

KRONOSPAN CASE

All at ONE Glance



STAPLES
TRUST

Material created by:

The Independent Center for the Development of Environmental Resources
The Independent Center for Environmental Protection

With the support of:

The Partnership Foundation
Staples Trust

This informative material aims to presents the most important problems associated with Kronospan's activities in the town of Sebes/Romania. The 'Pollution Free Sebes' campaign is the result of the joint efforts by the Independent Centre for the Development of Environmental Resources (ICDER) and the Independent Center for Environmental Protection from Sebes. The campaign's aim is to prevent Kronospan Sebes' extension of it's existing formaldehydes production plant and to stop the pollution generated by the Kronospan industrial platform from Sebes.

ICDER is an NGO based in the town Cluj-Napoca/Romania. It was founded in 2006. Our aim has been to implement programs and projects that contribute to the defense of the constitutional right to a clean and environmentally balanced environment; to the development of the non-governmental sector in Romania and to the improvement of decision-making processes in public administration.

The Independent Center for Environmental Protection is an NGO based in Sebes. It was founded by a group of citizens from Sebes. The local people's initiative came as a reaction to the pollution generated by Kronospan. The association wishes to ensure environmental protection on a long term basis.

www.keepitgreen.apispm.ro

www.sebesfarapoluare.ro

www.centruldemediu.ro

SUMMARY:

KRONOSPAN CASE

Introduction Kronospan.....	pag. 2
Documentation of the field	pag. 3
Health Effects	pag. 4
Environmental Effects	pag. 4
Violation of regulation	pag. 5 - 6

FORMALDEHYDE

Effects and risks	pag. 7 - 8
-------------------------	------------

CIVIL SOCIETY

Campaign Chronology	pag. 9 - 10
Mobilization	pag. 12

RESURCES	pag. 13
----------------	---------

KRONOSPAN CASE

Who is Kronospan?

Kronospan is the largest producer of wood based panels in South-Eastern Europe and a branch of the multi-national company Kronospan. In Romania Kronospan is operating in 3 different locations: Sebes, Brasov and Constanta. Their industrial activity carried out in Sebes and Brasov gravely violates applicable legislation for environmental and construction permitting. Their activities already have had a significant impact on the locals' health and the environment.

The competent authorities repeatedly sanctioned Kronospan; but instead the company prefers to pay fines (most of them symbolic) and to avoid the juridical consequences. This also means that it continues to pollute the environment and to adversely affect people's health.

As many other big polluters, Kronospan practices 'green wash' policies by establishing partnerships with NGOs who are willing to take compromises. The World Wildlife Found (WWF) is Kronospan's 'green' partner in Romania. On its website Kronospan boasts about a partnership with WWF that aims at reducing illegal logging.

From the 3 locations (Sebes, Brasov, Constanta) where Kronospan operates in Romania, Sebes is the town where the formaldehyde production platform is situated. In the following, we will mainly focus on the problems generated by Kronospan in the town of Sebes.

Installation Kronospan Sebes:

Profile of the industrial site in the town of Sebes/Romania: Production of binders that contain formaldehyde (these resins are chemical adhesives like the formaldehyde); production of composite wood products such as MDF and PAL.

Surface of the Industrial Site: 493000 mp = 49.3 ha

Production capacity:

Formaldehyde production: 35000 t/a

Liquid urea-formaldehyde (UF) resins: 100000 t/a

Dry urea-formaldehyde (UF) resin powder: 10000 t/a

Wood ash chipboards: 840000 mc/a

Wood fiber chipboards with a medium density: MDF 348000 mc/a

Documentation on the field in images

Kronospan in the inhabited area of Sebes



„The industrial site Kronospan Sebes is placed on the outskirts of the town Sebes” declares Kronospan.

The entrance of the town of Sebes. Practically the industrial site is places within the urban area.



Inhabited Area: Locales graze their animals around the industrial site of Kronospan

Images industrial site Kronospan Sebes



Industrial site Kronospan Sebes

At the entrance of the industrial site Kronospan Sebes there is placed a formaldehyde emissions monitor, which actually indicates the TOC level (Total Organic Carbon)...



Access the photo gallery [online here](#).

Photos taken on 9 November 2008

Environmental effects

Kronospan Sebes' activity generates emissions of gas and dust with a negative impact on the environment. Given the fact that Kronospan's industrial platform is situated within the residential area of Sebes but also in proximity of agricultural land, the emissions' negative impact is generated upon agricultural lands, biodiversity, on the soil and subsoil as well as on the population's health. Beside this regular level of pollution, Kronospan has on many occasions exceeded legal limits for gas and dust emissions.

In letter no. 854/26.11.2007 the Alba Iulia Environmental Guard shows that „the debit of gas generated by the drying installation of its wood base panel production facility is of **670.00Nmc/h** and of **300.000 Ncm/h** from the drying installation of its medium density fiber boards production facility, totaling as such **970.000 Nmc/h.**”

In a document entitled „Report by the Commission for special monitoring of the sources of pollution caused by SC KRONOSPAN SEBES SA and its impact on the environment for the period between 12-26.06.2007”, a commission subordinated to the Ministry for the Environment and Sustainable development and submitted to the Sebes Town Hall with no. 20.363/24.07.2007, on page 10 it is highlighted that „The emissions of PM10 exceed 3 times the legal limit as stipulated by OM 592/2002 (50 mg/cubic meter)”. The conclusion is that the daily chemical emissions reach **36.000.000 cubic meters**, totaling in a year **436.000.000 cubic meters**. Therefore in the last 5 years in the atmosphere around Sebes more than **2.180.000.000 cubic meters of chemical emissions** were released.

