

# **Gap-analysis of national air quality management policy and regulatory framework**




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# Task

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*Analyze the gaps in national policies and legislation in the field of air quality assessment and management, assessing the sufficiency of the current legislation for ratification and implementation of the key protocols to the Convention and European standards and providing recommendations on possible adjustments to fulfil the requirements.*

# Gap assessment – Heavy Metals Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Actions to be taken and planned timeline
Reduce emissions of Cd, Pb and Hg	<b>Directive 2004/107/EC</b> on As, Cd, Hg, Ni and PAH in ambient air	Government Decision on maximum permissible concentrations; №160-N Ratification of Minamata Convention 	<i>[See activities below]</i>
Apply BAT and ELVs to each stationary source	<b>Directive 2004/107/EC</b> and <b>Directive 2010/75/EU</b> on industrial emissions	Definition and framework for introduction of BATs and ELVs provided in the Law on Air protection. Amendments to be adopted by the end of 2019. 	1) Development and introduction of the integrated permitting system (2022) 2) Monitoring of the functionality of the earlier introduced integrated permitting system (2028)
Apply product control measures (limiting Pb in petrol and Hg in batteries)	<b>Directive 2004/107/EC</b>	<ul style="list-style-type: none"> <li>- Government Decision on use of motor fuel establishing max. permissible content of lead (0.005 g/l) in petrol used;</li> <li><b>Planned activities:</b></li> <li>- Hg reduction to implement Minamata Convention;</li> <li>- Management measures for limiting of Hg in batteries (2021)</li> </ul> 	1) Develop and implement amendments to the existing product standards (2020) 2) Develop legal act defining maximum concentration of mercury in alkaline manganese batteries (2020)

# Gap assessment – Heavy Metals Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Consider applying management measures to other products containing HM	Directive 2004/107/EC	<p><b>Planned activities:</b></p> <ul style="list-style-type: none"> <li>- Hg reduction in the framework of the Minamata convention;</li> <li>- Management measures for limiting of HM in lamps planned (2020)</li> </ul>	<i>Not sufficient</i>	Investigate the potential for introduction of measures aimed at control of Hg content in products – assessment of the current situation and investigation of potential for introduction of regulatory or voluntary measures (2023)
Develop and maintain emission inventories for Cd, Pb and Hg		Submission of NFRs and IIRs under CLRTAP. However, both are not comprehensive and not fully compliant with the requirements.	<i>Partially sufficient</i>	Improvement of the detailed emission inventory including information on the past and present levels of emissions based on the methodologies stipulated in the Protocols (2022)

# Gap assessment – POPs Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Eliminate production and/or use of certain specified substances in Annex I		National Action plan for 2016-2020 on the implementation of Stockholm Convention	<i>Generally covered</i>	Change the relative legal act (Governmental decree No. 293 of 17 March 2005) complementing the list of controlled substances (2020)
Restrict the use of specific substances listed in Annex II		Government Decision No. 293 on “The approval of the list of chemicals and pesticides subject to regulation of Rotterdam convention”	<i>Generally covered</i>	Change the relative legal act (Governmental decree No. 293 of 17 March 2005) complementing the list of controlled substances (2020)
Develop strategies for identifying articles still in use and wastes containing certain substances, and take appropriate measures		National Action plan for 2016-2020 on the implementation of Stockholm Convention	<i>Generally covered</i>	

# Gap assessment – POPs Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Reduce the emissions of substances by applying LVs or BATs specified in Guidance	<b>Directive 2010/75/EU</b> on industrial emissions (IPPC)	Definition and framework for introduction of BATs and ELVs provided in the Law on Air protection. Amendments to be adopted by the end of 2019.	<b><i>Partially sufficient</i></b> <b>→ <i>in progress</i></b>	1) Development and introduction of the integrated permitting system (2022) 2) Monitoring of the functionality of the earlier introduced integrated permitting system (2028)
Develop and maintain emission inventories for PAHs, PCDD/F, HCB, PCBs		Submission of NFRs and IIRs under CLRTAP. However, both are not comprehensive and not fully compliant with the requirements.	<b><i>Partially sufficient</i></b>	Improvement of the detailed emission inventory including information on the past and present levels of emissions based on the methodologies stipulated in the Protocols (2022)

