

Sustainable Industry Project
Industrial Silence — Is Anyone Supervising Industry?
Status Report
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Industrial Silence — Is Anyone Supervising Industry?

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BEרחה A



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Sustainable Industries Project Summary

Project Background

The Galilee is the largest source of Israel's water supply, the biggest "green lung" in Israel and a place of challenging co-existence between Jews and Arabs. Over the last two decades the Israeli Government has encouraged industries to move away from the center of the country, and as a result industries in the Galilee have increased exponentially. Unfortunately, inadequate waste management and sewage systems were established for factories and in industrial zones and there has been a serious lack of enforcement of environmental regulations to control industrial pollution. Both the large amounts of industrial pollution as well as the lack of infrastructure for industries have resulted in severe air, water and soil pollution, as well as waste and noise hazards that all cause continuous harm to residents, workers and the environment. In many of the cases that Citizens for the Environment in the Galilee (CFE) worked on, we found complex ties between investors of capital, industrial management and government—ties that as citizens were difficult to address and challenge.

Project Description

The goal of the Sustainable Industry Project is to reduce industrial pollution in all of Israel. Our objectives are to determine what the main industrial pollutants are and to investigate whether industries are complying with existing environmental regulations. In the cases where industries are not in compliance, we will use every tool at our disposal in order to encourage compliance with the law, including media coverage, taking legal action, lobbying in the Knesset and meeting with industry and government representatives. Another objective of the Sustainable Industry Project is to ensure that the two laws that CFE introduced and successfully lobbied through the Knesset are being implemented and enforced—the Environmental Information Law and the Polluter Pays Law. Our last objective is to influence industries to participate in the world wide Corporate Sustainability Reports (CSR Reports) and to facilitate in their becoming more sustainable which in turn strengthens their public position.

Citizens for the Environment in the Galilee began working on the Sustainable Industry Project in 2007, and to date we have exclusively focused on the Western Galilee. CFE has GIS mapped the industrial zones, obtained pollution records from government officials and factories as well as hired expert chemists to analyze our data. This work culminated in March 2010 when CFE published the first environmental status report of industries in the Western Galilee titled Industrial Silence—Is Anyone Supervising Industry? Report No. 1. The report examines who monitors, who oversees the monitoring and who supervises the way factories operate with reference to environment laws. It reviews government regulations stipulating the frequency of testing required by each industry, and describes who is responsible for collecting the test results and assuring that standards are maintained; and in cases of alleged violations, it indicates who enforces the law. The report was widely publicized throughout the media, and distributed to Knesset members and

appropriate government offices, as well as presented in the Knesset Interior and Environment Committee.

One year later, CFE published the second environmental status report of industries in the Western Galilee titled Industrial Silence—Is Anyone Supervising Industry? Report No. 2, whereby CFE applied the same method used in the first report to different factories in the same area. Fortunately industries responded to our requests more cooperatively and swiftly than when CFE requested the same information in preparation for the first report. This enabled us to publish a more detailed report more efficiently. This report was also widely publicized and distributed. CFE is currently working on the third report concerning the Upper Galilee region. CFE plans to expand the focus of the Industry Research Project to include the Lower Galilee as well as the Haifa Bay area. CFE plans to carry out the same tasks as in the first two reports and complete these projects with environmental status reports of industries in these regions.

Another component of the of the Sustainable Industry Project is concerned with advancing the Environmental Information Law and ensuring the Polluter Pays Law is adequately enforced. CFE initiated and successfully lobbied for both of these important new environmental laws which passed through the Knesset in 2005 and 2008 respectively. The Environmental Information Law defines clearly the basic right of citizens to access information in general, and specifically information on substances discharged into the environment. CFE plans to organize more conferences to educate and encourage municipal representatives to implement the law. CFE will also conduct and publish a survey of government agencies' implementation activities of this Law. CFE will send the report to government officials, publish our findings throughout the media and present the results from this survey at our conferences.

The Polluter Pays Law addresses a significant environmental problem within Israel, in which the fines imposed by government for illegal disposal of hazardous environmental waste were far below the actual costs for the responsible handling of the wastes, as dictated by law. The Polluter Pays Law remedies the situation by significantly increasing the fines for industries that do not comply with the laws for appropriate disposal of environmental wastes, thereby removing the economic profitability that encourages environmental pollution from industries. CFE will act as a watchdog organization to ensure this law is being implemented correctly and in its entirety; and take appropriate measures if the Ministry of Environmental Protection is not implementing the Law.

Citizens for the Environment in the Galilee was recently invited by two independent entities to participate in the **Corporate Social Responsibility** and Sustainability **reports** (CSR reports). These reports are a global trend whereby industries are being motivated by public pressure to become more sustainable and socially responsible. The invitations for CFE to take part in these are a sign that the Sustainable Industries project is progressing successfully. CFE is the most involved environmental organization in Israel overseeing factories, ensuring that they are adhering to pollution standards. Strauss food corporation solicited CFE's

participation in their round table discussion with stakeholders to contribute our knowledge and expertise on environmental matters to help make their corporation more sustainable and to improve their report. Life and the Environment invited CFE to join them in launching the project regarding how to spread the idea of the CSR reports in and influence corporations to adopt this method in Israel.

The English translation of the summary, conclusions and recommendations sections of the 1st and 2nd sustainable industries reports follows.

Industrial Silence — Is Anyone Supervising Industry?

Report No. 1, March 2010

Executive Summary & Conclusions and Recommendations

This is the first in a series of reports on the **inadequate** supervision of industrial practices in Israel. To view the report in its entirety, please see the Hebrew report at www.cfe.org.il.

Executive Summary

This is the first in a series of reports based on the ongoing work and research conducted by ***Citizens for the Environment in the Galilee (CFE)***, a nonprofit organization based in Peqi'in. CFE has undertaken the task of examining whether government officials supervise industrial factories adequately with regard to their environmental conduct and the extent of their compliance with environmental regulations.

The report examines who monitors, who oversees the monitoring and who supervises the way factories operate with reference to the environment. It reviews government regulations that stipulate the frequency of testing required by each industry, and describes who is responsible for collecting the test results and assuring that standards are maintained. It also indicates who enforces the law in case of alleged violations.

