

Environmental Policy and Law Applicable in the Livestock Sector

Rodica Bolocan¹, Filip Baba¹, Ioan Petroman¹, Cornelia Petroman¹, Diana Marin¹

¹Banat`s University of Agricultural Sciences and Veterinary Medicine, Faculty of Agricultural Management, Calea Aradului, 119, Timisoara, Romania

Abstract

European Union pays a special importance of issues related to environment and water protection. The EU legislation in the environment field has been elaborated starting with the 1970s, and has been regulated through directives, regulations, decisions and legislative provisions at national and local level.

Environmental policy of the European Union, as it was established by the EC Treaty, has as purpose the insurance of the sustainability of the protection activity of environment, through inclusion of its in EU sectorial policies, through developing of the prevention measures, by respecting the principle of “the polluter pays”, by combating at source of the pollution, and by assuming in common of the responsibility.

The principle stated above, provides bearing the costs by the polluter with remediation of the damages in case of environmental pollution. So, it aims the empowering of those who have violated the environmental standards and has a coercive character, being meant to discourage disrespect the environmental legislation.

In this paper we intend to present the strategic documents and legislation from the environmental protection field applicable to the livestock sector, taking into account the monitoring - both of the environment factors, and also of the level of appliance of UE legislation in environment field, in itself - is fundamental.

Keywords: environmental policy, legislation, polluter pays, livestock

1. Introduction

Environmental policy is one of the Community policies of the European Union the most complex, due to its character of horizontal policy.

At European Union level, the concern for the environment and use of some renewable energy sources has gained important valences in last years, fact witch has generated the adoption of measures at European Community’s level.

The environment policy of European Union is sustained by a series of strategies and directives for its efficiency and supporting sustainable development.

2. Materials and methods

In order to realize this work, we analyzed European Union directives and also the legislation in environmental protection field from Romania, applicable to livestock complexes.

During this work will be presented the main legislative provisions, necessary to be taken into account, for the development, in good conditions of the activities from the livestock sector and also in order to minimize the negative impact on the environment.

3. Results and discussion

European environmental policy is based on the principles of precaution, prevention, rectification of pollution at source and “the polluter pays”. The “polluter pays” principle is implemented through

* Corresponding author: Rodica Bolocan,
bolocan_rodica@yahoo.com

the Directive 2004/35/EC regarding the liability for the environment, which aims prevention or remedying of environmental damage (meaning, protected species and natural habitats, water and land). Operators which carry out certain activities and also involve discharges into water, should take preventive measures in case of an imminent threat to the environment address.

If they are already occurred damages, operators are obliged to adopt appropriate measures to address them and to bear the costs. [15]

The evolution of environmental policy and changes registered of it over time, are reflected not only by its objectives and priorities, but also by the number – in growing – of the its implementation instruments. So, it can be spoken of the development of three types of instruments: legislative, technical and economic-financial instruments, plus a set of "supporting instruments" that respond rather to new trends and strategies for environmental protection.

A. **Legislative instruments** create the legal framework of Community policy of environment protection are represented by the existing legislation in this field, meaning by the more than 200 normative acts (directives, regulations and decisions) adopted since 1970 (these being so-called Community *acquis*).

B. **Technical instruments** ensure the compliance of quality standards regarding the ambient environment and using the best technologies available. In the category of technical instruments may be included:

- Standards and emission limits etc.;
- Best Available Technologies (BAT)

Standards and emission limits are included in specific legislation and have the meaning aim to limit the level of environmental pollution and to identify the big polluters.

The best available technologies (BAT); legislation of prevention and control of industrial pollution requires the use of the best available technologies at a time.

C. **Financial instruments** of the environmental policy. [16]

As we mentioned above, European Union has adopted more than 200 legislative acts which aim the environmental protection, but law matters too little as long as its provisions are not applied and respected accordingly.

Therefore, in the present, the challenge is to effectively implement, the documents that already

have been adopted. The failure to comply the environmental legislation has many negative consequences. This can affect the fundamental objectives of the environment, can harm to the human health and can put beneficiaries in the position of facing with an uncertain regulatory framework as long as standards, agreed by the Member States in common agreement, are applied unequal at the European Union level.

Also, proper implementation can bring financial benefits. [14]

The arrangement of livestock complexes and their operation involves necessarily obtaining the regulatory documents (integrated environmental agreement, environmental authorization, integrated environmental authorization) from the local environmental authorities.

In this way, it aim taken into consideration, still from the beginning, of the recommendations regarding the best available techniques, reducing the risk of realizing some investments that would not respect the requirements regarding the protection of quality environment, water, air, soil factors.

