Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of the Environment, Finland

Environmental Protection Act
(527/2014; amendments up to 2015 included, and amendments from 384/2016)

Chapter 1
General provisions

Section 1
Purpose of the Act

The purpose of this Act is to:

1) prevent the pollution of the environment and any risk of this, prevent and reduce emissions, eliminate adverse impacts caused by pollution and prevent environmental damage;

2) safeguard a healthy, pleasant, ecologically sustainable and biologically diverse environment, support sustainable development and combat climate change;

3) promote sustainable use of natural resources, reduce the amount and harmfulness of waste, and prevent adverse impacts caused by waste;

4) make the assessment of activities causing pollution and the consideration of the impacts as a whole more effective;

5) improve the opportunities of citizens to affect decision-making concerning the environment.

Section 2
Scope of application

This Act applies to all industrial and other activities that cause or may cause environmental pollution. This Act also applies to activities that generate waste and to waste treatment.

Provisions on the prevention of environmental pollution are also laid down in binding international agreements on protecting the maritime environment and in the Agreement on Frontier Rivers (Treaty Series 91/2010) between Finland and Sweden.

Section 3
Limitation of the scope of application

This Act does not apply to the activities referred to in the Act on Environmental Protection in Maritime Transport (1672/2009) or the Act on the Protection of the Sea (1415/1994). Nor does this Act apply to preventing adverse effects of radiation in so far as this is laid down in the Nuclear Energy Act (990/1987) or the Radiation Act (592/1991).

Section 4
Application to the Finnish Defence Forces and the Border Guard

This Act does not apply to such operations of the Finnish Defence Forces and the Border Guard where its application would compromise national security or the security of supply. The Act also does not apply to any materials and equipment specifically intended for military use or for safeguarding or monitoring the key national security interests.

However, in the operations of the Finnish Defence Forces and the Border Guard specified in subsection 1 and in the use of any materials and equipment referred to in the subsection, the general obligations and principles specified in Chapter 2 shall be taken into account to the extent possible in ensuring national security or the security of supply.

Further provisions may be issued by government decree on the operations referred to in subsection 1 and on materials and equipment to which the Act or some of its provisions do not apply. Provisions may also be given by government decree that only certain parts of the Act are applicable to specific operations or materials and equipment.

Section 5
Definitions

In this Act:

1) *emission* means the direct or indirect release, discharge or deposit of substances, energy, noise, vibration, radiation, light, heat or odour caused by human activity from point or diffuse sources into air, water or onto land;

2) *environmental pollution* means such emissions that either alone or together with other emissions:

   a) cause harm to health;

   b) are detrimental to nature and how it functions;

   c) prevent or materially hinder the use of natural resources;

   d) cause a loss of general amenity of the environment or of special cultural values;

e) reduce the suitability of the environment for general recreational use;

f) cause damage or harm to property or impairment of use; or

g) constitute a comparable violation of the public or private interest;

3) *activity that poses a risk of environmental pollution* means the establishment or use of an installation and the activity that is technically and operationally an integral part of it, or the use of a site or the organisation of an activity in such a way that it may result in environmental pollution;

4) *harm to health* means disease that can be diagnosed in people, other health disorders or the presence of a factor or circumstance that may impair the health of the population or the healthiness of an individual's living environment;

5) *emission limit value* means the value of undiluted emissions, which may not be exceeded during one or more periods of time and which is expressed as a total amount, concentration, percentage or in another, similar manner;

6) *environmental quality requirement* means a specified minimum requirement laid down in European Union legislation or on the national level with regard to the state of the environment;

7) *best available techniques means*

a) methods of production and treatment that are as effective and advanced as possible and that are technically and economically feasible, and the way in which an activity is designed, constructed, maintained, operated and decommissioned so that the pollution caused by the activity can be prevented or most effectively reduced, and that are also suitable as the basis for environmental permit regulations;

b) techniques are technically and economically feasible when they are available for general use and can be applied at reasonable cost to the activity in question;

