

Sustainable gold mining management waste policy in Romania

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Sustainable mining practices and consistent implementation of the mining for the closure planning approach, within an improved legislative framework, create conditions for the development of creative, profitable, environmentally-sound and socially-responsible management and reuse of mine lands.

According to the World Commission on Environment and Development definition, sustainable development is the type of development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Romania has the largest gold reserves in Europe (760 million tons of gold-silver ores, of which 40 million tons in 68 gold deposits in the Apuseni Mountains).

New mining projects draw particular attention regarding the environmental risks they cause.

Rehabilitation is an ongoing consideration throughout the mine's lifecycle, both from a technical and a financial standpoint.

The costs of land rehabilitation are classified as the mine's operating costs. According to Directive 2004/35/EC on environmental liability, the prevention and remedying of environmental damage should be implemented by applying the "polluter pays" principle, in line with the principle of sustainable development. Directive on the management of waste from extractive industries and amending Directive obliges operators to provide (and periodically adjust in size) a financial guarantee for waste facility maintenance and post-closure site restoration, including land rehabilitation.

According to the Romanian Mining Law, the license holder has the following obligations related to land use and protection: to provide environmental agreements as one of the prerequisites for a building permit; to regularly update the mine closure plan; to set up and maintain the financial guarantee for environmental rehabilitation; and to execute and finalize the environmental rehabilitation of affected land in the mining site, according to the mine closure plan, including the post-closure monitoring program implementation and financing.

Apart from the Mining Law, the Government Decision, which transposes EU Directive on the management of waste from extractive industries, as well as Government Emergency Ordinance, which implements the requirements of EU Directive 2004/35/CE on environmental liability, requests financial guarantees for waste facilities maintenance and for environment restoration in the case of pollution, respectively. In practice, there are problems in the calculation of the financial guarantee and the development of financial security instruments and markets as required by Directive, due to the lack of expertise in financial, economic and liability matters. Mining companies are usually not required to set up a special guarantee for the waste facilities, but only to set up and maintain the financial guarantee regulated under the Mining Law.

Romania - because of the structure of its mining sector - has serious environmental legacies, a lack of funds for their restoration and the need to strengthen the administrative capacity in this area, as well as the important tasks on harmonization and/or implementation of the EU mining waste legislation.

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Key words : sustainable development, waste management, policy