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HANDBOOK FOR ENVIRONMENTAL INSPECTORS AND OTHER PROJECT TARGET GROUPS

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„STRENGTHENING ENVIRONMENTAL PROTECTION INSPECTION FOR THE EFFECTIVE CONTROL OF AIR QUALITY MONITORING AND EMISSIONS TRADING SYSTEM, IN ORDER TO ACHIEVE BETTER AIR QUALITY IN THE REPUBLIC OF CROATIA“

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Activity 1.2.1 Development of Handbook for environmental inspectors and other project target groups for the control of implementing regulations on air quality monitoring and greenhouse gas emissions trading system in Croatian and English language. The Handbook will be prepared on the basis of the Report and recommendations under Activity 1.1.2 in agreement with the Beneficiary and distributed to project target groups in hardcopy (at least 20 copies) and on USB (at least 160 pieces of USB memory)

EKONERG – Energy Research and Environmental Protection Institute

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HANDBOOK FOR ENVIRONMENTAL PROTECTION INSPECTORS AND OTHER PROJECT TARGET GROUPS

STRENGTHENING ENVIRONMENTAL PROTECTION INSPECTION FOR THE EFFECTIVE CONTROL OF AIR QUALITY MONITORING AND EMISSIONS TRADING SYSTEM, IN ORDER TO ACHIEVE BETTER AIR QUALITY IN THE REPUBLIC OF CROATIA

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1. INTRODUCTION

All the EU Member States have organised their environmental inspections In line with the Recommendation of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States (2001/331/EC), which is used as a guideline for establishing the control of compliance with the EU regulations and regulations of the Member States transposed from the EU legal requirements in the field of the environmental protection. The inspections are key component of any environmental inspection system.

This Handbook is intended for environmental inspectors and other Project target groups controlling the implementation of national and EU regulations on air quality monitoring and greenhouse gas emissions trading system.

The Handbook has been developed within the Activity 1.2.1 Development of a Handbook for environmental protection inspectors and other project target groups for the control of implementation of legislation (national and EU) related to air quality monitoring and greenhouse gas emissions trading system.

The Handbook has been prepared on the basis of a current state analysis (Activity 1.1.1 output) and the Report on current state in the Republic of Croatia (Activity 1.1.2 output).

Section 2 of the Handbook relates to the control of implementation of legislation related to air quality monitoring, while Section 3 covers the control of implementation of legislation related to greenhouse gas emissions trading system.

The introductory paragraphs of Sections 2 and 3 specify laws and regulations applicable to a specific field, enlist the inspection subjects and abbreviations and definitions used in the text.

The Sections 2.1 and 3 are structured by inspection subject.

2. CONTROL OF IMPLEMENTATION OF AIR QUALITY MONITORING LEGISLATION

This Handbook focuses on a single environmental inspection aspect, i.e. description of procedures to be implemented during preparation and implementation of inspections and decision-making on future actions. The Handbook describes the air quality monitoring inspection procedures according to the provisions of the Air Protection Act and related bylaws.

The described procedures are mostly set within the context of the Croatian legislation.

Legal framework of the Republic of Croatia in the field of air quality

- Air Protection Act (Official Gazette 130/11, 47/14, 61/17)
- Ordinance on monitoring air quality (Official Gazette 79/17)
- Ordinance on reciprocal exchange of information and reporting on ambient air quality and commitments for implementation of Commission Decision 2011/850/EU (Official Gazette 3/16)
- Regulation on levels of pollutants in ambient air (Official Gazette 117/12, 84/17)
- Regulation on designation of zones and agglomerations according to levels of air pollution in the territory of the Republic of Croatia (Official Gazette 1/14)
- Regulation on the establishment of a List of measurement sites for monitoring concentrations of certain pollutants in the air and locations for measurement stations in the national air quality monitoring network (Official Gazette 65/16)
- Programme for measuring the level of air pollution in the national network for continuous air quality monitoring (Official Gazette 73/16)

The Air Protection Act is in alignment with the provisions of the EU directives thus, by its structure, it represents a framework law in line with the Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe which regulates air quality assessment and air quality management and Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air. The act provides for implementation of the EU regulations and decisions in the field of air protection and industrial pollution and determines the authorities and their tasks, administrative supervision and inspections and provisions on infringement of the EU legislation implementation.

This act transposes into the Croatian legal framework the Commission Directive (EU) 2015/1480 amending several annexes to Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council laying down the rules concerning reference methods, data validation and location of sampling points for the assessment of ambient air quality.

The following abbreviations and definitions are used in the Handbook:

- AQM – air quality monitoring,
- Ministry – Ministry of Environment and Energy,
- Inspection – Environmental Inspection,
- CAEN – Croatian Agency for the Environment and Nature,
- LSGU – Local self-government unit,
- RSGU - Regional self-government unit,
- CAA – Croatian Accreditation Agency,

- EU – European Union,
- EC – European Commission,
- APA – Air Protection Act (Official Gazette 130/11, 47/14, 61/17),
- EPA – Environmental Protection Act (Official Gazette 80/13, 153/13, 78/15, 12/18),
- OAQM - Ordinance on air quality monitoring (Official Gazette 79/17),
- OREXI - Ordinance on reciprocal exchange of information and reporting on ambient air quality and commitments for implementation of Commission Decision 2011/850/EU (Official Gazette 3/16),
- RLPAA - Regulation on levels of pollutants in ambient air (Official Gazette 117/12, 84/17),
- 2011/850/EU Commission Implementing Decision of 12 December 2011 laying down rules for Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council as regards the reciprocal exchange of information and reporting on ambient air quality.

How to use the part of the Manual related to AQM

This Handbook is conceived to depict the key inspection procedures to be carried out in order to check whether the inspection subjects fulfil their obligations in a prescribed manner and within the set timeframe. The part of the Handbook covering the field of AQM consists of white, blue, green and red tables. The white tables define the inspection subject, in-house inspection code, offer information on regulations and other documents relevant for the inspected natural or legal person, and the inspection procedure. The blue tables show the procedures related to the preparation for the inspection, the green tables show the on-site inspection implementation procedures and an overview of general and individual documents, while the red tables show the procedures to be undertaken after the on-site inspection and an overview of general and individual documents which refer to the implementation of administrative and other procedures in case the inspection has determined infringement of the regulations. All references to particular regulation articles refer to the regulations enlisted in the introduction to that section.

The subsections are structured by the inspection subject in the field of AQM, Article 130 of APA, i.e.:

- polluters,
- testing laboratories – legal persons licensed by the Ministry for performance of AQM activities acc. to Article 54 of APA,
- reference laboratories – legal persons licensed by the Ministry for quality assurance of air quality monitoring and data acc. to Article 61 of APA,
- local and regional self-government units.

Table of inspection subjects with codes used in the Handbook

CODE	INSPECTION SUBJECTS
AQM– ONE	**Inspections of polluters**
AQM – LAB	**Inspections of testing laboratories**
AQM – REF	**Inspections of reference laboratories**
AQM – LSGU	**Inspections of local/regional self-government units**

The subsection 2.1.5 offers some useful information on performance of non-routine inspections. These inspections are carried out on installations belonging to the establishments that need to be granted the environmental permit. It is carried out before issue, renewal or modification of the environmental permit in order to examine serious environmental complaints, complaints on environmental accidents and incidents and non-compliance to the conditions stipulated by the environmental permit. The non-routine inspections are also carried out in the installations in which hazardous substances are present in quantities that could cause accidents in order to urgently address serious complaints, accidents, industrial accidents, avoided accidents, emergencies and other events and non-compliance with regard to that specific installation, related to the cases that impair air quality and might impact the environment and human health.

The Handbook section below refers to individual inspection subjects aiming to facilitate their preparation for the inspection.

2.1. INSPECTIONS

2.1.1 INSPECTIONS OF POLLUTERS

CODE	INSPECTION SUBJECT
AQM–ONE	**Inspections of polluters**

In addition to the prescribed measurement of emission from stationary sources, the Croatian polluters may be imposed the air quality monitoring obligation by the environmental protection related documents they have obtained or by the environmental protection documents of the local and regional self-government units. In such case, the polluter shall ensure the air quality monitoring in compliance with the Croatian regulations.

Inspection subject	LEGAL OR NATURAL PERSON - POLLUTER
Inspection code	AQM-ONE
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air**
Other documents	**Decision on EIA** **Decision on the environmental acceptability of a project** **Decision on IPPC permit (integrated pollution prevention and control)** **Decision on environmental permit** **Action Plans of the LSGU/RSGU** **Annual report on air quality monitoring at the polluter network**

CONTROL OF LEGISLATION IMPLEMENTATION PROCEDURE BY STAGE	
A. Inspection preparation – procedures	
1	**According to the EPA, the polluter means any legal or natural person - tradesperson whose activity either directly or indirectly pollutes the air. The status and obligations of the polluters are determined pursuant to Articles 32, 33 and 46, EPA.** **An inspector shall obtain information on the legal grounds for the polluter's obligation to carry out the AQM.** **Source of information** **- a decision on the environmental acceptability of a project or a decision on IPPC (integrated pollution prevention and control) permit, namely the environmental permit (Art. 32, APA), issued by the Ministry and submitted to the installation operator, the LSGU/RSGU and the Inspectorate** **- an action plan (Art. 46, APA) based on which the polluter has an obligation to implement the prescribed measures or a decision on implementation of special-purpose measurements (Art. 33, APA), prepared by the LSGU/RSGU and submitted to the CAEN.** **These documents also include information about the prescribed monitoring programme and monitoring timetable.**
2	**The inspector shall obtain information on the performance of AQM from the most recent annual reports on mandatory AQM.** **Source of information:** **- reports prepared by testing laboratories and submitted to the LSGU/RSGU by 31 March and by the LSGU/RSGU to the CAEN by 30 April of a current year for the previous year.**
3	**Request from the inspected polluter to produce a decision by which the engaged testing laboratory is licensed by the Ministry for air quality monitoring (license) (Art. 54 and 55, APA). Check whether the monitoring scope from the license encompasses all the pollutants, including those for which the license is issued for one-year period (based on opinion of the reference laboratories).**

	Compare the license with the monitoring scope from the documents as in A1. (The license has to fully apply to the complete monitoring scope). **The engaged laboratory is licensed by the Ministry, and its licence is kept at the Directorate for Climate Activities, Sustainable Development and Protection of Soil, Air and Sea.**

Annex 1 contains Table 3. - Obligations, development and exchange of documents and information by all target groups.

B. Inspection performance – procedures	
1	Check whether the AQM is carried out by a testing laboratory authorised by the Ministry, in compliance with the document as in A1.
2	Determine identification (Class/Reg. No), license validity (expiry date for each pollutant) and pollutants for which the license is issued to the testing laboratory carrying out the AQM.
3	Prepare the protocols based on the findings from the monitoring preparation and implementation stage establishing whether the monitoring scope is covered by the license and whether annual reports have earlier been prepared for that sampling point (Example: Table 2, Annex 1).
4	Check whether a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ) http://iszz.azo.hr/iskzl/
5	Review several randomly selected annual reports on air quality monitoring and tailor further inspection procedures to a year for which the report has been issued.
6	Check whether the air quality monitoring reports comprise the data on: – legal person – testing laboratory or reference laboratory performing the air quality monitoring – sampling points and monitoring scope – sampling time and method – used measurement methods and measuring equipment – ensuring data quality in line with the requirements of a harmonized standard

	for testing and calibration laboratories **– other data regarding quality assurance, such as ensuring continuity, participation in comparative measurements, departures from prescribed methodology and reasons thereof** **– on air pollution level, and dates and periods of air pollution exceeding the limit values, target values and long-term objectives for ground-level ozone** **– on exceedance of information thresholds and alert thresholds, and dates and periods** **– on calculated statistical air pollution parameters for pollutants based on criteria set up in Annex 8. OAQM – arithmetical mean, median, relevant percentile and maximum value, minimum data capture – percentage of total possible number of data, and on number of data, for relevant averaging times** **– on average annual value of ozone precursors, polycyclic aromatic hydrocarbons and chemical composition of $PM_{2.5}$** **– on air pollution level compared to the upper and lower assessment threshold** **– on criteria used for air pollution assessment** **– on causes for exceedance of limit values, target values and long-term goal for ground-level ozone.**
7	**Check whether the polluter has submitted the original and validated data on air quality monitoring and a report on pollution levels and air quality assessment to the competent administrative authority in a city, county or the City of Zagreb by 31 March of a current year for the previous calendar year (Art. 32, APA)**

C. Post-inspection activities – procedures	
1	**When a polluter has failed to meet its obligations in line with the document as in A1, the inspector shall order the polluter by a decision which corrective actions to take to eliminate irregularities and set the deadline for such action (Art. 131 and 137, APA), and initiate the misdemeanour proceedings for an infringement acc. to Article 145, APA (Art. 144, APA).**
2	**In case the procedure carried out under B1 establishes that the polluter has not ensured AQM in line with the document as in A1 and cannot prove that it has engaged an adequate AQM laboratory, the inspector shall indicate the deficiencies and irregularities and issue a decision on a deadline for corrective actions to be taken for their elimination. The inspector can also order that other measures be taken acc. to Article 131, para. 1 of the EPA (Art. 131 and 137, APA). The time for corrective action will depend on which stage of ensuring AQM the polluter is in at that time (see Table 1, Annex 1).**
3	**In case the procedures** **B2 and B3 (inadequate coverage by the license)** **B4 (continuous data transfer to the CAEN)** **B5 and B6 (reports and report contents)** **B7 (report submission deadlines)** **show irregularities, it is proposed that the inspector indicates the deficiencies and irregularities and sets a deadline for their elimination, which is entered into the protocol (Art. 131, para. 2, APA).** **The time for corrective action depends on a type of irregularity (see Table 1, Annex 1. The table offers the Contractor's empirical data on time needed to eliminate some irregularities, which is not prescribed by the air protection regulations).**
4	**In case the polluter fails to eliminate the deficiencies and irregularities within**

	the deadline specified in the protocol as in C3, the inspector shall order by a decision the corrective actions and deadlines for elimination of irregularities (Art. 131, para. 4 and 137, APA). **In case the polluter fails to respond to the decision, it shall be coerced into carrying out the ordered corrective action through payment of fines (Art. 137, APA), while proceedings for committed misdemeanour shall be instigated acc. to Article 145, APA (Art. 144, APA).**
5	**The Ministry shall submit to the competent authority a motion for indictment or criminal charge for commitment of a misdemeanour or criminal offence (Art. 144, para. 1, APA). In case there is a doubt whether to instigate misdemeanour or criminal proceedings, the inspector should consult his/her superiors at the Environmental Inspectorate. If there is still doubt which proceedings to instigate, the State Attorney should be consulted and the decision made subsequently.** **In case a decision is made that criminal proceedings are to be instigated, and the State Attorney concludes that a misdemeanour is committed than the State Attorney shall submit a motion for instigation of misdemeanour proceedings.**
6	**The offences in the field of AQM and air pollution in general are prosecuted as criminal offences against the environment.** **The environmental crime under Title XX of the Criminal Code falls among criminal offences for which the proceedings are instituted ex officio. An authorised prosecutor is the State Attorney who institutes the proceedings ex officio for the public interest.** **Criminal offences with regard to air pollution are specified in Articles 193, 197 and 214 of the Criminal Code and the punishment by imprisonment for six months to fifteen years is prescribed, depending on the severity of the crime.**
7	**If summoned by a court, the inspector participates in misdemeanour court hearings as a witness and takes part in investigations of criminal acts if requested so by the State Attorney's Office.**

2.1.2 INSPECTIONS OF TESTING LABORATORIES

CODE	INSPECTION SUBJECT
AQM-LAB	**Inspections of testing laboratories**

The AQM testing laboratories in Croatia perform measurements in local AQM networks. To perform the AQM activity, the laboratories need to be licensed by the Ministry. The licensed laboratories have to perform their activity in compliance with the Croatian regulations.