8) *operator* means a natural person or legal entity that is engaged in an activity that poses a risk of pollution or that is in effect responsible for the activity;

9) *water body* means a water area as defined in chapter 1, section 3, subsection 1, paragraph 3, of the Water Act;

10) *soil* means the top layer of the crust of the earth that lies between the bedrock and the ground surface and that is composed of loose soil types, organic matter, interstitial water and air, and organisms;

11) *groundwater* means water in soil or in the bedrock;

12) *groundwater area* means an area that can be delineated based on geological criteria and within which a soil formation or bedrock zone enables significant groundwater flow or intake;

13) *wastewater* means such water that may cause environmental pollution and that is discharged after use, which is conveyed from a contaminated area or which is conveyed from an area used for an activity posing a risk of environmental pollution;

14) *new technique* means an industrial technique that, if developed to a commercial capacity, may lead to a higher level of environmental protection or equivalent level at lower costs compared to the best available technique;

15) *landfill* means a final disposal site for waste where waste is deposited on or in the ground; however, this does not refer to a site only intended for the depositing of extractive waste.

The provisions laid down in this Act on water bodies shall also apply to Finland's territorial waters and exclusive economic zone.

Further provisions on the definition of a landfill are issued by government decree based on the properties of the waste deposited within, the duration of the disposal and other characteristics of the operations.

Chapter 2
General obligations, principles and prohibitions

Section 6
Knowledge requirement

Operators shall have knowledge of the environmental impacts and risks of their operations, and of the management of these impacts and risks and ways to reduce adverse impacts *(knowledge requirement)*.

Section 7
Obligation to prevent and limit environmental pollution

Operators shall organise their operations in such a way that environmental pollution can be prevented in advance. Where pollution cannot be fully prevented, it shall be limited to the lowest level possible. Operators shall limit the emissions from their operations into the environment and into the sewerage system to the lowest level possible.

Activities that pose a risk of environmental pollution shall comply with the general obligations and principles laid down in chapter 2 of the Waste Act (646/2011), and with the general principles regarding the safe use of chemicals and the obligations to prevent environmental pollution and the risk of it, as provided in the Chemicals Act (599/2013) and European Union chemicals legislation.

Section 8
Prevention of environmental pollution caused by activities subject to a permit or registration

When a permit is required for an activity *(activity subject to a permit)* in accordance with chapter 4, or when registration is required for an activity *(activity subject to registration)* in accordance with chapter 11, the operator shall, besides that which is provided in section 7, ensure and verify the following in order to prevent environmental pollution:

1) the activity utilises the best available techniques;

2) energy is used efficiently in the activity;

3) the emissions caused by the activity and their impacts are monitored and the authorities are provided with the necessary information about these emissions, and about the raw materials, fuels and other chemicals used in the operations, the waste generated by the operations and the treatment of the waste from the operations;

4) the operator has access to sufficient expertise in terms of the nature and scope of the activity.

Section 9
Government decrees to prevent environmental pollution

Further provisions on specifying the obligations laid down in sections 7 and 8 concerning the prevention of environmental pollution may be issued by government decree on:

1) emissions into the environment and sewerage systems, the prevention and limitation of emissions and their adverse impacts, and the prohibition of emissions;

2) the monitoring of emissions and emission limit values of activities subject to a permit or registration;

3) the obligation of operations engaged in activities subject to a permit or registration to provide information on emissions and their impacts to the authority specified by government decree;

4) the obligation of operators engaged in activities subject to a permit or registration to provide the authority specified by government decree with information on raw materials, fuels and other chemicals used in the operations, waste generated by the operations and the treatment of waste as part of the operations;

5) the expertise required for various activities subject to a permit and registration;

6) the limitation of the release or depositing of sludge in the environment or the prohibition of the release or depositing of sludge in the environment that poses a risk of environmental pollution.

