



**URALSK
GREEN
FORUM**

Uralsk city

June 6, 2019

III INTERNATIONAL ENVIRONMENTAL FORUM DELEGATES ADDRESS

**The Committee for Environmental Issues
and Natural Resources Management of the
Mazhilis of Parliament of the Republic of
Kazakhstan**

**RoK Ministry of Ecology, Geology and
Natural Resources**

The III International Environmental Uralsk Green Forum was held on 6 June 2019 in Uralsk.

The Initiator of this Forum is Karachaganak Petroleum Operating B.V. (hereinafter KPO) and West Kazakhstan Oblast Akimat. The Forum is traditionally timed to coincide with celebration of the World Environment Day and its key agenda is to discuss the environmental current concerns through an open dialogue between business and the government. Holding International Environmental Forum in Uralsk has already become a good tradition - so far two forums have been held first one in 2017 and seconds was in 2018.

The key objective of the third forum was to discuss the main provisions of the draft new Eco Code of the Republic of Kazakhstan and the issues of current importance related to “green” energy development.

Around 250 delegates, including members of the RoK Government, representative and executive bodies, experts in various disciplines, environmental professionals from other companies, managers of large and small businesses, government officials, top managers of oil and gas companies, heads of public organizations and industry associations, as well as academic researchers and students from higher educational institutions attended the Forum.

The Forum was organised in the form of the panel session, a specialized workshop and master class:

- The panel session: **“The New Environmental Code of the Republic of Kazakhstan. Major changes and priorities”**
- A specialized workshop: **"Green energy - opportunities and prospects for the development"**
- Master class: **“Increasing information awareness in the area of energy saving: cases of recommendations”**

The delegates of the Forum emphasised the efficiency of the event and noted the need for all stakeholders - business, authorities and public - to join efforts for addressing below current concerns relating to the draft of new RoK Environmental Code as well as “green” energy development.

This address was prepared on behalf of the delegates, the forum participants, with the purpose of consolidating the improvement suggestions and recommendations in terms of some provisions of the draft of the RK new Environmental Code:

- To provide mechanisms for adoption of comprehensive environmental permits (CEP) and best available techniques (BAT);
- To shift the emphasis of the environmental regulation system from the “total” one to a specific group of facilities based on the degree of the facility hazard and environmental impact (BAT implementation at major facilities);
- The new companies shall obtain the CER on the voluntary and phased basis;
- To provide for the BAT implementation timeframe for the oil and gas sector - at least 10 years;
- To ensure that actions of companies and state authorities are aligned in terms of environmental activities;

- To encourage attracting investments into various sectors of the RK economy along with compliance with strict environmental standards;
- To resolve the issues on setting emission limits during technologically unavoidable gas flaring (V₉);
- To save the amendments made to the RK Environmental Code in 2016 allowing to deviate from the gas flaring schedules and scenarios specified in the GPDP, design documentation and emission limits projects, provided that the established maximum permissible emissions are not exceeded;
- To ensure that the RK enterprises release competitive products considering the emissions decrease into the Kazakhstan environment;
- To create an inspiring business environment for the development and implementation of new investment projects (adequate fiscal policy, fairness and proportionality of punishments, use of the most advanced mechanisms for financing environmental projects (“green” finances and etc.);
- To exclude application of separate discriminatory rates of payment for gas flaring emissions. For gas flaring emissions there should be same payment applied as for emissions from other stationary sources;
- To ensure that funds coming from the environmental payments (fines) are spent according to their designated use for improving environment;
- To reveal insights into the principles of low-carbon development in the RK Eco Code and reconsider the approaches of the country's low-carbon development;
- To enhance the role of public environmental control – consolidation of environmental organizations and companies in ecology matters;
- To withdraw from the concept of “guilt” for breaking nature use limits and adopt the “polluter pays” principle based on the proven fact of environmental damage. Improve procedures of state environmental control and adopt environmental cost recovery approaches;

- There is some uncertainty in the previously suggested standards of the new Code in terms of the environmental damage recovery (in particular, atmospheric air damage). According to the OECD practice, including the UK, the responsibility for environmental damage recovery shall be limited to restoration, remediation and clean-up of land and water contamination, biological resources recovery and cannot be applied to atmospheric air;
- To digitize the environmental monitoring data, integrate the environment status information from the State Authority Cadasters, statistical data, the data provided by nature users and create a Unified database;
- To take into consideration the UK practice of implementing automated monitoring system, which is most prevailing in the OECD countries;
- It is necessary to clearly define the requirements for the impossibility of setting contaminants limits and development of the MPD project for contaminants injected with wastewater into the deep subsurface formations, the water of which is not suitable for any use purposes;
- To oblige subsurface users to continuously monitor the groundwater around the wastewater disposal polygons;
- To ensure mandatory (constant) monitoring of qualitative composition of wastewater injected into formation;
- To promote mutual cooperation with the RoK Government and associations in the area of renewable energy sources to improve investment environment/ legislation;
- To clear up divergent interpretation of the waste terms, revise definitions of the following terms: recycling, disposal, removal, destruction, burial, temporary storage, storage, placement of waste and others. Introduce new terms and definitions: waste, segregation, waste handling specialized companies, waste collection, containers, municipal waste collection sites, electronic waste, organic, food waste, landfills, etc.;

- Exclude the provision on visits to the First Category facilities proposed in the draft of new RoK Eco Code, leave supervision according to the RoK Commercial Code;
- To replace licensing of waste disposal and recycling activity with certification against standards of self-regulatory organization (SRO);
- We suggest incorporating set of amendments involving specifics of environmental requirements in handling man-made mineral formation;
- To split the use of ERP mechanism between production waste and consumption waste, exempting the production enterprises from the obligation to pay fees in the event they have concluded contracts for the collection, processing and recycling of waste with specialized enterprises or they carry out such operations independently;
- In terms of classification to identify which is hazardous and non-hazardous waste;
- To apply temporary storage of waste to persons whose activity result in waste generation and to waste disposal and recycling specialized enterprises;
- To define environmental and qualification requirements for Waste Management Companies;
- To revise order of the RoK Energy Ministry where local executive bodies should stimulate development of companies dealing with waste collection, transportation, disposal and recycling;
- To exempt from VAT payment for services related to waste management (collection, removal, segregation, disposal and recycling);
- To exempt from VAT payment for goods and products manufactured using recycled materials;



The Forum participants encourage all stakeholders to transparency and mutual cooperation in drafting a new law and express their hope that practical implementation of the above suggestions and recommendations will become an important step in the way to bring the environmental law of the Republic of Kazakhstan in line with the OECD environmental requirements.

For their part, the delegates of the Forum stand ready for open dialogue and further cooperation. They also express great interest in further discussing on the draft law jointly with the Ministry of Ecology, Geology and Natural Resources with the participation of deputies of the Committee for Environmental Issues and Natural Resources Management of the Mazhilis of the RoK Parliament.

An electronic version of the address is available on the website www.ugf.kz