Inspection subject	**TESTING LABORATORY**
Inspection code	**AQM-LAB**
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air**
Other documents	**Documents acc. to Art. 55 and 56, APA (license)**

CONTROL OF LEGISLATION IMPLEMENTATION PROCEDURE BY STAGE	
A. Inspection preparation – procedures	
1.	**The inspector shall acquire the following information on the inspected testing laboratory:** **- a decision by which the laboratory is licensed by the Ministry for air quality monitoring (license); the licence is kept at the Directorate for Climate Activities, Sustainable Development and Protection of Soil, Air and Sea,** **- metadata on all sampling points in which it is currently performing this activity; metadata from all the AQM stations is kept at the CAEN.** **- copies of the most recent AQM annual reports it prepared; the AQM reports are kept at the CAEN.**
2.	**Check whether the monitoring scope from the license encompasses all the pollutants, including those for which the license is issued for one-year period (based on the opinion of the reference laboratories).**
3.	**Compare the license with the monitoring scope for the current sampling points and the sampling points from the most recent annual reports. (The license has to fully apply to the complete monitoring scope).**
4.	**Request from the inspected testing laboratory to produce a list of measurement equipment used in air quality monitoring, including the manufacturer, type and model, year of manufacture and number of type approval certificate acc. to Article 15, OAQM.**
5.	**Check whether all the types of instruments have been issued a type approval certificate .**

B. Inspection performance – procedures	
1.	Review several randomly selected annual reports on air quality monitoring and tailor further inspection procedures to a year for which the report has been issued or use for inspection the most recent reports as in A1 .
2.	Determine identification (Class/Reg. No), license validity (expiry date for each pollutant) and pollutants for which the license is issued.
3.	Prepare the protocols based on the findings from the monitoring preparation stage establishing whether the monitoring scope is covered by the license and whether annual reports have earlier been prepared for that sampling point (Example: Table 2, Annex 1).
4.	Check whether the testing laboratory meets all the requirements of Article 55, APA, i.e. – Certificate of Incorporation – documentation on employees – premises – measurement equipment – testing methods used – Accreditation Certificate for the testing laboratory acc. to HRN EN ISO/IEC 17025 and its Annex - certificate of reference laboratory, if available
5.	Prepare the protocols based on the findings from the monitoring preparation stage establishing whether all types of instruments used by the inspected testing laboratory to perform its activity have been granted a valid type approval and, if the reference method is not used, is an adequate report on equivalency testing available.

6.	**Request several randomly selected calibration certificates for instruments used and determine their validity by checking:** **– certificate expiry date** **– measurement traceability to calibration devices and SI standards by calibration in accredited calibration laboratory, or in some other way** **– whether the instruments have successfully passed the tests acc. to Article 17, para. 2, subpara. 2, OAQM.**
7.	**Check whether a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments** **http://iszz.azo.hr/iskzl/**
8.	**Check whether the air quality monitoring reports comprise the data on:** **– legal person – testing laboratory or reference laboratory performing the air quality monitoring** **– sampling points and monitoring scope** **– sampling time and method** **– used measurement methods and measuring equipment** **– ensuring data quality in line with the requirements of a harmonized standard for testing and calibration laboratories** **– other data regarding quality assurance, such as ensuring continuity, participation in comparative measurements, departures from prescribed methodology and reasons thereof** **– on air pollution level, and dates and periods of air pollution exceeding the limit values, target values and long-term objectives for ground-level ozone** **– on exceedance of information threshold and alert threshold , and dates and periods** **– on calculated statistical air pollution parameters for pollutants according to the criteria set up in Annex 8, OAQM – arithmetical mean, median, relevant percentile and maximum value, minimum data capture – percentage of total possible number of data, and on number of data, for relevant averaging times**

	– on average annual value of ozone precursors, polycyclic aromatic hydrocarbons and chemical composition of $PM_{2,5}$ **– on air pollution level compared to the upper and lower assessment threshold** **– on criteria used for air pollution assessment** **– on causes for exceedance of limit values, target values and long-term objectives for ground-level ozone.**

C. Post-inspection activities – procedures	
1.	In case the license invalidity is determined in procedure B2 for one or more pollutants, all measurements of such pollutants carried out with invalid license shall be banned by a decision until the irregularity is eliminated. In case the license is completely invalid, the activity is banned by a decision until a license is obtained (Art. 131 and 138, APA).
2.	In case the license is determined in procedure B3 not to cover the monitoring scope for one or more pollutants, all measurements of such pollutants not covered by the license shall be banned (Art.131 and 138, APA).
3.	In case it is determined in procedure B4 that the requirements are not met and the inspected testing laboratory had not informed the Ministry thereof within 8 days, the inspector shall ban by a decision the air quality monitoring activities until the requirements are met (Art. 131 and 138, APA).
4.	In case a type of instrument is determined in procedure B5 to be without a valid type certificate and does not fall under provisions of Article 11, para. 5, OAQM, measurements with this type of instrument shall be banned by a decision (Art. 131 and 138, APA).
5.	In case irregularities are detected in procedure B6 (inadequate or invalid calibration certificates), measurements with this type of instrument shall be banned by a decision until the irregularities are eliminated (Art. 131 and 138, APA).
6.	In case deficiencies and irregularities are detected in procedures B7 and B8 with regard to the preparation of the report or failure to ensure continuous data transfer into the CAEN air quality information system, it is proposed that the inspector indicates the deficiencies and irregularities to the testing laboratory

	and sets the deadline for their elimination, which is entered into the protocol (Art. 131, APA). In case the testing laboratory fails to take corrective action for the deficiencies and irregularities by the deadline set in the protocol, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and set the deadline thereon (Art. 131, APA).
7.	**In case the subsequent inspection determines that the inspected testing laboratory has not respected the decision (has not eliminated the irregularities and continues to conduct its activities), the inspector shall propose to the Ministry to revoke the license (Art. 138, APA) and instigate the proceedings for committed misdemeanour initiated according to Article 146 (Art. 144, APA).**
8.	**In order to ensure implementation of the measures ordered by the decision, the inspector may seal off the premises and instruments or prevent the laboratory from illegal conducting of the air quality monitoring in another way (Art. 140, APA).**

2.1.3 INSPECTIONS OF REFERENCE LABORATORIES

CODE	INSPECTION SUBJECT
AQM-REF	Inspections of reference laboratories

Activities related to quality assurance of air quality monitoring and data carried out in Croatia, and measurements in the national air quality monitoring network are carried out by reference laboratories in a manner prescribed by regulations. To perform this activity, the reference laboratories have to be licensed by the Ministry for quality assurance of air quality monitoring and data. Additionally, the laboratories have to be accredited for reference measurement methods for all pollutants included in the monitoring programme acc. to HRN EN ISO/IEC 17025 and, if applicable, for laboratory proficiency testing acc. to HRN EN ISO/IEC 17043.

Inspection subject	INSPECTIONS OF REFERENCE LABORATORIES
Inspection code	AQM-REF
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air**
Other documents	**Documentation in acc. to Art. 55, 56 and 61, APA (license)**

CONTROL OF LEGISLATION IMPLEMENTATION PROCEDURE BY STAGE	
A. Inspection preparation – procedures	
1.	**The inspector shall acquire the following information on the inspected reference laboratory:** **- a decision by which the laboratory is licensed for quality assurance of air quality monitoring and data (license); the license is issued by the Ministry and kept at the Directorate for Climate Activities, Sustainable Development and Protection of Soil, Air and Sea,** **- metadata on all sampling points in which it is currently performing this activity; metadata from all the sampling points in the national network is kept at the CAEN,** **- copy of the most recent AQM annual report issued for the national AQM network; the report is prepared by the reference laboratory and submitted to the CAEN by 30 April,** **- a copy of the most recent Report on proficiency testing carried out; prepared by the reference laboratory and kept at its archives.**
2.	**Check whether the monitoring scope from the license encompasses all the pollutants, including those for which the license is issued for one-year period (based on the opinion of the reference laboratories).**
3.	**Compare the license with the monitoring scope for the current sampling points and the sampling points from the most recent annual reports. (The license has to fully apply to the complete monitoring scope).**
4.	**In case the inspected reference laboratory performs the testing laboratory proficiency testing (Art. 60, para. 5, APA), request from the inspected reference laboratory to produce its Accreditation Certificate acc. to HRN EN ISO/IEC 17043 and its Annex.**

	- the Accreditation Certificate acc. to HRN EN ISO/IEC 17043 and its Annex is issued by the CAA and available from its website http://www.akreditacija.hr/registar
5.	**Request from the inspected reference laboratory to produce a list of measurement equipment used in air quality monitoring, including the manufacturer, type and model, year of manufacture and number of type approval certificate acc. to Article 15, OAQM.**
6.	**Check whether all the types of instruments have been issued a type approval certificate.**

B. Inspection performance – procedures	
1.	**Review several randomly selected annual reports on air quality monitoring in the national AQM network and tailor further inspection procedures to a year for which the report has been issued or use for inspection the most recent report as in A1 .**
2.	**Determine identification (Class/Reg. No), license validity (expiry date for each pollutant) and pollutants for which the license is issued.**
3.	**Prepare the protocols based on the findings from the preparation stage establishing whether the monitoring scope is covered by the license and whether annual reports have earlier been prepared for that sampling point (Example: Table 2, Annex 1).**
4.	**Check whether the reference laboratory meets all the requirements of Articles 55 and 61, APA, i.e.** **– Certificate of Incorporation** **– documentation on employees** **– premises** **– measurement equipment** **– testing methods used** **– Accreditation Certificate for the testing laboratory acc. to HRN EN ISO/IEC 17025 and its Annex** **- Certificate of other reference laboratory, if available** **– Accreditation Certificate for the calibration laboratory acc. to HRN EN ISO/IEC 17025 and its Annex** **– Accreditation Certificate for the testing laboratory acc. to HRN EN ISO/IEC 17043 and its Annex if pursuing that activity** **– evidence of successful participation in proficiency testing of reference laboratories within international programmes for interlaboratory comparison for reference methods covered by the license.**

5.	**Prepare the protocols based on the findings from the preparation stage establishing whether all types of instruments used by the inspected reference laboratory to perform its AQM activity within the national network have been granted** **– a valid type approval** **– if the reference method is not used, is an adequate report on equivalency testing available.**
6.	**Request several randomly selected calibration certificates for instruments used and determine their validity by checking:** **– certificate expiry date** **– measurement traceability to calibration devices and SI standards by calibration in accredited calibration laboratory, or in some other way** **– whether the instruments have successfully passed the tests acc. to Article 17, para. 2, subpara 2, OAQM.**
7.	**Check whether a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments http://iszz.azo.hr/iskzl/**
8.	**Check whether the air quality monitoring reports comprise the data on:** **– legal person – reference laboratory performing the air quality monitoring** **– sampling points and monitoring scope** **– sampling time and method** **– used measurement methods and measuring equipment** **– ensuring data quality in line with the requirements of a harmonized standard for testing and calibration laboratories** **– other data regarding quality assurance, such as ensuring continuity, participation in comparative measurements, departures from prescribed methodology and reasons thereof** **– on air pollution level, and dates and periods of air pollution exceeding the limit**

	values, target values and long-term objectives for ground-level ozone **– on exceedance of information threshold and alert threshold, and dates and periods** **– on calculated statistical air pollution parameters for pollutants according to the criteria set up in Annex 8, OAQM – arithmetical mean, median, relevant percentile and maximum value, minimum data capture – percentage of total possible number of data, and on number of data, for relevant averaging times** **– on average annual value of ozone precursors, polycyclic aromatic hydrocarbons and chemical composition of $PM_{2,5}$** **– on air pollution level compared to the upper and lower assessment threshold** **– on criteria used for air pollution assessment** **– on causes for exceedance of limit values, target values and long-term objectives for ground-level ozone.**

C. Post-inspection activities – procedures	
1.	In case the license invalidity is determined in procedure B2 for one or more pollutants, all measurements of such pollutants carried out with invalid license shall be banned by a decision until the irregularity is eliminated. In case the license is completely invalid, the activity is banned by a decision until a license is obtained (Art. 131 and 138, APA).
2.	In case the license is determined in procedure B3 not to cover the monitoring scope for one or more pollutants, all measurements of such pollutants not covered by the license shall be banned until the irregularities are eliminated (Art.131 and 138, APA).
3.	In case it is determined in procedure B4 that the requirements are not met and the inspected reference laboratory has not informed the Ministry thereof within 8 days, the inspector shall ban by a decision the air quality monitoring activities until the requirements are met (Art. 131 and 138, APA).
4.	In case a type of instrument is determined in procedure B5 to be without a valid type certificate and does not fall under provisions of Article 11, para. 5, OAQM, measurements with this type of instrument shall be banned by a decision (Art. 131 and 138, APA).
5.	In case irregularities are detected in procedure B6 (inadequate or invalid calibration certificates), measurements with this type of instrument shall be banned by a decision until the irregularities are eliminated (Art. 131 and 138, APA).
6.	In case deficiencies and irregularities are detected in procedures B7 and B8

	with regard to the preparation of the report or failure to ensure continuous data transfer into the CAEN air quality information system, the inspector shall indicate the deficiencies and irregularities to the reference laboratory and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). In case the inspected reference laboratory has not taken corrective action for the irregularities to be eliminated within the set time limit, the inspector shall order by a decision that the irregularities be eliminated.
7.	**In case the subsequent inspection determines that the inspected reference laboratory has not respected the decision (has not eliminated the irregularities and continues to conduct its activities), the inspector shall propose to the Ministry to revoke the license (Art. 138, APA) and initiate the proceedings for committed misdemeanour according to articles 146 and 148(a), APA (Art. 144. APA).**
8.	**In order to ensure implementation of the measures ordered by the decision, the inspector may seal off the premises and instruments or prevent the laboratory from illegal conducting of the air quality monitoring in another way (Art. 140, APA).**

2.1.4 INSPECTIONS OF LOCAL (REGIONAL) SELF-GOVERNMENT UNITS

CODE	INSPECTION SUBJECT
AQM-LSGU	Inspections of local (regional) self-government units

The local and regional self-government units and the City of Zagreb have numerous obligations with regard to air quality protection. They set up and fund local air quality monitoring networks in their respective territories and have an obligation to promulgate a number of documents related to air protection.