This is the first in a series of reports to be published by CFE in the coming two years on the issue of industrial conduct and the environment. It focuses on 25 factories in the Western Galilee that were surveyed by CFE, for which relevant data was collected. It is important to note that access to information was limited, and as a result, only a sample of the many factories in the area was actually studied in the survey.

The following are the 25 factories: (1) Caesarstone, quartz countertops manufacturer near Caesarea; (2) Soglowek Foods Ltd., meat and sausage factory in Nahariya; (3) Soglowek Foods Ltd. Slaughterhouse in Shlomi; (4) Soglowek Foods Ltd. Deli meat

factory in Shlomi; (5) Klil Industries Ltd., aluminum systems producer in Karmiel; (6) Delta Galil Industries Ltd. In Karmiel, design and manufacture lingerie in; (7) Tivall frozen food factory near Nahariya; (8) Trellidor iron fence manufacturer in Karmiel; (9) Carmochrome Ltd. metal industry in Karmiel; (10) Milotal frozen vegetable producer near Nahariya; (11) Cellaris Ltd. ultra-light ceramics manufacturer near Karmiel; (12) Profal aluminum profile industry in Goren; (13) Coloras aluminum industry in Karmiel; (14) Damar cutting tool manufacturer in Shlomi; (15) Floris pharmaceutical producer in Misgav; (16) Noga Engineering Ltd. cutting tool manufacturer in Shlomi; (17) Israeli Industrial Batteries Ltd. battery producer in Goren; (18) Readymix Industries (Israel) Ltd. Group stone and limestone mine in Segev; (19) Nofetdagan dried food industry near Karmiel; (20) EGMO Neumo-Ehrenberg Group stainless steel industry in Nahariya; (21) Cidev Agencies Ltd. electronics distributor in Nahariya; (22) Petrus Industries quartz glass producer in Saknin; (23) Shemer Assembly AG metal industry in Misgav; (24) Tadbik Group packaging solutions industry in Misgav and (25) Western Galilee Hospital in Nahariya.

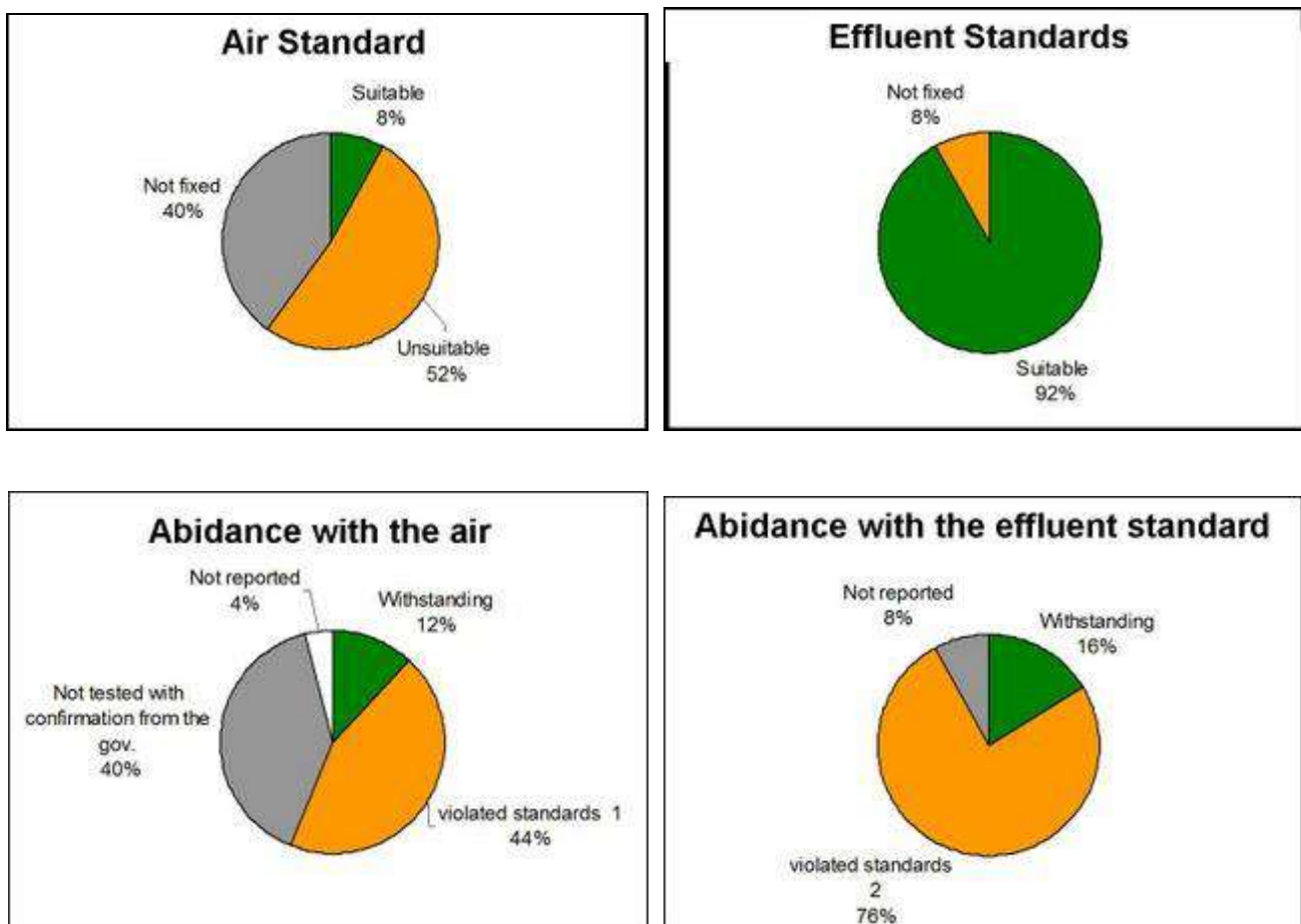
Major Findings:

