Formerly the dominant republic of the Union of Soviet Socialist Republics (USSR), Russia is now an independent country, and an influential member of the Commonwealth of Independent States, since the Union’s dissolution in December 1991. During the Soviet era, Russia was officially called the Russian Soviet Federated Socialist Republic. Russia is considered the Soviet Union’s successor state in diplomatic matters.

Russia is a federation, which consists of 83 administrative divisions, known as federal regions which consist of the following:

- 21 republics—nominally autonomous, each has its own constitution, president and parliament; is represented by the federal government in international affairs and is nominally home to a specific ethnic minority;
- 46 oblasts—most common administrative units with a federally appointed governor and locally elected legislature. Commonly named after the oblast center (typically the largest city in the oblast and its administrative center);
- 9 krais or territories—essentially the same as oblasts. The title “territory” is historic and was originally given because territories were once considered frontier regions;
- 1 autonomous oblast—The Jewish Autonomous Oblast;
- 4 autonomous okrug-districts—more autonomous than oblasts, but less so than republics; usually with a substantial or predominant ethnic minority; and
- 2 federal cities—Moscow and St. Petersburg—major cities (Moscow and St. Petersburg) that function as separate subjects/regions under the direct jurisdiction of the Russian Federation.

Each of these subjects has two delegates in the Federation Council (upper house of the Russian parliament). However, they differ in the degree of autonomy they enjoy. Most of the autonomous okrug-districts, while federal regions in their own right, are at the same time part of other federal regions (Chukotka is an exception).

The president is the head of state and his main task is to preserve and protect the rights and liberties of the Russian people, which are granted under the Constitution of Russia. The president is responsible for determining the domestic and foreign policy of the Russian government. The president is also the commander-in-chief of the armed forces. Other responsibilities of the president are to award state decorations, resolve problems on issues of immigration and grant pardons.

The prime minister is the current head of government of the Russian Federation. The prime minister is appointed by the president and is first-in-line to the presidency in the event of the president’s death or resignation.

Federal Assembly is the name of the legislature of the Russian Federation. This bicameral parliament consists of the State Duma, which is the lower house, and the Federation Council, which is the upper house.
Both houses are located in Moscow, although located in separate parts of the city.

The State Duma is the lower house of the parliament. Under Russia’s 1993 Constitution, 450 deputies are in the State Duma, each elected to a 4-year term. Half of the deputies are elected by a system of proportional representation, and half are elected by plurality in single member districts. Russian citizens at least 21 years old are eligible to run for the Duma. The State Duma is headed by a chair and consists of the Presidium of Parliament and committees, and the commissions that are established for making decisions in different areas of state policy. The main responsibility of the Duma is lawmaking.

According to Chapter 5, Article 95 of the Constitution of the Russian Federation, the Federation Council is the upper house of the Parliament. Each of the 83 federal subjects sends two senators to the council, for a total of 166 senators.

The Federation Council cooperates with the State Duma to complete and vote on draft laws. Federal laws concerning budgets, customs regulations, credit monitoring and the ratification of international treaties are considered by the Federation Council after they have been adopted by the State Duma, where most legislation is first introduced.

Special powers accorded to the Federation Council include the right to change borders between the Russian Federation’s subjects; approve presidential decrees; declare presidential elections; impeach the president; appoint judges to the Constitutional Court, the Supreme Court and the Higher Arbitration Court; and make decisions on the use of Russia’s armed forces outside of its borders.

For a law to be adopted by the Federation Council, an affirmative vote of more than half of its senators is required. When considering federal constitutional laws, three-fourths of the council’s total votes are required for passage. If the council vetoes a law passed by the State Duma, the two chambers must form a conciliation committee to create a compromise document, which is subsequently voted upon by both houses.

### Table 1

<table>
<thead>
<tr>
<th>Description</th>
<th>Abbreviation</th>
<th>Approving Body</th>
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<tbody>
<tr>
<td>Federal Law Code</td>
<td>FZ</td>
<td>State Duma—RF President</td>
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<tr>
<td>Presidential Decree</td>
<td>RF President</td>
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<tr>
<td>Government Order/Decree</td>
<td>RF Government</td>
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<tr>
<td>State Standard</td>
<td>GOST</td>
<td>RF Gosstandart</td>
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<tr>
<td>Construction Norms and Regulations</td>
<td>SNIP</td>
<td>RF Minstroty</td>
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<tr>
<td>Set of Rules</td>
<td>SP</td>
<td>RF Minstroty</td>
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<td>National Standard Document</td>
<td>OND</td>
<td>RF Ministries</td>
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<td>Sanitary Norms</td>
<td>SN</td>
<td>RosPotrebNadzor (former Goskomsanepidnadzor)</td>
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<td>Hygienic Standards</td>
<td>GN</td>
<td>RosPotrebNadzor (former Goskomsanepidnadzor)</td>
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<tr>
<td>Sanitary Norms and Regulations</td>
<td>SanPiN</td>
<td>RosPotrebNadzor (former Goskomsanepidnadzor)</td>
</tr>
<tr>
<td>Industry-Specific Standard</td>
<td>OST</td>
<td>Federal bodies of executive power</td>
</tr>
<tr>
<td>Industry-Specific Construction Norms</td>
<td>VSN</td>
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</tr>
<tr>
<td>Regional Construction Norms</td>
<td>RSN</td>
<td>Regional bodies of executive power</td>
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<tr>
<td>Instructions and Official Norms</td>
<td>INV</td>
<td>Federal bodies of executive power</td>
</tr>
<tr>
<td>Guideline Documents</td>
<td>RD</td>
<td>Federal bodies of executive power</td>
</tr>
<tr>
<td>Recommendations, methodical guidance, provisions, etc.</td>
<td></td>
<td>Federal bodies of executive power</td>
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</tbody>
</table>