So, the activities from the livestock complexes will be developed mandatory in accordance with the legal provisions of the normative acts that are in line with European Union standards through the provisions of the appropriate Directives, respecting the following:

- for the establishment of the necessary measures for prevention, in case in which it is not possible, the reduction of emissions in air, water and soil, including measures regarding waste management, in order to achieve a high level of protection for the environment, considered as a whole, it will be respected the stipulations of the Directive 2001/EC/2008 - transposed into national legislation by OUG no. 152/2005 regarding prevention and integrated control of pollution. The units will implement these requirements through growth technique BAT.
- the evidence of waste quantity, the frequency of collecting, the collection way and elimination is in concordance with the Directive 2006/12/EC regarding the waste, transposed into national law through the Law no. 211/2011 regarding the waste regime.

- the diffuse emissions will be monitored, as emissions at the limit of the site, respecting the quality standards for ambient air.
- implementation of a monitoring system for water environmental factor from the moment of starting the activity; will not be evacuated process water and untreated waste in natural receivers in operation period;
- groundwater will be monitored, both in the farm, in the deposits of manure area, and of the land of spreading the manure.
- waste shipped outside the site for recovery or elimination (except manure used as fertilizer on agricultural land), may be transported only by authorized economic agents. Waste must be transported only at from the site of activity at the site of recovery/elimination, without affecting significantly the environment and in accordance with legal regulations.
- cleaning the growth halls and of the equipments with high-pressure cleaner in order to reduce water consumption;
- cleaning animal shelters, after each production cycle;
- in case of production of one environmental damage, the operator must bear, in principle, the costs related to prevention measures or remedial measures needed.

4. Conclusions

Application of some agricultural practices, based on the most advanced scientific knowledge in technology's field, especially those environmentally viable, is a major demand of the promotion of sustainable agriculture. So it appears the necessity to develop codes of good agricultural practice, which are available to agricultural producers and farmers in order to be implemented in practice.

Learned and then implemented correctly, the respective agricultural practices, can contribute both to obtain higher quality productions and profitable, but also to the conservation of the environment, with the limitation of the environmental unfavorable consequences at

national, regional, local level, on shorter or longer term.

References

1. Guvernul României, 2009, Hotărârea nr. 445 din 8 aprilie 2009 privind evaluarea impactului anumitor proiecte publice și private asupra mediului, Monitorul Oficial al României, București
2. Ministerul Mediului și Pădurilor, 2010, Ordin nr.135 din 10 februarie 2010 privind aprobarea Metodologiei de aplicare a evaluării impactului asupra mediului pentru proiecte publice și private, Monitorul Oficial al României, Bucuresti
3. Ministerul Agriculturii, Pădurilor, Apelor și Mediului, 2003, Ordin nr. 818 din 17 octombrie 2003 pentru aprobarea Procedurii de emiteră a autorizației integrate de mediu, Monitorul Oficial al României, București
4. Ministerul Mediului și Dezvoltării Durabile, 2007, Ordin nr. 1798 din 19 noiembrie 2007 privind aprobarea Procedurii de emiteră a autorizației de mediu, Monitorul Oficial al României, București
5. Parlamentul României, 2013, Legea nr. 278 din 24 octombrie 2013 privind emisiile industriale, Monitorul Oficial al României, Bucureti
6. Ministerul Mediului și Gospodăririi Apelor, 2005, Ordin nr. 1182 din 22 noiembrie 2005 privind aprobarea Codului de bune practici agricole pentru protecția apelor împotriva poluării cu nitrați din surse agricole, Monitorul Oficial al României, București
7. Ministerul Mediului și Gospodăririi Apelor, 2006, Ordin nr. 1234 din 14 noiembrie 2006 privind aprobarea Codului de bune practice în fermă, Monitorul Oficial al României, București
8. EUROPEAN COMMISSION, Integrated Pollution Prevention and Control (IPPC) Reference Document on Best Available Techniques for Intensive Rearing of Poultry and Pigs, July 2003
9. Guvernul României, 2005, O.U.G. nr. 195/2005 privind protecția mediului, Monitorul Oficial al României, 2005
10. Parlamentul României, 2011, Legea nr. 211/2011 privind regimul deșeurilor, Monitorul Oficial al României, 2011
11. Guvernul României, 2002 H.G. nr. 188/2002 privind aprobarea unor norme privind condițiile de descarcare în mediul acvatic a apelor uzate, Monitorul Oficial al României, București, 2002
12. STAS 10009/1998 privind acustica urbana-limite admisibile ale nivelului de zgomot;
13. Guvernul României, 2005, OUG nr. 152/2005 privind prevenirea și controlul integrat al poluării, Monitorul Oficial al României, București, 2005
14. http://europa.eu/pol/index_ro.htm
15. <http://www.europarl.europa.eu/>
16. www.euractiv.com