



INZRAK

**Enhanced environmental protection inspection
for efficient control of air quality monitoring and
of all entities under obligation within system of
greenhouse gas emission allowance trading, in
order to achieve better quality of air in Republic
of Croatia**



REPUBLIKA HRVATSKA

MINISTARSTVO ZAŠTITE
OKOLIŠA I ENERGETIKE



safu | SREDIŠNJA AGENCIJA ZA
FINANCIARANJE I UGOVARANJE



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EKONERG

Energy research and Environmental Protection Institute



11. INSPECTION MONITORING

11.2 INSPECTION MONITORING OF POLLUTERS

Legal basis	<p>Air Protection Act, Articles</p> <p>31, 32, 46 – legal basis for monitoring</p> <p>52, 54, 55 – method of monitoring, permit for AQM</p> <p>129, 131, 133, 134, 137, 139 – inspection monitoring</p> <p>145,146 – misdemeanour provisions</p>
Monitored person	Legal person polluter

11.2 INSPECTION MONITORING OF POLLUTERS

Regulations	<p>Ordinance on the Air Quality Monitoring, Articles</p> <p>11 to 15 – method of monitoring, data quality</p> <p>21, 22 – reporting, annual report</p> <p>Regulation on the Pollutant Levels in Air, Articles</p> <p>5, 7, 8, 13 – interpretation of annual report</p>
Monitored person	Legal person polluter

11.2 INSPECTION MONITORING OF POLLUTERS

Other documents	<ul style="list-style-type: none">- Decision on environmental impact assessment- Decision on environmental acceptability of the project- Decision on integrated environmental protection requirements- Decision on environmental permit
Monitored person	Legal person polluter

Control of regulations implementation per phases

A. Preparation of inspection monitoring - steps

1.

In order for inspector to obtain information on legal basis, due to which the polluter is obliged to carry out the AQM, it is required to ask the monitored polluter for the Decision on environmental acceptability of the project or Decision on integrated environmental protection requirements, i.e. the environmental permit (**Cl. 32 APA**) or Action Plan (**Cl. 46 APA**) in which the latter is obligated to implement prescribed measures or Decision on carrying out the monitoring of special purpose (**Cl. 33 APA**). These documents can provide information on prescribed monitoring programme and monitoring time schedule.

Control of regulations implementation per phases

A. Preparation of inspection monitoring - steps

2.

It is required to ask the monitored polluter for the copy of all recent annual reports on AQM which they are obliged to prepare.

3.

Ask of monitored polluter for the Contract concluded with testing laboratory engaged for carrying out the air quality monitoring. Ask for Decision on issuing the permit for air quality monitoring (permit) issued by MEE (**Cl. 54 and 55 APA**). Verify whether the permit is valid for monitoring all pollutants, including those for which the permit is issued for one year (based on opinion of reference laboratories). Compare the permit with monitoring scope from the documents in A1. (Monitoring scopes shall be fully covered by the permit).

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

1.

Verify whether the polluter provided AQM pursuant to the document in A1 and concluded the contract with testing laboratory.

2.

Establish identification (class/register number), permit validity (date of validity for each pollutant) and pollutants for which the permit of testing laboratory has been issued.

3.

Based on acknowledgements acquired in the preparation and implementation phase of inspection, establish the coverage of monitoring scope and verify whether annual reports have been published for that monitoring point.

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

4.

Verify whether a continuous data transfer is provided for pollutants which concentration in air is established by monitoring instruments for automatic monitoring by computer network into the air quality information system managed by the Agency (Cl. 21 OAQM)
<http://iszz.azo.hr/iskzl/>

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

5.

Review in random few annual reports on air quality monitoring and further inspection steps adjust to the year of report issuance or inspect the most recent reports from A2.

6.

Verify whether the reports on air quality monitoring contain data on (Cl. 22 OAQM):

- legal person – testing laboratory or reference laboratory carrying out the air quality monitoring
- metering points of sampling and monitoring scope
- time and method of sampling

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

6.

