

REPUBLIC OF BULGARIA
NATIONAL ASSEMBLY

**PROTECTION OF WATERS AND SOIL
AGAINST POLLUTION ACT**

*Promulgated State Gazette No. 84/29.12.1963
Amended SG No. 26/1968; 29/1969; 95/1975; 3/1977; 1/1978; 26/1988;
86/1991 & 100/1992; 45/1996*

I. GENERAL PROVISIONS

Article 1

(Amended – SG No. 45/1996)

This Act shall define the activities for protection of waters and soil against pollution.

Article 2

(Amended – SG No. 45/1996)

Pollution of water and soil shall mean change of composition, qualities and properties thereof to a degree that renders them unusable or hazardous to people, animals or plants.

Article 3

(Amended – SG No. 3/1977; 45/1996).

Ministries, institutions, people's councils and public organisations shall carry out regular activities to protect water and soil against pollution.

It shall be the duty of the Minister of Environment to exercise control on the protection of water and soil from pollution.

The Ministry of Health and Social Affairs shall exercise sanitary control over the condition of waters and soil. In consultation with the Ministry of Environment it shall issue sanitary standards and regulations which shall be compulsory for all institutions, organisations and persons.

While exercising the control as stated in the preceding paragraphs, the Ministry of Environment and the Ministry of Health shall involve technically competent agencies and persons from other institutions.

The Ministry of Agriculture and Forestry, assisted by the Academy of Agricultural Sciences, shall issue and supervise the implementation of animal and agricultural plant protection standards and regulations which shall be compulsory for all institutions, organisations and persons.

Article 4

Borderline or transboundary river waters shall be protected against pollution in accordance with international agreements to which the People's Republic of Bulgaria is a party.

II.

(Repealed – SG No. 45/1996)

III. PROTECTION OF WATER AGAINST POLLUTION

Article 8

Water flows, basins, ground waters and coastal sea waters used for public utility services and for economic purposes shall be subject to protection against pollution.

Article 9

(Amended – SG No. 29/1969 and 3/1977)

Water flows or parts thereof, basins, ground waters and coastal sea waters shall be categorised in accordance with their use.

Categories shall be approved by the Council of Ministers at the proposal of the Minister of Environment and with the consent of the institutions concerned.

Article 10

The pollution levels in waterways and basins with minimal quantities of water, and in ground waters and coastal sea waters after receiving discharges of sanitary and industrial waters with maximum pollution levels, shall not exceed the allowable concentration levels determined by means of approved sanitary and technical standards and regulations.

Article 11

The designing, constructing, restructuring and expanding of industrial enterprises, thermal power plants and animal breeding farms, and sewerage in populated areas shall be carried out parallel to the designing, constructing, restructuring

and expanding of the necessary wastewater treatment facility, as part of the site, for separate treatment or treatment in co-operation with other enterprises and populated areas. Designs shall not be approved if no such facilities have been designed.

It shall be prohibited to set into operation industrial enterprises, thermal power plants and animal breeding farms prior to the setting into operation of the treatment facilities. Exceptions shall be allowed only in the cases provided for in Article 24.

Constructed industrial and household waste water treatment plants shall be accepted after preliminary operational efficiency testing.

Article 12

(Amended – SG No. 29/1969 and 3/1977)

It shall be prohibited to discharge household and industrial waste water in water flows, basins, fisheries, and coastal sea waters without the permission in writing by the Ministry of Environment. Where water basins are used as municipal drinking water supplies, the Ministry of Environment shall reach agreement on the issue with the Architecture and Urban Planning Committee.

The decision shall specify the conditions under which waste water can be discharged into the receiving body.

Article 13

Institutions, people's councils, enterprises and public organisations shall maintain in working order and secure the uninterrupted proper operation of wastewater treatment facilities.

IV. PROTECTION OF SOIL AGAINST POLLUTION

Article 14

Soils within and around populated areas, health resorts and hiking areas, and soils within drinking water intake regions shall be subject to sanitary protection.

Soils used for agricultural purposes shall be subject to protection by the Ministry of Forests and Forestry.