Institutional Authorities

Presidential Decree No. 314 of March 9, 2004, and Presidential Decree No. 649 of May 20, 2004 essentially restructured the federal executive institutional system, including environmental bodies.

In accordance with Presidential Decree No. 314 of March 9, 2004, the federal executive branch of the central government consists of federal ministries, federal services and federal agencies.

A federal ministry is a federal authority that functions as a policymaker and a regulator of activities. A federal ministry is not authorized to exercise control and supervision, law enforcement or state property management, except in cases specifically stipulated by decrees issued by the president of the Russian Federation. Federal ministries coordinate and supervise the following activities of federal services and agencies under their authority:

- approval of annual plan and performance indicators for the federal services and agencies;
- submission of draft regulations on a federal service/agency status, number of authorized staff and size of the wage fund;
- introduction of proposals to the federal government on federal budgeting and financing of federal services/agencies;
- submission of draft regulatory documents pertaining to activities and operation of federal services/agencies under the ministry’s jurisdiction;
• providing orders to the federal services/agencies and pursuing the orders of the president and the administration chair; and
• exercising the power to abolish the actions of a federal service/agency in the event that they contradict, or do not comply with, federal legislation (unless otherwise stated by the federal law).

A federal service is a federal authority that primarily exercises control and supervision over the authorized activity (e.g., verification of compliance with the terms and conditions of licenses, agreements, decisions and other permits). A federal service is typically not authorized to carry out the legal enforcement of an activity, unless otherwise stated by decrees of the Russian Federation president. One specific exception to this rule is RosTekhNadzor (Federal Service for Environmental, Technological and Nuclear Supervision), which is a federal service that defines the procedures for and issues air emissions permits and waste management licenses and also inspects facilities with regard to air emissions and waste management.

A federal agency is a federal authority that provides federal services involving state property management and executes the legal enforcement duties of the activity, other than supervision and control. Agencies are responsible for natural resource management. They grant a facility the right to use natural resources based on an agreement, decision, license or other permission and define the terms and conditions for the use of the natural resource.

Following is a brief summary of the major federal authorities involved in SH&E management, supervision and enforcement.

The Ministry for Natural Resources (MNR) exercises the functions of developing the state policy and legal regulations with regard to environmental protection, and natural resource investigations, use and regeneration. MNR coordinates and supervises the activities of the following organizations:
• Federal Service for Supervision Over Nature Management (RosPrirodNadzor)
• Federal Agency for Water Resources (RosVodResourcy)
• Federal Agency for Forestry (RosLesKhoz)
• Federal Agency for Subsoil Use (RosNedra)
• Federal Service for Hydrometeorology and Environmental Monitoring (RosHidroMet)

RosPrirodNadzor supervises nature management and ensures the following:
• efficient use and protection of subsoil and other subsurface resources, the forest fund, forest resources and water bodies;
• compliance with the Russian Federation legislation and international norms and standards concerning the environment, and natural resources as they pertain to internal waters, the territorial sea and exclusive economic zones;
• efficient use of mineral and bioresources on the continental shelf;
• the safety of hydroelectric facilities; and
• governmental control and inspection of lands within its jurisdiction, forest fund, forest resources, forested lands not listed in the forest fund and specially protected natural territories.

RosPrirodNadzor issues licenses/permits for activities under its jurisdiction (i.e., nature management). It organizes and conducts the State Environmental Review (see Section 2.0 of this protocol), as prescribed by the federal government.

The Federal Agency of Subsoil/Subsurface Use (RosNedra) is responsible for rendering government services and state property management in the sphere of water resources use, including the following:
• subsoil use authorization and licensing;
• subsoil surveys, data review and provision of information to stakeholders;
• assessment of deposits and subsoil/subsurface resource plots;
• issuing other permits; review and approval process;
• setting fees for subsoil/subsurface resources use;
• maintaining the state cadastre and register.

Most functions delegated to RosNedra were previously performed by MNR.

