



## **SCREENING CHAPTER 27 ENVIRONMENT**

### **AGENDA ITEM: IPPC Directive (96/61/EC)**

**Country Session: The Republic of TURKEY  
29 May - 02 June 2006**

## CONTENT

- Overview
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- Institutional Capacity
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## OVERVIEW

There is a permitting system with different regulations regarding various environmental sectors (air, water, waste, noise, etc.).

There are several competent authorities at different levels.

Studies to coordinate permitting and enforcement system and achieve an effective implementation of the environmental legislation are in progress.

## NATIONAL LEGISLATION AND INSTITUTIONS INVOLVED

- 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)
- By-law on Control of Hazardous Waste (CHW)
- By-law on Control of Waste Oils (CWO)

## NATIONAL LEGISLATION AND INSTITUTIONS INVOLVED (CONT'D)

- By-law for Start-up and Operation Licenses of Workplaces (SOLW)
- By-law on Water Pollution Control (WPC)
- By-law on Control of Pollution by Dangerous Substances in Water and its Environment
- By-law on Assessment and Management of Environmental Noise



## NATIONAL LEGISLATION AND INSTITUTIONS INVOLVED (CONT'D)

### Competent Authorities:

- Ministry of Environment and Forestry (MoEF)
- Provincial Governors
- Metropolitan Municipalities
- Municipalities,
- Provincial Special Administrations
- Organised Industrial Zone Administrations

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION

### Competent authorities

- Law on Environment
- Law on Duties, Competences and Responsibilities of MoEF
- By-law on Industrial Air Pollution Control,
- By-law on Control of Hazardous Wastes
- By-law on Control of Waste Oils

designate **MoEF** and **Provincial Governors** as competent authorities.

- By-law for Start-up and Operation Licenses of Workplaces designates **Metropolitan Municipalities, Municipalities, Provincial Special Administrations and Organised Industrial Zone Administrations** as competent authorities for licensing.

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Identifying relevant installations (Annex I)

- By-law on Industrial Air Pollution Control
  - Annex III- List of Activities subject to emission permit
  - Article 43- Emission Limit values for highly air polluting installations.
- Annex VII of the By-law on Assessment and Management of Environmental Noise identifies installations subject to Noise Control Permit.
- Annex II of the By-law for Start-up and Operation Licenses of Workplaces identifies installations subject to license.

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A. Teoman SANALAN; 19.05.2006

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Establishing an integrated permit system

- Majority of the activities covered by IPPC are subject to permit. Several separate permits and licenses are in place regarding;
  - Emissions to air, water and marine environment,
  - Noise, vibration,
  - Waste generation and management,
  - Energy efficiency.In addition;
  - Start-up and Operation License for unsanitary establishments.

*A technical study is being carried out to establish an integrated permit system within the general context of the IPPC Directive.*

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### ELVs and BAT/BREFs

- Article 43 of the IAPC defines emission limit values specific to certain sectors and activities, operational requirements and other conditions and precautions.
- Article 39 of the IAPC determines General Binding Rules regardless from the type of activity.
- According to WOC and HWC, hazardous waste and waste oil producers have to take all measures to minimise their waste quantity.

*A technical study, under which BREF's are consulted among stakeholders together with BAT assessments, is being carried out.*

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Changes in operations

- Article 14 of the IAPC describes what to do in case of changes to installations, when these changes are subject to permit, and obliges the operator to inform the competent authorities when changes occur in installations.

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Public participation

- 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.



## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Inspection and enforcement

- An integrated inspection system is regulated by By-law on Environmental Inspection (Official Gazette: 05.01.2002- No. 24631).
- MoEF actively participates in IMPEL activities.
- Inspection and enforcement practices are in line with the Recommended Minimum Criteria for Inspections (2001/331/EC).

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Existing installations

- Provisional Articles 1 and 3 of IAPC provide a time frame of 2 years for existing installations to fulfil requirements of this By-law.

## **CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)**

### **Review and update of permit conditions**

- By-law on Industrial Air Pollution Control
  - Article 14 (Changes in Installations subject to permit)
  - Article 15 (Periodical monitoring of emissions (every 2 or 3 years))
  - Article 17 (Expiration or extension of the permit)
- Article 28 of HWC (A License is valid for 3 years. It can be extended if needed or given conditionally).
- Dangerous Substances Discharge Permit is reconsidered every 4 years (Article 11 of the By-law on Control of Pollution by Dangerous Substances in Water and its Environment).
- Wastewater Discharge Permit expires in 5 years (Article 37 of WPC).
- Deep Sea Discharge Permit expires in 5 years (Article 42 of WPC).

## CORRESPONDING PROVISIONS OF NATIONAL LEGISLATION (CONT'D)

### Conditions for permit

- Emissions to air:
  - Article 7 of the By-law on Industrial Air Pollution Control lays down conditions and requirements for the installations to get permit.
- Water:
  - By-law on Water Pollution Control determines discharge standards.
- Waste:
  - By-law on Control of Hazardous Wastes and Annex-1 of the By-law on Control Of Waste Oils define the requirements to get license.
- Noise:
  - Article 10 of the By-law on Assessment and Management of Environmental Noise states the requirements for the installations to get permit.

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A. Teoman SANALAN; 19.05.2006



## INSTITUTIONAL CAPACITY

- Technical studies including preparation of strategy documents to increase institutional capacity at national, regional and local level are in progress.
- Several projects (both EU-funded and Bi-lateral) have been carried out.

## CHALLENGES

### Transposition

- Clarification of legislative and administrative conflicts (gaps and overlaps),
- Integration of overlapping permits,
- Reduction in the number of permits where possible.

## CHALLENGES (CONT'D)

### Implementation

- Deriving BAT-compliant ELVs from BREFs,
- Meeting the requirements of the Directive for existing installations due to high investment costs,
- Strengthening institutional, technical and enforcement capacities of relevant authorities.



**Thank you for your attention**