Inspection subject	**INSPECTIONS OF LOCAL (REGIONAL) SELF-GOVERNMENT UNITS**
Inspection code	**AQM-LSGU**
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air** **Ordinance on reciprocal exchange of information and reporting on ambient air quality and commitments for implementation of Commission Decision 2011/850/EU**
Other documents	**Programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change** **Report on the implementation of the Programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change** **Annual reports on air quality monitoring** **Air quality action plan and/or short-term action plan** **Information/reports on implementation of air quality action plan and/or short-term action plan**

CONTROL OF LEGISLATION IMPLEMENTATION PROCEDURE BY STAGE	
A. Inspection preparation – procedures	
1	**Request from an inspected representative body of a city, county, or the City of Zagreb to produce its programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change which is an integral part of the environmental protection programme for the territory of the city, county and/or the City of Zagreb (hereinafter: the Programme), which has to be published in an official journal of the local and regional self-government unit, depending on which representative body adopted it (Art. 12. APA).** **Also request from the administrative body competent for the environmental protection (hereinafter: competent administrative body) of the city, county and the City of Zagreb to produce a report on the Programme implementation prepared by that body for a four-year period and adopted by the representative body of the city, county and the City of Zagreb (Art. 14, APA), which has to be published in an official journal of the local and regional self-government unit, depending on which representative body adopted it (Art. 15. APA).**
2	**With regard to the inspected local and/or regional self-government unit, the inspector shall obtain information on:** **- the most recent annual reports on air quality monitoring carried out in their territory (Art. 31 and 32, APA; Art. 22, OMAQ); all the AQM reports are kept at the CAEN.**
3	**With regard to the inspected local and/or regional self-government unit, the inspector shall obtain information on:** **- air quality action plan and/or a short-term action plan, if available (Art. 37, 46 and 47, APA); action plans are adopted by the LSGU/RSGUs and submitted to the CAEN** **- information on action plans submitted to the CAEN (Art. 9 and 10, OREXI); the information is kept at the CAEN.**

4	**Request from the inspected local and/or regional self-government unit and the City of Zagreb information on public access to information about air quality, implementation of air quality action plans, implementation of short-term action plans, and AQM annual reports (Art. 34 and 49, APA).**
5	**In case the alert threshold is exceeded for SO_2 and NO_2 or the information or alert threshold is exceeded for ground-level ozone, an executive body of the local self-government unit in the territory of which these exceedances happened shall order special measures for human health protection to be undertaken and the method of their implementation, and ensure that the information is made available to the public by issuing press releases to all the media covering the territory of that self-government unit (Art. 26, APA) (Art. 8 to 12, RLPAA).**

B. Inspection performance – procedures	
1	Check whether the inspected representative body of a city, county, or the City of Zagreb has prepared the Programme for the territory of the city, county and/or the City of Zagreb and the report on the Programme implementation (A1).
2	Check whether the inspected local and regional self-government unit has set up the air quality monitoring stations in its territory in case it had established that the pollution levels exceed the prescribed limit values (LV), namely if it had established justified reasons exist for their setting up (especially in the case of intensified industrial development, expansion of commercial and industrial zones etc.) (Art. 31, APA).
3	If the measurements are set up in the local or regional self-government unit territory, check whether the competent administrative body of the inspected LSGU (or RSGU) has submitted to the CAEN the original and validated data and a report on pollution levels and air quality assessment by 30 April of the current year (Art. 31 and 32, APA). Check whether the measurement data is published in an official journal or on websites of the local or regional self-government unit, summarized in a transparent form comprehensible for the general public (Art. 34, APA).
4	Check, based on the environmental inspection request or a reasonable doubt reported by concerned citizens, whether there is evidence of air pollution in the territory of the inspected local self-government unit that deteriorates air quality to such a degree that it may be harmful to human health, the quality of life and/or that it may adversely affect any component of the environment, and whether the executive body of a municipality, city and the City of Zagreb has established that the doubt is justified and made a decision to implement special-purpose measurements or an assessment of the pollution level (Art. 33, APA).

5	**Review several randomly selected annual reports on air quality monitoring and tailor further inspection procedures to a year for which the report has been issued or use for inspection the most recent reports from A2 .**
6	**Check whether the air quality monitoring reports (as in A2) comprise the data on:** **– legal person – testing laboratory or reference laboratory performing the air quality monitoring** **– sampling points and monitoring scope** **– sampling time and method** **– used measurement methods and measuring equipment** **– ensuring data quality in line with the requirements of a harmonized standard for testing and calibration laboratories** **– other data regarding quality assurance, such as ensuring continuity, participation in comparative measurements, departures from prescribed methodology and reasons thereof** **– on air pollution level, and dates and periods of air pollution exceeding the limit values, target values and long-term objectives for ground-level ozone** **– on exceedance of information threshold and alert thresholds, and dates and periods** **– on calculated statistical air pollution parameters for pollutants according to the criteria set up in Annex 8, OAQM – arithmetical mean, median, relevant percentile and maximum value, minimum data capture – percentage of total possible number of data, and on number of data, for relevant averaging times** **– on average annual value of ozone precursors, polycyclic aromatic hydrocarbons and chemical composition of $PM_{2,5}$** **– on air pollution level compared to the upper and lower assessment threshold** **– on criteria used for air pollution assessment** **– on causes for exceedance of limit values, target values and long-term objectives for ground-level ozone (Art. 22, OMAQ)**
7	**Check whether the testing or reference laboratory carrying out the**

	measurements has a valid license (expiry date for each pollutant), pollutants for which the license is issued, prepare the protocols establishing whether the monitoring scope is covered by the license and whether annual reports have earlier been prepared for that sampling point (Example: Table 2) (Art. 54 and 55, APA).
8	**Check whether a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ) http://iszz.azo.hr/iskzl/**
9	**Check whether it has been established that the alert thresholds or information thresholds are exceeded in the territory of the inspected local self-government unit, and whether an executive body of the municipality, city and the City of Zagreb ordered special measures for human health protection to be undertaken and the method of their implementation, and ensure that the information is made available to the public by issuing press releases to all the media covering the territory of that self-government unit (Art. 26, APA) (Art. 8 to 12, RLPAA) (as in A5).** **Check whether it has been established that the critical levels set up for the protection of vegetation are exceeded in the territory of the inspected local and regional self-government unit, and whether the representative body of that self-government unit ordered that special measures be undertaken and the method of their implementation (Art. 26, APA).**
11	**Check whether the Air quality action plan as in A3 includes compulsory elements from Part I of the Annex to the Ordinance on reciprocal exchange of information and reporting on ambient air quality and commitments for implementation of Commission Decision 2011/850/EU.**
12	**Check whether the representative body of the local self-government unit provided the CAEN with information on an action plan for exceedance of limit**

	and target values (obtained from sampling points determined by the regulation that specifies a list of sampling points for monitoring of air pollutants) by submitting the information into the air quality information system in electronic form using the formats and protocols from the Implementing Decision 2011/850/EU, posted by the CAEN on its website immediately after the Action Plan has been adopted. **Information on action plans is the information under Article 13 and Annex (Parts H-K) of the Implementation Decision 2011/850/EU:** **– Information on air quality plans (H),** **– Information on source apportionment (I),** **– Information on the scenario for the attainment year (J),** **– Information on air quality measures (K).**
13	**Check whether the inspected local and/or regional self-government unit and the City of Zagreb has made information on air quality available to the public, implemented air quality action plans, implemented short-term action plans and prepared AQM annual reports (as in A4).**

C. Post-inspection activities – procedures	
1	**In case the inspection determines that the city, county or the City of Zagreb has failed to adopt and publish the Programme and reports on the Programme implementation for a four-year period as in B1, the inspector indicates the deficiencies and irregularities and sets the deadline for their elimination, which is entered into the protocol (Art. 131, APA). In case the deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA* (Art. 144, APA).**
2	**In case the inspection determines that the inspected city, county or the City of Zagreb has failed to set up the air quality monitoring stations in its territory although it had been established that the pollution levels exceed the prescribed limit values (LV), namely if it had been established that the reasons for setting up of the stations are justified (especially in case of intensified industrial development, expansion of commercial and industrial zones, etc.) as in B2, the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA (Art. 144, APA).**
3	**In case the inspection determines that the inspected city, county or the City of Zagreb has not submitted the original and validated data on air quality monitoring and a report on pollution levels and air quality assessment to the CAEN by 30 April of the current year for the previous calendar year as in B2 and B3, the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the deficiencies and irregularities are not eliminated by the set deadline,**

	the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA (Art. 144, APA).
4	**In case the inspection determines that a municipality, city or the City of Zagreb has failed to order implementation of special-purpose measurements or pollution level assessment requested by the environmental inspectorate, or where there is a reasonable doubt reported by concerned citizens of air pollution that deteriorates air quality to such a degree that it may be harmful to human health, the quality of life and/or that it may adversely affect any component of the environment as in B4, the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA (Art. 144, APA).**
5	**In case the inspection determines irregularities in the procedures: B5 and B6 (annual report and annual report contents), B7 (license and coverage of the monitoring scope), B8 (continuous data transfer), the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for a committed misdemeanour under Article 148 of the APA (Art. 144, APA).**
6	**In case the inspection determines that a city, county or the City of Zagreb has failed to order implementation of special measures for protection of human health and their implementation, and failed to inform the public on exceedance of the alert threshold or information threshold as in B9, the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the**

	deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA (Art. 144, APA).
7	**In case the inspection determines that the municipality, city or the City of Zagreb has failed to adopt the air quality action plan or a short-term action plan as in B10, the inspector shall indicate the deficiencies and irregularities and set the deadline for their elimination, which is entered into the protocol (Art. 131, APA). If the deficiencies and irregularities are not eliminated by the set deadline, the inspector shall order by a decision that the deficiencies and irregularities be eliminated and instigate the proceedings for committed misdemeanour under Article 148 of the APA (Art. 144, APA).**

**A discrepancy has been noticed between the APA and Misdemeanour Act (Official Gazette 107/07, 39/13, 157/13, 110/15, 70/17). Article 148 of the APA prescribes fines for misdemeanours committed by the city, county and the City of Zagreb in case of failure to fulfil the obligations under Articles 12, 26, 31, 32, 33, 46 and 47, while Article 62 of the Misdemeanour Act prescribes that the LSGU/RSGUs are not accountable for misdemeanours committed in execution of their public authority, which is exclusive accountability of the responsible persons at the LSGU/RSGUs. This discrepancy needs to be eliminated in a new APA.*

2.1.5 NON-ROUTINE INSPECTIONS

Following the recommendations for harmonisation of environmental inspections in the EU Member States (RECOMMENDATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States – RMCEI), Member States should also ensure that non-routine site visits are carried out in the following circumstances:

- in the investigation by the relevant inspecting authorities of serious environmental complaints, and as soon as possible after such complaints are received by the authorities;
- in the investigation of serious environmental accidents, incidents and occurrences of non-compliance, and as soon as possible after these come to the notice of the relevant inspecting authorities;
- where appropriate, as part of the determination as to whether and on what terms to issue a first authorisation, permit or licence for a process or activity at a controlled installation or the proposed site thereof or to ensure the compliance with the requirements of authorisation, permit or licence after it has been issued and before the start of activity;
- where appropriate, before the reissue, renewal or modification of authorisations, permits or licences.

This section will specifically cover the situations when the inspector carries out a non-routine inspection of an inspection subject and the situation when environmental inspection is carried out in case of accidents and incidents harming air quality with consequential environmental and human health impact.

Non-routine inspection

Under some circumstances, the environmental inspection is carried out without notification of the inspection subject. This is most frequently done in response to the complaints of the citizens that might be based on the air quality monitoring results, organoleptic observations or the complaints on the AQM laboratory performance. Generally, non-routine inspection does not differ much from routine inspection but for the preparation stage. When non-routine inspection is performed, the inspector is not in a situation to obtain the required documentation and other information from the inspection subject. In order for the inspector to obtain relevant information within the shortest period of time without contacting the inspection subject, the information should be searched for in advance, during the preparation stage, at the CAEN or Ministry website or in direct contact with their employees. It is also necessary to collect and study the documentation on previous inspections of the same subject, if any. The data may be used in order to learn about the situation with air quality monitoring in the area visited for inspection, including data on stations, measurement laboratories and current air pollution situation. Some useful links to the websites with information needed for inspection of all inspection subjects under Article 130 of the APA will be given in this section.

Useful links for the preparation of non-routine inspection	
1	**The inspector can obtain information on the legal grounds for the polluter's obligation to carry out the AQM from the documents available at the following links:** **a decision on the environmental acceptability of a project or a decision on IPPC (integrated pollution prevention and control) permit namely the environmental permit (Art 32, APA)** **http://www.mzoip.hr/hr/okolis/okolisna-dozvola.html** **Action plan (Art. 46, APA) based on which the polluter has an obligation to implement prescribed measures or a decision on conducting special-purpose measurements (Art. 33, APA)** **http://iszz.azo.hr/iskzl/godizvrpt.htm?pid=0&t=4** **These documents also include information on a prescribed measurement programme and monitoring timetable.**
2	**The inspector can obtain information on stations and laboratories in the inspection area at the following links:** **data on stations and laboratories carrying out measurements at the stations and on the network they belong to (metadata) by zone and agglomeration** **http://iszz.azo.hr/iskzl/mreza.html?t=0#ta18** **data on monitoring scope for which the laboratory is licensed by the Ministry** **http://popkez.azo.hr/PretragaSubjekti.aspx**
3	**The inspector can obtain information on current and previous state of air quality at the following links:**

	AQM annual reports for the considered territory **http://iszz.azo.hr/iskzl/godizvrpt.htm?pid=0&t=2** **current hourly concentrations of air pollutants from the local and national networks by zone and agglomeration** **http://iszz.azo.hr/iskzl/index.html** **validated data for all averaging times by station** **http://iszz.azo.hr/iskzl/index.html** **The data can also be downloaded as Excel or Word documents.**

The tables for common inspections can be used for other inspection stages.