The Federal Agency of Water Resources (RosVodResourcy) is responsible for rendering government services and state property management with respect to subsoil/subsurface resources use. Its responsibilities include:
• subsoil use authorization and licensing;
• subsoil surveys, data review and provision of information to stakeholders;
• assessment of deposits and subsoil/subsurface resource plots;
• issuing other permits; review and approval process;
• setting fees for subsoil/subsurface resources use;
• maintaining the state cadastre and register.

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- issuing other permits; review and approval process;
- setting fees for subsoil/subsurface resources use;
- maintaining the state cadastre and register.
• ownership, use and management of water resources involving federal property, the management of the water fund, and the registration and issuance of water-use licenses;
• state monitoring of water bodies;
• setting limits for water consumption and water disposal for water bodies that are federal property;
• providing water users with standards for the maximum permissible discharge of hazardous substances into water bodies;
• submittal of proposals to the Russian Federation regional authorities to designate the sizes and borders of water body protection zones and of coastal protective buffer zones and to designate the uses of water bodies.

The Federal Agency of Forest Resources (RosLes-Khoz) implements state policy with regards to management of forest resources, including performance of the following activities:
• state forest fund and forest resource monitoring and inventorying and maintenance of the forest cadastre;
• forest classification and categorizing, and reclassification or changing of categories, as prescribed by the Russian Federation legislation;
• reviewing documentation concerning forest-to-non-forest land reclassifications that allow for the use of land for non-forestry purposes, including category changes for lands that are part of the forest fund or that are forest resources.

The Federal Service of Hydrometeorology and Environmental Monitoring (RosHidroMet) is responsible for providing government services and state property management with regard to hydrometeorology and monitoring of environmental pollution, including the following:
• state monitoring of atmospheric air pollution;
• state monitoring of water body and water stream contamination;
• hydrometeorologic data obtaining and disclosure;
• disclosing information on hazardous natural processes, unfavorable meteorological conditions, environmental contamination, etc. that may provide risk to health and life of the people.

The Federal Service for Environmental, Technological and Nuclear Supervision (RosTekhNadzor) performs functions pertaining to the adoption of regulatory acts and control and supervision of the following:
• safe work practices related to the use and protection of mineral resources;
• industrial safety;
• safe use of nuclear power;
• safety of electrical and heating units and networks;
• safety of hydroelectric facilities at industrial and power generation facilities;
• safety of production, storage and use of industrial explosives, as well as related special state security-related functions.

In accordance with the Presidential Decree No. 780 of June 23, 2010, RosTekhNadzor’s activities are directly supervised by the government of the Russian Federation; its functions regarding environmental protection and review (including waste management) are delegated to RosPrirodNadzor.

Other authorities with responsibilities pertaining to nature management and environmental protection include:
• the State Committee of the Russian Federation on Fisheries (supervised by the Ministry of Agriculture) authorized in the field of fish protection and fisheries resource regeneration;
• Ministry of Public Health and Social Development of the Russian Federation (MinZdravSotsRazvitiya), including, but not limited to, the following services:
  • Federal Service for Supervision in the Sphere of Consumer Rights Protection and Welfare of the People (RosPotrebNadzor), and
  • Federal Service for Labor and Employment (RosTrud);
• Ministry of Industry and Energy of the Russian Federation (MinPromEnergo);
• Ministry of Civil Defense, Emergency Situations and Natural Disaster Response of the Russian Federation (Ministry of Emergency Situations).

The current system of environmental legislation consists of constitutional standards, provisions of federal environmental and civil laws and bylaws (statutory and regulatory acts).

In accordance with the Constitution of the Russian Federation, environmental management, environmental protection and environmental safety, specially protected natural territories, and protection of historical and cultural monuments involve shared responsibilities between the Russian Federation and its federal subjects. Based on federal laws, each of the federal regions...
may exercise its own legal enforcement and, in particular, pass laws and other legal acts.

The system of environmental laws of the Russian Federation is divided into three main levels, summarized in three main levels. Other fields of legislation also have bearing on the body of environmental laws.

Level 1 (First or Upper Level): Key statutory acts—This level establishes a framework for establishing liability and a system of environmental laws; it consists of the following two subsystems:

- general-purpose environmental laws;
- environmental protection laws concerning natural resources.

General-purpose environmental laws make up a subsystem of legislation, which includes comprehensive federal laws to ensure public well-being and health through environmental protection and safety of the population. The common or shared provisions of environmental laws and healthcare laws deal with protection of public health from the harmful impact of environmental factors.

Environmental protection laws concerning natural resources have been historically developed in connection with the use and protection of individual types of natural resources, including the rational use, protection and regeneration of forests, water bodies and land, respectively.

Level 1: Provides a list of the key laws in these two subsystems.