- used monitoring methods and equipment
- data quality assurance according to the requirements of complied standard for testing and calibration laboratories
- other data in the field of quality assurance, such as continuity assurance, participation in comparative monitoring, deviations from prescribed methodology and reasons
- on the level of air pollution and dates and periods of air pollution exceeding the limit values, target values and long-term objectives for ground-level ozone
- on exceeding the informing threshold and warning thresholds, as well as on dates and periods

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

- 6.
- on calculated statistic parameters of air pollution for pollutants according to the criteria set forth in Appendix 8 of O AQM – arithmetic mean, median, relevant percentile and maximum value, data volume – percentage of total potential number of data and number of data, for the relevant averaging times
 - on average annual value of ozone precursors, polycyclic aromatic hydrocarbons and chemical composition in fly particles PM_{2,5}
 - on the level of air pollution in relation to the upper and lower assessment threshold
 - on criteria applied during evaluation of air pollution
 - on reasons of exceeding the limit value, target value and long-term objective for ground-level ozone.

Control of regulations implementation per phases

B. Implementation of inspection monitoring - steps

7.

Verify whether the polluter submitted the original and validated data on air quality monitoring and report on pollution levels and evaluation of air quality to the competent administrative body of the County, City of Zagreb and city until 31 March of current year for the previous calendar year (**Cl. 32 APA**).

Control of regulations implementation per phases

C. Conducting after performed inspection monitoring - steps

1.

If polluter completely ignored its obligations according to the document in A1, inspector shall order the measures for removing the irregularities with a deadline (Cl. 131 and Cl. 137 APA) and shall initiate the misdemeanour proceeding pursuant to **Article 145 APA**.

Control of regulations implementation per phases

C. Conducting after performed inspection monitoring - steps

2.

If it is established in step B1 that polluter did not provide AQM according to the document in A1 and did not conclude any contract on AQM with appropriate testing laboratory, inspector shall point to irregularities and shall determine the deadline of their remedy (Cl. 131 and Cl. 137 APA), a deadline depends on the phase of AQM provision in which the polluter stands (refer to Table 1).

Control of regulations implementation per phases

C. Conducting after performed inspection monitoring - steps

If in steps

B2 and B3 (incomplete coverage of permit)

B4 (continuous data transfer in CENA)

B5 and B6 (report and content of report)

B7 (deadlines of report submission)

3. there are irregularities discovered, inspector shall point to irregularities and shall determine the deadline of their remedy , as well as enter into the minutes (Cl. 131 APA).

The deadline depends on a type of irregularity (refer to Table 1).

Control of regulations implementation per phases

C. Conducting after performed inspection monitoring - steps

- 4.** If polluter does not remedy the irregularities within the deadline defined in the minutes in C3, inspector shall order the measures for remedying the irregularities with a deadline (**Cl. 131 APA**).
If polluter does not act according to the inspector's decision, it shall be forced to the performance by cash penalty (**Cl. 137 APA**) and shall initiate the misdemeanour proceeding pursuant to **Article 145 APA**.

Deadlines for irregularities remedy

For the purpose of orientation, Table 1 indicates realistic deadlines for irregularities remedy discovered in C1 to C7.

Table 1 Realistic deadlines for irregularities remedy

No.	Description of irregularity	Realistic deadline for remedy
B1	Polluter did not provide an equipment for AQM	8-12 months
B1	Polluter did not provide an equipment for AQM but it is in the phase of purchase	Depending on the phase of purchase. If the purchase just initiated, then 8-12 months. If the purchase is close to the delivery date, then 30 days
B1	Polluter provided an equipment for AQM but not the laboratory	30 days if such laboratory is available
B1	Polluter did not provide an equipment for AQM but it looks for the laboratory which will carry out the monitoring with its own equipment	30 days if such laboratory exists and is available, which is rare

Table 1 Realistic deadlines for irregularities remedy

No.	Description of irregularity	Realistic deadline for remedy
B2/3	Polluter did not provide the laboratory with permit or permit for all pollutants, but has its own equipment	30 days
B4	No continuous data transfer is provided into the air quality information system managed by the Agency	15 days if information equipment is appropriate

Table 1 Realistic deadlines for irregularities remedy

No.	Description of irregularity	Realistic deadline for remedy
B6	Annual report on AQM is not prepared according to the regulations	1-5 days
B7	Annual report on AQM is not submitted according to the regulations	5 days is sufficient to prepare a report if it does not concern a large network



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THANK YOU FOR YOUR ATTENTION

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