The process also eliminates between 1000 – 5400 kilograms of **fine wood dust**, with a diameter of under 10 microns – the well known cancer causing pollutant PM10 (5400 kilograms was the quantity measured when the concentration exceeded 3 times the legally admitted value). The legal limit is 1.800 kilograms /day. In Sebes in the last 5 years Kronospan released an average of **1.600.000 kilograms of fine wood dust PM10.**

Medium density fiber boards are produced using liquid urea-formaldehyde (UF) resins. They contain formaldehydes, a substance qualified by the World Health Organization as cancer causing. In Sebes, the formaldehyde production facility consists of: 8 reservoirs with a storing capacity of 15.000 liters each for the storing of formaldehydes, 2 reservoirs for methanol with a capacity of 10.000 liters each as well as other reservoirs for maleic anhydride, melamine, diesel oil, gasoline and other dangerous chemical substances. We can as such conclude that Kronospan Sebes represents a grave danger for the health of the environment and local population.

In the document entitled „Report by the Commission for special monitoring of the sources of pollution caused by SC KRONOSPAN SEBES SA and its impact on the environment for the period between 12-26.06.2007” it is also mentioned that

„Problems with the fugitive emissions of formaldehydes and dust were registered in the two industrial halls where wood is pressed and dried, emissions that are then released into the atmosphere through the ventilation system in the roof”.

„In the period between 22-24.06.2007 formaldehydes measurements were undertaken in the location from point b. The limit was exceeded every 30 minutes.” The measurements undertaken at the Dry urea-formaldehyde (UF) resin powder production facility vary between **19-40mg/Ncm**, as such exceeding the limit stipulated for Kronospan in its environmental authorization of **20 mg/Ncm.**”The report also highlights that “[...] **in the past no investment into environmental protection were done at the chemical factory.**”

“Total Organic Carbon (TOC) concentrations at the formaldehydes production facility are approximately 3 times higher than the limit imposed to the company in its environmental authorization(4 mg/cm) [...] values obtained in the laboratory after formaldehydes samples analysis indicated exceeds in 2 of the 3 monitoring points: meteorological station and the courtyard of the ice cream factory Alpin”.

In autumn 2006 Kronospan discharged in the municipal waste dump of Sebes binders containing dry urea-formaldehyde resins, although these substances are very dangerous for the environment and population's health and as such have to be placed in waste deposits with special retention and insulation functions. Kronospan's act was detected and sanctioned by the Environmental Guard. What is more, Kronospan's sewerage is connected to the town's water treatment plant which is not functional. As such all toxic substances from the surface of Kronospan's industrial platform are washed by the pluvial waters and taken directly into the Sebes river, which then flows into the Mures river – two very important sources of drinking and irrigation water in the region.

Health effects

The results of the medical study carried out by Dr. Razvan Curca on **34 Kronospan employees in Sebes**“ are alarming and show that many of the workers exposed to formaldehydes are by far healthy”. The doctor declared that “2 thirds (21 employees) present the **clinical and radiological symptoms of chronic sinusitis**, caused by the inhalation of formaldehydes. On the other hand, this chronic inflammation diagnosed at the majority of workers under examination is the environment that over the time can develop **ORL cancer**”. The situation seems to be even worse in the case of 3 workers: “two of examined workers present symptoms of **lung cancer**, and the third is suspected to have a malignant blood affection”.

“These conclusions are very alarming because there is a percentage of **over 60% of the workers who present chronic irritation following their exposure to formaldehydes.**”

Violation of regulation



In 1998 the company 'SC MDF FRATI SA' took over 'SC MDF SEBES SA' which had been the operator of the industrial platform producing chipboards and binders in the town of Sebes/Romania. MDF FRATI obtained an environmental accord – No. 447/14.12.1998 – which was conditioned by several measures and investments to improve environmental protection. These included that the retention dugs of the formaldehyde and methanol reservoirs should be covered with a polyethylene membrane, protective floors for the formic acid reservoir, special protection for the NaOH reservoir and the purchase a machine to measure the concentration of emissions at fixed locations at the site and beyond. None of these measures were ever
In 2000 SC MDF FRATI SA creates SC SEPAL SRL to produce wood ash chipboards on the Sebes industrial platform. SC SEPAL SRL obtains an environmental accord - No.78/21.04.2000 which reiterates the conditions of accord No. 447/14.12.1998. Despite the fact that the conditions of both environmental accords are violated given that the measures and investments for environmental protection are not enforced, the two companies obtain:

- Environmental authorization No. 29/08.01.2001 to SC MDF SEBES FRATI SA. It is valid until 08.01.2003 for the production of urea-formaldehyde resins, PAL wood chipboards and MDF fibre chipboards. Once expired the company obtains environmental authorization No. 478/14.04.2003 with a validity until 14.04.2008

- Environmental authorization No. 545/04.11.2002 to SC MDF SEPAL SA. It is valid until 4.11.2003 for the production of multilayered composite wood products. Once expired the company obtains environmental authorization No. 198/22.03.2004 with a validity until 22.03.2009enforced by the company.

* * *

In 2004 all activities of the two companies are taken over by SC Kronospan Sebes SA; this without any balance sheet to stabilize environmental obligations for the new owner and without any environmental avis. To top it all, both environmental accords No. 478/14.04.2003 and 198/22.03.2004 respectively, were not even transferred to the new proprietor, SC Kronospan Sebes SA.

* * *

In 2007 S.C.KRONOSPAN SEBES S.A obtains an integrated environmental authorization (SB 67/2007) to produce organic chemical substances based on: formaldehyde and urea-formaldehyde resins in liquid and dry form.

The authorization which is valid until 09.01.2017 shows that the document at its base is environmental authorization No. 478/14.04.2003 granted by the Alba Environmental Protection Agency to S.C.MDF SEBES FRATI S.A. However back in 2004, environmental authorization No. 478/14.04.2004 was not transferred to the new owner, S.C. KRONOSPAN SEBES S.A.