Level 2: Bylaws—This level can be divided into three main groups:

- Acts of the Russian Federation president (Group 1). In accordance with Article 90 of the Constitution of the Russian Federation, the Russian Federation President issues decrees and directives. Decrees are legal acts that concern all jurisdictions. Directives are acts that concern specified entities.


- Acts of ministries and other executive federal/government agencies (Group 3). All environmental
According to in-country consultants, none of the current standards have been officially classified as mandatory or voluntary. Examples of topics addressed by these environmental standards include air quality control in residential areas, drinking water quality and groundwater protection.

Reforms to the Russian Federation’s standardization system began with the 1993 adoption of the Federal Law on Standardization, which indicated that compliance with all previously issued environmental standards was no longer mandatory. Subsequently, with the 2003 adoption of the Federal Law on Technical Standards, technical standards were reclassified as either mandatory or voluntary. Initially, this law provided a 7-year transitional period and required reclassification after July 1, 2010; however, subsequent amendments canceled this reclassification, and the standards were still in force as of August, 2010.

According to in-country consultants, none of the current standards have been officially classified as mandatory or voluntary. Examples of topics addressed by these environmental standards include air quality control in residential areas, drinking water quality and groundwater protection. In practice, it is unclear to both practitioners (e.g., auditors and facility personnel) and regulators whether a given standard is mandatory or voluntary. According to in-country consultants, the standard in-country practice for environmental auditors is to consider most existing environmental standards as enforceable for the purpose of the environmental compliance at industrial facilities.

However, based on consultation with government regulators, certain standards, such as those addressing multimedia enterprise ecological certificate/passports (see Section 2.0 of this protocol), are not considered enforceable, although this interpretation could vary depending upon the level of government consulted. In short, there is great variability in terms of the applicability of environmental standards. The conservative approach would be to assume that all standards are mandatory unless the competent authority has specifically made a formal determination otherwise.

Level 3: This level includes the laws and regulatory acts of the subjects/regions of the Russian Federation and includes laws that, although principally related to other areas of law, are also related to environmental protection.

Level 3: This protocol section provides a list of examples of such environmental protection legislation; the various types of environmental laws and regulations in the Russian Federation are summarized in Table 1, p.28.

**Enforcement of SH&E Regulations**

**Administrative Liability**

Administrative liability for a violation of environmental legislation is defined in Chapter 8 of the Code of Administrative Offenses of the Russian Federation, No. 195-FZ, dated Dec. 30, 2001 (further referred to as RCAO).

RCAO sets forth administrative liability for a variety of violations, such as:

- **Article 8.1**—Failure to meet environmental standards in the planning, feasibility studies, design, allocation, construction, refurbishment, commissioning and operation of enterprises, structures and other facilities.
- **Article 8.2**—Failure to meet environmental, sanitary and epidemiological standards when handling industrial and domestic waste and other hazardous substances.
- **Article 8.3**—Violation of rules for handling pesticides and agrochemicals.
- **Article 8.4**—Violation of the Environmental Expert Review legislation.
- **Article 8.5**—Concealing or distorting ecological information.
- **Article 8.6**—Damage to land.
- **Article 8.7**—Failure to meet the land reclamation obligations to ensure proper land use.
- **Article 8.9**—Violation of subsoil and mineral water conservation standards.
- **Article 8.12**—Violation of the procedures for the allocation of land parcels and forests as well as the rules for their use within the buffer zones and strips of water bodies.
- **Article 8.13**—Violation of the rules for the protection of water bodies.
- **Article 8.14**—Violation of the water use rules.
- **Article 8.21**—Violation of the rules for the protection of atmospheric air.
- **Article 8.25**—Violation of the forest use rules.
- **Article 8.29**—Destruction of wildlife habitats.
- **Article 8.35**—Destruction of rare and endangered animals or plants.
• **Article 8.39**—Violation of the rules for the conservation and use of natural resources in protected areas.
• **Article 8.41**—Failure to pay pollution fees in a timely manner.

The Russian Federation imposes a variety of administrative sanctions, such as:
• notification;
• administrative fine;
• seizure of an instrument or object used to commit the administrative offense;
• deprivation of a special right enjoyed by a physical person;
• administrative arrest;
• administrative exclusion from the Russian Federation of a foreign or stateless citizen;
• disqualification; and
• administrative suspension of the activity.

Violations of the Russian Federation’s environmental legislation entail various administrative penalties and primarily include fines as follows:

Violations of the requirements for the protection of water bodies resulting in their pollution, blockage and/or depletion are subject to the following administrative fines:

- from $20 to $40 for individuals;
- from $65 to $105 for officials; and
- from $415 to $830 or administrative suspension of activities for up to 90 days for legal entities.

The emission of pollutants into the atmospheric air and resulting adverse impacts, without a special permit, are subject to the following administrative fines:

- from $83 to $105 for individuals;
- from $165 to $210 for officials;
- from $165 to $210 or administrative suspension of activities for up to 90 days for entrepreneurs, which are not legal entities; and
- from $1,680 to $2,100 or administrative suspension of activities for up to 90 days for legal entities.

