

LEGAL REGULATION OF THE AIR PROTECTION

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ENVIRONMENTAL PROBLEMS RELATED TO AIR

- Emissions of polluting substances
- Ozone layer depletion
- Climate change

SYSTEM OF THE REGULATION

- **Act No. 201/2012 Coll.**, on the Air Protection
Air pollution (stationary and mobile sources)
- Regulation (EC) No 1005/2009 on substances that deplete the ozone layer
- Act No. 73/2012 Coll. on substances that deplete the ozone layer and on fluorinated greenhouse gases
Ozone layer
- Regulation 842/2006 on certain fluorinated greenhouse gases)
- **Act No. 695/2004 Coll.**, on Conditions of Trading in Greenhouse Gases Allowances
- Act No. 73/2012 Coll. on substances that deplete the ozone layer and on fluorinated greenhouse gases
Climate system

SYSTEM OF THE REGULATION

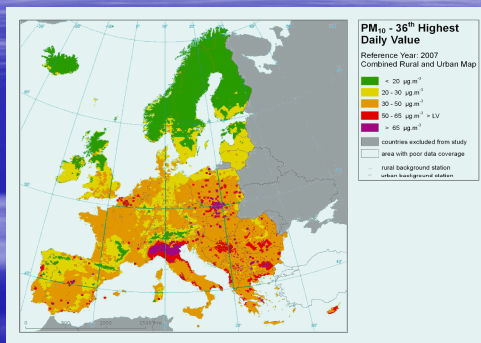
MOBILE SOURCES REGULATION:

Act No. 56/2001 Coll., on Conditions of the Vehicles Operation on Roads, as amended

Act No. 266/1994 Coll., on the Railroad Mobile sources of pollution, as amended

Act No. 49/1997 Coll., on the Civil Aviation, as amended

I. EMISSIONS OF POLLUTING SUBSTANCES



CLASSIFICATION OF SOURCES OF AIR POLLUTION

- Mobile sources
- Stationary sources – a) listed in Annex 2 of the Air Act
b) others

2 LEVELS OF AIR PROTECTION:

- Standard level of air protection
- Special air protection

Standard level of air protection

Regulatory tools:

- the admissible level of air pollution
- plans and other program documents
- fuel quality requirements
- bans and duties of individual persons
- permits and approvals
- monitoring, record-keeping and reporting requirements
- authorization
- fees
- sanctions.

Standard level of air protection

1. Admissible level of air pollution:

- Emission limitaton
- Emission ceillings
- Air quality standards

Standard level of air protection

2. Plans and other program documents:

- National program for emissions reduction
- Programs for air quality improvement



To comply with air quality standards as soon as possible

Standard level of air protection

3. Permits and approvals:

- Approval of APA to development consents
- Approval of APA to construction permits
- Permit to operate
- Opinion of APA to land use planning
- Compensatory measures

Standard level of air protection

4. Duties of persons:

- General duties
- Specific duties (for persons handling paints, distributors of fuels, authorized persons etc.)
- Duties of operators of stationary sources:
 - General
 - Specific for sources listed in Annex 2

Standard level of air protection

5. Fees

- Amount of emissions
- Emission rate

Standard level of air protection

6. Authorization:

- Measurements of air quality
- Measurements of emissions
- Disperse models etc.

Standard level of air protection

Sanctions:

- Fines
- Corrective measures
- Prohibitopn to operate

Standard level of air protection

Other regulatory instruments:

- Fuel quality requirements
- Monitoring, reporting
- Register of air quality information system
- Register of sources of pollution

Special air protection

Regulatory tools:

- designation of areas with bad air quality,
- continual monitoring of the air pollution levels,
- air quality improvement programs,
- specific air quality standards,
- specific conditions of operation
- smog warning and traffic regulation systém
- low – emission zones in cities.

Mobile sources regulation

Regulatory tools:

- technical requirements and emission limits
- fuel quality requirements (biofuels)
- duties of operators
- sanctions.

OZONE LAYER PROTECTION

Regulated substances:

- chlorofluorocarbons,
 - other fully halogenated chlorofluorocarbons,
 - halon,
 - tetrachlormethan,
 - 1,1,1-trichloroethane
 - methylbromid and
 - hydrobromofluorocarbons
- (Annex I of the EU Regulation)

OZONE LAYER PROTECTION

Regulation applies to:

- production, importation, exportation,
- placing on the market,
- use, recovery, recycling
- reclamation and destruction of controlled substances
- importation, exportation, placing on the market and use of products and equipment containing these substances

OZONE LAYER PROTECTION

Regulatory tools – production, placing on the market :

- Ban on production of substances listed in Art. 3 of the EU Regulation
- Ban of the use and placing on the market of regulated substances
- Exemptions
- Licences issued by the EC
- „critical uses“ of halons (Annex VI of EU Regulation)
- Fees for production and import of substances and products containing CFCs
- Sanctions for non-compliance with the law

OZONE LAYER PROTECTION

Rules for trade in the regulated substances:

- Ban on the import and export of regulated substances with non-parties to Protocol
- Exemptions
- Licence for the import and export
- Quotas

OZONE LAYER PROTECTION

Regulated substances handling requirements:

- All precautionary measures practicable must be taken to prevent and minimise leakages of controlled substances
- Labelling requirements
- Duty to recycle, regenerate or to dispose the regulated substances
- Monitoring, reporting and record – keeping requirements
- Authorization

OZONE LAYER PROTECTION

- Administrative liability:
 - Corrective measures
 - Fines
 - Authorization withdrawal

- Criminal liability
 - Illegal production and handling of substances depleting ozone layer

CLIMATE SYSTEM PROTECTION

Regulatory tools:

- list of activities resulting in greenhouse gasses emissions
- greenhouse gass emission permits
- national allocation plan
- duties of persons (to apply for allowences, monitor etc.)
- tradeable allowances and emission reduction unit/certified ERU
- project-based mechanisms (Joint Implementation (JI) and the Clean Development Mechanism (CDM))
- monitoring, record-keeping and reporting requirements
- sanctions.

COMPETENT AUTHORITIES

- Ministry of the Environment
- Ministry of Health
- Ministry of Transportation
- Czech Environmental Inspectorate
- Czech Commerce Inspectorate
- customs authorities
- regional authorities
- municipal authorities
- municipalities.