Environmental authorization SB 67/2007 violates Emergency Governmental Ordinance (OUG) 152/2005 which transposes the IPPC Directive because it does not contain the mandatory monitoring requirements. What's more, the industrial site operates 150 m away from the 'Kogalniceanu' residential area. Last but not least, the authorization contains no conditions regarding the capacity and time-line for storing the hazardous waste.

FORMALDEHYDE EMISSIONS

1. During 2007, Kronochem a sister company of Kronospan Sebes assembled on the Sebes industrial platform a formaldehyde production unit to double the current annual production (60000 t/a). This unit which has no environmental accord and no construction permit gravely violates OUG 195/2005 on environmental protection and Law 50/1991 on the authorisation of construction works. The Alba environmental guard fined the company and requested the demolition of the illegal unit. However, at the time of writing the installation has not been demolished.

What's more, while taking the Alba environmental guard to court, Kronochem in the meantime launched at the regional environmental protection agency (ARPM) in Sibiu an authorization procedure to obtain an environmental avis for the detailed urbanistic plan (PUD). This move would create the framework to build the already existing formaldehyde production unit. According to the provisions of Governmental Decision (HG) 1076/2004 on the environmental impact assessment for plans and programs (SEA) and according to the provisions of Law 350/2001 on the territorial management and urbanism, ARPM Sibiu should not have initiated the SEA procedure for a PUD wherein the construction under evaluation already exists. ARPM Sibiu should have rejected the request for an environmental avis from the very beginning. The principal aim of the environmental assessment can not be achieved in a case where plans which are submitted for approval have already been implemented - in this case with the erection of the unit. This makes it impossible to assess the environmental baseline and its evolution in absence of the plan ('zero' alternative).

* * *

2. On 19.02.2008, at 5am. a technical error occurred at the current formaldehyde production plant. It led to the accidental leak of approximately 800kg of formaldehyde. These formaldehyde emissions dispersed in the area and led to the recording of formaldehyde emissions well over permitted limits. According to samples taken at the SC Alpin ice-cream factory formaldehyde emissions were double to permitted STAS 12574/87 levels. Kronochem did not alert the environmental authorities about the accident; thus violating the obligations stipulated in the integrated environmental authorization No. SB 67/09.01.2007. The Alba environmental guard fined Kronochem with 80.000 lei (20.800 Euro) for not announcing the accident to the environmental authorities.

* * *

3. Between 18.05-03.06.2008 the formaldehyde emissions at the Kronospan Sebes site exceeded permitted levels on 13 occasions. The maximum level measured during this period was 0,053 mg/Nmc. The maximum permitted level for protected areas is according to STAS 12574/1987 at 0,012 mg//Nmc. In June 2008 the Alba environmental guard fined Kronospan Sebes with 100.000 lei (26.000 Euros) for this infringement of law. According to an official letter from the Alba Environmental guard, between 2004 and 2008 a total of 14 sanctions in the form of fines were applied to Kronospan by this institution, totalling in value 200000 euros. Besides the fact that all sanctions were contested in court by the company, which increases the costs of the environmental authority, costs that end up being paid by the tax payers, it becomes evident why Kronospan prefers to pollute instead of investing into technologies to protect the environment, in strict monitoring of emissions, in keeping the emissions into legally admitted limits and in a veritable consultation process with the affected community.



In early 2008 S.C. KRONOSPAN ROMANIA S.R.L., a sister company of Kronospan Sebes, started the construction of a PAL wood composite production plant in the city of Brasov. These construction works are based on a construction permit - nr.265/26.03.2002 – which however, lost its validity given that the accompanying environmental accord (nr.120/18.03.2002) expired.

In January 2008 the Brasov environmental protection agency (EPA) requested Kronospan to submit the Urbanistic Zonal Plans (PUZ) which would need to be assessed and authorised before the company could start the procedure to obtain an environmental accord for the above mentioned plant. In absence of any authorised PUZ and in absence of a valid environmental accord, Kronospan started with the construction of the PAL wood composite production plant in February 2008.

The Brasov town hall fined S.C. KRONOSPAN ROMÂNIA S.R.L. with notification Nr. 4578/12.05.2008, for not respecting the provisions of construction permit 265/26.03.2002. The notification requests that the “construction works must be halted and that any construction work must be executed according to the provision of the construction authorisation.” The town hall also initiated a criminal complaint against representatives of SC Kronospan Romania for violating the provisions of the fine by continuing the construction works after they were ordered to be halted; as stipulated in art. 24 lit b with Law 50/1991 on the authorisation of construction works (Criminal complaint No. 362250/15.07.2008 at the Brasov Police).

In June 2008 the Brasov environmental guard assessed that environmental accord nr.120/18.03.2002 lost its validity and sanctioned the company with a fine and a request to halt the construction works; as stipulated in the provisions of art.96 al.2 pct.1 of OUG Nr.195/2005.



Photo: the industrial site Kronospan Sebes

FORMALDEHYDE

Effects and risks



The adverse health impacts of formaldehyde exposure from products made of composite wood products is well documented. In recent years several countries, counties and lending institutions have thus tightening admissible levels. The measured exposure that are of concern is four fold: the workers producing wood composites, the communities living nearby the relevant wood processing plant, the homes that contain products made from composite wood (furniture, wood flooring etc.) and final decomposing. This fact sheet aims at drawing together some of the direct and related risks to human health associated with wood processing that uses formaldehyde.

Formaldehyde is mainly produced by the oxidation of methanol. It is toxic and used in resins to bind together composite wood products. The manufacture of composite wood products requires the use of bonding resins such as ureaformaldehyde (UF), melamine-formaldehyde (MF), melamine-urea-formaldehyde (MUF), phenolformaldehyde (PF) and isocyanates. UF for example is mainly used for indoors and PF is used for outdoors. UF's emissions can be recognized by the telltale sweet smell in most new kitchen and bath cabinets. While UF binders are significantly less expensive than PF binders, they give off a lot more formaldehyde—a volatile compound reclassified in 2004 from a “probable human carcinogen” to a “known human carcinogen” by the International Agency for Research on Cancer (IARC) of the World Health Organization. Formaldehyde's other health impacts include respiratory problems; eye, nose, and throat irritation; allergic reactions; and depression. According to the REACH SIN list 1.0, formaldehyde is „also reported to be mutagenic and toxic for reproduction.” In laboratory tests, formaldehyde has been shown to cause a number of genotoxic effects in a variety of cell culture and in vitro assays, including DNA-protein crosslinks, sister chromatid exchanges, gene mutations, single strand breaks, and chromosomal aberrations.