**Criminal Liability**

Criminal liability for an environmental offense is addressed in Article 26 of the Criminal Code of the Russian Federation, No. 63-FZ, dated June 13, 1996 (further referred to as RCC).

RCC provides for criminal liability for various environmental offenses, including:

- **Article 246**—Violation of the environmental rules in the performance of work.
- **Article 247**—Violation of the rules for handling hazardous substances and waste.
- **Article 250**—Water pollution.
- **Article 251**—Atmospheric air pollution.
- **Article 252**—Pollution of the marine environment.
- **Article 254**—Land degradation.
- **Article 255**—Violation of the rules for the conservation and use of the subsoil/subsurface.
- **Article 256**—Illegal capture of aquatic animals or extraction of aquatic plants.
- **Article 259**—Destruction of critical habitats for the organisms listed in the Red Data Book of the Russian Federation.
- **Article 261**—Destruction of or damage to forests.
- **Article 262**—Violation of the requirements for protected areas and natural areas, etc.

In Russia, criminal offenses (Article 44 of the RCC) can be punished by the following:

- fines;
- prohibitions from holding specific positions or engaging in specific activities;
- deprivation of a special rank, military rank or honorable rank or of state awards;
- compulsory work;
- correctional labor;
- restraint of liberty;
- arrest;
- imprisonment; and
- capital punishment.

Article 251 of the RCC specifies the following types of punishment for committing an environmental offense.

Violation of rules for emitting pollutants or violation of rules for the operation of plants, structures and other facilities, provided such acts lead to the pollution or other changes in the natural properties of the air, are punishable by:

- a fine of up to $3,360 or a fine equivalent of up to 6 months of salary/wages or other income of the convicted person;
Restrictions or Termination of Activities

Under the legislation of the Russian Federation, the competent authorities or the prosecutor’s office may demand restriction, suspension or termination of the activities of legal or physical entities, which are carried out in violation of environmental legislation (e.g., on protection of air, land, water resources, and waste management). These demands are brought to court or an arbitration tribunal under Federal Law No. 7-FZ.

Comments on Enforcement Practices

In the Russian Federation, compliance with environmental legislation is enforced by both specially authorized agencies (e.g., RosTekhNadzor, RosPrirodNadzor and RosPotrebNadzor) and by the Office of the Environmental Prosecutor.

Complicated environmental review and permitting procedures are key elements of enforcement practices at the project-approval stage. Usually, permitting procedures involve numerous agencies and are both rigorous and time-consuming. The system of preapprovals, approvals, permits and licenses is well-developed, but often changes. Therefore, it is important to constantly track changes in this system.

Although many environmental violations are identified every year, few of the violators are subject to any serious penalties or enforcement actions. The main types of penalties imposed include disciplinary and administrative liability in the form of fines and notifications. Criminal liability is rarely imposed, and only a few persons have been imprisoned for such violations.

However, one of the most efficient measures involves the issuance of notifications from the supervisory agencies to eliminate environmental violations at the expense of the enterprises or organizations involved. The cost of the corrective measures to be implemented, based on a court decision, is normally an order of magnitude higher than the highest possible fine.

Audit Privilege

The legislation of the Russian Federation does not address SH&E audits or information contained in private audit reports.

In practical terms, the decision to provide the audit information to third parties, including the competent authorities, is made by the company that owns the audit report. Few companies in the Russian Federation commission audits. In some cases, the supervisory authorities may order an independent audit. In this case, the audit report is submitted to the supervisory agency concerned.

Access to Information

Russian citizens have the right to obtain reliable information on environmental conditions from the...
Numerous federal and regional guidelines have been developed, including those for defining soil contamination and for assessing damage associated with soil contamination. These documents are used as guidelines only and are not legally binding. In some cases, these documents could be used for setting nonlegally binding best management practice remediation targets.

General Legal Requirements

The environmental and sanitary-public health regulations of the Russian Federation stipulate requirements for prevention of soil contamination and degradation. General requirements for soil protection are set forth in federal laws and governmental decrees. More specific standards and regulations are presented in regulatory documents issued by various federal ministries, including the Russian Federation Ministry of Public Health and Social Development (former Ministry of Public Health) (Sanitary Regulations and Standards—SanPiN and Sanitary Regulations-SP) and the Russian Federation Ministry of Natural Resources.

Additionally, numerous federal and regional guidelines have been developed, including those for defining soil contamination and for assessing damage associated with soil contamination. These documents are used as guidelines only and are not legally binding. In some cases, these documents could be used for setting nonlegally binding best management practice remediation targets. It is highly unlikely (but possible) that regulators would use the contents of some of these documents to set damage compensations or fines, although this is a rare practice and could be easily appealed.