Inspections in case of accidents

It should be underscored that the AQM networks and systems are not intended for measurement of concentration of air pollutants in case of accidents like fires or major release of gases from installations in case of their failure.
This makes the measurement data from the AQM networks a highly unreliable indicator of air pollution in such situations for the following reasons:

- measurement range
- most frequently monitored parameters
- sampling method
- representativeness of the area being monitored.

Measurement range

The AQM instrument measurement range is tailored to its function, i.e. monitoring of analyte concentration at usual air pollution concentrations. This means that at unusually high concentrations instruments will be out of their measurement range and stop sending data, thus the data will not be available to the inspection.

Usual measured parameters

Same as measurement range, the monitored measured parameters (pollutants) are tailored to AQM so that toxic gases that could be generated during fires (installations, warehouses, landfills, etc.) cannot be measured at the AQM stations since they are not fitted with this type of instruments. What a usual station could register (SO_2, CO, PM_{10}, NO_x) can only be used as indicators that the released gases reached the sampling head (until the moment they are out of the measurement range), while no information will be available about the chemical composition of these gases. This would require other type of analyses not falling within the scope of AQM.

Sampling method

The sampling heads at the AQM stations are usually set at 4-4.5 m from the ground. Air sampling is carried out by slow streaming of air through the sampler using a small fan, which has the following consequences:

- the instrument receives only the air from the immediate vicinity of the sampling head and in case the released gases are not present in this area they will not be sampled
- all gases (during accidents when gases are released from an installation) released below 4 m from the ground and heavier than air, such as H_2S, NH_3 will not be sampled, or not in a concentration inhaled by the present people.

Representativeness of the monitored area

The AQM stations are designed to be representative of the largest possible area under normal (usual) atmospheric movements, which is certainly not the case during fires since the warm gases above the fire move to higher strata. This, it could happen that a station in the immediate vicinity of fire samples usual air pollution. Several major fires in warehouses in Zagreb illustrate such situation.

It could be concluded that during inspection of accidents, the measurement results from the AQM stations set in the immediate vicinity or at a reasonable distance from the accident site should be interpreted cautiously and the AQM experts should be asked for opinion. In interpretation of these results all the above said should be taken into consideration.

Such data could however be useful in inspection, especially in subsequent drawing up of protocols. Such cases include:

1. When air with highly diluted gases generated during the accident reach the station, the instrument might register excessive pollution (most often PM_{10} or SO_2 in case of fire)
2. When a minor accident at an installation happens and the gases measured at the AQM station are released
3. When it can be proven that the AQM station instrument alarm was triggered because the maximum measurement range was exceeded.

B. Inspection performance – accidents	
1	**Download from the CAEN portal into excel tables all the measurement data from the stations that could be affected by the accident. The data from the stations where excessive pollution was recorded could be used for propagation mapping of pollution caused by the accident for subsequent sampling of biological material and assessment of the accident impact on human health. Request from the laboratories that performed measurements at selected stations urgent validation of data collected immediately prior to and after the accident. After validation by the laboratory, these data can be used as evidence in a potential misdemeanour or criminal proceedings. The data shall be enclosed to the inspection protocol.**
2	**Download from the CAEN portal into excel tables all the measurement data from the stations that could be affected by the accident. Data coming from stations that recorded excessive pollution with pollutants that could potentially be released during the accident (H_2S, NH_3 and the like). Request from the laboratories that performed measurements in selected stations to urgently validate data collected immediately prior to and after the accident indicating which hourly values caused an alert because the maximum measurement range was exceeded. These data can be used for the same purpose as those in B1.**
3	**Determine, in cooperation with the CAEN, all the stations and laboratories measuring at those stations that could be affected by the accident and have at the time of accident stopped data transfer or sent the data because of the alarm status. Request from the laboratories that performed measurements in selected stations to urgently validate data collected immediately prior to and after the accident indicating which hourly values caused an alert because the maximum measurement range was exceeded. These data can be used for the same purpose as those in B1.**

C. Post-inspection activities – after accidents	
1.	**If possible, the inspector will make conclusions based on the accident inspection data described in B1 to B3 in cooperation with the AQM experts and enclose these data to the protocol.**
2.	**In case further investigation proves that the accident has been caused by a natural or legal person violating the regulations, this protocol could be used by the Ministry to submit or support misdemeanour or criminal charges to the State Attorney's Office.**

BELOW, SEVERAL PRACTICAL EXAMPLES ARE GIVEN OF ACCIDENT INSPECTIONS

EXTINGUISHING A REFINERY FLARE

In February 2010, a Local Environmental Inspectorate Unit was notified at 9:00 that a flare in KP-4 facility extinguished and the refinery immediately initiated diagnostic and repair procedures. The Environmental Inspectorate was also informed that the refinery immediately redirected the flow of gases which are usually flared to the furnaces, and the County Centre 112, the city and the county were also informed about the event. At that time, the city in which the refinery is located had three automatic measurement stations for AQM and they all measured increased concentrations of pollutants (H_2S and SO_2 and benzene) released into the air during such accidents. The laboratory carrying out air quality measurement at these stations notified the inspector that the station closest to the refinery was out of order, while the other two stations were operating properly. The refinery sent a member of staff to the area in the vicinity of the refinery, and he confirmed to the inspector that no pungent odours were sensed in that area. At 9:13, the County Centre 112 notified the inspector that a complaint on pungent odour was received from the city centre. The inspector in charge of the location confirmed the presence of pungent odour by organoleptic testing and from the results of H_2S measurements at the stations situated in the city centre. The inspector requested that the measurement data be validated and asked that the working order of the measurement instruments at the stations be checked.

At 13:10, the inspector was notified by the refinery that the flair fault was repaired. Based on the validated measurement results obtained at two stations operating properly and the organoleptic testing the inspector determined that the pungent odour was recorded in the city centre only. This fact was entered into the protocol, and the validated measurement data enclosed. The refinery was ordered to remove the cause of the flair fault, and the Environmental Inspectorate gave its observations on the established facts and taken measures.

A LARGE DUST CLOUD OBSERVED IN THE GREATER AREA OF AN INDUSTRIAL FACILITY

On 1 February 2012, at 12:45, the Local Environmental Inspectorate Unit was notified by the National Protection and Rescue Directorate of numerous complaints received by the municipality from the concerned citizens who spotted a large yellow dust cloud in the greater vicinity of an industrial facility. The Environmental Inspectorate received a telephone complaint on a similar occurrence. At 13:45, the competent county administrative sector requested from the Environmental Inspectorate to perform an urgent inspection in line with its authorities. Once the notification was received, the environmental inspector made a field inspection in the greater vicinity of the facility and established the existence of a red-yellow dust cloud, but could not exactly determine its source. The entire valley was photographed from a nearby gazebo. The inspector was ordered by the lead environmental inspector to perform the inspection of the facility.

During the inspection, the results from the continuous emission monitoring system were checked and they did not indicate exceedance of emission limit values and the facility was not determined to be the source of the dust cloud. While carrying out the inspection, the inspector was notified by telephone that the dust source is actually arable land from which the wind (bora) lifted soil particles. The inspection confirmed the received information. The measurement results obtained from the continuous emission monitoring system were enclosed to the inspection protocol.

PUBLIC COMPLAINTS ON IRRITATING SMOKE AND PUNGENT ODOUR SPREADING FROM AN INDUSTRIAL FACILITY

On 21 October 2010, between 6:00 and 12:00, the Local Environmental Inspectorate Unit received 23 notifications and complaints from the citizens living in a settlement in the vicinity of an industrial facility on pungent odours and irritating bluish-reddish smoke spreading from the facility into the nearby valley. The inspector performed inspection of the factory and established that the continuous emission monitoring system has not recorded exceedance of emission limit values since the beginning of the day. The inspector also checked available original data on hourly concentrations from the facility AQM network situated in the vicinity. The data indicated no exceedance of limit values for hourly averaging time, however the data was missing for the period between 10:00 and 12:00 or the hourly concentrations of PM_{10} were unusually high at both stations. The inspector asked the laboratory that carried out the measurements at these automatic stations for its opinion on the particulate matter concentrations, and received an answer in writing that maintenance of the air quality monitoring instruments was performed at the stations at that time which caused the lack of data and increased concentrations immediately after the maintenance was finished. The values obtained immediately after the maintenance finished were declared invalid in the data validation procedure. The members of public which notified about the event were submitted an inspection report with a conclusion that no release of pollutants into the air exceeding the limit values was noticed. The report also concluded that the complaints were based on specific weather conditions and ground topography.

The protocol from this inspection was enclosed the data on air quality monitoring obtained at the facility AQM network for the period from 1:00 to 12:00 on that day, along with the measurement results of the continuous emission monitoring system.

2.2. PARTICIPATION OF INSPECTION SUBJECTS IN THE AIR QUALITY MONITORING INSPECTIONS

This part of the Handbook is intended for individual inspection subjects to facilitate their preparation for the inspection. The white tables define the inspection subject, in-house inspection code and offer information on regulations and other documents relevant for the inspected natural or legal person. The blue tables give information on how should the inspected subject prepare for the inspection and which documentation and other evidence is to be prepared for the inspection.

2.2.1 PARTICIPATION OF POLLUTER IN INSPECTIONS

CODE	INSPECTION SUBJECT
AQM– ONE	**Inspections of polluters**

In addition to the prescribed measurement of emission from stationary sources, the Croatian polluters may be imposed the air quality monitoring obligation by the environmental protection documents issued by them or by the environmental protection documents of the local and regional self-government units. In such cases, the polluter shall ensure that air quality monitoring is performed in compliance with the Croatian regulations.

Inspection subject	INSPECTIONS OF POLLUTERS
Inspection code	AQM-ONE
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air**
Other documents	**Decision on EIA** **Decision on the environmental acceptability of a project** **Decision on IPPC permit (integrated pollution prevention and control)** **Decision on environmental permit** **Annual report on air quality monitoring at the polluter network**

PARTICIPATION OF POLLUTER IN INSPECTIONS	
Preparation of documentation for inspections – procedures	
1.	**In order for an inspector to obtain information on the legal grounds for the polluter's obligation to carry out the AQM, and information about the prescribed monitoring programme and monitoring timetable. the polluter shall prepare the following documents:**

	a decision on the environmental acceptability of a project or a decision on IPPC (integrated pollution prevention and control) permit, namely the environmental permit (Art. 32, APA) an action plan (Art. 46, APA) based on which the polluter has an obligation to implement prescribed measures or a decision on implementation of special-purpose measurements (Art. 33, APA).
2.	**Prepare all annual reports on mandatory AQM.**
3.	**Prepare evidence that a testing laboratory with a valid license covering the entire monitoring scope is engaged for the measurements the polluter is obliged to perform (this could be a contract or another document proving engagement of a testing laboratory and its license).**
4.	**Prepare evidence that a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ) http://iszz.azo.hr/iskzl/**
5.	**Prepare evidence that the polluter has submitted validated data on air quality monitoring and a report on pollution levels and air quality assessment to the competent administrative authority of a city, county or the City of Zagreb by 31 March of a current year for the previous calendar year (Art. 32, APA).**

2.2.2 PARTICIPATION OF TESTING LABORATORY IN INSPECTIONS

CODE	INSPECTION SUBJECT
AQM-LAB	**Inspections of testing laboratories**

The AQM testing laboratories in Croatia perform measurements in local AQM networks. To perform the AQM activity, the laboratories need to be licensed by the Ministry. The licensed laboratories have to perform their activity in compliance with the Croatian regulations.

Inspection subject	**INSPECTIONS OF TESTING LABORATORIES**
Inspection code	**AQM-LAB**
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality**
Other documents	**Documentation in acc. to Art. 55 and 56, APA (license)**

PARTICIPATION OF TESTING LABORATORY IN INSPECTIONS	
Preparation of documentation for inspection – procedures	
1.	**The inspected testing laboratory shall prepare:** **the most recent decision by which the testing laboratory is licensed by the Ministry for air quality monitoring (license)** **metadata on all sampling points in which it is currently performing this activity.**
2.	**Prepare evidence that the testing laboratory meets the requirements for obtaining of the license in acc. with Article 55 of the APA at the time of inspection**
3.	**Prepare a list of measurement equipment used in air quality monitoring, including the manufacturer, type and model, year of manufacture and number of type**

	approval certificate acc. to Article 15, OAQM. **Type approvals are available at** **https://www.dzm.hr/zakonsko_mjeriteljstvo/izvjesca_o_ispitivanju_opreme_za_pracenje_kvalitete_zraka**
4.	**Evidence on measurement traceability for all instruments the laboratory has been using for the last 5 years.**
5.	**Prepare all the AQM annual reports drawn up by the laboratory.**
6.	**Prepare evidence that a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ)** **http://iszz.azo.hr/iskzl/**
7.	**Prepare evidence that the polluter has submitted validated data on air quality monitoring and a report on pollution levels and air quality assessment to the competent administrative authority in a city, county or the City of Zagreb by 31 March of a current year for the previous calendar year (Art. 32, APA).**

2.2.3 PARTICIPATION OF REFERENCE LABORATORY IN INSPECTIONS

CODE	INSPECTION SUBJECT
AQM-REF	Inspections of reference laboratories

Inspection subject	INSPECTIONS OF REFERENCE LABORATORIES
Inspection code	AQM-REF
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air**
Other documents	**Documentation in acc. to Art. 55, 56 and 61, APA (license)**

PARTICIPATION OF REFERENCE LABORATORY IN INSPECTIONS	
Preparation of documentation for inspection – procedures	
1.	**The inspected reference laboratory shall prepare:** **a decision by which the laboratory is licensed by the Ministry for quality assurance of air quality monitoring and data (license), metadata on all sampling points in which it is currently performing this activity.**
2.	**Prepare evidence that the reference laboratory meets the requirements for obtaining of license in acc. with Articles 55 and 61 of the APA at the time of inspection.**
	Prepare a list of measurement equipment used in air quality monitoring, including the manufacturer, type and model, year of manufacture and number of type

3.	**approval certificate acc. to Article 15, OAQM** **Type approvals are available at** **https://www.dzm.hr/zakonsko_mjeriteljstvo/izvjesca_o_ispitivanju_opreme_za_pracenje_kvalitete_zraka**
4.	**Evidence on measurement traceability for all instruments the laboratory has been using for the last 5 years.**
5.	**Prepare all AQM annual reports on the national AQM network and all reports on proficiency testing carried out.**
6.	**Prepare evidence that a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ)** **http://iszz.azo.hr/iskzl/**
7.	**Prepare evidence that the validated data on air quality monitoring and a report on pollution levels and air quality assessment have been submitted to the Ministry and the CAEN by 30 April of a current year for the previous calendar year (Art. 28, APA).**

2.2.4 PARTICIPATION OF LOCAL (REGIONAL) SELF-GOVERNMENT UNIT IN INSPECTIONS

CODE	INSPECTION SUBJECT
AQM-LSGU	Inspections of local (regional) self-government unit

The local and regional self-government units and the City of Zagreb have numerous obligations with regard to air quality protection. They set up and fund local air quality networks in their respective territories and have an obligation to promulgate a number of documents related to air protection.