At concentrations above 0.1 ppm in air, formaldehyde can irritate the eyes and mucous membranes, resulting in watery eyes. If inhaled, formaldehyde at this concentration may cause headaches, a burning sensation in the throat, and difficulty breathing, as well as triggering or aggravating asthma symptoms. It

can cause allergies, and is part of the standard patch test series. It can also cause sensitizing or allergic type changes in lung function. These are manifested by a decrease in lung capacity and by asthma attacks likely to recur at decreasing concentrations. These effects were observed with asthmatic and non-asthmatic subjects exposed to more than 2ppm. The allergenic effect of formaldehyde can be worsened by the presence of particles or dust (for example, wood dust), that trigger bronchial reactions even at concentrations below 2ppm. Concentrations equal to or greater than 20ppm can cause serious pulmonary oedema and eventually death.

The United States Environmental Protection Agency USEPA allows no more than 0.016ppm formaldehyde in the air in new buildings constructed for that agency. In Germany formaldehyde emissions at the workplace must not exceed 0.6 mg/m³ and the finished board formaldehyde content must not exceed 10mg/100g board weight, according to EC Directives. After fitting the boards formaldehyde concentration must not exceed 0.1ppm in the ambient room atmosphere. The US Agency for Toxic Substances and Disease Registry, has set minimum risk levels for exposure to formaldehyde below which a person would be unlikely to experience any ill effects. The minimum risk level is 0.04ppm for one to 14 days of continuous exposure, 0.03ppm for up to one year of continuous exposure, and 0.008ppm for exposure that exceeds one year.

Exposure to formaldehyde may raise one's risk of getting amyotrophic lateral sclerosis (ALS), or Lou Gehrig's disease, according to U.S. researchers including Marc Weisskopf, a researcher at the Harvard School of Public Health who presented his findings at the American Academy of Neurology in Chicago in April 2007. While they found no significant link between ALS and most chemicals, including pesticides and herbicides, they found people who had been regularly exposed to formaldehyde were 34 percent more likely to develop ALS. The study involved more than 1,100 people enrolled in a cancer prevention study. They were asked about their exposure to formaldehyde and other chemicals in 1982, and then followed for 15 years. ALS progressively kills nerve cells that control muscle movements known as motor neurons in the brain and spinal cord. About 5,600 people in the United States are diagnosed with ALS each year, according to the ALS Association.

As for chemical incompatibilities, formaldehyde, a strong reducing compound, will react violently (explode, catch fire, etc.) with strong oxidants (examples: hydrogen peroxide, potassium permanganate), acrylonitrile, caustic soda, magnesium carbonate, nitrogen oxides and peroxyformic acid. Formaldehyde is also incompatible with strong acids, amines, ammonia, aniline, disulfides, gelatine, iodine, magnesite, phenol, tannins, and copper, iron and silver salts. Also, formaldehyde solutions attack ordinary steel. (44) As much as possible, formaldehyde and its solutions must be used in a closed circuit to avoid any exposure through skin contact or inhalation.

Associated risks:

To protect composite wood products from biological degradation (e.g. fungal induced decay), preservatives (insecticides and/or fungicides) they are often combined with resins or applied separately to the composite material. Other property-modifying chemicals such as waxes and fire retardants (Yalinkilic *et al.*, 1998) may also be used. Chemical processes such as acetylation are in some instances used to increase the water repellency of fibres in composite wood products (Eaton and Hale, 1993). This adds to the exposure of health risks; from production through to decomposition.

Composite wood products are often recycled into animal feed. If animal feed producer do not distinguish between i.e. formaldehyde-containing and formaldehyde-free composite woods then the chemicals will end up in the animal and eventually in the human food chain.

Wood dust inhalation, especially of PM10, may cause irritation, asthma, allergic reaction, and nasopharyngeal cancer amongst wood processing workers. The dust produced from some alternative fibers used for board processing has specific health effects leading to specific occupational diseases which may lead to permanent incapacity or death. Melamine powder which may be used for lamination may be a carcinogen and may have irritant effects to the eyes skin and respiratory tract. Dust exposure should be prevented and controlled through the adoption and maintenance of effective extraction and filtration system, masks and respirators, as necessary.

Where formaldehyde based resins and glues are used as a binding agent there may be an elevated exposure to formaldehyde vapor. Where wood is dried or pressed at elevated temperatures wood volatile compounds are commonly released.

Methylene diphenyl diisocyanate (MDI) adhesive is often used in the manufacture of composite wood products. This compound can cause severe respiratory damage if inhaled and demands special precautions in use which will be specified by responsible suppliers of this material.