Article 15

The people's councils shall carry out activities to remove and dispose of household waste and street litter and of other waste in the populated areas, health resorts and hiking areas.

Article 16

Industrial enterprises, thermal power plants, animal breeding farms, households, institutions, places of entertainment etc. shall have facilities for waste collection and waste water treatment, deposition of harmful substances and other soil pollutants.

Article 17

In the course of designing, constructing and using irrigation and drainage systems, measures shall be provided to avoid drinking water wellhead pollution, raising groundwater levels in populated areas, health resorts and hiking areas, and swamping.

V. PENAL PROVISIONS

Article 18

(Repealed – SG No. 100/1992)

Article 19

(Repealed – SG No. 26/1968)

Article 20

A fine of up to 300 leva shall be imposed on:

- a) persons discharging domestic or industrial wastewater into streams, basins, fisheries, or coastal sea waters without permission to that effect;
- b) directors of enterprises, institutions or organisations who do not take the necessary steps to collect and dispose of waste on designated places, or to treat waste waters, harmful substances and other soil polluting waste from the enterprise, establishment or organisation;

(Paragraphs 2, 3, 4, 5 deleted – SG No. 95/1975)

Article 20a

(Amended – SG No. 95/1975 and 3/1977)

Administrative violations under the previous Article, as well as under Articles 352, para 4, 352a, paras 3 and 5, 353, para 4 of the Penal Code shall be established by way of statements of violation drawn up by the agencies of the Ministry of Environment, the Ministry of Agriculture and Forestry, or the municipal people's councils, and, where the violation concerns pollution of sea waters, the Ministry of Environment or the Ministry of Transport.

Penal statements shall be issued by the Minister of Environment and, where the violation is related to pollution of sea waters, by the Minister of Environment or by the Minister of Transport, or officials designated by them.

The establishment of violations and the issuance, appeal and enforcement of penal statements shall be carried out in accordance with the terms and conditions set forth by the Administrative Violations and Penalties Act.

Article 21

(Amended – SG No. 95/1975, 45/1996)

In the cases, set forth in Articles 352 and 353 of the Penal Code, the Minister of Public Health and Social Affairs, as well as the Minister of Environment shall be entitled to suspend the operation of enterprises, thermal power plants, or facilities until the necessary measures are taken to protect the waters and soil against pollution.

Article 22

All acts in violation of the fishing and fish breeding regulations shall be penalised as set forth in the Fisheries Act unless this Act provides for a heavier penalty.

VI. TRANSITIONAL AND CONCLUDING PROVISIONS

Article 23

(Amended – SG No. 45/1996)

All existing industries, thermal power plants, animal breeding farms etc., and all sewage collection systems for populated areas or individual sites, which pollute the water and soils with solid and liquid pollutants, shall construct treatment facilities with funds provided for in the long-term or annual national economic plans and in the state budgets, as well as in the long-term and the annual plans of industries and other organisations.

(Amended – SG No. 3/1977)

The construction programs for the above facilities shall be approved by the Council of Ministers at the proposal by the Ministry of Economy and Planning, the Ministry of Environment and the Ministry of Public Health and Social Affairs, in consultation with the ministries and institutions concerned for river basins, regions and enterprises of various types.

The Council of Ministers shall specify the terms to execute such programs.

Article 24

(Repealed – SG No. 86/1991)

Article 25

The enforcement of this Act shall be set forth in Regulations, Decrees, Construction and Sanitary Standards and Rules to be issued. The Regulations shall be approved by the Council of Ministers within six months based on reports from the Minister of Public Health and Social Affairs and by the Minister of Agriculture and Forestry. Instructions on the enforcement of this Act shall be issued by the relevant agency directors.

Article 26

This Act shall become effective within six months as of its promulgation in the State Gazette.

(Paragraph 2 Amended – SG No. 3/1977)

The enforcement of this Act shall be assigned to the Minister of Environment, the Minister of Public Health and Social Affairs, the Minister of Agriculture and Forestry, and the Minister of Economy and Planning.