1. Most factories in the north do not comply with the stipulations set in their business licenses with regard to required frequency of testing for adherence to permissible levels of air pollution and sewage, and with regard to reporting test results to the supervising authorities.
2. Most of the air pollution prevention standards set for factories in Israel is now outdated and not compatible with worldwide acceptable standards. In fact, some of the factories surveyed were never even given air pollution prevention standards. On the other hand, with regard to sewage, the regulations do comply with current global standards.
3. There is no one supervisory factor among the authorities that oversees efficient and accurate monitoring and control of industrial practices. The Ministry of Environmental Protection does not consistently monitor adherence to standards as authorized by contract when factories are issued business licenses. Furthermore, the Ministry does not possess all of the significant data that is necessary to effectively monitor these factories. The result is a loss of credibility and erosion of authority in exercising deterrence. This damages the Ministry's capability to conduct legal proceedings against polluting factories, when such action is necessary.
4. Systematic data collection by government officials concerning factories is totally lacking. Moreover, the majority of information held by the Ministry of Environmental Protection and by other responsible authorities is not available on computer file or on official websites, making access to information very difficult.
5. Local residents who want to know what pollution levels caused by industrial activities are in their areas, have no one to approach. It is most likely that in order to get this information, they will need to contact several authorities and wait at least a few months until reliable information is forthcoming, if at all.

Implications:

1. Findings listed here are not limited to the north of Israel, they reveal a systematically inefficient approach to the problem, which holds true throughout the country. In addition, conclusions are not limited to the time or place examined in this report.
2. Some of the pollutants documented are highly toxic residual substances, and some are carcinogenic. These toxins will remain in the ecosystem and continue to harm resident populations for years after the violations were committed. Moreover, these environmental hazards have wide ecosystem implications, often creating a complex chain of events – such as polluted water which damages the photosynthesis process in vegetation, harming the process of oxygen production, which results in reducing oxygen levels in the atmosphere.
3. Tolerating pollution limits that are incompatible with world standards and permitting a lack of oversight and a lack of enforcement, means that industries get extensive financial benefits at the expense of public health.

Figure 1



Findings in Figure 1:

1. Of the factories surveyed, only 16% show abidance with effluent standard, while 76% do not abide with standards.

2. Only 12% abidance with air standard, 44% did not abide with standard, 40% did not conduct samples in accordance with Ministry of Environmental Protection stipulations.

The foremost aim of this report is to generate change. As such, we will continue our efforts in a variety of ways to influence both the regulatory agencies and the industrial sector to strengthen environmental regulations, heighten enforcement and oversight, and ultimately reduce industrial pollution.

The recommendations of this report are directed at the authorities, factories, employees and the general public. Considering that the Ministry of Environmental Protection holds most of the responsibility and authority to enforce environmental laws regarding overseeing industrial pollution practices, it is imperative to improve the entire supervisory structure and enforcement mechanism without delay so that the authority granted by legislation (both old and new) can be exercised to the fullest.

Conclusions and Recommendations

This report analyzes data on 24 factories and one hospital. It surveys compliance with air pollution regulation standards stipulated in their business permits, methods of control and information collection by the authorities, and the extent of compliance with standards set by the Ministry of Environmental Protection.

Conclusions

Compliance with Standards

Our findings show that a substantial number of factories surveyed *do not* meet air pollution or water pollution prevention standards. Sometimes the problem is clearly related to factories exceeding their emission standards. At other times it is the result of poor testing or sampling performance¹, and sometimes, the problems documented are related to insufficient delivery of information to the supervising agency. Concerning the issue of air pollution control, most of the standards are outdated and are no longer compatible with worldwide standards.²

Violating standards directly impacts on environmental pollution. Even when industries take action to improve their level of adherence to standards, they do not pay for the environmental pollution they have already created. Most industries still carry on with the same practices, conducting their business in the same polluting manner. Some of the pollutants documented are extremely toxic residual substances, and some are

¹ Some of the test results obtained were based on only partial and superficially conducted tests.

² See list of pollutants and their effects on health and the environment.

carcinogenic. They will continue to harm the surrounding population for many years even after violations are executed.

Adaptation to Standards

Regarding sewage standards, local Israeli business licensing requirements analyzed were found to be compatible with current international standards. However, this was not the case with regard to air pollution prevention standards. The values examined were not on par with worldwide requirements today, for a great share of the factories surveyed. This means that a considerable proportion of industries studied enjoy substantial economic benefits at the expense of public health. Such was also the ruling of Judge Daniel Fish in the case of Oil Refineries, Ltd.

"... There was also a provision of substantial financial benefit to the factory due to its failure to apply clear, accurate, and unequivocal standards, which enabled it to extend the costs of environmental risks entailed in its activity onto the general population."³

Supervision, Control, and Public Accessibility to Information

- Supervision and control by the regulatory agencies is undertaken loosely and not always in accordance with conditions stated in business permit licenses. This negligence backfires on the authorities, making it even harder for them to supervise, and it impedes systematic collection of information about industries by the authorities.⁴ Citizens wishing to get information about a factory in the vicinity of their residence have nowhere to turn to. In most cases they would have to approach several authorities, wait for at least a few months until information is received, which in the end often turns out to be only partial, if acquired at all.⁵
- Most of the information collected by the Ministry of Environmental Protection and other authorities is not available on their computers or websites.
- The Ministry of Environmental Protection does not follow up on the execution of terms it set for the factories studied, as stipulated in their business licenses, and is not in possession of a large part of the data describing the industrial practices of these factories. This fact poses a major obstacle for the Ministry in conducting legal proceedings against polluting industries, when the need arises.

Recommendations

For the Ministry of Environmental Protection and its Local Supervisory Units

Since the responsibility and authority for supervision and enforcement over industry lies mainly with the Ministry of Environmental Protection, it is imperative to revise and improve the entire system of monitoring and enforcement such that the authority invested in it, both old and new, is executed efficiently, as stipulated by law.

³ See verdict in case 4128/04, State of Israel vs Oil Refineries Ltd., Haifa District Court, item 121.

⁴ See table showing lack of consistency in reporting by industries to authorities.

1. ⁵ See table comparing testing requirements as compared to actual testing conducted.