Section 10
Government decrees to prevent environmental pollution from certain activities

Besides that provided in section 9, further provisions may be issued by government decree on the following to prevent environmental pollution:

1) environmental protection requirements and conditions for the siting of activities in different areas, and the distance requirements necessary for preventing adverse impacts from the activities;

2) methods, equipment, buildings and structures used to prevent emissions and the dispersion of them, to prevent accidents or the risk of such, and to ensure energy efficiency;

3) the scope of the activities and operating times;

4) waste management;

5) measures after the cessation of operations.

The provisions referred to above in subsection 1 may apply to the following sectors and activities:

1) energy production plants with a thermal input under 50 megawatts;

2) asphalt plants;

3) distribution stations for liquid fuels;

4) activities using organic solvents;

5) waste treatment;

6) agriculture, livestock farming, fur farming and forestry;

7) peat production;

8) fish farming;

9) rock-crushing plants, stone quarries and other quarry operations;

10) treatment and conveyance of urban wastewater.

Section 11
Site selection

Activities posing a risk of pollution shall be located so that they will not cause pollution or a risk of it and so that pollution can be prevented, whenever feasible.

The following shall be taken into account when assessing the suitability of a site for an activity:

1) the nature, duration, timing and significance of the impacts, the probability of pollution occurring and the risk of accident;

2) the sensitivity of the area of impact to environmental pollution;

3) significance in terms of the health and attractiveness of the human living environment;

4) the intended use indicated in a legally binding land use plan for the site and area of impact;

5) other possible sites in the area.

Section 12
Legally binding land use plan in the siting of an activity

An activity subject to a permit or registration may not be sited in contravention of the land use plan. In addition, in areas with a regional land use plan in force or a legally binding local master plan, it shall be ensured that the siting of the activity does not impede the intended use of the area indicated in the plan.

Section 13
Siting of peat production

The siting of peat production shall not lead to the deterioration of nationally or regionally significant natural values. When assessing the significance of the natural values, the threatened mire species and habitats found at the site, the importance and extent of the deposit, and the extent to which the mire is in a natural state shall be taken into account. Correspondingly, the importance of the site to natural values found outside of it shall also be taken into account in the assessment of significant natural values.

Subsection 1 notwithstanding, the activity may be sited in an area if this does not compromise the preservation of the natural values referred to in subsection 1 in the area in question, or if the application of subsection 1 prevents the implementation of activities important to the public interest, and if there are no other obstacles to granting the required permit.

This section does not apply if the natural values referred to in subsection 1 have been taken into account in a legally valid regional plan or in a legally valid and binding local master plan and the activity is situated in an area reserved for it in the plan in question.

Subsection 1 notwithstanding, peat production can be located in mires where the natural state has been significantly altered due to trenching. When assessing the alteration to the natural state of a mire, alterations due to trenching in the water economy and flora of the mire shall be taken into account. Further provisions on significant alterations to the natural state are issued by government decree.

Section 14
Obligation to prevent pollution

If an activity causes or poses an immediate risk of causing harm to health or other significant consequences referred to in section 5, subsection 1, paragraph 2, the operator shall immediately take the necessary measures to prevent the pollution or risk of it, or if pollution has already occurred, to limit its impacts as much as possible. Furthermore, should the operator observe that the activity does not meet the requirements laid down in or under this Act, the operator shall immediately take the necessary measures to meet the requirements.

Section 15
Obligation to be prepared

Operators engaged in activities subject to a permit shall take measures in advance to prevent accidents and other exceptional events and to limit their adverse impacts on health and the environment.

For the purposes of preparation, the operator to whom the environmental permit is granted by the state permit authority shall draw up a preparedness plan based on risk assessment, secure the necessary devices and other equipment, draw up instructions, test the devices and equipment, and provide training in measures to be taken in case of accidents and other exceptional circumstances *(obligation to be prepared)*. The content, scope and level of detail of the plan are determined according to the nature of the operations. However, a preparedness plan does not need to be drawn up if the supervisory authority deems that the operations and their impacts and risks do not require such a plan. A plan is also not required insofar as a corresponding plan has been drawn up under the Act on the Safe Handling and Storage of Dangerous Chemicals and Explosives (390/2005), the Rescue Act (379/2011), the Mining Act (621/2011) or another act, or for the operations of a farm animal facility.