Inspection subject	**INSPECTIONS OF LOCAL (REGIONAL) SELF-GOVERNMENT UNIT**
Inspection code	**AQM-LSGU**
Legal grounds	**Air Protection Act**
Regulations	**Ordinance on monitoring air quality** **Regulation on levels of pollutants in ambient air** **Ordinance on reciprocal exchange of information and reporting on ambient air quality and commitments for implementation of Commission Decision 2011/850/EU**
Other documents	**Programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change** **Report on the implementation of the Programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change** **Annual reports on air quality monitoring** **Air quality action plan and/or short-term action plan** **Information/reports on implementation of air quality action plan and/or short-term action plans**

PARTICIPATION OF LOCAL SELF-GOVERNMENT UNIT IN INSPECTIONS	
Preparation of documentation for inspections – procedures	
1.	**The inspected environmental department within a city, county of the City of Zagreb should prepare:** **its programme for protection of air quality, ozone layer, climate change mitigation and adaptation to climate change which is an integral part of the environmental protection programme for the territory of the city, county and/or the City of Zagreb published in an official journal of the local and regional self-government unit, depending on which representative body adopted it (Art. 12. APA),** **a Programme implementation report by the administrative body of the city, county and the City of Zagreb competent for the environmental protection prepared for a four-year period and adopted by the representative body of the city, county and the City of Zagreb (Art. 14, APA).**
2.	**Prepare all annual reports on air quality monitoring carried out in their territory set up on any legal grounds (Art. 31, 32 and 33, APA; Art. 22, OMAQ) and evidence on their timely submission to the CAEN.**
3.	**Prepare evidence that a decision in acc. with Art. 33 of the APA has been made, provided the legal grounds for it existed.**
4.	**Prepare evidence that a testing laboratory with a valid license covering the entire monitoring scope is engaged for the measurements the self-government units are obliged to perform (this could be a contract or another document proving engagement of a testing laboratory and its license).**
5.	

	Prepare evidence that a continuous data transfer is ensured through a computer network into the CAEN air quality information system for air pollutants whose concentration is determined by automatic measurement instruments (Art. 21, OMAQ) http://iszz.azo.hr/iskzl/
6.	**Prepare an air quality action plan and/or a short-term action plan, if required (Art. 37, 46 and 47, APA).** **Prepare evidence that information on action plans has been submitted to the CAEN (Art. 9 and 10, OREXI).**
7.	**Prepare evidence that the public has been informed about air quality, implementation of air quality action plans, implementation of short-term action plans and AQM annual reports (Art. 34 and 49, APA).**
8.	**Prepare evidence that in case the alert threshold is exceeded for SO_2 and NO_2 or the information or alert threshold is exceeded for ground-level ozone, an executive body of the local self-government unit in the territory of which these exceedances happened has ordered special measures for human health protection to be undertaken and the method of their implementation, and ensure that the information was made available to the public by issuing press releases to all the media covering the territory of that self-government unit (Art. 26, APA) (Art. 8 to 12, RLPAA).**

Annex 1

Table1 Realistic times for elimination of deficiencies and irregularities
The table offers the Contractor's empirical data on time needed to eliminate some irregularities, which is not prescribed by the air protection regulations

No.	Irregularity	Realistic elimination times
B1	Polluter has not ensured AQM equipment	8-12 months
B1	Polluter has not ensured AQM equipment but is currently in procurement stage	depending on procurement stage – if the procurement is in its initial stage 8-12 months, if in final stage of delivery 30 days
B1	Polluter has ensured AQM equipment but not the testing laboratory	30 days provided such laboratory is available
B1	Polluter has not ensured AQM equipment and is looking for the testing laboratory to carry out the measurements with its own equipment	30 days provided such laboratory is available, which is rare
B2/3	Polluter has not ensured the licensed testing laboratory or a laboratory licensed for all pollutants but has all necessary equipment	30 days
B4/B5	Equipment used for measurements in a year the report is issued is not traceable	irregularity cannot be eliminated – measurements carried out with such equipment are not valid
B4/B5	Equipment currently used for measurements not traceable	15-30 days depending on technical status of the equipment
B6	No continuous data transfer to the CAEN air quality information system provided	15 days with adequate hardware
B7	AQM annual report not drawn up in compliance with the regulations	1-5 days
B8	AQM annual report not submitted in compliance with the regulations	5 days to draw up a report if a network is not very large

Table 2 An example of a table for checking up whether the monitoring scope is covered by the license and whether annual reports have already been issued for that sampling point

Station code	Monitoring scope	Not covered by license	Annual report issued
ZA0105	CO, SO_2, B, H_2S $PM_{10(aut)}$	B, $PM_{10(aut)}$	YES for 2015 and 2016
ZA0106	CO, SO_2, NOx, H_2S $PM_{10(aut)}$	$PM_{10(aut)}$	NO
ZA0107	CO, SO_2, NOx, H_2S NH_3	$PM_{10(aut)}$	YES for 2012 to 2016

Table 3. Obligations, development and exchange of documents and information by all target groups

OBLIGATION / ROLE	Ministry	CAEN	City, RSGU/City of Zagreb	LSGU	Testing laboratory	Reference laboratory	Polluter
General/main role	Authority competent for implementation of EU acts, drafting of laws, passing of bylaws, carrying out of technical supervision of national network operation; Inspection	Manages air quality information system, exchange of information and reporting on air quality	Makes a decision on AQM implementation, sets up AQM stations, determines sampling points and monitoring programme, reports to the CAEN	Makes a decision on AQM implementation, sets up AQM stations, determines sampling points and monitoring programme, reports to the CAEN	Air quality monitoring (measurement), air quality monitoring report	Quality assurance of air quality monitoring and data for the territory of the Republic of Croatia; Air quality monitoring (measurement), air quality monitoring report	Ensures air quality monitoring in line with the decision on the environmental acceptability of a project, or the decision on IPPC permit, or environmental permit; Implements and funds air pollution reduction measures (for which it is executive person)
Air quality monitoring reports		Prepares AQM Annual Report for the territory of the Republic of Croatia by 30 September of a current year for the previous calendar year	Submits Report to the CAEN by 30 April of a current year for the previous calendar year		Prepares air quality monitoring report (submitted to the LSGU/RSGU by 31 March of a current year for the previous calendar year)	Prepares air quality monitoring report for national network stations (submitted to the Ministry and CAEN by 30 April of a current year for the previous calendar year)	
Air protection plan	Prepares five-year Air Protection Plan; Publishes (prepared by an authorized person)						Implements and funds air pollution reduction measures (for which it is executive person)
Air quality status report (four-year)	Competent authority for preparation of the report/submitted to the government every four years	Prepares four-year Air Quality Status Report	Reports on implementation of air pollution reduction measures	Reports on implementation of air pollution reduction measures			Reports on implementation of air pollution reduction measures

Air protection programme coordinated with the Plan			Adopts, publishes (prepared by an authorized person)				Implements and funds air pollution reduction measures (for which it is executive person)
Programme implementation report		Publishes	Prepares four-year report in compliance with the Air Quality Status Report drawn up to supervise achieving of the Plan objectives (prepared by an authorized person)				Reports on implementation of air pollution reduction measures
Action plans, short-term action plans	For exceedances in acc. with Article 19, para. 5, APA, an opinion prior to adoption of the plan	Publishes, for exceedances in acc. with Article 19, para. 5, APA, an opinion prior to adoption of the plan		Ensures preparation of report and adopts action plan within 18 months from the end of a year in which exceedance has been recorded Action plan implementation reports (prepared by an authorized person)			Implements and funds air pollution reduction measures (for which it is executive person) Reports on implementation of air pollution reduction measures
Environmental permits, decision on IPPC permit, decision on the environmental acceptability of a project	Harmonizes, approves and issues		Participates in public consultations	Participates in public consultations			Prepares and submits applications for permits and decisions

Licensing of testing and reference laboratories	Evaluates applications, issues and publishes licences				Submits licensing application	Submits licensing application, ensures and annually checks measurement traceability of testing laboratories	

3. CHECKING THE IMPLEMENTATION OF REGULATIONS IN GREENHOUSE GAS EMISSION TRADING SYSTEM

Supervision of the implementation of regulations which define the greenhouse gas emission trading system (ETS) in the Republic of Croatia shall be conducted for the following regulations:

- Air Protection Act (Official gazette, no. 130/11, 47/14, 61/17)
- Regulation on the Method of Greenhouse Gas Emission Allowance Trading (Official gazette, no. 69/12, 154/14)
- Ordinance on the Method of Free Allocation of Emission Allowances to Installations and on the Monitoring, Reporting and Verification of Reports on Greenhouse Gas Emissions from Installations And aircrafts in the Period Commencing 1 January 2013 (Official gazette no. 70/15).

From the European Union regulations directly applicable in the Republic of Croatia, two regulations are key, which implementation is also under the supervision of the environmental inspectorate, and these are:

- Commission Regulation (EU) No 601/2012 on the monitoring and reporting of greenhouse gas emissions and
- Commission Regulation (EU) No 600/2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers

Legal persons who are supervised in ETS are:

- ETS obligators – installation operator and aircraft operator and
- The legal entities verification bodies accredited for ETS (verifiers).

For a simpler expression and visibility, the following abbreviations / abbreviated names of institutions are used:

TITLE	ABBREVIATIONS / ABBREVIATED NAMES
Greenhouse gas emission trading system	ETS
Croatian Agency for Environment and Nature	Agency
Ministry of Environmental Protection and Energy, Directorate for Climate Activities, Sustainable Development, and Air, Soil and Sea Protection	Ministry
Ministry of Environmental Protection and Energy, Directorate for Inspection Affairs	Inspection
The legal entities verification bodies accredited for ETS	Verifiers

3.1. INSTALLATION OPERATOR AND AIRCRAFT OPERATOR

When supervising the operator of the installation and the aircraft operator, the environmental inspector shall check whether the operator of the installation and the operator of the aircraft are in compliance with the relevant regulations. Although the inspection supervision is carried out in a system that already has internal control mechanisms - from internal control of the operator, through verification of the verification body to the verification of the Agency, supervision does not repeat the work already carried out by verifiers, but supervision is supplementary control of the verifier.

The obligations of the aircraft operator / operator for whom the control procedure is elaborated are listed in the chapters below. There is a total of 10 different obligations of the operator / operator of the aircraft:

DESIGNATION	OBLIGATIONS OF INSTALLATION OPERATOR / AIR CRAFT OPERATOR
ETS-OP-001	Performing activities that release greenhouse gases without a greenhouse gas emission permit
ETS-OP-002	Notifying the Ministry on planned changes of technical-technological characteristics of the installation
ETS-OP-003	Notifying the Ministry on the planned change of the person installation operator
ETS-OP-004	Notifying the Ministry on the planned changes to the greenhouse gas monitoring plan from an installation
ETS-OP-005	Notifying the Ministry on the planned cessation of activities at the installation from which greenhouse gasses are emitted
ETS-OP-006	Submitting the verified report to the agency within the prescribed deadline
ETS-OP-007	Notifying the Ministry on partial cessation of activities
ETS-OP-008	Obtaining the Ministry's approval of the greenhouse gas emission from an aircraft Monitoring and Reporting Plan
ETS-OP-009	Opening an account at the Union Registry
ETS-OP-010	Submitting of emission units to the Union Registry

Each obligation of the aircraft operator / operator is assigned a tag for easier reference.

In the following chapter, for each obligation of the aircraft operator / operator, the legal basis for the operation of the aircraft operator / operator and the inspection procedure, the supervised person and the procedure for controlling the implementation of the regulations by phases are presented: preparation of inspection supervision, implementation of inspection supervision and acting on the inspection supervision carried out.

PERFORMING ACTIVITIES WHICH RELEASE GREENHOUSE GASES WITHOUT AN EMISSION PERMIT

The operator of an activity that releases greenhouse gases is obliged to obtain a permit for greenhouse gas emissions. Performing an activity includes a trial according to law governing the construction.

Activities and greenhouse gases are regulated by the Regulation on the Method of Greenhouse Gas Emission Allowance Trading (Official Gazette, No. 69/12, 154/14).

Obligation	Performing activities that release greenhouse gases without a greenhouse gas emission permit
Designation	ETS-OP-001
Legal basis	Air Protection Act: - Article 82, paragraph 1 - Article 138, paragraph 5 and 6 - Article 146, paragraph 1, subparagraph 19 and Article 146, paragraph 2
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	- Fortification: - the activity that causes greenhouse gas emissions - in accordance with Annex and Regulation on the Method of Greenhouse Gas Emission Allowance Trading (Official gazette, no. 69/12, 154/14) - greenhouse gases for which the obligation on the emission permit is determined - in accordance with Annex and Regulation on the Method of Greenhouse Gas Emission Allowance Trading (Official gazette, no. 69/12, 154/14)
2.	Information collection: - greenhouse gas emission permit - *issued by the Ministry, delivered to the Installation Operator, the Agency and the Inspection* - greenhouse gas emission permit change - *issued by the Ministry, delivered to the Installation Operator, the Agency and the Inspection* - the decision to abolish the greenhouse gas emission permit - *issued by the Ministry, delivered to the Installation Operator, the Agency and the Inspection* - approved monitoring plan - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the installation operator* - monitoring plan changes in approval process

	- *the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the installation operator* - Correspondence between the Installation Operator and the Ministry - notifications, requests for change of emission permits, approval of monitoring plan, etc.
B. Implementation of inspection supervision	
1.	Determining the factual situation: - does the installation perform the activities which emit greenhouse gases - does the installation have a valid permit for greenhouse gas emissions - which is a valid version of the tracking plan - which is the activity of the installation in Annex I - which greenhouse gases are emitted - which are the obligations of the operator prescribed by the permit - has the installation's permit been revoked?
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the installation has no emission permit or its emission permit has been abolished, it is determined that the plant operator has not acted in accordance with the legal provision. Acting on the conducted inspection: - issue a decision banning performance of activities that release greenhouse gases (Article 138, Paragraph 5(1)) - indictment (Article 146, Paragraph 1 (19) and Article 146, Paragraph 2).
2.	If, in step B1, it is determined that the installation has a permit for the emissions but does not meet the conditions under which it has been granted a permit, it is determined that the plant operator has not acted in accordance with the legal provision. Acting on the conducted inspection: - issue a decision banning the activities that release greenhouse gases until the conditions are met (Article 138, Paragraph 5 (2)) - if the installation does not act according to the decision, suggest revocation of the emission permit to the Ministry (Article 138, Paragraph 6) - indictment (Article 146, Paragraph 1(19) and Article 146, Paragraph 2)

NOTIFYING THE MINISTRY ON PLANNED TECHNICAL-TECHNOLOGICAL CHANGES OF THE INSTALLATION

Installation operator shall notify the Ministry on all planned changes to the technical-technological characteristics of the installation, including changes of the type of fuel, raw material or other substances used at the installation, increase or reduction of the rated thermal input, i.e. the installation's capacity without delay.