- The Ministry must substantially increase the number of personnel and recruit additional professionals to its districts environmental units⁶ so that they could implement supervision and control efficiently. The State of Israel is commitment to the health of its residents, and this must be a priority above all other Ministry activities.
- It must improve work procedures relating to enforcement mechanisms, and execute the process of collecting evidence in a more comprehensive and professional manner⁷, so that down the road, if necessary, violators could be indicted as soon as possible after apprehension. This would ensure efficient implementation of legislation against violating industries; prevent foot dragging and ongoing harm to the environment.
- It must define a supervisory and enforcement plan based on set guidelines, and have them publicized to the authorities and the public.⁸
- It must define organized procedures and conditions for data gathering, and it must efficiently allocate issues and supervisory responsibilities between the Ministry, the regional environmental units, and the local authorities. The resultant procedures must be published, so that different industries know who their supervising agencies are, and for the public to know who they should approach with claims.
- It must stop "negotiating" with the polluting industries about terms and conditions stated in their business licenses, and it must adapt conditions to internationally accepted standards.
- It must impose regulations obliging factories to disclose information on their websites regarding the implementation of Best Available Technologies (BAT), and also obligate them to publish the results of periodic sampling. These regulations should be clearly stated in the business permits issued to industries.

For Local Authorities

- Local authorities must play a more substantial role in supervising industrial facilities within their jurisdictions.⁹
- They must without delay implement the Local Authorities Law (Environmental Enforcement – authorities invested in local inspectors), 2008.
- They must impose regulations obliging factories to disclose information on their websites regarding the implementation of Best Available Technologies (BAT), and also obligate them to publish the results of periodic sampling. These regulations should be clearly stated in the business permits issued to industries.

For Factories

- Factories should implement BAT on their own initiative without waiting to be obligated by regulation. It had already been proven worldwide that although

⁶ And augment its personnel by hiring additional professionals in areas such as air pollution, water pollution, sewage and hazardous materials.

⁷ More and varied types of evidence should be collected, regarding sampling as well as documenting residents' reports.

⁸ The EU requires that member states reveal their supervisory regulations, for enhanced transparency and public monitoring.

⁹ An example in point is the Environmental Unit in the Misgav Regional Council, which keeps records about all of the industries within its municipal jurisdiction.

requiring investment, the implementation of pollution reducing technologies is economical in the long run.¹⁰

- They should hold periodic tests in the employees' environment, as determined by law, including the entire range of toxic substances held by the factory and used in the production process.
- They should publish information on the implementation of BAT and the results of periodic sampling, on their websites. The public no longer believes general statements, such as the kind that are usually found in publications by industries who claim that they are "environmentally and socially committed". Industry must support such statements with reliable information and full transparency.

For Employees in Factories

- Employees in factories must be protected from exposure to toxic substances. They could be harmed by breathing them and through contact. Toxic substances are also absorbed by clothes and the skin. Employees must meticulously adhere to safety instructions, be equipped and use safety gear.
- They must demand periodic testing and sampling of their work environments by their employers, including the entire range of toxic substances they come in contact with.
- They must demand that their employers implement BAT to prevent leakage of toxic materials.
- They must get tested periodically - blood tests can detect the presence of toxins in the bloodstream. Tests must include the majority of substances that employees come into contact with on a daily basis.

For Residents and the Public

- The public should be alert and proactive in detecting information on industrial practices in their residential environment. Well kept areas and green lawns in industrial employment zones could sometimes also include dangerous facilities.
- They must request additional information about the environmental conduct of industries, from the authorities and directly from the factories.
- They must act for civil enforcement against polluting factories in their residential areas.¹¹

For the Knesset

- The Knesset must initiate legislation to authorize the publication of business licensing terms regarding industrial sewage on the website of the Ministry of Environmental Protection.¹²

Industrial Silence — Is Anyone Supervising Industry? Report No. 2, March 2011

¹⁰ Corporate responsibility is a business management tool that offers a structured methodology for implementing environmental protection.

¹¹ CFE may be approached for assistance and guidance with civil enforcement.

¹² The obligation to publish special conditions with regard to air pollution was already addressed by the Clean Air Law.

Executive Summary & Recommendations

This is the second in a series of reports on the **inadequate** supervision of industrial practices in Israel. To view the report in its entirety, please see the Hebrew report at www.cfe.org.il.

Executive Summary

This is the second in a series of reports on “Industrial Silence” published by **Citizens for the Environment in the Galilee (CFE)**, a nonprofit organization which aims to promote sustainable industrial practices in Israel.

The reports set out to examine two central issues

- Do the industries surveyed meet environmental standards as stipulated by law? And are the requirements and standards up to par with internationally accepted regulations?
- Does the frequency of surveillance conducted by the authorities—who are responsible for surveying industrial conduct—meet stipulations determined by law?

Report No. 1 surveyed 24 factories and one hospital in the western Galilee. The current report surveys 19 additional factories in the same area, one hospital and two wastewater purification plants.

The following is the complete list of the places under scrutiny in this report: (1) Strauss ice cream factory in Acco; (2) Zika Industries Ltd. welding company in Acco; (3) Tambur paint manufacturer in Acco; (4) Tzinorot steel pipe manufacturer near Acco; (5) S. Lerner printed packaging industry near Acco; (6) I.M.A. Corrugated Packaging Ltd. cardboard manufacturer near Acco; (7) Ducart Group—Packaging Industries Ltd. near Acco; (8) Idiot *Achronot Printing* Press between Karmiel and Acco; (9) Strauss dairy industry between Karmiel and Acco; (10) Hanita Coatings polyester-based filmic manufacturer near Shlomi; (11) Cabiran aluminum parts industry near Nahariya; (12) Fresco frozen food industry north of Ma'a lot; (13) Bermad hydraulic control valve manufacturer near Nahariya; (14) Amit David packaged goods printer in New Piquin; (15) Teva Post egg industry near Piquin; (16) Hospital in Nahariya with a focus on sewage; (17) Agamim Coating Ltd. metal coating plant in Shlomi; (18) *Govanim* Ltd. metal paint industry in Acco; (19) WIDIA Ltd. metal cutting product manufacturer in Shomi; (20) Atar Garbage Dump near Nahariya; (21) Sewage Treatment Facility in Acco and (22) Sewage Treatment Facility in Nahariya.