Further provisions on the content of the preparedness plan may be issued by government decree.

Section 16
Prohibition against soil contamination

Waste or other substances, organisms or micro-organisms shall not be dumped or discharged into or on the ground so as to result in such deterioration of soil quality as may cause hazard or harm to health or the environment, substantial decline in amenities or comparable infringement of the public or private interest *(prohibition against soil contamination)*.

Section 17
Prohibition against groundwater pollution

Substances or micro-organisms shall not be deposited at, or discharged to, or energy conducted to a site, or these shall not be handled in such a way, that:

1) in groundwater areas important to water supply or otherwise suitable for such use, a change in groundwater quality may cause hazard or harm to health or the environment or groundwater quality may otherwise materially deteriorate;

2) a change in the quality of groundwater on the property of another may cause hazard or harm to health or the environment, or the groundwater is rendered unfit for its intended use; or

3) the action may otherwise cause an infringement of the public or private interest by affecting the quality of groundwater *(prohibition against groundwater pollution)*.

Further provisions may be issued by government decree on substances hazardous to health and the environment referred to in subsection 1, where the direct or indirect release into groundwater is prohibited.

Section 18
Special prohibitions pertaining to the sea

No actions shall be taken in Finland's land areas, inland waters, territorial waters or exclusive economic zone that may cause marine pollution referred to in the Act on the Protection of the Sea outside Finland's exclusive economic zone.

Waste or other matter shall not be dumped into Finland's territorial waters or in the exclusive economic zone to be submerged or otherwise discarded from a Finnish or foreign vessel, a vehicle travelling on ice, an aircraft or an offshore unit referred to in section 4, subsection 2, of the Act on the Protection of the Sea, nor shall a vessel, an offshore unit or aircraft be sunk or abandoned, taking into account the provisions of section 7, subsection 3, of the Act on the Protection of the Sea on corresponding action outside the exclusive economic zone. The same applies to dumping matter into the sea from the shore with the intention of submerging or discarding it.

The prohibition referred to above in subsection 2 does not apply to the dumping of snow into the sea. Provisions on the placing of dredged material in a water area are laid down in the Water Act.

Section 19
Special obligations pertaining to the use of chemicals

Chemicals shall not be used in activities subject to a permit or registration in a way that causes significant risk of environmental pollution referred to in this Act. Provisions on the treatment of contaminated soil and polluted groundwater are laid down in Chapter 14.

To prevent environmental pollution caused by chemicals, operators engaged in an activity subject to a permit or registration shall choose, when reasonably possible, a chemical or method that poses the least risk of environmental pollution from the available methods.

Provisions on the handling and storage of chemicals are also laid down in the Act on the Safe Handling and Storage of Dangerous Chemicals and Explosives, while provisions on the safety of consumer products are included in the Consumer Protection Act (920/2011).

Section 20
General principles for activities that pose a risk of environmental pollution

The principles for activities that pose a risk of environmental pollution are:

1) proper care and caution shall be taken to prevent environmental pollution as entailed by the nature of the activity, and the probability of pollution, risk of accident and opportunities to prevent accidents and limit their impacts shall be taken into account *(principle of caution and care)*;

2) a combination of various measures shall be used in providing appropriate and cost-effective means to prevent pollution *(principle of best environmental practice)*.

Chapter 3
Authorities and their duties

Section 21
State authorities

The Ministry of the Environment is responsible for the general guidance, monitoring and development of activities under this Act.

Within their own regions, the Centres for Economic Development, Transport and the Environment guide and promote the management of the duties referred to in the provisions issued in and under this Act, enforce these provisions and exercise their right to defend public environmental interests in decision-making in accordance with this Act, as laid down in and under the Act on Centres for Economic Development, Transport and the Environment (897/2009). The Centres for Economic Development, Transport and the Environment support the activities of the municipal environmental protection authority in matters falling within their scope of activities.