FORMALDEHYDE IN THE CASE OF THE KATRINA HURRICANE VICTIMS - USA

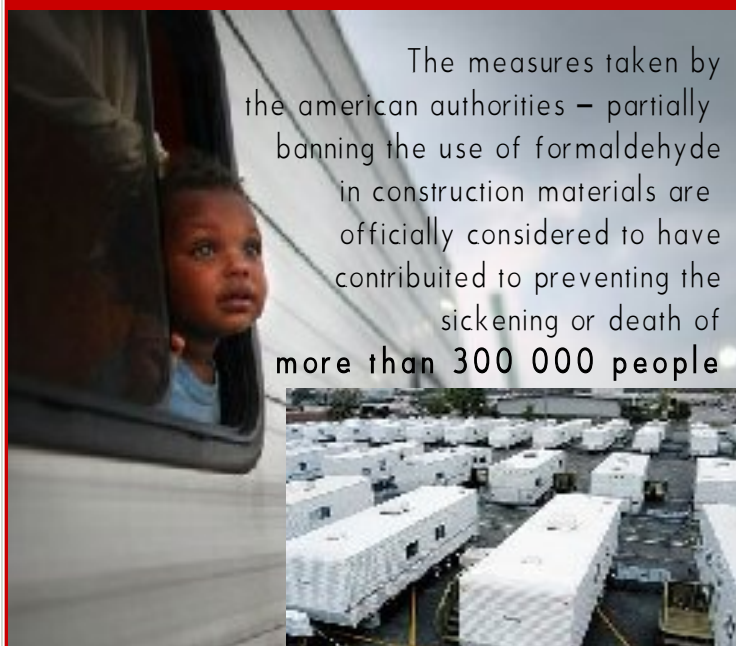
Within days of Hurricane Katrina's landfall in August 2005, frantic officials at the Federal Emergency Management Agency ordered nearly \$2.7 billion worth of trailers and mobile homes to house over 300 000 storm's victims, many of them using a single page of specifications.

Manufacturers produced trailers with unusual speed. The trailers were built with cheap, high-formaldehyde-emitting plywood. The negligent authorities didn't insist on safety measures in the first phase.

Within months, some residents began complaining about unusual sickness: breathing problems; burning eyes, noses and throats; even deaths.

Following people's complaints, the authorities ordered health evaluation studies of the residents. In total, there were registered 17 000 cases of sickness: breathing problems, cancer and deaths.

The medical reports officially concluded that the formaldehyde was the cause of those health problems and deaths.



The measures taken by the American authorities – partially banning the use of formaldehyde in construction materials are officially considered to have contributed to preventing the sickening or death of more than 300 000 people

Photo: formaldehyde trailers – Katrina victims

In Kronospan's case, the environment is constantly exposed to formaldehyde emissions which are produced at industrial scale. Moreover, as it results from numerous official controls made by the National Environmental Guard and and the National Environmental Protection Agency from Romania, Kronospan's formaldehyde emissions were registered to be highly above the authorized limits. This way the formaldehyde spreads uncontrolled into the environment and profoundly affects the nature.

The formaldehyde is transported in air, water, soil. About 99% of emitted formaldehyde will eventually end up in the air, and the rest will end up in the water – soil. When released into the air, formaldehyde is expected to be readily degraded by reaction with photochemically produced hydroxyl radicals. Its' air life (urban air with sun rays) is between 1 and 2 hours, or 12 hours if hydroxyl radicals are present.

When released into water, formaldehyde is expected to decompose in approximately 20 days. Formaldehyde is considered to be highly soluble in water, and its Henry's law constant (3×10^{-5} kPa·m³/mol) suggests that it will be very unlikely to volatilize from water. This aspect is extremely important considering the potential risks to drinking water.

Again, because it's high solubility in water, formaldehyde will transfer into clouds and precipitation generating formic acid – a component of acid rains. Indirectly, the formaldehyde ends up in the soil of lands destined to agriculture, surface waters and underground waters. When released in surface water formaldehyde is absorbed in sediments in small quantities. Formaldehyde has a level of chronic toxicity for the aquatic environment (fish, algae, bacteria). Birds which are terrestrial animals can if exposed to formaldehyde contract similar diseases to people. According to scientific studies, formaldehyde generated chronic diseases such as cancer, low fertility rate, behavior modifications and premature mortality. There exists no sufficient data to predict the long term impact on plants.

Formaldehyde is not expected to adsorb soil particles to a great degree and there exists no sufficient data to document the effects of formaldehyde in soil and subterranean water.

Although apparently the presence of formaldehyde itself in the environment is not long lasting, in case of constant emissions released at industrial scale, we face the permanent presence of formaldehyde in the environment and of course all it's secondary consequences that it might cause.