# Gap assessment – Gothenburg Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Reduce sulphur, NOx, VOCs, NH3 and PM2.5 emissions (reduction targets)			<b>Not sufficient</b>	Integrate emission ceilings/emission reduction commitments in to the national legislation (2021)
Apply ELVs and BATs to new/existing stationary sources	<b>Directive 2010/75/EU</b> on industrial emissions (IPPC)	Definition and framework for introduction of BATs and ELVs provided in the Law on Air protection. Amendments planned to be adopted by the end of 2019.	<b>Partially sufficient</b> → <i>in progress</i>	1) Development and introduction of the integrated permitting system (2022) 2) Monitoring of the functionality of the earlier introduced integrated permitting system (2028)
Apply ELVs and BATs to Mobile sources		Decision No. 860 on approval of permissible emission limits for the motor vehicles (amendment of Decision No. 965, 2006).	<b>Partially sufficient</b>	Development of the optimal and most efficient policies introducing emission limit values for mobile sources (2022)

# Gap assessment – Gothenburg Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Motor fuel quality		Government Decision on use of motor fuel, №1592-N, 11.11.2004	<i>Partially sufficient</i>	Develop and implement amendments to the existing product standards (2020)
Apply limit values for the VOC content in products	<b>Directive 2004/42/EC</b> on emissions of VOCs from paints, varnishes and vehicle refinishing products		<i>Not sufficient</i>	Assessment of potential for reduction of VOC emissions through introduction of the regulatory control for VOC content in specific products (2022)
Apply specific NH3 control measures and BATs	Potential for synergies: <b>Directive 91/676/EC</b> on protection of waters from nitrates from agriculture		<i>Not sufficient</i>	Development of the Code of Good agricultural practice or equivalent and establishment of the necessary legal framework (2022)



# Gap assessment – Gothenburg Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
<p>Emission inventory and Projection (SO<sub>2</sub>, NO<sub>2</sub>, VOCs, NH<sub>3</sub>, and PM).</p>		<p>Submission of NFRs and IIRs under CLRTAP. However, both are not comprehensive and not fully compliant with the requirements</p>	<p><b><i>Partially sufficient</i></b></p>	<ol style="list-style-type: none"> <li>1) Improvement of detailed emission inventory incl. information on the past and present levels of emissions (2022)</li> <li>2) Establishment of framework for development of emission projections (2022)</li> <li>3) Enhancement of legislative, institutional and human capacities for development of yearly emission report (2022)</li> <li>4) Ensure availability of human resources – 2 additional staff members in Air Division (from 2020)</li> </ol>

# Gap assessment – Gothenburg Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
<p>Introduction and implementation of air quality standards (Critical levels of O<sub>3</sub>, PM, NH<sub>3</sub> (Annex II); Critical loads of acidity and nutrient nitrogen; ambient concentrations and depositions of sulphur and nitrogen compounds; ambient concentrations of O<sub>3</sub>, VOCs and PM; Estimation of exposure to O<sub>3</sub> and PM.)</p>	<p><b>Directive 2008/50/EC</b> on ambient air quality and cleaner air for Europe</p>	<p>Government Decision on maximum permissible concentrations of air pollutants in settlements, №160-N, 02.02.2006.</p>	<p><b><i>Partially sufficient</i></b></p>	<p>Assessment (modelling and mapping) of Critical Loads and Levels based on available data (2023)</p>

# Gap assessment – Gothenburg Protocol

Basic obligations	Linkages with EU directives	What is covered by Legislation, NAPs or other programmes	Sufficiency for ratification/ implementation	Actions to be taken and planned timeline
Development and update of BATs database	Directive 2010/75/EU on industrial emissions (IPPC)		<i>Not sufficient</i>	Dissemination of information regarding the principles of BAT and development of the national framework of the information exchange (2022)
Apply measures to reduce emissions from waste products containing VOCs			<i>Not sufficient</i>	Assessment of potential options for reduction of emissions from the waste products containing VOC (2022)