Most legal requirements pertaining to soil contamination are targeted at protecting agricultural and residential land. Requirements for the protection of soil in industrial territories (especially manufacturing sites) are limited and quite general.
For example, the Federal Law on Environmental Protection, No. 7-FZ of Jan. 1, 2002, specifies general environmental requirements for the operation of production facilities. Clause 39, Item 2 of this law says that legal entities and individuals involved in the operation of buildings, structures and other facilities must comply with environmental requirements and ensure that environment rehabilitation, soil reclamation and land improvement actions be taken in accordance with the current legislation.

The Land Code of the Russian Federation No. 136-FZ of Oct. 10, 2001, defines requirements for land protection, including those for prevention of chemical contamination. Clause 13 of this code stipulates actions that landowners must take, including elimination of the consequences of contamination, including nutrient pollution and fouling (Item 4), and rehabilitation of land (Item 6). The requirements of Clause 13 are aimed primarily at agricultural lands.

Federal supervision of lands is currently the responsibility of the Federal Agency of Real Estate Cadastre (RosRealEstate). With the exception of some residential and agricultural land arrangements, there are no private property rights in Russia, although this is a complex and evolving issue.

Although the government supervision of land protection formally applies to any land, regardless of use, the state’s supervision focuses exclusively on the prevention of contamination and degradation of agricultural lands. Key requirements for prevention of soil contamination are set forth in Federal Law on Sanitary Epidemiological Well-Being of Population, No. 52-FZ of March 30, 1992. This law states that the contents of chemical and biological substances and organisms that are potentially dangerous to human health, as well as the level of radioactive exposure of urban and agricultural lands, must not exceed maximum permissible concentrations established in sanitary regulations (Clause 21, Item 1). Housekeeping at urban sites, agricultural lands and industrial sites must be conducted in accordance with these sanitary regulations (Clause 21, Item 2). Sanitary-public health requirements related to soil quality are specified in Sanitary Regulations and Standards SanPin 2.1.7.1287-03 (June 15, 2003), as last amended on April 25, 2007. These sanitary regulations establish requirements for soil quality for agricultural and residential areas and determine a procedure to meet hygiene standards in the process of facility siting, design, construction, upgrade (reengineering) and operations (Item 1.2). The sanitary regulations designate soil quality standards based on the land use category of the territory (e.g., agricultural lands, industrial sites, residential areas, etc.).

Soil quality site assessments must be performed for the design and construction of industrial facilities in accordance with sanitary regulations and standards (SanPin 2.1.7.1287-03). Currently, the legislation in this field is vague, and regulations for operating sites are poor. The assessment results must be provided to the Russian Federation RosPotrebNadzor (the Federal Service for Supervision in the Sphere of Consumer Rights Protection and Welfare of the People). Based on the data provided, the authority issues a statement on soil quality compliance with sanitary and epidemiological standards and regulations (Item 4.10).

The design and documentation of construction estimates for a production facility must be developed in accordance with the sanitary epidemiological assessment of the parcel of land. A work performance guarantee must be provided if any land reclamation is required (Item 4.12). This exercise is intended to relate only to the soil quality assessment of the site to be allocated for construction; however, in practice, it may include the following:

- information about the site under investigation;
- findings related to soil quality;
- statement on the intended use of the site; and
- recommendations on soil remediation (defining soil remediation actions, if required).

**SOIL QUALITY STANDARDS**

Soil quality standards in Russia are based on maximum permissible concentrations (MPC) of contaminants in soils. Standards currently applicable in Russia are as follows:

- MPC of chemicals in soil, including trace elements, BTEX, benzo[a]pyrene and some other compounds, adopted as GN 2.1.7.2041-06 of the Chief Government Sanitary Doctor (Decree No. 1 of Jan. 23, 2006) and effective since April 1, 2006;
- MPC and tentatively permissible concentrations (TPC) of heavy metals and arsenic, adopted as a part of GN 2.1.7.2042-06 of the Chief Government Sanitary Doctor (Decree No. 2 of Jan. 23, 2006) and effective since April 1, 2006; and
- Notes: TPC values are normally calculated for the elements and compounds whose adverse effects on humans and the environment are proven, but not clearly known and which require further investigations/research. MPC values must be reevaluated every 3 years. Provided that sufficient experimental data have been obtained to assess the health and environmental risk caused by any element or compound included on the TPC list, Items 1.4 and 1.5 of GN 2.1.7.2042-06 require that its corrected/amended MPC must be added to or amended on the MPC list.
- According to in-country consultants, two elements (As and Pb) have both MPC and TPC values that have been officially approved without any further stipulation or explanation. Since TPC values are prescribed with respect to soil acidity and texture, TPC values can be considered as target or reference values in cases when the soil can be classified by these properties. If data on soil texture and acidity are not available, MPC values must be used.
• Tentatively Safe Permissible Concentrations for pesticides and other chemicals used in agriculture, adopted as a part of GN 1.2.1323-03 of the Chief Government Sanitary Doctor (Decree No. 92 of May 6, 2003) and effective since June 25, 2003.