Regional State Administrative Agencies serve as *state environmental permit authorities* as laid down in and under the Act on Regional State Administrative Agencies (896/2009). The Regional State Administrative Agencies support the activities of the municipal environmental protection authority in matters falling within their scope of activities.

The Finnish Environment Institute serves as the competent authority in accordance with Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, from here on the *Ozone Regulation*, and Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases, from here on the *F-gas Regulation*. The Finnish Environment Institute also maintains and improves the exchange of information on best available techniques, follows the development of best available techniques and provides information about them. (384/2016)

The Finnish Safety and Chemicals Agency serves as the competent authority in accordance with Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds due to the use of organic solvents in decorative paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC.

Section 22
Municipal environmental protection authority

The permit and enforcement duties of a municipality laid down in this Act are the responsibility of the municipal environmental protection authority, referred to in the Act on Municipal Environmental Administration (64/1986), which exercises its right to defend the public interest in environmental protection in decision-making in accordance with this Act.

Provisions on the right of the municipal environmental protection authority to delegate the authority referred to in this Act to a local government officer are laid down in section 7 of the Act on Municipal Environmental Administration.

Section 23
General supervisory authorities

The general supervisory authorities referred to in this Act are the Centres for Economic Development, Transport and the Environment *(state supervisory authority)* and the municipal environmental protection authority.

The Centres for Economic Development, Transport and the Environment supervise this Act and the provisions issued under it insofar as they also concern the supervision of compliance with statutory management requirements referred to in Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009.

The state supervisory authority shall report any deficiencies observed during supervision to the municipal environmental protection authority for the purpose of undertaking any measures within its competence. Correspondingly, the municipal environmental protection authority shall report any deficiencies observed during supervision to the state supervisory authority.

Further provisions on supervision and the cooperation of supervisory authorities are issued by government decree.

Section 24
Other supervisory authorities

The Finnish Safety and Chemicals Agency, together with the general supervisory authorities, supervises the provisions of the government decree on products containing organic solvents referred to in section 216.

Within their scope of activities, the supervisory authorities and occupational safety and health authorities specified in the Consumer Protection Act supervise compliance with the government decree referred to in section 217, subsection 2, paragraph 1. The municipal health protection authorities, the supervisory authorities referred to in the Consumer Protection Act and the food control authorities supervise compliance with the government decrees issued under the provisions in Chapter 17 within their scope of activities.

Within their scope of activities, Customs and the Finnish Border Guard supervise the provisions laid down in and under this Act.

Section 25
Expert authorities and institutions

State authorities and research institutions may act as expert authorities or institutions as specified in this Act by issuing statements and conducting research and preparing reports for the authorities referred to in this Act. The Ministry of the Environment may appoint an expert institution to act as a national environmental reference laboratory. Further provisions on expert authorities and institutions and their tasks are issued by government decree.

Section 26
Type approval authorities and institutions

The Finnish Transport Safety Agency and Natural Resources Institute Finland serve as approval authorities in the context of type approval referred to in section 217, subsection 2. The Ministry of the Environment may designate another authority or body to support the approval authority. Further provisions on the tasks of the approval authorities and the bodies supporting them are issued by government decree. (579/2014)

The Ministry of the Environment may designate an inspection body or other responsible institution referred to in section 25, or some other institution or body that meets the requirements of an accredited body for type approval. The body may utilise external testing, inspection and other services. Besides any provisions laid down elsewhere, the body or external service provider shall meet the following requirements:

1) the body, or a person in its employment, has not designed, manufactured, marketed or procured the machinery or equipment in question, is not in charge of the installation or maintenance of the machinery or equipment, and does not represent the above-mentioned parties, nor is there any other special reason that the impartiality of the body is compromised;

2) a body that is not a state government agency or institution shall have liability insurance that is sufficient to cover any damage caused by the operations, in terms of the scope and nature of the operations.

