

Management of hazardous substances

(the text below is based on the chapter *Management of hazardous substances* published in yearbook Prague Environment 2004)

Control of placing of hazardous substances and preparations on the market

Since 1 May 2004 when the Czech Republic joined the European Union, the Czech legislation on chemicals and chemical preparations has been harmonised with that of the European Union. The Act No. 356/2003 Code on chemicals and chemical preparations and amending certain other acts as amended with the following regulations cancelled the Act No. 157/1998 Code on chemicals and chemical preparations.

The important change to the new legislation is namely the fact that a the management of hazardous chemicals and preparations is fully within the power of the act on public health protection, import shall mean the release of substances or preparations from countries out of the European Communities into the custom regime of free circulation or active enriching contact and placing of chemicals and preparations from Member States of the European Communities on the market in the Czech Republic is the distribution.

The Department of the Environment of the Prague City Hall (OŽP MHMP) as the competent authority of public administration carries out checks on compliance of with provisions of the act on chemicals by legal entities and physical entities bearing the authorisation to make business on the territory of the City of Prague.

Personnel of the Waste Management Section of the OŽP MHMP checked in total 57 companies (35 companies pursuant to the Act No. 157/1998 Code and 22 companies pursuant to the Act No. 356/2003 Code) within the period from 15 September 2003 to 15 September 2004.

Tab. - Companies checked

Checks pursuant to the Act No. 157/1998 Code Period 15 September 2003–30 April 2004		Checks pursuant to the Act No. 356/2003 Code Period 1 May 2004–15 September 2004	
Producers	5	Producers	2
Importers	15	Importers	0
Distributors	5	Distributors	20
Users	10		

The overview includes the categorisation of the companies checked in terms of their core business. Concerning the legislation valid till April 2004 the companies inspected were producers, importers, distributors, or mere users of hazardous chemicals and preparations. Since May 2004 the companies inspected shall be categorised into producers, importers, and distributors.

Deficiencies found in inspections were rectified in the companies within deadlines specified. In cases the rectification measures were not complied with or in the case more duties were violated the administrative procedure was launched and

sanctions were charged. Within the period till 30 April 2004 six administrative procedures were carried out and six fines were charged at the total amount of CZK 100,000.

Personnel of the OŽP MHMP have also cooperated with the Department of Crisis Management of the Prague City Hall in handing over background documents for the enlisting of companies pursuant to the Act No. 353/1999 Code on prevention of major accidents.

Control of management of chemicals and waste

The Department carried out 165 checks in total, out of those 80 checks of the management of chemicals and 85 checks of waste management.

The department issued 1,366 decisions in total based on administrative procedure. Of that number 311 decisions were on the procedure interruption and asking for additions to the application for the sake of incompleteness of the original applications of the participants to the procedure.

Of the remaining number of 1,055 decisions six decisions were rejecting that means two application for the operation of a facility for collecting, purchase and reuse or disposal of waste (pursuant to Section 14 (1) of the Act on Waste) and four were applications for hazardous waste management (pursuant to Section 16 (3) of the Act on Waste).

20 decisions were on decisions in the case of doubts if the movable subject matter is waste.

1,020 decisions were on consensus with:

- an amendment to rules of operation of existing facilities – three cases;
- termination of the sorting of waste pursuant to Section 12 of the Act on Waste (for further reusable components of mixed waste – after sorting of hazardous and reusable types of waste) – 67 cases;
- the use of the financial reserve for the reclamation of a waste disposal facility – two cases (for Prague District 22 - Uhřetěves and the company of A.S.A spol. s r. o. – Dáblice);
- the operation of mobile facilities – 89 cases;
- the operation of a facility for the collecting and purchase of waste – 41 cases;
- the operation of a facility for the collecting, purchase, and reuse of waste – 55 cases;
- the storage of waste – 20 cases;
- the disposal and reuse of waste – 3 cases;
- the management of hazardous waste pursuant to Section 16 (3) of the Act on Waste, and others – 731 cases.