All current soil quality standards in Russia are applied throughout the country.

No standards and regulatory requirements in Russia specify the trigger level to begin remediation for soil at industrial sites. Approved threshold values to start remediation and/or conservation of contaminated soils or to impose land use limitations apply to residential and agricultural areas (SanPiN 2.1.7.1287-03). In most cases, the assessment of soil contamination and any further actions are addressed through discussions with regional authorities on a case-by-case basis.

Applicable standards for soil impact assessments are the federal MPC and TPC. In the absence of a Russian standard, foreign standards may be applied (however a specific justification may be required). Knowledge of naturally occurring background concentrations of contaminants is often useful for identifying whether contaminant levels are the result of human activities. It is possible that risk assessment procedures, based on international approaches, may be applied in order to assess the level of hazard of soil contamination to the population and the environment, both before and after the implementation of remedial actions.

**SOIL RECLAMATION & REMEDIATION**

There are no soil remediation requirements or soil reclamation and remediation procedures in force in the Russian Federation that apply to land for permanent industrial use. In practice, industrial land reclamation and remediation are carried out only in cases where extremely high levels of contamination have been confirmed by the supervisory authorities.

**GROUNDWATER CONTAMINATION**

**General Legal Requirements**

Requirements for the protection of groundwater from pollution are specified in environmental laws and regulations of the Russian Federation, as well as in sanitary and public health laws and regulations. Additionally, federal and regional methodical guidelines are associated with the assessment of groundwater contamination levels, groundwater reserves, etc., which are usually developed by scientific and technical institutes and do not have legal standing.

The Federal Law on Subsoil Resources (No. 27-FZ dated March 3, 1995) defines the key requirements for rational use and protection of subsoil/subsurface resources (Article 23). It is intended to prevent the accumulation of industrial and domestic wastes in watershed areas and groundwater basins used for potable or process water supply needs (Article 23.11).

Former USSR state standards (GOSTs) are also applied to specific issues related to groundwater contamination and depletion. The standards are applicable throughout the Russian Federation. GOST 17.1.3.06-82 describes general requirements for groundwater protection and provides a list of potential groundwater contamination sources. Groundwater protection measures are specified in SP 2.1.5.1059-01, Items 3.2, 3.3 and 3.4.

General sanitary and public health requirements for groundwater protection are defined in the Federal Law on the Health and Epidemiological Well-being of the Population, No. 52-FZ dated March 30, 1999 (Article 18). This law states that water bodies used for drinking or domestic water supplies should not be the source of harmful biological, chemical or physical effects on people.

Detailed requirements for the protection of groundwater used as potable water supplies are set forth in Sanitary Regulations, Hygienic Requirements for Protection of Groundwater Against Pollution (SP 2.1.5.1059-01, approved on July 16, 2001, in force on Jan. 1, 2002).

The sanitary regulations establish hygiene requirements to prevent business or other activities from affecting groundwater that in ways may limit its use for drinking, domestic and medical needs or that may affect human health.

**CRITERIA FOR GROUNDWATER QUALITY ASSESSMENT**

In the Russian Federation, hygienic criteria are used in the assessment of groundwater quality, including:

• MPC and approximate/tentatively permissible levels of chemicals (APL);
• permissible levels of microorganisms; and
• radiation safety standards.

Currently, MPCs and APLs have been set for more than 1,200 chemical substances (GN 2.1.5.1315-03; GN 2.1.5.2307-07 and GN 2.1.5.2312-08). These are exclusively federal-level standards, and there are no regional groundwater quality standards.

If groundwater is not used for drinking or domestic water supplies, its quality is assessed using background concentration values.

Based on general principles of environmental and sanitary/public health laws, contamination of groundwater as a result of a company’s industrial activity could be considered a violation of Russian Federation law if the following criteria are met:

• the groundwater is used or could potentially be used as a potable water supply;
• the groundwater is used or could potentially be used for medical purposes; or
• the contaminated groundwater may cause secondary contamination of surface water bodies.

Applicable standards for groundwater impact assessments involve consideration of background concentrations of contaminants and the federal MPC for drinking...
List of Key Federal Agencies

• Ministry of Natural Resources of the Russian Federation
  Bolshaya Gruzinskaya St., 4/6
  123812 Moscow
  Tel: (495) 254-48-00
  Fax: (495) 254-66-10, 254-43-10

• Federal Service for Environmental and Nature Management Supervision (RosPrirodNadzor)
  Bolshaya Gruzinskaya St., 4/6, D-242, GSP-5
  123995 Moscow
  Tel: (495) 254-54-00
  Fax: (495) 254-72-65

• Federal Agency of Subsoil/Subsurface Use (RosNedra)
  Bolshaya Gruzinskaya St., 4/6, D-242, GSP-5
  123995 Moscow
  Tel: (495) 254-73-29
  Fax: (495) 254-82-77
  E-mail: press@rosnedra.com

