

## **Norway's compliance with the OSPAR Convention within industry, waste water management and agriculture**

The Office of the Auditor General has investigated Norway's compliance with the OSPAR Convention within industry, waste water management and agriculture. The investigation shows that the Norwegian authorities have put in place the systems required by the OSPAR Convention in order to regulate polluting operations and to control that such regulations are followed. One has, however, discovered breaches of the requirements laid down by the authorities. It has further been revealed that few stringent sanctions have been imposed as a reaction to such breaches. Within the agricultural sector, it has been difficult to implement effective environmental measures where the need is greatest.

The authorities' follow-up of the national regulations is questioned by the Office of the Auditor General. The investigation shows that the share of infringements of the environmental regulations within industry and waste water management has been high during the period 1995–1998. Within the industrial sector, 40% of the 131 companies checked were found to have breached their permitted emission levels in 1998. In addition, 59 % of the 427 companies holding emission licences reported themselves that they had exceeded the approved levels during this year. Within the municipal waste water management sector, one also finds a high percentage of breaches of the regulations – 55% of the 20 facilities investigated in 1998. Only to a limited extent do the authorities follow up by imposing sanctions on manufacturing companies and on municipal waste water facilities that breach environmental regulations. The fact that the percentage of breaches has remained stable and at a relatively high level has prompted the Office of the Auditor General to raise the question of whether more stringent sanctions should be imposed more often as a first form of reaction.

The investigation shows that 57% of the municipalities have not executed their control duties as laid down in the regulations. The Office of the Auditor General has emphasised that the Ministry of the Environment has overall national responsibility even though authority has been delegated to the local administration. The national pollution control authorities are less stringent in respect of municipalities than they are with industry and other private businesses that pollute the environment. In the opinion of the Office of the Auditor General, it may give unfortunate signals to other polluting operations if a public control authority gives preferential treatment to another public agency.

According to the study, no report giving an overview of the total emissions of phosphorous and nitrogen from the agricultural sector to water deposits has been produced since 1996. A lack of updated environmental information will make it difficult to adapt measures and instruments in an appropriate manner.

The investigation has shown that within those areas where the need to reduce emissions of phosphorous and nitrogen is greatest the implementation of certain measures is least prevalent. The Office of the Auditor General has also raised the question as to whether the criteria for allocating funds take into account the reduction of nitrogen emissions from the agricultural sector.

The Ministry of the Environment stresses in its reply that the Office of the Auditor General has not found indications of the Norwegian authorities' failure to comply with the legal resolutions and recommendations of the OSPAR Convention. The ministry also states that it

will consider whether more stringent reactions should be imposed at an earlier juncture in the event of a breach of the environmental regulations. The ministry also refers to the fact that the Storting has been informed that the national objective to halve phosphate emissions has been amended and that the majority of the Standing Committee on Energy and the Environment has supported the national objective.

The Parliaments Standing Committee on Scrutiny and Constitutional Affairs comments (Innst.S.nr.139 [2000-2001]):

The Standing Committee is positive to The Office of the Auditor General's engagement on environmental issues, as this is an important policy issue on which large public resources are spent.

The Standing Committee has noticed that the investigation shows that the Norwegian authorities have established those systems which the OSPAR-convention requires to regulate polluting operations and to control that the regulations are followed up.

The Standing Committee has also noticed that the Office of the Auditor General has found that the authorities only to a limited degree react with stringent sanctions when there are contraventions of permitted emission levels. The Committee agrees with the Office of the Auditor General in questioning the authorities following up of the national laws and regulations. In addition, the Standing Committee refers to the fact that the Ministry of the Environment will consider if more stringent sanctions should be used more often.

The Standing Committee approves the Office of the Auditor General's reminder that the Ministry of the Environment has the superior national responsibility even if authority is delegated.

Finally the Standing Committee expects that the reporting system that gives an overview of the total emissions of phosphorous and nitrogen from the agricultural sector to water deposits will be improved.

**Type of audit: audit compliance with international obligations**

**Audit issue: salt water, marine pollution**