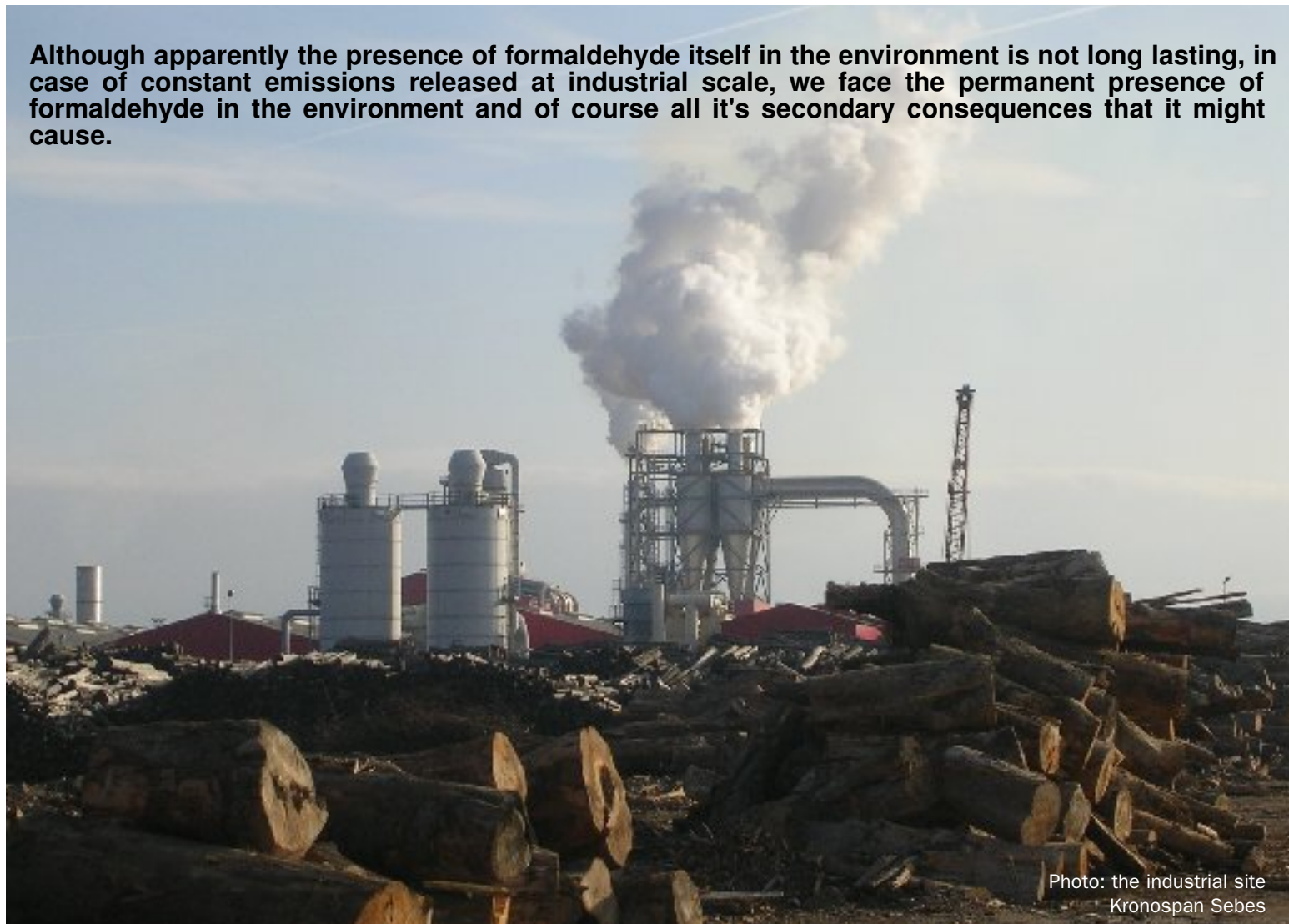


Photo: the industrial site
Kronospan Sebes

CAMPAIGN CHRONOLOGY

Juridical actions of the civil society

In October 2007 the Independent Centre for the Development of Environmental Resources (ICDER) requests APRM Sibiu to repeal integrated environmental decision No. SB 67/09.01.2007 because it was granted in violation of Emergency Governmental Ordinance (OUG) 152/2005 on integrated pollution prevention and control. In its reply the Alba EPA only mentions that the complaint is too late vis a vis the moment of when the authorisation was granted and that back then it met all relevant legal provisions.

In September 2008 the 'Pollution Free Sebes' initiative group (which later became the Independent Centre for Environmental Protection) submits a penal complaint against representatives of Kronospan Sebes for violating Law 50/1991 by continuing construction works after they had been ordered to be halted by the competent authorities and for releasing with full knowledge dangerous substances into the environment and thus endangering public health. File no. 1123/P/2007.

In March 2008 ICDER intervenes in its own name and on behalf of a group of citizens from Sebes to defend the environmental authorities in a case Kronospan Sebes vs. REPA Sibiu and EPA Alba whereby it asks to court to oblige REPA Sibiu to issue a screening decision on its installation to dry wood chips with a capacity of 75 MW for its PAL chipboard production unit and to oblige EPA Alba to issue the necessary environmental authorization for the exploitation of this unit – Case No. 4249/107/2007 at the Alba Tribunal. In September 2008, Kronospan abandons the pursuit of this case.

In May 2008 the 'Pollution Free Sebes' initiative group requests the authorities responsible for granting the integrated environmental authorisation for the Kronospan Sebes industrial platform to reduce the permitted levels of the cancer-causing dust substance PM10 from 50 mg/Nmc to 20 mg/Nmc; as is stipulated in the provisions of Order 592/25 of June 2002. In its reply the regional environmental protection agency (REPA) Sibiu states that when it will set the limits of permitted levels it will consider this request as well as Best Available Techniques (BAT), the technical characteristics of the unit, its geographical placement and the local environmental conditions.

In May 2008 ICDER officially warns the Brasov environmental guard about the fact that SC Kronospan Brasov executes construction works that are based on an expired environmental accord. ICDER requests for the company to be sanctioned and for the construction works to be halted. In its reply the environmental guard confirms that the environmental accord has expired and that it has ordered for the construction works to be halted.

In May 2008 the 'Pollution Free Sebes' initiative group warns the national environmental protection agency (NEPA) about the fact that Vasile Todea, the Director of the Alba EPA has a commercial and profit-making relationship with Kronospan Sebes. According to Law 161/2003 on measures to prevent and sanction corruption such situation could constitute a conflict of interest. The relevant documentation submitted by the initiative group shows that Mr Vasile Todea is the sole shareholder of S.C.Luxor L.T.D.SRL, a company which has a commercial and profit-making contract with Kronospan Sebes. The letter also shows how on the other hand S.C.KRONOSPAN is currently in the authorisation procedure with the Alba EPA and that the final decision is in the hands of Mr Todea. As a result of this warning, a disciplinary commission that is part of the NEPA orders the dismissal of Mr Vasile Todea in this function as director of the Alba EPA.

In July 2008 ICIDER warns the Brasov Local Council, the Brasov authority for Construction Control and the Brasov Police about the fact that SC Kronospan Brasov is carrying out construction works on the basis of an invalid authorisation. ICDER requests for the company to be sanctioned, for the construction works to be halted and for the illegal construction works to be demolished in conformity with the provisions of Law 50/1991. In its reply the Brasov town hall shows that it sanctioned the company and requesting that the "construction works must be halted and that any construction work must be executed according to the provision of the construction authorisation." However, with this 'solution' the town hall ignores the invalidity of the construction authorisation and does not impose the demolition of the construction works carried out without any authorisation.