Major Findings

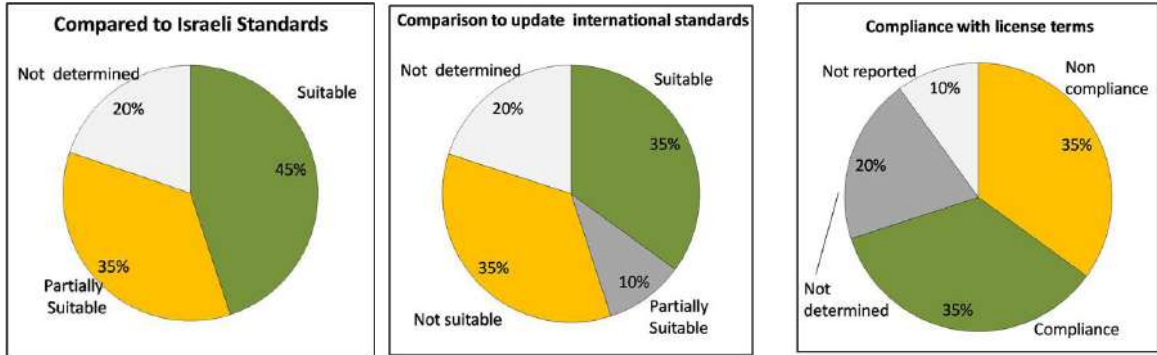
- Most factories in the north do not comply with the terms stipulated in their business licenses, neither with regard to air quality nor with regard to effluent.

This means that factories are basically non-compliant—they do not carry out surveys according to the frequencies required, and they do not report to the supervising authorities as necessary.

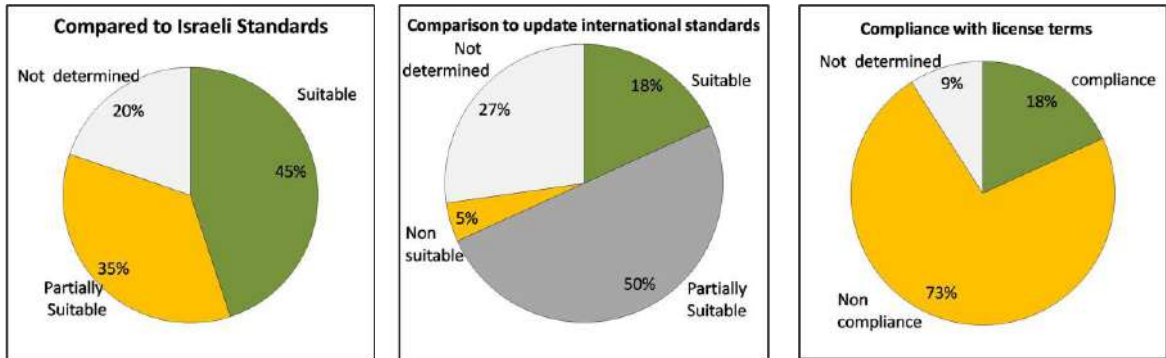
- Standards for the prevention of air pollution have not yet been adapted to modern requirements in many of the factories surveyed. A few of them have never instituted air-pollution prevention standards.
- While compliance with effluent quality standards is more prevalent, the methods used to treat industrial effluent in Israel is different from the internationally recommended BAT—Best Available Technology. The standard European BAT recommends treating effluent on the premises of the factory, and not in a regional wastewater treatment plant. This, in addition to the overall lack of compliance among industries in the north, is one of the main reasons for wastewater treatment plant malfunctions. As a result, poor quality effluent is used widely, and sometimes raw sewage flows directly into the sea and nearby rivers.
- Considerable improvement has occurred during the past year with regard to the publication of information, and to a great extent due to efforts made by the Ministry of Environment. However, despite the improvement, most of the cities in the area, including local as well as national authorities, even municipal environmental protection units, do not implement the provisions stipulated by the Environmental Information Law. Residents who seek information about factories situated close to their residential areas, can, at this point, only refer to the website of the Ministry of the Environment, where they can find relevant information, although partial in most cases, and mainly with reference to emissions only.
- Another important improvement refers to general industrial behavior which is more inclined nowadays to consider environmental protection in their practices. This is evident both in terms of investment, as well as in the treatment of emission level deviations. It is also reflected in the current readiness to disclose information to public institutions such as CFE.
- There is no mechanism for systematic and accurate data collection for the supervision and control of industrial practices which is governed by regulations stipulated in business licenses. There is no clear and transparent division of power between the Ministry of Environmental Protection, and the association of cities and local authorities. This is a primary obstacle to enforcing deterrence towards enterprises that do not uphold standards, and limits the ability of authorities to impose legal proceedings against polluting factories when necessary.
- Hospitals in Israel are not inspected properly by the environmental authorities. They contribute between 5%-30% of the hazardous medical substances that are found in municipal wastewater, posing a serious danger to public health.

- The Ministry of Trade and Industry does not publish information on environmental conditions in the workplace, as required by law.

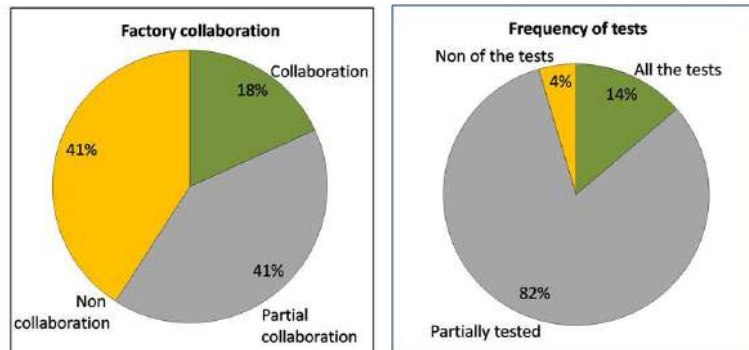
Air standards: 20 Factories



Effluent standards: 22 Factories



Factory collaboration and Frequency of tests: 22 Factories



Recommendations

For Factories

- Factories should implement **Best Available Technology (BAT)** on their own initiative and not wait for regulations to be imposed. It has already been proven universally that while investment is required, the implementation of

pollution reduction technologies (**Corporate Responsibility**) is economically worthwhile in the long-term.¹³

- Factories should improve their wastewater treatment systems immediately. Large industries must examine the possibility of establishing a wastewater treatment system within their factory complexes, so as not to contaminate the municipal sewage systems.
- Factories should make periodic checks of employees in the workplace, as prescribed by law, and include in their surveys the full range of toxic substances that the plant stores and uses in the manufacturing process.
- They should publish information on the implementation of **Best Available Technologies (BAT)**, and on the results of their periodic sampling. This information should be made available on company websites. The public no longer believes in generalizations, such as the type that ordinarily appear in the publications of different industries with references to “environmental and social commitment”. Industries are required to compile trustworthy information and make statements that are fully reliable and transparent.
- **Special recommendations for hospitals** - Hospitals should conduct pre-treatment of medical material residues in a special facility prior to their release into the municipal sewage system.