The Ministry of the Environment may revoke the designation if the body fails to meet the requirements laid down in subsection 2.

Provisions on criminal liability for acts in office apply to the person employed by the body referred to above in subsection 2 while he or she is performing the tasks referred to in this Act. Provisions on tort liability are laid down in the Tort Liability Act (412/1974).

Chapter 4
Environmental permit requirement and competence of the permit authorities

Section 27
General permit requirement

A permit *(environmental permit)* is required for activities referred to in Annex 1, Table 1 *(installations covered by the directive*) and Table 2 that pose a risk of environmental pollution. Provisions on the livestock unit coefficients used to determine the permit requirements of farm animal facilities in certain cases are provided in Annex 3. (423/2015)

An environmental permit is also required for:

1) an activity that may cause pollution of a water body, and the project in question is not one requiring a permit under the Water Act;

2) conveying wastewater that may lead to the pollution of a ditch or spring, or of a streamlet referred to in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act;

3) an activity that may place an unreasonable burden on the surroundings referred to in section 17, subsection 1, of the Adjoining Properties Act (26/1920);

Section 28
Permit requirement in groundwater areas

An environmental permit is required for asphalt plants, energy production plants and distribution stations referred to in Annex 2 if the activity is to be sited in a groundwater area important to water supply or otherwise suitable for such use.

Unless otherwise required by subsection 1, a permit is required for activities referred to in Annex 1 and 2, but that operate on a smaller scale, and for the operations of dry cleaning facilities referred to in Annex 2 if the activity is to be sited in an important groundwater basin or another groundwater basin suitable for water supply and the activity concerned could pose a risk of groundwater pollution.

Section 29 (423/2015)
Substantial change in an activity subject to a permit

A permit is required for any change in an activity that increases emissions or the impacts of these, or for any other substantial change in an activity requiring an environmental permit. No permit is required, however, if the change does not increase the environmental impact or risks and if the change in the activity does not require the permit to be reviewed. A change in an activity is always substantial if the change results in the activity becoming an installation covered by the directive.

Section 39 shall apply to the application for a change in a permit and in an activity referred to in subsection 1, and the provisions of section 96 shall be complied with in the processing of the matter. However, the provisions of chapters 5 and 8 shall be complied with in the processing of an application for a change in the operations of an installation covered by the directive if the change may have significant adverse impacts on human health or the environment.

Further provisions concerning the definition of a substantial change may be given by government decree.

Section 30
Permit requirement for activities subject to registration

The activities subject to registration specified in Annex 2 only require a permit when:

1) the activity is part of the operations of an installation covered by the directive;

2) the activity may cause the consequences referred to in section 27, subsection 2;

3) a permit is required for the activity under section 28.

Section 116 lays down provisions on registration when an environmental permit is not required.

Section 31
Derogation from the permit requirement for activities undertaken on an experimental basis

A permit is not required for a short-term activity undertaken on an experimental basis when the purpose is to test an emerging technique, raw material or fuel, a manufacturing or incineration method or treatment equipment, or to treat waste at an installation or on a professional basis to investigate the impact, feasibility or other corresponding feature of such an activity. Provisions on the notification required for such an activity are laid down in section 119.

However, an environmental permit is nonetheless required if the activity may cause the consequences referred to in section 27, subsection 2.