• Federal Agency of Water Resources (RosVodResources)
  Kedrova St., 8/1
  117292 Moscow
  Tel: (499) 125-52-79
  Fax: (499) 125-22-36

• Federal Agency of Forest Resources (RosLesKhoz)
  Pyatnitskaya St., 59/19
  115184 Moscow
  Tel: (495) 953-37-85, 953-10-43
  Fax: (499) 230-85-30

• Federal Service for Ecological, Technological and Nuclear Supervision (RosTekhNadzor)
  Taganskaya St., 34/1
  109147 Moscow (legal address)
  A.Lukiyanova St., 4/8
  105066 Moscow (mail address)
  Tel: (495) 411-60-21, (495) 411-60-45
  Fax: (495) 411-60-52

• Ministry of Agriculture (MinSelkhoz)
  Orlikov per., 1/11
  107139, Moscow
  Tel: (495) 607-80-00; (495) 607-64-02
  Fax: (495) 607-83-62

• Ministry of Public Health and Social Development (MinZdravSotsRazvitiya)
  Rahmanovskij per., 3/25
  127994, Moscow
  Tel: (495) 628-44-53;
  Tel/Fax: (495) 606-18-18

• Federal Service for Labor and Employment (RosTrud)
  Birjevaya square, 1
  109012, Moscow
  Tel: (495) 298-87-37, (495) 698-88-22
  Fax: (495) 928-73-14

• Federal Service for Supervision in the Sphere of Consumer Rights Protection and Human Welfare (RosPotrebNadzor)
  Vadkovskiy Pereulok, 18/20
  127994, Moscow
  Tel: (499) 973-27-03

• Federal Service for Hydrometeorology and Environmental Monitoring (RosHidroMet)
  Novovagan’kovskij per., 12 D-242, GSP-5
  123995, Moscow
  Tel: (495) 252-14-86
  Fax: (495) 252-55-04, (495) 252-94-84, (495) 255-24-34

• Ministry of Civil Defense, Emergencies and Disaster Management
  Teatralniy pr., 3
  109012, Moscow
  Tel: (495) 626-39-01
  Fax: (495) 623-57-45
water in cases where there is a hydraulic connection with a drinking water source and in cases where the groundwater source is a potable water supply (SanPiN 2.1.4.544-96). To identify the risk of cross-contamination of surface water bodies connected to contaminated aquifers, a risk assessment, based on international approaches, is often conducted.

**Requirements for Groundwater Remediation**

General requirements for groundwater remediation have not been developed in the Russia Federation. Remediation of groundwater contamination resulting from a company’s business activity is resolved on a regional or local level, on a case-by-case basis, following negotiations with regional or local environmental agencies.

**Property Transfer Legislation**

No laws or regulations in the Russia Federation require investigations prior to selling or buying property, including transactions involving industrial facilities.

**Reporting Obligations Concerning Spills & Releases**

According to the Resolution of Federal Mining and Technical Supervision of Russia No. 14, dated April 18, 2003, on Approval of the Methodological Guidance on the Procedure for the Development of Spill Response Plans at Chemical Facilities (Items 4.2.1 and 4.3.1), an emergency situation caused by accidental spill or emission of hazardous substances must be reported to the territorial bodies of Rostekhnadzor, the State Labor Inspection and (if necessary) to the territorial body of the Ministry of Emergency Situations. The information reported must cover the type and scale of the accident, emergency measures taken, number of people injured, etc. No published thresholds trigger a reporting obligation; it is dealt with on a case-by-case basis, depending upon the nature of the release, with consideration for sensitive receptors that may be impacted by the release.

Notification of the applicable territorial body of an accidental spill or release of oil and/or oil products is required under Item 3 of the Order of MPR of March 3, 2003, No. 156 on Approval of Guidelines for the Determination of Lower Levels of Oil, and Oil Product Spills in Order to Rank Accidental Spills as Emergency Situations. This order establishes the minimum reportable volumes of oil and oil products spilled in water bodies and on land which may result in an emergency situation. According to this order, a facility should inform relevant authorities about each spill of oil or oil product, regardless of the quantity of oil or oil product spilled. It is the prerogative of the territorial bodies to determine if a spill causes an emergency situation or not. In practice, spills at industrial sites are usually not reported, unless it is a spill or emission of toxic substances.

**Contamination Identified During Sampling**

Disclosure of information on environmental contamination identified during a Phase II investigation is required by Government Resolution No. 128, dated Feb. 14, 2000, on Approval of the Regulation for Submitting Information on the Status of the Environment, its Pollution and Man-Induced Emergencies, Which Have Caused, are Causing and May Cause Adverse Environmental Impact. However, the procedure for this information disclosure has not yet been developed, and in practice, this resolution is not enforced.

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