For Employees in Factories

- Factory workers should avoid exposure with hazardous materials, for example if their work involves using toxic substances, they may be affected by breathing or touching these elements. Toxic substances are also absorbed in the body via contact with clothing that has been exposed and through the skin. Employees should make sure they abide by safety instructions, and that they obtain and use protective equipment.
- Employees should demand that their employers perform periodic tests in their work place, and that the tests include the entire variety of materials and toxins with which they may come into contact.
- Employees should demand that their employers implement the best available technologies to prevent leakage of toxic substances in their factories.
- Employees should undergo periodic blood tests to detect the presence of toxins in their bloodstream. Examinations should include sampling for all of the materials that they are in contact with regularly.

For Local Residents

- The public should get information about industrial practices in their residential areas. **They should be alert!** Well kept areas and green lawns in industrial zones could sometimes also include dangerous facilities.
- The public should make direct requests to local authorities and corporations for additional information on the environmental practices of industries in their residential areas.
- They should act to implement civil enforcement against polluting factories in their neighborhoods.¹⁴

Corporate Responsibility is a business management approach with a regulated ¹³ methodology.

For the Ministry of Environment

Since the responsibility and authority for environmental regulation and enforcement over industrial practices lies mainly with the Ministry of Environmental Protection, in order to improve its power under the law in this respect, the Ministry should:

- Continue to substantially increase the number of personnel and recruit additional professionals to its districts environmental units¹⁵ in order to implement supervision and control more efficiently.
- Improve the data collection process to make it more comprehensive and professional,¹⁶ so that the enforcement system could be prepared to issue indictments as close as possible to the date of the offense. This would ensure efficient implementation of legislation against violating industries; and prevent foot dragging and ongoing harm to the environment.
- Set up a monitoring and enforcement program in accordance with predetermined guidelines and publish it to the authorities and the public.¹⁷
- Define organized procedures and terms for data collection, and efficiently distribute issues and supervisory responsibilities between the Ministry, the regional environmental units, and the local authorities. The Ministry of Environment must additionally publish the data, so that every factory will know exactly who supervises them, and also so that the public knows who to turn to for help.
- Stop "negotiating" with the local polluters.
- Adapt conditions stipulated in business licenses to internationally acceptable standards, including standards for air pollution prevention and sewage treatment.
- Determine that business licenses obligate publishing information¹⁸ on periodic sampling and assure that industries will be required to publish such information on their websites.
- Promote the establishment of wastewater treatment systems on the premises of large factories, to prevent contamination of the municipal sewage systems.
- **Alter the way hospitals are licensed by the Ministry of Health and the Ministry of Environmental Protection, so that these institutions are subject to the same methods and regulations that govern industries, as a prerequisite for obtaining their business permits.**

For Local Authorities

- Play a more substantial role in supervising industrial facilities within their jurisdictions.¹⁹

¹⁴ Residents can contact CFE for information and consultation.

¹⁵ And augment its personnel by hiring additional professionals in areas such as air pollution, water pollution, sewage and hazardous materials.

¹⁶ More and varied types of evidence should be collected, regarding sampling as well as documenting residents' reports.

¹⁷ The EU requires that member states reveal their supervisory regulations, for enhanced transparency and public monitoring.

¹⁸ This requirement must be included in the business permits that are issued for operating factories.

- Implement, without delay, the Environmental Information Law (Provision of Information on Environmental Quality to the Public) 2009.
- Implement, without delay, the Local Authorities Law (Environmental Enforcement – Authority Invested in Local Inspectors), 2008.
- Impose regulations obliging factories to publish the results of their periodic sampling. These regulations should be clearly stated in the business permits issued to industries, obliging them to publish this information on their websites.

For the Knesset

- The Knesset must promote the implementation of the Environmental Information Law so that the publication of environmental information is enforced with regard to sewage treatment as well (not only with regard to air pollution), as a condition for obtaining business licenses.²⁰
- The Knesset must redefine the authority and power of the Ministry of Health, the Ministry of Environment and other government offices, with regard to supervising and monitoring environmental protection in hospitals.

¹⁹ A leading example is the Environmental Unit in the Misgav Regional Council, who keeps records about all of the industries within its municipal jurisdiction.

²⁰ The obligation to publicize information on air pollution is already set in the Clean Air Law.



Photo by: Courtesy

A little people power can go a long way

Galilee group celebrates 20 years of activism.

By EHUD ZION WALDOKS

06/23/2010 06:50

Environmentalism begins with transparency, Liora Amitay, co-head of Citizens for the Environment in the Galilee (CFE), told *The Jerusalem Post* this week. That's why she and her co-head, attorney Jamela Hardal-Wakim, spend so much of their time attempting to convince or pressure factories in the North to make their business practices transparent.

CFE is the second-oldest environmental organization in Israel and is currently celebrating 20 years of activism. Founded a few months before the Israel Union for Environmental Defense, it was preceded only by the Society for the Protection of Nature in Israel, which was formed in the 1950s. As opposed to the other two groups, which are the biggest environmental organizations in Israel, CFE handles much of its work through a network of devoted volunteers and five part-time employees, not including Amitay and Hardal-Wakim.

The organization has had some notable successes on the national front over the past few years, Amitay and Hardal-Wakim told the *Post*. CFE was behind two important environmental laws that could change the landscape of environmental enforcement in Israel.

"Seven years ago, CFE initiated an amendment to the Freedom of Information Act, which would require factories and businesses to post all environment-related data in their possession on their Web sites," Amitay explained. The bill was taken up and approved by the Knesset, and its regulations will go into effect this August.

