AGENDA ITEM: VOC DIRECTIVE (2004/42)

Country Session: The Republic of TURKEY
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CONTENT

- National Legislation & Institutions involved
- Corresponding Provisions of National Legislation
- Public Participation Process
- Challenges
NATIONAL LEGISLATION AND INSTITUTIONS INVOLVED

National Legislation

- Law No.2872 on Environment (as amended by the Law No.5491)
- Law No. 4856 on Duties, Competences and Responsibilities of the Ministry of Environment and Forestry
- By-law on Industrial Air Pollution Control (IAPC)

Competent Authorities:

- Ministry of Environment and Forestry (MoEF)
- Governorships
NATIONAL LEGISLATION AND INSTITUTIONS INVOLVED (CONT’D)

National Legislation
- Law No. 5393 on Municipalities
- Law No. 5216 on Metropolitan Municipalities
- Law No. 5302 on Special Provincial Administrations
- By-law on Start-up and Operation Licenses of Workplaces

Competent Authorities
Metropolitan Municipalities, Municipalities, Special Provincial Administrations
CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION

By-Law on Industrial Air Pollution Control;

Installations are identified in:

- Annex III, Paragraph 5 which lists the activities subject to emission permit
- Article 43.21 defines conditions for permit, requires either use of paints with low or no organic solvent content, or installation of stack gas cleaning systems
By-law on Industrial Air Pollution Control includes control of VOCs in a wide extent, via permitting mechanism and ELVs

- In Article 43.21, activity-specific ELV’s, operational requirements to be fulfilled by the operators, other conditions and precautions are defined.
- In Article 39, VOCs are handled in three groups, ELVs varying with the group of substances according to their potential impacts on environment.
- Article 39 describes limit values in case certain substances such as toxic, carcinogenic or persistent pollutants are involved or emitted in the process.
CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT’D)

- Article 40 prescribes monitoring of air quality in the plant impact area and estimation of plant’s contribution to the local air pollution when needed

- Article 8 lays down the procedures and conditions to be fulfilled in pre-permitting of the new installations covered
CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT’D)

- **Article 15** lays down the requirements for the update of the information corresponding the permit conditions and describes principles and periods of measurements, standards to be followed and reporting obligations.
- **Article 38** describes the principles of inspection and responsibilities of both competent authorities and operators.
- **Article 41** defines principles of periodic and continuous measurements, when they are required and reporting of the emissions.
CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT’D)

By-law on Start-up and Operation Licenses of Workplaces (SOLW);

- Article 4 (Definitions)
- Article 6 (Start-up and operation)
- Annex II (List of unsanitary installations)
By-Law on Control of Hazardous Chemicals and Products (as amended by By-Law on Hazardous Chemicals) regulates hazardous chemicals and products and designates principles for labelling of the chemicals covered.
PUBLICATION PARTICIPATION PROCESS

- Article 8 of the IAPC describes pre-permitting procedure and public participation process including:
  - Conditions of permit open to public view and
  - Review process for public.

- The Law No. 4982 on the Right of Access to Information draws the framework for public access to information.
CHALLENGES

- **Transposition:**
  - Preparation of a legislative regulation that complies fully with this Directive, accounting the VOC Directive (99/13/EC)

- **Implementation:**
  - Preparation of an inventory of the installations covered
  - Meeting the requirements of the Directive for existing installations, especially small enterprises, due to high investment costs

- **Institutional restructuring:**
  - Establishing and effective permitting, monitoring and inspection system
Thank you for your attention