



15th February 2016

Ms Fiona Marshall

Secretary to the Aarhus Compliance Committee

Dear Ms Marshall,

**COMMUNICATION TO THE AARHUS CONVENTION COMPLIANCE COMMITTEE
CONCERNING COMPLIANCE BY SPAIN IN CONNECTION WITH THE CHANGE OF
ACTIVITY OF A CEMENT PLANT TO PROCESS SOLID WASTES AND SEWAGE
ACCC/2014/99**

By letter of 2nd February 2016 the Secretary to the Aarhus Convention Compliance Committee, communicate the deliberations of the Compliance Committee on the above communication at its 51st session held in Geneva on 15 and 18 December 2015, identifying two factual points to be clarified by the Party concerned and by the Communicant

.1..Accordingly to article 23, paragraphe 3 of the Law 16/2002, as in force since 11 August 2010, the autonomous communities should publish in their respective official journals administrative decisions by means of which comprehensive environmental authorizations are granted or modified. Are these official journals mandatorily required to be accessible on the internet, and are they indeed accessible?

The Official Journal of the Generalitat of Catalonia since the entry into force of Law 2/2007, which is attached as an annex, is published exclusively in digital format and is freely accessible to the public through the following URL: [http:// dogc. gencat.cat/ca/](http://dogc.gencat.cat/ca/)

Otherwise, the Official Journal of all Autonomous Communities are available and freely accessible through the following URL:

- Boletín Oficial de la [Junta de Andalucía](#)  (BOJA)
- Boletín Oficial de [Aragón](#)  (BOA)
- Boletín Oficial del [Principado de Asturias](#)  (BOPA)
- Boletín Oficial de [Islas Baleares](#)  (BOIB)
- Boletín Oficial de [Canarias](#)  (BOC)
- Boletín Oficial de [Cantabria](#)  (BOC)
- Diario Oficial de [Castilla-La Mancha](#)  (DOCM)
- Boletín Oficial de la [Junta de Castilla y León](#)  (BOCYL)
- Diario Oficial de [Extremadura](#)  (DOE)



- Diario Oficial de **Galicia**  (DOG)
- Boletín Oficial de **La Rioja**  (BOR)
- Boletín Oficial de la **Comunidad de Madrid**  (BOCM)
- Boletín Oficial de la **Región de Murcia**  (BORM)
- Boletín Oficial de **Navarra**  (BON)
- Boletín Oficial del **País Vasco**  (BOPV)
- Diari Oficial de la **Comunitat Valenciana**  (DOCV)
- Boletín Oficial de la **Ciudad Autónoma de Ceuta**  (BOCCE)
- Boletín Oficial de la **Ciudad Autónoma de Melilla**  (BOME)

2. If in addition to publication in the official journals exists, under the current legislation in force, any other mandatory means by which the public is required to be promptly informed that the comprehensive environmental authorizations have been taken?

According to Article 30 of Law 20/2009, in addition to the publication in the official journal, the entire contents of the environmental permits is publicly accessible, without restrictions other than those that may derive from the right of access to environmental information or other rules that are applicable.

In fact the content of all environmental permits is to be consulted on http://dtes.gencat.cat/appdmah_Front/autoritzacionsAmbientalesAction.do?method=initVars&set_locale=ca

Concerning notification and publicity of the IEA the current state Law 16/2002, on IPPC (last modification 12 June 2013) provides among others, the following:

Article 23 Notification and publicity

1. The body responsible for granting an integrated environmental authorization shall notify the resolution granting, modifying or reviewing, to interested persons, to the City where the facility is located, to the various bodies which had issued a binding report and, where appropriate, the body state competent to grant authorizations according with Article 11.2.a) of this Act.
2. The public has a right to access the resolutions of the integrated environmental authorizations as well as its subsequent amendments and revisions, in accordance with Law 27/2006 of 18 July.
3. The Autonomous Communities will advertise in their official journals the administrative decisions by which they had granted, modified or reviewed IEA.
4. The Autonomous Communities made public the administrative decisions granting, modifying or reviewing substantially IEA, identifying the installation. Also available to the public, including by electronic means, at least the following information ::
 - a) The content of the decision, including a copy of the IEA, including its annexes, and of any conditions and any subsequent adjustments.
 - b) A memory with the basis of the resolution, including the results of the consultations held during the public participation process and an explanation of how they were taken into



account.

e) When an exemption is granted under Article 7, paragraph 5, the specific reasons for that derogation based on the criteria set out in that paragraph and the conditions imposed.

f) Information on measures taken by the operator upon definitive cessation of activities in accordance with Article 22a.

Yours sincerely,

María José Gómez
Aarhus National Focal Point