



## Mine waste management legislation. Gold mining areas in Romania

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Problems in the post-mining regions of Eastern Europe range from degraded land and landscapes, huge insecure dumps, surface cracks, soil pollution, lowering groundwater table, deforestation, and damaged cultural potentials to socio economic problems like unemployment or population decline. There is no common prescription for tackling the development of post-mining regions after mine closure nor is there a common definition of good practices or policy in this field.

Key words : waste management, legislation, EU Directive, post mining

Rosia Montana is a common of 16 villages; one of them is also called Rosia Montana, a traditional mining Community, located in the Apuseni Mountains in the North-Western Romania. Beneath part of the village area lays one of the largest gold and silver deposits in Europe. In the Rosia Montana area mining had begun ever since the height of the Roman Empire. While the modern approach to mining demands careful remediation of environmental impacts, historically disused mines in this region have been abandoned, leaving widespread environmental damage.

General legislative framework

Strict regulations and procedures govern modern mining activity, including mitigation of all environmental impacts. Precious metals exploitation is put under GO no. 190/2000 re-published in 2004. The institutional framework was established and organized based on specific regulations, being represented by the following bodies:

- The Ministry of Economy and Commerce (MEC), a public institution which develops the Government policy in the mining area, also provides the management of the public property in the mineral resources area;
- The National Agency for the development and implementation of the mining Regions Reconstruction Programs (NAD), responsible with promotion of social mitigation measures and actions;
- The Office for Industry Privatization, within the Education Ministry, responsible with privatization of companies under the CEM;
- The National Agency for Mineral Resources (NAMR) manages, on behalf of the state, the mineral resources.

Waste management framework

Nowadays, Romania, is trying to align its regulation concerning mining activity to the European legislation taking into consideration waste management and their impact on the environment.

Therefore the European Waste Catalog (Commission Decision 2001/118/EC) has been updated and published in the form of HG 856/2002 Waste management inventory and approved wastes list, including dangerous wastes.

The HG 349/2005 establishes the legal framework for waste storage activity as well as for the monitoring of the closing and post-closing existing deposits, taking into account the environment protection and the health of the general population.

Based on Directive 2000/60/EC the Ministry of Waters Administration, Forests and Environment Protection from Romania issued the GO No 756/1997 (amended by GO 532/2002 and GO 1144/2002), "Regulations for environment pollution assessment" that contains alarm and intervention rates for soil pollution for contaminants such as metals, metalloids (Sb, Ag, As, Be, Bi, B, Cd, Co, Cr, Cu, Hg, Mo, Ni, Pb, Se, Sn, Tl, V, Zn) and cyanides. Also GO No 756/1997 was amended and updated by Law No 310/2004 and 112/2006 in which technical instructions concerning general framework for the use of water sources in the human activities including mining industry, are approved. Chemical compounds contained in industrial waters are fully regulated by H. G. 352/2005 concerning the contents of waste water discharged.

Directive 2006/21/EC of the European Parliament and of the Council relating to the management of waste from extractive industries and amending Directive 2004/35/EC is transposed into the national law of the Romanian Government under Decision No 856/2008. The 856/2008 Decision on the management of waste from extractive industries establishes "the legal framework concerning the guidelines, measures and procedures to prevent or reduce as far as possible any adverse effects on the environment, in particular water, air, soil, fauna, flora and

landscape, and any health risks to the population, arising as a result of waste management in extractive industries". Based on the Commission decision 2009/339/EC concerning the waste management facilities - classification criteria – Romanian Government issued GO 2042/2010 which states the procedures for approving the plan of waste management in extractive industries and its applications norms.

Law No. 22/2001 follows the regulations from the Espoo Convention on assessing the impact of mining on the environment sector in a cross-border context.

This work is presented within the framework of SUSMIN project.