

TOR Reference No.: 2019/12	Author(s): Monica Serra Amended by: Elisabete Dias Ramos
Version: 3	Date: 08 August 2019
<b>TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL</b>	

## 1. Work type and title

<b>1.1 Identify which Expert Team this needs to go to for initial consideration</b>	
Industry	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input checked="" type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting tools and approaches	<input type="checkbox"/>
<b>1.2 Type of work you need funding for</b>	
Exchange visits	<input checked="" type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input checked="" type="checkbox"/>
Assessing legislation (checklist)	<input checked="" type="checkbox"/>
Other (please describe): technical workshop	<input checked="" type="checkbox"/>
<b>1.3 Full name of work (enough to fully describe what the work area is)</b>	
Integration and implementation of the Mining Waste Directive (2006/21/EC), Management of Extractive Wastes), adaptation into national regulatory practice also for closed/abandoned waste facilities, to reduce environmental pollution impact of extractive wastes towards water and soils and, at the same time, check their composition in order to consider them as potential deposits of raw materials.	
<b>1.4 Abbreviated name of work or project</b>	
Management of Mining Waste (MMW).	

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

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)	
<ul style="list-style-type: none"> <li>• Mining Waste Directive (2006/21/EC).</li> <li>• Water Framework Directive (2000/60/EC).</li> <li>• Opinion of the European Economic and Social Committee on 'The processing and exploitation, for economic and environmental purposes, of industrial and mining waste deposits in the European Union' (own-initiative opinion – 2012/C 24/03).</li> <li>• BREF for Management of Tailings and Waste-Rock in Mining Activities (MTWR – 07/2009) and information on the ongoing review of the BREF (probable publication on 2018).</li> <li>• The European Critical Raw Materials review list (May 2014).</li> <li>• Commission Staff Working Document "Environmental Compliance Assurance – scope, concept and need for EU actions" (January 2018).</li> </ul>	
2.2 Link to IMPEL MASP priority work areas	
<ol style="list-style-type: none"> <li>1. Assist members to implement new legislation.</li> <li>2. Build capacity in member organisations through the IMPEL Review Initiatives.</li> <li>3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission.</li> </ol>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
2.3 Why is this work needed? (Background, motivations, aims, etc.)	
<p>Mining activity has always been a source of raw materials for man but at the same time has generated many environmental problems. Huge quantities of extractive waste, often abandoned, are sources of pollution and areas of geotechnical and hydrogeological instability.</p> <p>Nowadays, after numerous accidents involving mining activities (e.g. Val di Stava, Prestavel, Italy 1985, Baia Borsa and Baia Mare, Romania 2000, Aznalcollar, Spain 1998 and many others), the European Commission adopted the Directive 2006/21/EC of 15 March 2006 on the management of waste from extractive industries (known as Mining Directives) and amending Directive 2004/35/EC.</p> <p>This Directive provides for measures, procedures and guidance to prevent or reduce as far as possible any adverse effects on the environment, in particular water, air, soil, fauna and flora and landscape, and any resultant risks to human health, brought about as a result of the management of waste from the extractive industries in order to better manage the problem. Subsequently, each Member State shall ensure that the mining companies design a waste management plan for the minimization, treatment, recovery and disposal of extractive waste, considering the principle of sustainable development. The plan objectives are aimed to:</p> <ul style="list-style-type: none"> <li>• Prevent or reduce waste production and its harmfulness.</li> <li>• Encourage the recovery of extractive waste through recycling, reusing or reclaiming such waste, where this is environmentally sound in accordance with existing environmental standards at Community level and with the requirements of this Directive where relevant.</li> </ul>	

- Ensure short and long-term safe disposal of the extractive waste, particularly by considering, during the design phase, their management during the operation and after closure.

The Directive is aimed at the management of waste generated by the active mining industries; the attention to the management of waste from closed activities, disposed of in ponds or heaps now closed or abandoned, is limited to two articles: article 20, which provides for the inventory of storage structures that represent or could pose a risk to human health or the environment (A), and article 21 that encourages the exchange of information between Member States.

Furthermore, there seems to exist a big problem with this important topic: some Member States consider and manage mining wastes differently and firstly it would be important and necessary to find common address lines on “what are” and “how to manage” extractive waste.

This project proposal aims to compare the transposition of the Directive by Member States in order to evaluate common guidelines for better management of extractive waste, also in agreement with the exploratory opinion of the European Economic and Social Committee (EESC), which recommends to Member States to promote initiatives for the exploitation and use of "new fields" of raw materials, such as extractive waste (in this case it will be necessary to consider the rules of the end of waste, that could be the topic of the prosecution of the project, maybe in a second year).

The action to prepare technical guidelines for inspections of extractive waste facilities is also one of the items listed in the COMMISSION STAFF WORKING DOCUMENT ‘Environmental Compliance Assurance – scope, concept and need for EU actions, *Accompanying the document* EU actions to improve environmental compliance and governance’ {COM(2018) 10 final}<sup>1</sup>. This Commission initiative of compliance assurance and governance is part of a wider effort to improve implementation of EU law in general and EU environmental law in a way to identify, prevent or limit the harmful effects of emissions, discharges, disposal or interventions of different pollution sources among which extractive industries.

#### **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?)**

IMPEL members will be more aware of the importance of proper mining waste management, also in view of their conversion/recovery according to the European concept of circular economy. A research among IMPEL members will provide innovative information on local cases / mining waste management / recovery studies, the waste uses and, of course, operational cost estimates and prospects for the future. Such information, which is not yet collected and harmonized within the EU, will help to better identify and assess the management of mining waste at Community level.