"It could save a lot of money regarding enforcement, since if a factory has to post unfavorable data regarding its activities, it could become an incentive to move toward sustainability," Amitay pointed out.

In a sign of how much the environmental legislative agenda has changed in the past five years, Amitay compared the Freedom of Information amendment to the other law CFE worked on with MK Dov Henin and then-MK Ophir Paz-Pines – the Polluter Pays Law, which passed in 2008. The law requires those who caused pollution to pay for its cleanup rather than relying on the state to clean it up.

Seven years ago, “we submitted a wide-ranging bill. What passed was a very narrow law. We submitted a narrow Polluter Pays bill and what eventually passed was a much broader law,” she said.

CFE has also had some recent regional successes, according to Hardal-Wakim, who was recruited five years ago by Amitay from the private sector to co-head CFE. The mixed Jewish-Arab leadership perfectly suits the mixed nature of the Galilee, where Arabs outnumber Jews. Amitay spent 17 years training SPNI counselors before taking over CFE in 2001.

“We recently achieved a victory against the aluminum factory IMC,” Hardal-Wakim said. “The factory managed to finagle its way into the industrial area near Tziporit, which belongs to Upper Nazareth. We formed a committee of religious Jews and Arabs who would be affected by the factory’s pollution, and the district court eventually ruled that the factory had to relocate even though it had already been built and begun operations next to Tziporit.”

The factory has appealed the verdict.

The campaign was awarded a Green Globe by Life and Environment, the umbrella organization of environmental organizations in Israel.

“It was an important precedent,” Amitay added. Such a precedent that another factory’s request was recently denied after a public outcry.

“The Frutarom factory wanted to move into the industrial area in the Beit Shean Valley,” Amitay said. “When the residents heard about the request, they met with the head of the regional council. The head of the regional council then turned around and denied the factory’s request even before we could launch a campaign.”

Amitay stressed that CFE was not anti-industry.

“There are 6,000 factories in the northern district which represent income for most of the residents. We fully support that, but want to push the factories to adopt sustainable practices,” she said.

To that end, CFE has launched a series of reports, the first of which showed the severe difficulties faced by rank and file citizens in obtaining environmental data about factories in their backyard. The report occasioned a six-page rebuttal from the Environmental Protection Ministry.

“Another four reports are in the works’ the next one will look at the Haifa Bay area,” said Amitay. “The point of the reports is never the report itself. The report is merely a tool to put pressure on factories to change their practices and become more transparent.”

Hardal-Wakim added that “each time we release a report, we always have a strategy about what the next steps are.” The organization is also active in a number of environmental coalitions and founded the Coalition for Public Health, where Amitay was chairwoman until six months ago.

CFE is run on a shoestring budget of less than NIS 500,000 a year, and has a lot of devoted volunteers who have helped raise funds, often in small amounts at a time. For instance, one professor offered a year-long course on wildlife behavior that was attended by some 40 people. Tuition went to fund CFE activities. Ruza Tafor of Channel 1 taught Arabic to local authority inspectors, and that money as well went to CFE.

“We raised about NIS 15,000 from that,” Amitay remarked.

Right now, CFE is looking for funding for the series of “Sustainable Industry” reports, and for its operations in general.

“There’s a good quote from *Kohelet Rabbah*, which sums up our mission,” Amitay said.

“At the time that God created Adam, the first man, He lifted him up and showed him all of the trees of the Garden of Eden. And He said to him: ‘See all that I have created, how remarkable and praiseworthy all of it is. And I have created all of it for your sake. Contemplate this and be watchful not to damage or destroy my world. For if you damage it, there will be no one else to repair it after you.’”

“We try to show how we’ve broken the world, and what to do to fix it,” she said.



Want info about pollution near your home?

Tough luck

Green groups slams Environmental Protection Ministry for failing to provide information on industrial pollution.

By [EHUD ZION WALDOKS](#)

08/03/2010 05:34

Sometimes what you don’t find is more interesting than what you do. Such is the case with the new report to be released Monday morning by Galilee Citizens for the Environment, “Industrial Quiet – Who is Supervising the Factories?”

The report’s origins hark back to three years ago, when the NGO decided to try and monitor whether the factories in their region adhere to government standards. Of the 6,000 factories in the area, they had intended to compile a list of the 100 most dangerous.

The group filed a series of Freedom of Information Act requests to the Environmental Protection Ministry, the Environmental Union of Western Galilee Cities and the local authorities, requesting information about air quality standards, the terms of the factories’ business licenses, wastewater dumping permits and the like.

What emerged three years later is a report on 25 factories; not the 25 most dangerous factories, but merely the 25 factories for which they received any sort of information at all.

Moreover, in a detailed response to the report, the Environmental Protection Ministry said that much of the information cited in the report was not up to date and some of it was inaccurate.

However, as the report's authors state, the bottom line is that if you are a citizen concerned about industrial pollution near your home, there is very little information which will be handed over to you. They wrote that their Freedom of Information Act requests were either rejected – as in the case of requests to the Environmental Union of Western Galilee Cities – or answered only in part, months afterward.

What information they did receive revealed a lack of ordered process on the part of the ministry in setting standards for businesses and a lack of adequate follow-up, making it hard to catch offenders and subsequently prosecute them, the authors wrote.

The Environmental Protection Ministry responded that many of the complaints the report registered would be dealt with in the context of the Clean Air Act when it goes into effect in January of next year.

For instance, the report cited several factories which had to abide by outdated standards and whose technologies to do so were not the best available. The ministry responded that standards were in the midst of being updated ahead of the new law.

The ministry also pointed out that because of a lack of manpower, its inspectors focused on the factories which presented the most pollution and the most risk, which corresponded to only two of the factories in the report – Profal and Carmochrome. Profal had already been given updated standards and Carmochrome would receive theirs in January with the onset of the law, according to the ministry.

Responding to the report's complaint that little information about factories was available on the ministry's Web site, the ministry replied that it was working on a computerized database that would also go live in January. It also maintained that a lot of information was available on its Web site about factories all over the country, including charts and graphs.

The authors called on the ministry to increase its enforcement, called on the local authorities to fully utilize the powers granted to its inspectors by a recent law to enforce environmental compliance and called on factory workers to beware when working with hazardous substances.