Obligation	Notifying the Ministry on planned changes of technical-technological characteristics of the installation
Designation	ETS-OP-002
Legal basis	Air Protection Act: - Article 86, paragraph 1 - Article 132, paragraph 3 and 4 - Article 138, paragraph 5 and 6 - Article 146, paragraph 1, subparagraph 20 and Article 146, paragraph 2
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	

1.	Information collection:
	- approved version of the monitoring plan
	  - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry*
	  - *is located at the Agency and at the plant operator*
	- version of the monitoring plan for approval
	  - *an expert opinion is given by the Agency, approved by the Ministry*
	  - *is located at the Agency and at the plant operator*
	- information on planned changes in technical and technological characteristics of the installation
	  - *pursuant to Commission Regulation (EU) No. 601/2012, Article 15, paragraph 3*
	- Ministry's decision on amending the permit / approving significant changes to the greenhouse gas emission monitoring plan from the plant
	  - *is issued / approved by the Ministry, delivered to the Plant Operator, the Agency and the Inspection*
	- Correspondence between the Plant Operator and the Ministry
	  - *notification of planned change in the installation, requirements*

B. Implementation of inspection supervision	
1.	Determining the factual situation: - are technical-technological changes planned at the installation

2.	Determining the factual situation: - did the installation operator notify the Ministry of the planned changes without delay
3.	Determining the factual situation: - have the changes to the installation already been implemented
C. Actions following inspection (*follow-up*)	
1.	If in Step B2 is determined that the installation operator is planning technical-technological changes to the installation and has not notified the Ministry, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 3) - if the installation does not act according to the decision, force them to do so with a fine (Article 132, Paragraph 4) - indictment (Article 146, Paragraph 1(20) and Article 146, Paragraph 2)
2.	If in Step B3 is determined that planned changes to the installation have already been implemented, changes which have led to emissions, and the installation operator has not notified the Ministry on this, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - issue a decision banning performance of activity which releases greenhouse gases until conditions have been met (Article 138, Paragraph 5(2)) - if the installation does not act according to the decision, suggest revocation of the emission permit (Article 138, Paragraph 6) - indictment (Article 146, Paragraph 1(20) and Article 146, Paragraph 2).

NOTIFYING THE MINISTRY ON PLANNED CHANGES TO THE LEGAL PERSON OF THE INSTALLATION OPERATOR

The plant operator shall notify the Ministry on the planned change of the legal entity of the plant operator without delay.

Obligation	Notifying the Ministry on the planned change of the person installation operator
Designation	ETS-OP-003
Legal basis	Air Protection Act: - Article 86, paragraph 1 - Article 132, paragraph 3 and 4 - Article 138, paragraph 5 and 6 - Article 146, paragraph 1, subparagraph 21 and Article 146, paragraph 2
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - approved version of the monitoring plan - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the plant operator* - information on the planned change of the person installation operator - Ministry's decision on determination of the change of the person operator - *issued by the Ministry, delivered to the Plant Operator, the Agency and the Inspection* - correspondence between the installation operator and the Ministry - *notification on the planned change of the person installation operator*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - whether the planned change of the legal entity of the plant operator is planned
2.	Determining the factual situation: - whether the plant operator informed the Ministry on planned change of the legal entity of the plant operator without delay
3.	Determining the factual situation: - whether the changes of the legal entity of the plant operator have already been carried out
C. Actions following inspection (*follow-up*)	

1.	If in Step B2 is determined that the installation operator is planning changes of the person installation operator and has not notified the Ministry of it, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 3) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2)
2.	If in Step B3 is determined that planned changes to the installation operator have already been implemented at the installation, and the installation operator has not notified the Ministry of it, it is determined that the plant operator has not acted in accordance with the legal provision. Acting on the conducted inspection: - issue a decision banning performance of activity which releases greenhouse gases until conditions have been met (Article 138, Paragraph 5(2)) - if the installation does not act according to the decision, suggest revocation of the emission permit (Article 138, Paragraph 6) - indictment (Article 146, Paragraph 1(20) and Article 146, Paragraph 2

NOTIFYING THE MINISTRY ON PLANNED CHANGES TO THE INSTALLATION MONITORING PLAN

The plant operator shall notify the Ministry on the planned amendment of the greenhouse gas emission monitoring plan from the plant, which is not significant within the meaning of Article 15 (3) of Commission Regulation (EU) No. 601/2012 and the relevant European Commission guidelines no later than 31 December of the current year.

Obligation	Notifying the Ministry on the planned changes to the greenhouse gas monitoring plan from an installation
Designation	ETS-OP-004
Legal basis	Air Protection Act: - Article 86, paragraph 1 - Article 132, paragraphs 3 and 4 - Article 138, paragraph 5 and 6 - Article 146, paragraph 1, subparagraph 21 and Article 146, paragraph 2
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	

1.	Information collection:
	- approved version of the monitoring plan
	  - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry*
	  - *is located at the Agency and at the plant operator*
	- information on the planned change of the monitoring plan
	- Ministry's decision on determination of the change of the monitoring plan
	  - *issued by the Ministry, delivered to the Plant Operator, the Agency and the Inspection*
	- correspondence between the installation operator and the Ministry
	  - *notification on the planned change of the monitoring plan*

B. Implementation of inspection supervision	
1.	Determining the factual situation: - whether the planned greenhouse gas emission monitoring plan is planned
2.	Determining the factual situation: - has the installation operator notified the Ministry on the planned change to the greenhouse gas emission from an installation monitoring plan by 31 December of the current year
C. Actions following inspection (*follow-up*)	

1.	If in Step B2 is determined that the installation operator is planning changes to the greenhouse gas emission from an installation monitoring plan and has not notified the Ministry of it, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 3) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2)

NOTIFYING THE MINISTRY ON THE PLANNED DATE OF CESSATION OF ACTIVITIES WHERE GREENHOUSE GAS EMISSIONS ARE EMITTED

The plant operator shall, within eight days of the decision making, notify the Ministry on the planned date of termination of the activity in the installation due to the emission of greenhouse gases. The bankruptcy administrator shall notify the bankruptcy proceeding in the bankruptcy proceedings.

Obligation	Notifying the Ministry on the planned cessation of activities at the installation from which greenhouse gasses are emitted
Designation	ETS-OP-005
Legal basis	Air Protection Act: - Article 82, paragraph 1 - Article 138, paragraph 3 and 4 - Article 138, paragraph 6 - Article 146, paragraph 1, subparagraph 22 and Article 146, paragraph 2
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - approved version of the monitoring plan - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the installation operator* - information on the planned cessation of activities at the installation - correspondence between the installation operator and the Ministry - *notification on the planned cessation of activities at the installation* - Ministry's decision on revocation of the greenhouse gas from an installation emission permit
B. Implementation of inspection supervision	
1.	Determining the factual situation: - which installation activity according to Annex and of the Regulation is (the activity that causes greenhouse gas emissions) - pursuant to Annex and of the Regulation on the manner of trading in emission units (Official Gazette 69/12, 154/14) - is cessation of activities at the installation being planned
2.	Determining the factual situation: - has the installation operator notified the Ministry of the planned date of cessation of activities at the installation
3.	Determining the factual situation: - has the cessation of activities already been carried out

	- has the installation's greenhouse gas from an installation emission permit been revoked
4.	Determining the factual situation: - has the installation's greenhouse gas from an installation emission permit been revoked
C. Actions following inspection (*follow-up*)	
1.	If in Step B2 is determined that the installation operator is planning cessation of activities at the installation and has not notified the Ministry of it, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 3) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2)
2.	If in Step B3 is determined that the installation has already ceased activities and has not notified the Ministry of it, it is claimed that the plant operator did not comply with the statutory provision. Acting on the conducted inspection: - suggest revocation of the emission permit (Article 138, Paragraph 6) - indictment (Article 146, Paragraph 1(22) and Article 146, Paragraph 2)

IMPLEMENTATION OF MONITORING OF GREENHOUSE GAS EMISSIONS AND SUBMITTING THE VERIFIED REPORT TO THE AGENCY WITHIN THE PRESCRIBED DEADLINE

The operator of the plant with permit for greenhouse gas emissions and the aircraft operator shall be obliged to monitor greenhouse gas emissions and shall submit a verified emissions report and a verification report to the Agency by 1 March of the current year for the previous calendar year.

The operator of a facility excluded from emission trading system is obliged to monitor greenhouse gas emissions and to submit a verified emissions report and a verification report to the Agency by March 1 of the current year for the previous calendar year.

In the case of revocation of the greenhouse gas emissions permit, the plant operator shall prepare emission reports for the period from the beginning of the year to the date of the enforcement of the decision on revocation of the greenhouse gas emission permit. A verified emission report and verification report shall be submitted by the operator to the Agency within two months from the date of the enforcement of the decision on revocation of the greenhouse gas emission permit

Obligation	Submitting the verified report to the Agency within the prescribed deadline
Designation	ETS-OP-006
Legal basis	Air Protection Act: - Article 108, paragraph 1 and 2 - Article 112, paragraph 10 - Article 88, paragraph 2 - Article 132, paragraph 1 and 4 - Article 138, paragraph 5 and 6 - Article 146, paragraph 1, subparagraph 23 and 27 and Article 146, paragraph 2
Supervised person	installation operator, aircraft operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	

1.	Information collection:
	- approved version of the monitoring plan
	  - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry*
	  - *is located at the Agency and at the plant operator*
	- Ministry's decision on revocation of the greenhouse gas emission from an installation permit
	- emission report for the reporting period

	- *is located at the Agency and at the installation operator / aircraft operator* - verification report for the emissions report for the same period - *is located at the Agency and at the installation operator / aircraft operator* - correspondence between the installation operator/ aircraft operator and the Agency - notification of submission of the verified annual report and verification report to the Agency
B. Implementation of inspection supervision	
1.	Determining the factual situation: - has the installation operator / aircraft operator carried out monitoring of greenhouse gas emissions for the relevant period - has the installation operator / aircraft operator drafted the annual emission report - has the installation operator / aircraft operator sent the annual report to an accredited verifier for verification
2.	Determining the factual situation: - has the installation operator / aircraft operator submitted to the Agency a verified report and verification report by 1 March of the current year for the previous calendar year
3.	Determining the factual situation: - has the installation's greenhouse gas emission permit been revoked - has the installation operator drafted the annual emission report - has the installation operator sent the annual report to an accredited verifier for verification
4.	Determining the factual situation: - has the installation operator submitted the verified annual report and the verification report to the Agency within two months of the date of enforceability of the permit revocation decision
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 and B2 it has been determined that the installation operator / aircraft operator has monitored the emissions but has not submitted to the Agency a verified annual report and verification report within the prescribed time limit, it is determined that the aircraft operator / operator did not comply with the legal provision. Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 1) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2).
2.	If in Step B1 it is determined that the plant operator has not been monitoring emissions, it is determined that the plant operator has not acted in accordance with the legal provision. Acting on the conducted inspection: - issue a decision ordering ban on carrying out activities by emitting greenhouse gases to the fulfilment of conditions (Article 138, paragraph 5, subparagraph 2) - if the plant operator fails to comply with the decision, propose to the Ministry the revocation of the emission permit (Article 138, paragraph 6)

	- indictment (Article 146, paragraph 1, subparagraph 27 and Article 146, paragraph 2). If in Step B1 it is determined that the aircraft operator has not been monitoring the emissions, it is determined that the aircraft operator has not acted in accordance with the legal provision.
3.	Acting on the conducted inspection: - issue a decision ordering ban on carrying out activities by emitting greenhouse gases to the fulfilment of conditions (Article 138, paragraph 5, subparagraph 2) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2) If, in step B3, it has been established that the plant operator did not prepare the annual emissions report and / or did not submit an annual report to the accredited verifier, it is determined that the plant operator has not acted in accordance with the legal provision.
4.	Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 1) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4)) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2) If in Step B4 it is established that the plant operator has not submitted to the Agency a verified annual report and a verification report within the prescribed deadline, it is established that the plant operator has not acted in accordance with the legal provision.
5.	Acting on the conducted inspection: - issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 1) - if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4)) - indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2)

NOTIFYING THE MINISTRY ON PARTIAL CESSATION OF ACTIVITIES

The installation operator shall, by 31 December of each year, inform the Ministry about partial cessation of work regarding the free allocation of emission units to plant operators in accordance with Article 23 of Commission Decision 2011/278 / EC and the European Commission's Guidelines.

Obligation	Notifying the Ministry on partial cessation of activities
Designation	ETS-OP-007
Legal basis	Air Protection Act: - Article 90, paragraph 9 - Article 132, paragraph 1 and 4 - Article 146, paragraph 1, subparagraph 24 and Article 146, paragraph 2.
Supervised person	installation operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	

1.	Information collection:
	- decision determining the amount of emission allowances allocated to the installation for free
	  - *issued by the Ministry, to the Plant Operator, the Agency and the Inspection*
	- template for new participants and the closing of an installation
	  - *is located at the Ministry and at the plant operator*
	- correspondence between the installation operator and the Ministry
	  - request for agreement on the amount of the installation's free emission allowances
	  - agreement on the amount of free emission allowances

B. Implementation of inspection supervision	
1.	Determining the factual situation: - did the installation operator obtain a decision determining the amount of emission allowances allocated for free - did the installation operator submit to the Ministry a filled out a template for new participants and closing of an installation by 31 December of each year
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 it is determined that the installation operator has not submitted to the Ministry a filled out form for new entrants and closure of the plant within the prescribed deadline, it is determined that the plant operator has not acted in accordance with the legal provision. Acting on the conducted inspection: - issue a decision ordering removal of illegalities within the prescribed deadline

(Article 132, Paragraph 1)
- if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4)
- indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2).