The survey will contribute to the development of a Community assessment of the identification of waste management techniques and their intrinsic potential, including in reference to the critical raw materials listed in *The European Critical Raw Materials review*<sup>2</sup>. Mineral Waste Management Techniques and Demand of new raw materials are constantly evolving; therefore, they are lending to further yearly insights, according to the needs/demands of the near future in this field: disposal as waste or secondary raw material?

<sup>1</sup> [http://ec.europa.eu/environment/legal/pdf/SWD\\_2018\\_10\\_F1\\_OTHER\\_STAFF\\_WORKING\\_PAPER\\_EN\\_V5\\_P1\\_959220.pdf](http://ec.europa.eu/environment/legal/pdf/SWD_2018_10_F1_OTHER_STAFF_WORKING_PAPER_EN_V5_P1_959220.pdf)

<sup>2</sup> <http://ec.europa.eu/DocsRoom/documents/10010/attachments/1/translations/en/renditions/pdf>

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

The project is not directly linked to other projects but the implementation of the Mining Waste Directive (2006/21/EC) is a topic that was considered as a priority of European Commission that foresees the preparation of technical guidelines for inspections of extractive waste facilities to address aspects such as the competence of inspectors, inspection plans, the scope of inspections and the role of the competent authorities.

## **3. Structure of the proposed activity**

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

- Establish the project team and initial telephone conference(s) to agree on the project plan.
- Survey to IMPEL members through a questionnaire, evaluation and sharing of the answers.
- Progress updates by email, telephone conferences to project team and site visit.
- Meeting to share first results and agree key cross-cutting challenge.
- Workshop to share the achieved results, transferability to other Member States and future needs/opportunities.
- Presentation of final report/guidelines at IMPEL meeting.

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

- Document about mining waste management assessment on the basis of the different experiences of the project partners and, eventually, proposals for their recycle/reuse.
- Create a community to continue the dialogue and strengthening the knowledge on this constantly evolving topic, particularly on the essential raw material field.

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

- Establish the project team and project plan and survey with questionnaire: January/February 2019.
- Evaluation and sharing of the answers: March/April 2019.
- Meeting to share first results and agree key cross-cutting challenge (site visit): May/June 2019.
- Workshop to share the achieved results, future needs/opportunities: July/September 2019.
- Finalization of the final documents with the project team (site visit): October 2019.
- Presentation of final report/guidelines at IMPEL meeting: November/December 2019.

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

It is a low risk project. It is to be considered, that the specific topic of mining waste is generally not much investigated although it represents a current topic.

## 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)

Monica Serra, The Italian National Institute for Environmental Protection and Research (ISPRA), Italy.

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

- Marco Falconi, ISPRA, Italy.
- Brigitte Mrvelj Čečatka, Croatia.
- Slavica Cikotic, Croatia.
- Marcela Kováčová, Slovenia.
- Darja Stanič-Racman, Slovenia.
- Enis Tela, Albania.
- Hakim Cherigui, France.
- Janine Killaars, Netherlands.
- Ismet Dervari, Kosovo.
- Hugh Potter, UK (England).
- Mar Ferrero Palma, Spain.
- Svetlana Dembovska, Letonia.
- ARPAS (Italy).

### 4.3 Other IMPEL participants (name, organisation and country)

Open to experts from other IMPEL member countries.

### 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**

	Year 2019 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	18,290 €			
How much money is to be co-financed?				
Total budget	18,290 €			

**6. Detailed other costs of the work for year 1**

6.1 Are you using a consultant?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6.2 What are the total costs for the consultant?	N/a.
6.3 Who is paying for the consultant?	N/a.
6.4 What will the consultant do?	N/a.
6.5 Are there any additional costs?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
6.6 What are the additional costs for?	N/a.
6.7 Who is paying for the additional costs?	N/a.

<b>6.8 Are you seeking other funding sources?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Namely:
<b>6.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs.</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Namely:

## 7. Communication and follow-up (checklist)

	What		By when
<b>7.1 Indicate which communication materials will be developed throughout the project and when</b>  <i>(all to be sent to the Communications Officer at the IMPEL Secretariat)</i>	TOR <sup>✓*</sup> Interim report <sup>✓*</sup> Project report <sup>✓*</sup> Progress report(s) <sup>✓</sup> Press releases News items for the website <sup>✓*</sup> News items for the e-newsletter Project abstract <sup>✓*</sup> IMPEL at a Glance <sup>✓</sup> Other, (give details):	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	January 2019 (start)  May 2019 December 2019  As appropriate After the workshop October 2019
<b>7.2 Milestones / Scheduled meetings (for the website diary).</b>	See 3.3.		
<b>7.3 Images for the IMPEL image bank.</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>7.4 Indicate which materials will be translated and into which languages.</b>	All documents to be written in English. No translation required.		

<b>7.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required.</b>	N/a.
<b>7.6 Identify which groups/institutions will be targeted and how.</b>	European Geological Surveys (contacted through Eurogeosurveys).
<b>7.7 Identify parallel developments / events by other organisations, where the project can be promoted.</b>	<p>INERTIA event in Ferrara (Italy) in September 2019 (three full days in the third week, probably 18-20/09/2019), about the reuse of inert waste and the natural, recycled and manufactured aggregates. Contracting authorities, general contractors, companies, roads, motorways and railways authorities are the stakeholders involved in the workshops.</p> <p>Website: <a href="http://www.remtechexpo.com/en/inertia">http://www.remtechexpo.com/en/inertia</a></p> <p>Contact person: Stefano Cicerani (INERTIA chairman).</p>

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

## 8. Remarks

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

The present design proposal may require further insights to be achieved through any subsequent project.

*In case of doubts or questions please contact the  
IMPEL Secretariat.*

*Draft and final versions need to be sent to the  
IMPEL Secretariat in word format, not in PDF.*

*Thank you.*