In July 2008 the 'Pollution Free Sebes' initiative group requests the NEPA to categorise formaldehyde as a cancer-causing substance in line with the definition and studies carried out by the World Health Organisation (WHO). This request is based on the fact that according to Romanian legislation (Governmental decision (HG) 490/2002 on the approval of the normative methodology to apply Emergency Governmental Ordinance (OUG) 200/2000 on the classification, packaging and labelling of dangerous chemical substances) formaldehyde is classified in group III of cancerous substances (this group contains substances where there exists limited evidence for their cancer-causing effect) while the WHO classifies formaldehyde as a substance whereby there exists sufficient evidence to group it as a cancer-causing substance. In its reply the NEPA states that such re-classification would require the modification of relevant European Directives which thereafter would need to be transposed by member states.

In August 2008 the 'Pollution Free Sebes' initiative group and CIDER participate in a public consultation in Sebes which is part of the procedure to obtain an environmental avis for the detailed urbanistic plan (PUD) of the new formaldehyde producing plant. Both groups submit legal arguments that show that if an environmental avis would be granted; then this would be illegal. The arguments first and foremost highlight how an environmental avis for the plant would contravene the provisions HG 1076/2004 on the environmental evaluation of plans and programs. In early September 2008 REPA Sibiu requests Kronochem to complete the documentation to obtain the environmental avis by asking the company to prove how their plan will respect the provisions of HG 1076/2004; including the 'zero' alternative etc.

In September 2008 CIDER initiates a court action against the Brasov Municipality and the Brasov Local Council. The action carries File No.6012/62/2008 and will be judged at the Brasov Tribunal. CIDER's aim is to ensure the enforcement art. 18 al.1 of Law Nr.554/2004 and for the court to thus oblige the accused to issue the notification and to sanction Kronospan; in the sense of enforcing the fine against the company for executing construction works without an construction authorisation by ordering the halt of these works and the demolition of the works that were carried out without an authorisation.

ICDER will continue to offer assistance to the local initiative group and to other directly affected/interested citizens regarding their procedural rights during the environmental licensing procedures by raising public awareness and media attention. This includes detailing the full impact of the proposed activities to the people's health and the environment, highlighting legal problems faced by the company and warning competent authorities, administrative and judicial, from Romania and at the EU level about irregularities committed during the licensing procedure.

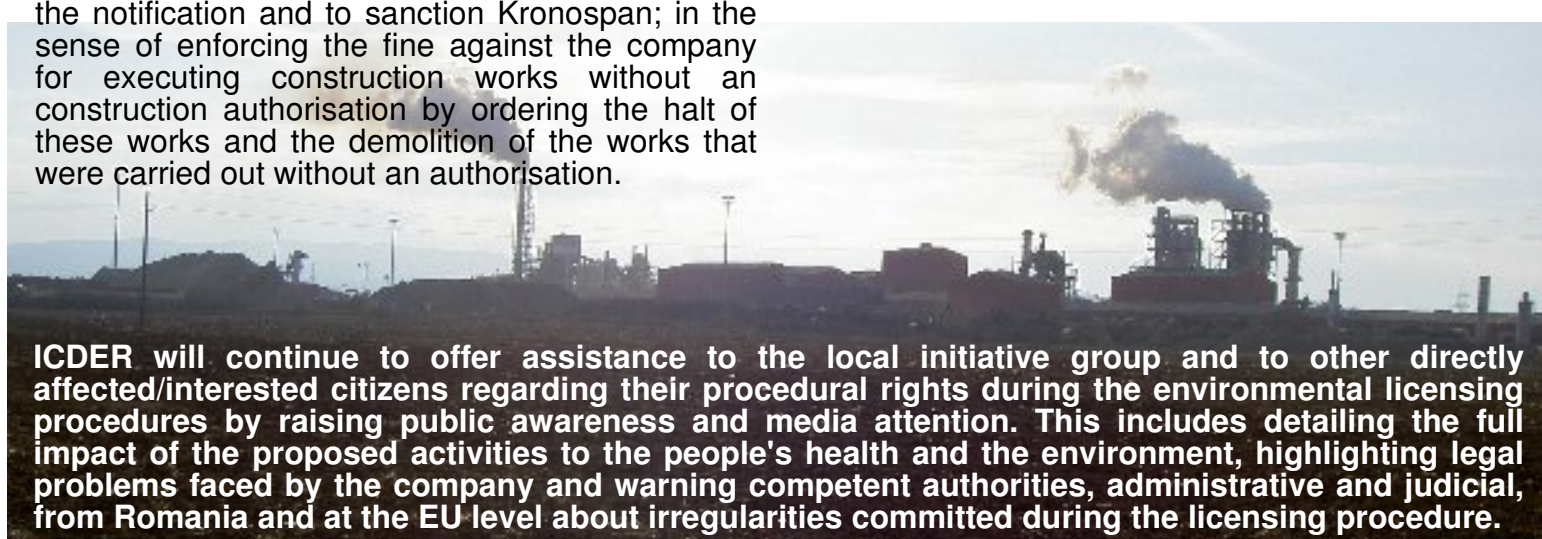
In October 2008 ICIDER intervenes to the defence of the environmental authorities in the court action Kronospan vs. the Brasov Environmental Guard. The company's aim in this action is to secure the annulment of the inspection report by which it was assessed that Kronospan's environmental accord for the PAL chipboard production unit expired. The company was thus fined and ordered to stop the works. The civil case carries file No. 9798/197/2008 and is registered at the Brasov Court.

In October 2008, CIDER intervenes in aid of the environmental authorities in the court case Kronochem Sebes vs. the Alba environmental guard. The company's aim in this action is to secure the annulment of inspection report No.77/18.09.2007 which assessed that Kronospan built a unit to produce formaldehyde with a production capacity of 60000 t/a without an environmental accord. The file carries No. 3876/107/2007 and is registered at the Oradea court of appeal.

