for achievement of the goals resulted from:

- strategy of the development programs of the institute;
- annual program for research-development;
- income and expenditure budget;
- investment program;
- quality assurance system;
- other duties.

Art. 25. – The director committee will meet every ten days or every time is imposed by institute interests.

Art. 26. - (1) At the sub-unit level it is organized and operates executive committee that is running its activity according to its regulations for organization and operation, approved by administration board; the chairman of this committee is the director of respective sub-unit.

(2) Executive committee exerts powers and has responsibilities limited by competences established by general director and approved by the administration board.

Art. 27. – The current activity of the institute is directed by general director, nominated through order of minister of waters, forests and environmental protection, with the agreement of National Agency for Science, Technology and Innovation, on the basis of the examination results, organized in accordance with conditions and criteria approved by institute leadership.

Art. 28. – The general director has, mainly, the following prerogatives and responsibilities:

- a)** represents, personally or through representative, the institute interests in the relationships with other organizations and economic agents, as well as with private persons from country or abroad;
- b)** establishes prerogatives, competences and relationships of the compartments at all levels of the organizational structure of the institute, as well as their relationships with third parties;
- c)** proposes the modification of the organizational structure of the institute;
- d)** ensures the negotiation of the collective labor contract and the salaries of the staff at the institute level, through director committee; approves the salaries resulted through direct negotiations;
- e)** nominates and revokes the head of compartments, as well as the directors from the organizational structure of the institute, with the notification of the administration board;
- f)** hires and dismiss the staff of the institute, according to legal provisions and to the provisions from the collective labor contract;
- g)** approves the examination commissions for promoting in the position of senior researcher grades I, II and III and scientific researcher, at scientific council proposal;
- h)** has prerogatives and responsibilities similar to credit chief accountant for the

institute funds from state budget, according to art. 21 para. (1) from Governmental Ordinance no. 25/1995, approved and modified through Law no. 51/1996;

i) is responsible for the administration of the whole patrimony, according to legal provisions;

j) adopts measures and pursues fulfillment of foreign trade operations, through own specialized compartments;

k) exerts prerogatives and responsibilities stipulated by legal provisions; approves and takes measures regarding institute activity, excepting those, according to legal provisions, from other bodies competence;

l) exerts any other prerogative assigned by administration board;

m) can delegate, according to legal provisions, a part of his prerogatives to other persons from institute leadership.

Art. 29. - (1) Scientific council has 23 members representing all scientific directions within the institute.

(2) Scientific council is made up from researcher with remarkable achievements, with synthesis and prospecting capacity in the field, from professors of universities, institute staff or outside institute persons, selected through secret vote by university degree staff of the institute.

(3) Scientific council is led by a president and a vice-president, selected for a 2 years period, through secret vote, by its members. General director and scientific director of the institute are parts of right of the scientific council.

(4) Scientific council it is organized and operates according to its own regulations.

Art. 30. – Main prerogatives of the scientific council are the following:

a) participates to the elaboration of the strategy for research-development of the institute and to the proposal elaboration for the National plan for research-development and innovation in its own field of activity;

b) contributes to achievement of the scientific and technology objectives stipulate in National plan for research-development and innovation;

c) examines and notifies scientific research projects, as well as their achievement;

d) notifies the decisions that would imply the research policy of the institute;

e) proposes measures for professional perfecting and for appointment of the staff in professional positions;

f) makes proposals regarding organization mode of the examinations for appointment and promoting of the research-development staff;

g) proposes to examination commissions for promoting in certificate positions and confirms the results of the examinations for the positions of senior researcher grade I, II and III and for scientific researcher;

h) organizes and co-ordinates running of the scientific actions;

i) approves the international and national cooperation actions, with scientific aims;

j) give its opinion about study and perfecting scholarships granting abroad;

k) proposes criteria and conditions for organization of the examination for the position of institute general director.

CHAPTER VI

Income and expenditure budget and its management

Financial relations

Art. 31. (1) The institute annually prepares the income and expenditure budget, balance

sheet and profit and loss account, according to methodological norms elaborated by Ministry of Finance.

(2) Annual balance sheet is approved by administration board, then submitted for approval to the Ministry of Waters, Forests and Environmental Protection, submitted to Ministry of Finance and published in Official Journal, Part IV.

Art. 32. - (1) Incomes and expenditures of the institute are settled in the budget for each financial exercise.

(2) Income and expenditure budget is approved by the Government, proposed by the Ministry of Waters, Forests and Environmental Protection, with the notification of Ministry of Finance and of Ministry for Labor and Social Protection.

Art. 33. - Related to signed contracts for the programmed activity, the institute annually determines the income volume that is to be realized and the total expenditure that are to be done.

Art. 34. - The individual salaries of the staff are established by negotiation, according to the provisions included in the collective labor contract, limited by the fund for salary payment, stipulated in income and expenditure budget, established according to legal provisions.

Art. 35. - (1) For the recovery of the running expenses, in the situation that during one year the financial resources of the institute are not sufficient, the institute can take up bank credits, with the total amount up to 20% of gross income of the previous year.

(2) Credits contracting over established ceiling can be done with the approval of Ministry of Finance.

Art. 36. - (1) The institute decides regarding the investments that are to be realized, according to its object of activity, the financing will be from its own sources, budgetary allocation and bank credits, excepting the investments that are under provisions of art. 6 and 11 from Governmental Ordinance no. 15/1993 regarding some measures for restructuring the activity of the autonomous regia.

(2) In case of investments, other than stipulated in art. 6 from Governmental Ordinance no. 15/1993, totally or partly financed from the state budget, financing limit is approved together with the laws for setting up the investments, and the institute is obliged to be in the approved budgetary allocation, in the execution of its income and expenditure budget.

(3) The execution of the investments from para. (1) and (2) is taken on public auction basis, according to legal provisions regarding public procurement.

(4) Contracting of credits higher than 500 million ROL, in order to fulfill the investments from para. (1) and (2), can be done with the approval of the Ministry of Waters, Forests and Environmental Protection, on the basis of prior notice from the Ministry of Finance.

Art. 37. - (1) Cashing and payment operations of the institute are performed through accounts opened to banks with headquarters in Romania.

(2) The institute can perform cashing and payment operations in ROL, through its own cashier's desk office, complying to the level of cash ceiling and to the norms of financial discipline, stipulated in the legal acts in force.

(3) The institute can perform foreign trade operations according to the law. Cashing and payment operations with foreign companies are performed through accounts opened to banks with headquarters in Romania.

Art. 38. - The institute will organize its preventive financial control and financial management control, according to the law.

CHAPTER VII
Dispute settlement

Art. 39. – Disputes between institute and private or legal persons, not settled amicably, are submitted to competent Romanian court, for solving, according to legal provisions in force.

CHAPTER VIII
Final provisions

Art. 40. - (1) The present Regulations for organization and operation is completed by the other legal provisions regarding the activity of research-development institutes.

(2) Modifications and completions to regulations for organization and operation could be done by the administration board, complying to legal provisions in force, having the approval of the Ministry of Waters, Forests and Environmental Protection and notice of the National Agency for Science, Technology and Innovation.

Art. 41. – The provisions of the present regulations are completed, in the case of some un-regulated aspects, with legal provisions applicable to autonomous regia.

Art. 42. – The statute of the National Research-development institute will be renewed through re-accreditation, which will take place in an interval of maximum 5 years.