

Regulatory Framework for Thermal Waters in Bulgaria

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ABSTRACT

The objective of this paper is to present a number of items concerning thermal waters regulation in Bulgaria and their implications for geothermal development in the country.

After 1990 a new legislation concerning thermal waters and geothermal energy use has been published. Till now the laws passed through many amendments aiming to meet the new economical requirements.

Thermal waters as a product of the bowels of the earth are under the jurisdiction of the Constitution and Law on water. According to the Law on water (1999) thermal waters are owned by the State or by the Municipalities. Permits issued by the Minister of Environment and Water are required for state-owned thermal waters used for treatment, rehabilitation and prevention, space heating, swimming pools, thermal water supply for domestic, technical and some industrial purposes.

The following laws govern the use of geothermal waters: Law on water, Law on concessions and State and Municipality property laws.

The Law on concessions regulates the conditions and order for delivery of concessions. They are awarded on the basis of a tender and are issued for up to 35 years. The Consul of Ministers issues geothermal licensing. Concessions for state-owned mineral waters are delivered when the use is for bottling, heating and air-conditioning (more than 5 MWt installed capacity) and extraction of chemical elements and derivatives. Municipality owned thermal waters are governed only by concessions.

GENERAL FRAMEWORK

According to the Bulgarian laws and regulations term “mineral waters” is defined as natural pure underground waters in accessible for technical and economical activities hydrogeological space in the bowels of the Earth, which differ essentially and authentically from the considered regional standards for other ground waters by its soluble substance composition and its energy, and because of these features could be used in balneology, tourism and other economic fields, Table 1.

Republic of Bulgaria is rich of mineral waters. More than 200 sources of mineral water with temperatures of 20° C to 100° C have been discovered.

The various geological conditions under which the Bulgarian mineral waters formed its composition and temperature define the presence of specific components such as J, Br, B, As, F, Fe, N₂, CO₂, H₂S, H₂SiO₃, radon, etc.

Due to that, our mineral waters are used for: relaxation, prevention, rehabilitation and treatment in spa and tourist

centers, bottling of mineral waters and production of soft drinks, space heating and greenhouses, extraction of valuable elements, cultivation of aquacultures and other technical and technological applications.

The wide range of mineral waters' chemical composition together with the modern technologies allows an effective and profitable application in the whole spectrum of their qualities by cascade schemes of use simultaneously in several directions. The complex cascade use of mineral waters increases the quality and effectiveness of each application.

Mineral waters in Bulgaria are exclusively state or public municipality property. The law frame for managing mineral waters includes:

Law on state property
Law on municipality property
Law on concessions
Law on water

By definition, mineral waters that are exclusively state property are the ones listed in the Annex N°2 of the Law on water. They are managed by the Ministry Council, Ministry of the Environment and Water, as well as by the Basin directorates in compliance with the Law on concessions (2006) and Law on water (1999).

Water application for healing and prevention activities has the first priority in giving permits according to the Law on water.

To be able to get a permit for thermal water use, which is exclusively state property, it is necessary:

- to gain concession from the Ministry Council in compliance with the Law on concessions and Law on water, valid for a maximum of 35 years and in the cases when the mineral water is going to be used for:
 - bottling of mineral water and/or production of soft drinks using mineral water.
 - extraction of chemicals, substances or derivatives.
 - production of geothermal energy from systems of installed capacity more than 5 MW
- to obtain a 25 years period of water exploitation permit in compliance with the Law on waters, in the cases when the mineral water is going to be used for one or more purposes, which are different from the ones required for concessions.

Mineral waters which are public municipality property are defined as waters from sources not listed in Appendix N°2 of the Law on water. They are managed by the respective municipalities according to the Law on public property.

Table 1.

Energy use		Other uses	
Geothermal energy use (in terms of water temperature values)	Extraction of residual heat	Utilization of cooled waste water for other purposes	Bottling of mineral water
			Treatment and prevention
			Rehabilitation and relaxation
			Sport (Swimming pools)
			Water supply
			Extraction of chemical elements
			Cultivation of aquacultures

To gain a right to run public property mineral waters one need to have won a municipality concession according to the Law on concessions, valid for maximum of 35 years.

Binding requirements for having a legal right for mineral water use – either state-owned or municipality-owned are to provide evidence of:

- Approved thermal water and geothermal energy resources by the Minister of Environment and Water for the deposit and the installed technical facility.

- Approved by the Minister of Environment and Water protection zone of the installed technical facility in case of water use for healing, prevention, water supply, bottling, domestic use, sport and recreation.

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