The Oradea court of appeal rejected ICIDER's request of intervention as well as the requests submitted by a group of citizens from Sebes arguing that the groups lack the procedural interest to intervene. The court admitted Kronochem's action by annulling inspection report No. 77/18.09.2007. ICIDER will submit a complaint to the Aarhus Convention Compliance Committee on access to information, public participation and access to Justice in environmental matters.

In October 2008 ICIDER intervenes alongside several citizens from Sebes in aid of the environmental authorities in a court case Kronochem Sebes vs. the Alba environmental guard. The company's aim in this action is to secure the annulment of inspection report No. 110/29.10.2007 which assessed that Kronochem built a formaldehyde production unit without an environmental accord. The file carries Nr. 4020/107/2007 and is registered at the Oradea court of appeal.

The Oradea court of appeal admitted Kronochem Sebes' appeal and send the cause to the Bihor Tribunal for re-trial.



MOBILIZATION



Get involved in the Pollution Free Sebes Campaign

INFORM YOURSELF

Read the blog and the references indicated in its section 'Resources' to get an informed opinion. Read the documents and materials available and send them to as many of your friends as possible.

www.centruldemediu.ro

<http://pollutionfreesebes.wordpress.com>

www.keepitgreen.apisp.m.ro

BE AN ONLINE ACTIVIST

Visit on a regular basis the sections 'Get Involved' / 'Activism' from our websites to participate in the campaign's activities. Subscribe to the campaign's mailing list in order to be kept updated with all news! Help us then by distributing this information to your contacts or by posting it on your blog or website!

Share with us any of your ideas on what can be done to stop the pollution of Sebes and to put a halt to the illegalities committed by the company and by the authorities involved!

TAKE VOLUNTEER ACTION

We always need help and your involvement in the campaign would offer you training opportunities in fields such as communication with the press, environmental legislation and administrative procedures, field work, etc.

It's very simple: send us an email at office@sebesfarapoluare.ro containing a short description of your interest in the campaign and approximately how much time you are willing to dedicate to your involvement in your voluntary work and we would only be happy to welcome you in our team!

WHAT CAN YOU DO TODAY?

Send a petition to the Sibiu Regional Agency for Environmental Protection, asking it not to issue the environmental avis for the urbanistic plan for the formaldehydes production facility that was illegally built in 2007 in Sebes!

Send a petition to the Brasov Agency for Environmental Protection asking it not to issue an environmental accord to Kronospan for building a wood base panel production facility that would use formaldehydes in the town of Brasov. The construction was already started in 2008 without an environmental accord and without a construction license
[Sample petition](#)



Relevant authorities

THE NATIONAL ENVIRONMENTAL GUARD (*under the Ministry for the Environment*)

The general Office:

Address: Unirii Bd., no.78, bl.J2, Sector 3, Bucharest
Tel: 0040 21 326.89.70; 326.89.82
Fax: 0040 21 326.89.71
Email: gardamediu@gnm.ro
Web: www.gnm.ro

Alba county Office (NEG) :

Address: Lalelelor St., no.7A, Alba Iulia
Tel: 0040 258/816.834
Fax: 0040 258/830.002
Email: cjalba@gnm.ro

Brasov county Office (NEG):

Address: Politehnicii St. no.3, Brasov
Tel: 0040 268 417.028
Fax: 0040 268 418.047
Email: cjbrasov@gnm.ro

THE NATIONAL ENVIRONMENTAL PROTECTION AUTHORITY (*under the Ministry for the Environment*)

Address: Splaiul Independentei St., no.294, Sector 6, Bucharest
Tel: 0040 21-207.11.01; 21-207.11.02
Fax: 0040 21-207.11.03
E-mail: office@anpm.ro
Web: www.anpm.ro

The Regional Environmental Protection Agency - Sibiu (*coordinates the offices from Alba and Brasov counties*)

Address: Hipodromului St. No. 2A, 550360 Sibiu
Tel: 0040 269 – 232806, 233094
Fax: 0040 269–444145
Email: office@arpm7c.ro
Web: www.arpm7c.ro

The County Alba's Environmental Protection Agency

Address: Lalelelor St., no.7B, 510217- Alba-Iulia
Tel/Fax: 0040 258 813290
E-mail: officeab@apm-alba.ro
Web: www.apm-alba.ro

The County Brasov's Environmental Protection Agency

Address: Politehnicii St., no.3, Brasov
Tel: 0040 268 419013
Web: www.apmbrasov.ro

THE MINISTRY FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Address: Libertatii Bd., no. 12, Sector 5, Bucharest
Phone operator: 004 21 316 02 15
Web: www.mmediu.ro

Office Public Relations:
Interiour Phone No.: 2493
Tel: 004 021 316 38 74
Fax: 004 021 316 38 74
E-mail: srp@mmediu.ro

THE MINISTRY FOR PUBLIC HEALTH

Address: Entrance Cristian Popisteanu St., no. 1-3, sector 1, Bucharest

Public Relations Compartment:
Tel: 0040 21 3072 524
Fax: 0040 21 3072 675
E-mail: dirrp@ms.ro
Web: www.ms.ro

PUBLIC HEALTH INSTITUTE – BUCHAREST (*under the Ministry for Public Health*)

Address: Dr. Leonte St., no. 1-3, sector 5, Bucharest
Web: www.ispb.ro

General Director: Dr. Bogdan Constantin Stolica
Tel: 0040 213183620 int. 200 / 3183619 / 3183602
Fax: 0040 21 3183634
E-mail: stolica@ispb.ro
E-mail secretary: directie@ispb.ro

Work Medecine Compartment

Chief Compartment: Dr. Adriana Todea
Tel: 0040 21 3183620 int. 203
Fax: 0040 213183614
E-mail: adrianat@ispb.ro

Health and Environment Compartment

Chief Compartment: Dr. Emilia Niciu
Tel: 0040 21 3183620 int. 183
Fax: 004 21 3123426
E-mail: emniciu@ispb.ro