OBTAINING APPROVAL ON THE PLAN FOR MONITORING AND REPORTING EMISSIONS FROM AIRCRAFT OPERATORS

For the purpose of carrying out monitoring and reporting on greenhouse gas emissions from aircraft, an aircraft operator is required to draw up a plan for monitoring and reporting of greenhouse gas emissions from aircraft and to obtain the approval of the Ministry.

Obligation	Obtaining approval on the plan for monitoring and reporting emissions from aircrafts
Designation	ETS-OP-008
Legal basis	Air Protection Act: - Article 93, paragraph 1 - Article 132, paragraph 1 and 4 - Article 146, paragraph 1, subparagraph 25 and Article 146, paragraph 2
Supervised person	aircraft operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - plan for monitoring and reporting greenhouse gas emissions from aircrafts - *an expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and the aircraft operator* - approval of the plan for monitoring and reporting greenhouse gas emissions from aircrafts - *issued by the Ministry, delivered to the aircraft operator, the Agency and the Inspection* - Correspondence between the aircraft operator and the Agency - Correspondence between the aircraft operator and the Ministry
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Does the aircraft operator have an approved plan for monitoring and reporting greenhouse gas emissions from aircrafts
2.	Determining the factual situation: - Has the aircraft operator submitted a plan for monitoring and reporting greenhouse gas emission from aircrafts to the Ministry for approval - Is the plan for monitoring and reporting greenhouse gas emissions from aircrafts in the process of being assessed by the Agency
C. Actions following inspection (*follow-up*)	
1.	If in Step B2 it has been determined that the aircraft operator does not have an approved plan for monitoring and reporting greenhouse gas emissions—they have

not submitted the monitoring and reporting plan to the Ministry for approval, it is determined that the aircraft operator / operator did not comply with the legal provision.

Acting on the conducted inspection:

- issue a decision ordering removal of procedural deficiencies and irregularities (Article 132, Paragraph 1)
- if the installation does not act in accordance with the decision, force them to do so with a fine (Article 132, Paragraph 4)
- indictment (Article 146, Paragraph 1(21) and Article 146, Paragraph 2).

OPENING AN ACCOUNT IN THE UNION REGISTRY

The Union Registry is an electronic database of the European Union that serves to record the ownership of emission units in ETS. Each aircraft operator and installation operator is required to open an account in the Union Registry because through the status of emission units on the accounts in the Registry it is determined that the installation operator and aircraft operator are fulfilled.

The operator of the installation operator and the aircraft operator receive on the account of the free emission units and units purchased on the auction or acquire them by purchase on the Designationet. Emission units may transfer to another owner on an account in the Union Registry by selling them or submitting them to a special account for the emission units in order to meet the emission reduction obligation.

Obligation	Opening an account in the Union Registry
Designation	ETS-OP-009
Legal basis	Air Protection Act: - Article 103, paragraph 3 - Article 132, paragraph 1 and 4 - Article 146, paragraph 1, subparagraph 26 and Article 146, paragraph 2
Supervised person	installation operator, aircraft operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - Unique installation/aircraft operator identification code - Greenhouse gas emission permit/plan for monitoring greenhouse gas emissions (installation operator) - *issued by the Ministry, to the Plant Operator, the Agency and the Inspection* - Plan for monitoring and reporting greenhouse gas emissions from installation (installation operator) - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the installation operator* - Plan for monitoring and reporting greenhouse gas emissions from aircraft (aircraft operator) - *is located at the Agency and at the aircraft operator* - Correspondence between the installation operator/aircraft operator and the Agency - Request to open an account in the Union Registry

B. Implementation of inspection supervision	
1.	Determining the factual situation: - Internet website European Union Transaction Log - EUTL) - Does the Union Registry contain an account for the relevant installation/aircraft operator
2.	Determining the factual situation: - Has the installation operator/aircraft operator submitted a request to open an account in the Union Registry
C. Actions following inspection (*follow-up*)	
1.	If, in step B2, it has been established that an aircraft operator / operator does not have an open account in the Union Registry and has not submitted a request for opening an account, it is determined that the aircraft operator / operator did not comply with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities within an appropriate deadline (seventh subparagraph of Article 132(1)) - If the installation operator/aircraft operator dos not take action in accordance with the decision, enforce the decision by the pronouncement of a coercive fine (Article 132(4)) - Indictment (26th subparagraph of Article 146(1) and Article 146(2)).

SUBMITTING UNITS IN UNION REGISTRY

The installation operator shall, by 30 April 2002, submit the quantity of emission allowances to the Union Registry in the amount corresponding to the total greenhouse gas emission from the installation in the previous calendar year.

The aircraft operator shall, by 30 April of the current year, submit the quantity of emission allowances to the Union Registry in an amount corresponding to the verified total emissions of greenhouse gases from performing aviation activities in the previous calendar year.

Obligation	Submitting units in Union Registry
Designation	ETS-OP-010
Legal basis	Air Protection Act: - Article 105, paragraph 1 and 2 - Article 132, paragraph 3 and 4
Supervised person	installation operator, aircraft operator

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - Unique installation/aircraft operator identification code - Greenhouse gas emission permit/plan for monitoring greenhouse gas emissions (installation operator) - *issued by the Ministry, to the Plant Operator, the Agency and the Inspection* - Plan for monitoring and reporting greenhouse gas emissions from installation (installation operator) - *an integral part of the permit; the expert opinion is given by the Agency, approved by the Ministry* - *is located at the Agency and at the installation operator* - Plan for monitoring and reporting greenhouse gas emissions from aircraft (aircraft operator) - *is located at the Agency and at the aircraft operator* - Correspondence between Agency and Ministry - notification of the entry and endorsement check in the Union Registry - notification of a deficit of emission units in the Union Registry
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Internet website European Union Transaction Log - EUTL) - check the status of fulfilment of obligation in the Union Register for the

	installation / aircraft operator
C. Actions following inspection (*follow-up*)	
	If, in Step B1, it has been established that the operator of the aircraft / operator did not submit the emission units in the Union Registry, it is determined that the aircraft operator / operator did not comply with the statutory provision. Acting on the conducted inspection:
1.	- Order, by virtue of a decision, removal of irregularities in performed activities (Article 132(3)) - If the installation operator/aircraft operator dos not take action in accordance with the decision, enforce the decision by the pronouncement of a coercive fine (Article 132(4))

3.2. VERIFIERS

When verifying, the environmental inspector verifies whether the verifier is in compliance with the relevant regulations. Most of the verifier's obligations are contained in Commission Regulation (EU) No 600/2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers, which contains very detailed requirements for the verifier's handling. It is essential that the monitoring procedure always takes place by controlling the selected procedure for verifying the emissions report. Therefore, it is sometimes necessary to inspect the data of the installation / aircraft operator which verification has been carried out, in order to determine the correctness of the implementation of the regulations by the verifier.

The auditor's obligations for which the control procedure is elaborated are listed in the chapters below. There is a total of 14 different verification tasks:

DESIGNATION	VERIFIERS OBLIGATIONS
ETS-VER-001	Including irregularities into the verification report
ETS-VER-002	Advising the installation operator or aircraft operator to obtain the necessary approval of the monitoring plan from the Ministry
ETS-VER-003	Notifying the installation operator or aircraft operator on a timely basis and requesting relevant corrections of identified misstatements or non-conformities
ETS-VER-004	Documenting and Designating all misstatements or non-conformities in the internal verification documentation
ETS-VER-005	Fully documenting the verification process in the internal verification documentation
ETS-VER-006	Independent review of the internal verification documentation and the verification report
ETS-VER-007	Preparing and compiling the internal verification documentation
ETS-VER-008	Issuing a verification report to the installation operator or aircraft operator
ETS-VER-009	Establishing, documenting, implementing and maintaining a competence process
ETS-VER-010	Assembling a verification team
ETS-VER-011	Establishing, documenting, implementing and maintaining one or more procedures for verification activities
ETS-VER-012	Keeping records, including records on competence and impartiality of personnel
ETS-VER-013	Ensuring impartiality and independence
ETS-VER-014	Delivering information to the Accreditation Body

Each assignment of the verifier is assigned a Designation for easier reference.
In the following chapter, for each obligation of the verifier, the legal basis for the verification of the verifier and the conduct of the inspection, the supervised person and the process of controlling the implementation of the regulations by phases are presented: preparation of inspection supervision, implementation of inspection supervision and treatment performed by inspection supervision.

INCLUDING IRREGULARITIES INTO THE VERIFICATION REPORT

If the verifier establishes that the installation operator / aircraft operator does not meet the requirements of Regulation (EU) No. 601/2012, the verifier is obliged to include the verification report even if the relevant monitoring plan has been approved by the competent authority.

Obligation	Including irregularities into the verification report
Designation	ETS-VER-001
Legal basis	Commission Regulation No 600/2012 - Article 7, paragraph 5 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - official letter from the Ministry on the assessment of the emissions report and the verification report - *is located at the installation operator / aircraft operator and the verifier* - verification report of the emission report for a given reporting period - *is located at the installation operator / aircraft operator and the verifier and in Agency* - internal verification documentation - *is located at the verifier* - Correspondence between the verifier and the operator of the installation operator / aircraft operator
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier included irregularities into the verification report if he/she had identified that the installation operator/aircraft operator does not meet the requirements of Commission Regulation No 601/2012, even if the competent authority has approved the relevant monitoring plan
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier did not include irregularities in the verification report, it is determined that the verifier has not acted in accordance with

the legal provision.
Acting on the conducted inspection:

- Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3)
- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ADVISING THE INSTALLATION OPERATOR OR AIRCRAFT OPERATOR TO OBTAIN THE NECESSARY APPROVAL OF THE MONITORING PLAN FROM THE MINISTRY

If a monitoring plan has not been approved by the competent authority, if the monitoring plan is incomplete or if substantial changes have been made to the monitoring plan during the reporting period which competent authority has not advised, the verifier shall advise the installation operator / aircraft operator to obtain the approval of the competent authority.

Obligation	Advising the installation operator or aircraft operator to obtain the necessary approval of the monitoring plan from the Ministry
Designation	ETS-VER-002
Legal basis	Commission Regulation No 600/2012 - Article 7, paragraph 6 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - verification report of the emission report for a given reporting period - *is located at the installation operator / aircraft operator and the verifier and in Agency* - internal verification documentation - *is located at the verifier* - Correspondence between the verifier and the operator of the installation operator / aircraft operator - proof that the verifier gave advice
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier advised the installation operator/aircraft operator to obtain the approval of the monitoring plan from the competent authority
C. Actions following inspection (*follow-up*)	
1.	If, in step B1, has been established that the verifier has not advised the installation operator / aircraft operator to obtain the approval of the monitoring plan from competent authority, it is established that the verifier has not acted in accordance with the statutory provision.

Acting on the conducted inspection:

- Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3)
- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

NOTIFYING THE INSTALLATION OPERATOR OR AIRCRAFT OPERATOR ON A TIMELY BASIS AND REQUESTING RELEVANT CORRECTIONS OF THE IDENTIFIED MISSTATEMENTS OR NON-CONFORMITIES

If the verifier has found inaccuracies or irregularities during the verification, verifier shall promptly notify the installation operator / aircraft operator and request appropriate corrections.

Operator of the installation operator / aircraft operator shall correct any inaccuracies or inconsistencies notified to him / her

Obligation	Notifying the installation operator or aircraft operator on a timely basis and requesting relevant corrections of the identified misstatements or non-conformities
Designation	ETS-VER-003
Legal basis	Commission Regulation No 600/2012 - Article 22, paragraph 1 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 39 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - emission report for a given period (all versions) - *is located at the installation operator / aircraft operator and the verifier and in Agency* - verification report of the emission report for a given reporting period - *is located at the installation operator / aircraft operator and the verifier and in Agency* - internal verification documentation - *is located at the verifier* - Correspondence between the verifier and the operator of the installation operator / aircraft operator - proof that the verifier gave advice
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier notified the installation operator/aircraft operator on a timely basis and requested relevant corrections if he/she identified misstatements or non-

	conformities in the course of the verification
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier did not notify the installation operator / aircraft operator in a timely manner and required proper corrections, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4) - Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

DOCUMENTING AND DESIGNATING ALL MISSTATEMENTS OR NON-CONFORMITIES IN THE INTERNAL VERIFICATION DOCUMENTATION

The verifier is obliged to document and designate in the internal verification documentation all inaccuracies or irregularities which installation operator / aircraft operator *corrected in verification process*

Obligation	Documenting and Designating all misstatements or non-conformities in the internal verification documentation
Designation	ETS-VER-004
Legal basis	Commission Regulation No 600/2012 - Article 22, paragraph 2 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - emission report for a given period (all versions) - *is located at the installation operator / aircraft operator and the verifier and in Agency* - verification report of the emission report for a given reporting period - *is located at the installation operator / aircraft operator and the verifier and in Agency* - internal verification documentation - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier documented and designated in the internal verification documentation all misstatements or non-conformities that the installation operator/aircraft operator corrected in the course of the verification
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier did not notify the installation operator / aircraft operator in a timely manner and required proper corrections, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection:

- Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3)
- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

FULLY DOCUMENTING THE VERIFICATION PROCESS IN THE INTERNAL VERIFICATION DOCUMENTATION

Upon completion of the verification and consideration of the information obtained during the verification, the verifier shall ensure that the verification procedure is fully documented in the internal verification document and that the verification report may give a final judgment.

Obligation	Fully documenting the verification process in the internal verification documentation
Designation	ETS-VER-005
Legal basis	Commission Regulation No 600/2012 - Article 24 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - internal verification documentation - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier ensured that the verification process is fully documented in the internal verification documentation
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier did not notify the installation operator / aircraft operator in a timely manner and required proper corrections, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4) - Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

INDEPENDENT REVIEW OF THE INTERNAL VERIFICATION DOCUMENTATION AND THE VERIFICATION REPORT

The verifier prior to issuing the verification report shall submit the internal verification documentation and the verification report to the independent reviewer.

The independent reviewer shall carry out a review to ensure that the verification procedure is carried out in accordance with Commission Regulation no. 600/2012, that the procedures for verifying activities are properly carried out with appropriate expert attention and judgment. The independent reviewer also assesses whether the evidence gathered is sufficient for the verifier based on them to be able to issue a verifiable report with reasonable assurance.

After verifying the verification report, the verifier shall include in the internal verification documentation the results of an independent review.