New regulations aim to increase environmental transparency

Companies, ministries will be required to post all environmental information on their Web sites and make it available at their offices.

By [EHUD ZION WALDOKS](#)
09/07/2010 02:15

New regulations that went into effect on Sunday are intended to enable the public to peruse more information about environmental pollution, although they lack any sort of enforcement.

Enacted under the Freedom of Information Act, they require 58 local authorities, as well as ministries and government companies, to post all environmental information in their possession on their Web sites and make it available at their offices. The rest of the local authorities have until 2012 to create such databases.

Data pertaining to air quality, noise, odors, sea and land pollution, as well as electromagnetic radiation, must be published on the authorities' Web sites for at least a year, and be available for seven years at municipal offices. Such data would include the results of any monitoring or tests.

A random look at about a third of the Web sites of the of 58 local authorities on Monday revealed that most had yet to post any information. **Jerusalem**, **Kfar Saba** and **Ra'anana** did have information. **Tel Aviv** said it had collected data but was still deliberating how to publish it. Haifa did not appear to have published any information either.

The Environmental Protection Ministry posted some information in a new section of its Web site and also held seminars with all of its district offices on how to post information. The Treasury, Defense, National Infrastructures and Construction and Housing ministries had yet to post any information.

The regulations were passed in early 2009 – the product of lobbying by Citizens for the Environment in the **Galilee** since 2003. While CFE's co-head, attorney Jamela Hardal-Wakim, praised the Environmental Protection Ministry for its efforts, she was more pessimistic about the chances of the regulations really catching on.

“Like the Freedom of Information Act itself, there's no enforcement mechanism to ensure compliance,” she told *The Jerusalem Post*. “Without active enforcement, it is only the local authorities' desire to reap positive publicity from an environmental perspective that incentivizes creating such a data registry.”

Nevertheless, ahead of the new regulations, CFE sent a letter to Environmental Protection Minister **Gilad Erdan (Likud)** praising the ministry for its leadership role and calling it a model for others to emulate. However, it has no enforcement or oversight role regarding any other authority's database.

The new regulations represent a different format than some of the other aspects of the Freedom of Information Act. Instead of waiting for a request from a member of the public, the new regulations require authorities to actively put the results of tests and monitoring on their Web sites. According to the regulations, all new test results must be displayed for the public within three months. The authority does not have to provide an analysis of the data, just the raw data itself.

The regulations pertain to public authorities alone and do not apply to private corporations or entities.

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Factories causing wastewater treatment malfunctions

Different consistency of factory's wastewater often leads the regional treatment plant to buckle under the strain of processing.

Talkbacks (1)

By [EHUD ZION WALDOKS](#)

03/20/2011 01:25

Factories should be forced to build their own wastewater treatment plants rather than use regional ones, Citizens for the Environment in the Galilee (CFE) argue in their latest report on factories in the north.

The second annual report was released for publication on Sunday morning.

The different consistency of a factory's wastewater often leads the treatment plant to buckle under the strain of processing it, Liora Amitay, co-head of CFE said late last week ahead of the report's release.

"A few years ago, the Acre wastewater treatment plant was put out of commission for eight months because of the fats from a factory," she said by way of illustration.

“The Acre regional plant processes 16,000 cubic meters a day. The Strauss factory produces 1,000 of those cubic meters all by itself. Of course, Strauss is just illustrative of all of the factories,” she added.

CFE’s reports take a close look at northern factories to determine how environmentally friendly they are. The first report last year looked at 25 factories. This year, the report examined 19 factories, two wastewater treatment plants and a hospital.

The report’s two other main conclusions were that most of the factories do not even meet the basic standards set down in their business licenses and that medical pharmaceutical residue in the water supply was an issue that must begin to be addressed in Israel.

The Environmental Protection Ministry inserts specific standards for each factory to adhere to into its business license. CFE found that regarding air pollution and wastewater, the factories surveyed largely did not meet the criteria.

Either they violated the standards, or did not conduct the requisite number of tests or did not report as they should have to inspectors.

Many of the standards of the business license were not updated properly and were not as relevant as they should be to the current conditions of the factory, according to the report.

“One factory has an ammonia container less than 50 meters from a residential area in Acre. While it may have been that the factory was far away from residential areas when it was built, the city has expanded and now it is right next to a neighborhood. An ammonia container is extremely dangerous – what would happen if it exploded?” Amitay said.

CFE also graded the factories in terms of adherence to standards and willingness to assist in the assessment. The worst marks were given to the Strauss ice cream factory in Acre. In 2010, the factory was still polluting the air – though far less than it had in 2008 – and its wastewater treatment was vastly insufficient in 2008 and 2009. The factory’s management refused to assist the NGO and refused to respond to the report’s findings when the NGO asked for a response.

In general, Amitay said, there had been two major improvements since the first report came out last year. First, she said, the Environmental Protection Ministry has been making much more information available online. An amendment to the Freedom of Information Act passed this past year, after much lobbying by CFE, requiring government agencies and ministries to publish environmental data online.

Second, many of the factories were much more responsive to the organization’s requests for information.

During a press tour of some of the factories on Thursday, Amitay said that they were greeted by the factory heads themselves.

“It used to be that factory heads had no interest in environmental matters. They would appoint an expert and then forget about the issue.

Now, the factory heads take an interest themselves and refer to environmental issues as ‘the core values of the factory.’” The Evron landfill received the highest

marks. The standards set for it were acceptable, it adhered to them for the most part, and gave the NGO full access to documentation and a tour of the site.

The report concluded by calling for more enforcement by the Environmental Protection Ministry and called on the factories to install best available technologies for preventing air pollution and treating wastewater and not wait for the government to crack down on them before taking action.

An English executive summary will be made available later this week, Amitay said.

(Place on back cover of book)

Citizens for the Environment in the Galilee (CFE) is an environmental and social nonprofit organization founded in 1990 by Jews and Arabs residing in the Western Galilee. CFE works to protect the environment and natural resources. It aims to investigate and to prevent environmental hazards which harm the ecology and human health and endanger future generations. CFE has a Jewish-Arab board of directors and co-management team, an all female staff and has more than 800 Jewish and Arab members, many of whom are active volunteers within the organization.