Obligation	Independent review of the internal verification documentation and the verification report
Designation	ETS-VER-006
Legal basis	Commission Regulation No 600/2012 - Article 25 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - internal verification documentation - *is located at the verifier* - Report on the independent review of the internal verification documentation - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Did the verifier submit the internal verification documentation and the verification

	report to an independent reviewer prior to the issuance of the verification report
C. Actions following inspection (*follow-up*)	
1.	If in step B1 is determined that the verifier did not submit the internal verification documentation and the verification report to the independent reviewer, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4) - Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

PREPARING AND COMPILING THE INTERNAL VERIFICATION DOCUMENTATION

The verifier is obliged to prepare and collect internal verification documentation containing at least:
- the results of the verification activities carried out
- strategic analysis, risk analysis and verification plan
- sufficient information on which a verification opinion is based, including explanations of whether the identified inaccuracies affect the emission or tonne data reported in the report significantly.

The internal verification documentation shall be prepared in such a manner that the independent reviewer and the national accreditation body can assess whether the verification is carried out in accordance with Commission Regulation no. 600/2012.

Obligation	Preparing and compiling the internal verification documentation
Designation	ETS-VER-007
Legal basis	Commission Regulation No 600/2012 - Article 26 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - for each installation operator / aircraft operator - internal verification documentation - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier prepared and compiled the internal verification documentation
C. Actions following inspection (*follow-up*)	
1.	If in step B1 has been established that the verifier has <u>not</u> prepared and collected the internal verification documentation, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities

(Article 132, paragraph 3)

- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ISSUING A VERIFICATION REPORT TO THE INSTALLATION OPERATOR OR AIRCRAFT OPERATOR

Based on the information gathered during the verification, the verifier shall issue to the installation operator / aircraft operator a verification report for each emission report that has been subjected to the verification.

Obligation	Issuing a verification report to the installation operator or aircraft operator
Designation	ETS-VER-008
Legal basis	Commission Regulation No 600/2012 - Article 27 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: – for each installation operator / aircraft operator - verification report of the emission report for a given reporting period - *is located at the installation operator / aircraft operator and the verifier and in Agency* - Correspondence between the verifier and the operator of the plant / operator of the aircraft - *proof that the verifier submitted the verification report to the aircraft operator / operator*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier prepared a verification report and issued it to the installation operator/aircraft operator for each emissions report that was subject to verification
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is established that the verifier has not prepared and issued to the aircraft operator / operator the verification report, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3)

- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ESTABLISHING, DOCUMENTING, IMPLEMENTING AND MAINTAINING A COMPETENCE PROCESS

The verifier is obliged to establish, document, implement and maintain a competence process to ensure that all the staff responsible for the verification activities are competent for the tasks assigned.

Obligation	Establishing, documenting, implementing and maintaining a competence process
Designation	ETS-VER-009
Legal basis	Commission Regulation No 600/2012 - Article 35 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

	PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES
	A. Preparation of inspection
1.	Information collection: - document of the quality system of verification activity which defines the process of training and verification of the qualifications of the personnel involved in the verification - *is located at the verifier*
	B. Implementation of inspection supervision
1.	Determining the factual situation: - Has the verifier established, documented and implemented and does he/she maintain a competence process to ensure that all personnel entrusted with verification activities are competent for the tasks that are allocated to them
	C. Actions following inspection (*follow-up*)
1.	If in Step B1 has been established that the verifier has not established, documented, executed and failed to maintain the competence process, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)

- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ASSEMBLING A VERIFICATION TEAM

For each verification engagement, the verifier is required to collect a verification team that can perform verifying activities. The verification team consists of at least the leading EU ETS, and if necessary of the appropriate number of verifiers and technical experts..

Obligation	Assembling a verification team
Designation	ETS-VER-010
Legal basis	Commission Regulation No 600/2012 - Article 36 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - internal verification documentation - *is located at the verifier* - a document of the quality system of verification activity which prescribes the qualification criteria for the verification team as a whole - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Does the verifier assemble a verification team for every verification engagement
C. Actions following inspection (*follow-up*)	
1.	If in step B1 is determined that the verifier did not gather the verification team for each verification engagement, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4) - Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ESTABLISHING, DOCUMENTING, IMPLEMENTING AND MAINTAINING ONE OR MORE PROCEDURES FOR VERIFICATION ACTIVITIES

The verifier shall establish, document, implement and maintain one or more procedures for verification activities and procedures and procedures in accordance with the requirements of Annex II to Commission Regulation no. 600/2012 (procedures and procedures for confidentiality of data, solving complaints, solving complaints).

Obligation	Establishing, documenting, implementing and maintaining one or more procedures for verification activities
Designation	ETS-VER-011
Legal basis	Commission Regulation No 600/2012 - Article 40 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - Documentation of the quality system of verification activity: - one or more quality system procedures for verification activities - *is located at the verifier* - one or more quality system procedures in accordance with the requirements of Annex II to Commission Regulation no. 600/2012 - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Has the verifier established, documented, implemented and does he/she maintain one or more procedures for verification activities
C. Actions following inspection (*follow-up*)	
1.	If in step B1 is determined that the verifier has not documented, implemented and failed to maintain one or more verification procedures, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies

and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)

- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

KEEPING RECORDS, INCLUDING RECORDS ON COMPETENCE AND IMPARTIALITY OF PERSONNEL

The verifier is obliged to keep the records, including records of competence and impartiality of the staff, attesting to compliance with Commission Regulation no. 600/2012.

Obligation	Keeping records, including records on competence and impartiality of personnel
Designation	ETS-VER-012
Legal basis	Commission Regulation No 600/2012 - Article 41 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - Documentation of the quality system of verification activity: - *is located at the verifier* - quality system records: - competence record - record on ensuring impartiality of personnel - record on safeguarding the confidentiality of information - report on preliminary activities, strategic analysis, risk analysis, verification plan, internal verification report, verification report, report on independent review of the verification
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Does the verifier keep records, including records on competence and impartiality of personnel
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier does not keep records, including records of competence and impartiality of staff, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies

and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)

- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

ENSURING IMPARTIALITY AND INDEPENDENCE

The verifier which carries out the verification activities must be independent of the installation operator / aircraft operator.

Therefore, the verifier should not be the installation operator / aircraft operator, the owner of the installation operator / aircraft operator or owned by the installation operator / aircraft operator, nor shall the installation operator / aircraft operator be in any relationship that might affect its independence or impartiality. The verifier shall also be independent of the greenhouse gas emission trading system body.

Obligation	Ensuring impartiality and independence
Designation	ETS-VER-013
Legal basis	Commission Regulation No 600/2012 - Article 42 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - document of the quality system of verification activity which prescribes rules and measures for avoiding conflicts of interest and ensuring impartiality, independence and objectivity in decision-making - procedure / procedure for ensuring impartiality of verification - *is located at the verifier*
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Does the verifier perform verification activities independently of the installation operator/aircraft operator
C. Actions following inspection (*follow-up*)	
1.	If in Step B1 is determined that the verifier in carrying out the verification activities is not independent of the aircraft operator / operator, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities

(Article 132, paragraph 3)

- If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)
- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

DELIVERING INFORMATION TO THE ACCREDITATION BODY

In order to enable the national accreditation body to draw up an accreditation work program and management reports, the verifier is obliged every year by 15 November to accreditate the national accreditation body to provide information on:

- the planned time and place of verification verified by the verifier in the timeline

- the address and details of the contact between the operator of the installation or the aircraft operator which report on emissions or tonne kilometers is subject to its verification.

Obligation	Delivering information to the Accreditation Body
Designation	ETS-VER-014
Legal basis	Commission Regulation No 600/2012 - Article 76 Air Protection Act - Article 132, paragraph 3 and 4 - Article 147, paragraph 1, subparagraph 40 and Article 147, paragraph 2
Supervised person	verifier

PROCEDURE OF CONTROLS OF PROVISIONS BY STAGES	
A. Preparation of inspection	
1.	Information collection: - Correspondence between Verifier and Accreditation Agency - proof that the verifier provided the information
B. Implementation of inspection supervision	
1.	Determining the factual situation: - Did the verifier deliver the information on planned verification activities for the following calendar year to the Accreditation Agency by 15 November
C. Actions following inspection (*follow-up*)	
1.	If in step B1 is determined that the verifier did not submit to the Accreditation Agency by November 15 information on the verifications planned for the next calendar year, it is determined that the verifier has not acted in accordance with the legal provision. Acting on the conducted inspection: - Order, by virtue of a decision, removal of irregularities in performed activities (Article 132, paragraph 3) - If the verifier fails to execute a decision ordering him to remedy the deficiencies and irregularities, to enforce the execution of the decision by a fine (Article 132, paragraph 4)

- Indictment (Article 147, paragraph 1, subparagraph 37 and Article 147, paragraph 2).

3.3. OBLIGATIONS OF INSTALLATION OPERATORS AND AIRCRAFT OPERATORS IN INSPECTION SUPERVISION

The legal basis for the supervision of installation operators and aircraft operators is in the Air Protection Act, Article 130, para. 1, which states, inter alia, that the party in the inspection procedure on the application of the Air Protection Act, the regulations issued on the basis of that Regulation, The EU can be a legal or natural person - an operator of a plant operator and an aircraft operator.

Installation operators and aircraft operators as supervised persons are obliged to enable the inspector to carry out inspection supervision and to ensure the conditions for unmistakable work, to provide the necessary documentation and to submit or prepare the additional information necessary for carrying out the inspection on the written request of the inspector.

In addition to the general and individual acts to which the inspector conducts direct insight, ETS related documentation should be provided to the inspector by the installation operator :

- greenhouse gas emissions permit, amendments to greenhouse gas emissions permit
- decision on termination of the greenhouse gas emissions permit
- approved monitoring plan, changes to the monitoring plan, monitoring plan in approval process
- information on planned technical and technological changes in the installation
- information on planned change of legal entity of installation operator
- information on planned change of the greenhouse gas emission monitoring plan from the installation
- information on planned cessation of activity of releasing greenhouse gases into the installation
- decision determining the quantity of free emission units allocated to the installation
- form for new entrants and closure of the installation
- emission report for the reporting period concerned
- verification report for the emissions report for the same period
- correspondence between the Installation Operator and the Agency
- correspondence between the Installation Operator and the Ministry

In addition to the general and individual acts that the inspector conducts direct insight, ETS related documentation should be provided to the inspector by the aircraft operator:

- plan for monitoring and reporting of greenhouse gas emissions from aircraft
- approval of monitoring and reporting plan for greenhouse gas emissions from aircraft
- emission report for the reporting period concerned
- verification report for the emissions report for the same period
- correspondence between the Aircraft Operator and the Agency
- correspondence between the Aircraft Operator and the Ministry.

3.4. OBLIGATIONS OF VERIFIERS AS SUPERVISED (LEGAL) PERSONS IN INSPECTION SUPERVISION

The legal basis for the verification of the verifier is contained in Commission Regulation no. 600/2012, which prescribes the obligations of the verifier in the process of accreditation and verification and in the Air Protection Act.

According to the existing legal provisions, the verifier's supervision is carried out as a supervisor of the authorized person for the performance of professional environmental protection tasks (supervision of the fulfilment of prescribed conditions for authorized professional environmental protection activities - Environmental Protection Act, Article 228).

The verifier as a supervised person is obliged to enable the inspector to carry out inspection supervision and to ensure the conditions for unmistakable work, to provide the necessary documentation and to submit or prepare additional information necessary for carrying out the inspection upon written request of the inspector.

In addition to the general and individual acts to which the inspector performs direct insight, the documentation relating to the ETS to be provided by the verifier to the inspector:

- for each aircraft operator / operator
  - emission report for a given reporting period
  - report of the emissions report for the same reporting period
  - internal verification documentation
  - correspondence between the verifier and the operator of the plant / operator of the aircraft
- correspondence between Verifier and Accreditation Agency
- documentation of the quality system of verification activity.

3.5. PRACTICAL EXAMPLES

Based on the analysis of the situation, it was concluded that ETS was already well received in practice due to its short duration in the Republic of Croatia. There is good communication between the Ministry and the Agency, as well as the communication between the installation operator, aircraft operator and verifier with the Ministry and the Agency. The inspection conducts the supervision of installation operator, aircraft operator and verifier.

In addition to the thematic supervision of the licensee for obtaining the greenhouse gas emissions permit, the extraordinary inspection inspections required by the Ministry of Foreign Affairs are related to determination of the factual situation for the purpose of amending the greenhouse gas emission permit, operator's notice of changes in the installation, installation operator's requirements for revocation of the greenhouse gas emission permit, etc.

A few examples from the practice are outlined in the chapters below.

OR. NO.	REASON - SURVEILLANCE	WHO REQUESTED THE SUPERVISION	FINDING AND PROCESSING
1.	Determining the factual situation: - Cessation of activities at the installation which causes greenhouse gas emissions	Ministry	Finding: - It has been established that the installation operator has informed the Ministry in time of the planned date of termination of the activity - It was established that the plant operator ceased to perform the activity. Procedure: - A request was made to the Ministry for the abolition of the greenhouse gas emissions permit for the plant operator.
2.	Determining the factual situation: - Need to include an installation operator in ETS	Ministry	Finding: - It has been established that the installation operator does not perform the activities listed in Annex and of the Regulation Method of Greenhouse Gas Emission Allowance Trading and is therefore not a party to the ETS.
3.	Determining the factual situation: - Operator's request for revocation of the greenhouse gas emission permit - determination of	Ministry	Finding: - It has been established that the installation operator does not perform the activities listed in Annex and of the Regulation Method of Greenhouse Gas Emission Allowance Trading and is therefore not a party to the ETS..

	activity of the plant operator and total rated thermal input of combustion units		- It has been established that the operator's request for revocation of the greenhouse gas emission permit is justified. Procedure: - A request for abolition of the greenhouse gas emissions permit for installation operator was submitted to the Ministry.
4.	Thematic inspection of the taxpayer to obtain a permit for greenhouse gas emissions	-	Finding no. 1: - The following is stated: - The installation has stopped working - The plant operator has neither prepared nor submitted a verified emissions report to the Agency. Procedure: - The administrative procedure was initiated - It was ordered to "prepare and submit a Verified Greenhouse Gas Emission Report to the Agency" with the deadline for execution. - New inspection was carried out. Finding no. 2: - The following is stated: - The installation has stopped working - The installation operator did not inform the Ministry about the planned date of termination of the plant activity - The installation operator did not notify the Ministry on change of legal entity of the installation operator - The installation operator has neither prepared nor submitted a verified emissions report in the Agency. - The installation operator did not open an account in the Union Registry. Procedure: - A request for abolition of the greenhouse gas emissions permit for installation operator was submitted to the Ministry.