Section 32
Derogation from the permit requirement for certain waste treatment operations

No environmental permit is required for the treatment of waste on a professional basis or at an installation referred to in Annex 1, Table 2, point 13, under that provision in the case of:

1) the use in agriculture and forestry of waste generated in these sectors and consisting of natural material harmless to human health and the environment;

2) the recovery and use of wastewater sludge, septage, cesspool sludge or dry closet waste, treated so as to render the waste harmless, or harmless ash or slag, in accordance with the Fertiliser Product Act (539/2006);

3) for energy production, the recovery of vegetable waste generated in agriculture and forestry and consisting of natural material harmless to human health and the environment; or

4) the treatment of extractive waste generated in peat production, inert waste generated in some other extractive operation or uncontaminated soil, in accordance with a waste management plan for extractive waste, in connection with the activity in question, in ways other than by depositing the waste at a waste facility for extractive waste that poses a risk of major accident; (423/2015)

5) the recovery of soil excavated in connection with the treatment of contaminated soil at an excavation site in accordance with a decision referred to in section 136. (423/2015)

Furthermore, an environmental permit is not required for other waste recovery referred to in Annex 1, Table 2, point 13, or for the disposal of waste other than hazardous waste on the site where it is generated, if provisions concerning the environmental protection requirements for these activities are given by government decree issued under section 10 of this Act or section 14 of the Waste Act. The registration of such operations is laid down in section 116 of this Act. If an environmental permit is valid for an operation upon the entry into force of an applicable government decree, the environmental permit shall be voided.

Section 33
Derogation from the permit requirement for the operations of the Finnish Defence Forces

An environmental permit is not required for temporary aerodromes, harbours, storage facilities, fuel distribution points, firing ranges or other comparable temporary activities of the Defence Forces.

Section 34
Competent permit authority

The state environmental permit authority decides on any environmental permit applications when:

1) the activity may have significant environmental impacts, or the resolution of the issue by the state environmental permit authority is otherwise warranted by the type or nature of the activity;

2) the environmental impacts of an activity other than that referred to in paragraph 1 may affect an area considerably larger than the municipality in which the activity is located;

3) besides an environmental permit, the activity is subject to a permit under chapter 3 of the Water Act or for the establishment of a right of use laid down in the Water Act that does not concern an outlet pipe, or referred to in sections 68 and 69 of this Act, and the permit applications are processed jointly in accordance with section 47;

4) a permit is required under section 27, subsection 2, paragraph 1.

The municipal environmental protection authority decides on permit applications other than those referred to in subsection 1. However, the state environmental permit authority decides on the permit application when:

1) the activity is located in the area of operation of several environmental protection authorities;

2) the activity in question is for military use;

3) a matter concerning the treatment of soil or groundwater referred to in section 136 is decided upon in conjunction with the permit matter, and the authority over matters specified in that section has not been transferred to the municipal environmental protection authority.

When the decision-making on a permit matter concerning activities located within the same operating area falls partially within the competence of both the state environmental permit authority and the municipal environmental protection authority, and an application for a permit for the activities is submitted as laid down in section 41, the permit matter shall be resolved by the state environmental permit authority.

Further provisions on the activities within the competence of the state environmental permit authority referred to in subsection 1, paragraphs 1 and 2, are issued by government decree.

Section 35
Permit authority when an activity is changed

Permit applications concerning a change in an activity are decided by the authority within whose competence the processing of applications for corresponding new activities would fall.

Section 36
Referral of a permit decision

When a permit application has been submitted to the municipal environmental protection authority and it becomes evident during the processing of the matter that the activity in question may cause pollution of a water body, the matter shall be referred to the state environmental permit authority.

In an individual case, the municipal environmental protection authority may refer a permit matter within its jurisdiction to the state environmental permit authority if the matter requires such special expertise that is not available locally or if the consideration of the matter by the state environmental permit authority is appropriate for special reasons related to the location or nature of the activity.

Section 37
Competence of the permit authority within its operating area

Permit applications shall be decided by the competent permit authority under section 34 within whose area of operation the activity in question is to be sited. When the activity is located in the areas of operation of several state environmental permit authorities, the permit application shall be decided upon by the authority within whose area of operation the main part of the activity causing pollution is located.

If fisheries regulations included in the permits for several activities that are releasing loads to the same body of water are up for review simultaneously and it is expedient to decide upon them together, the matter shall be resolved by the state environmental permit authority competent under subsection 1.

Section 38
Transfer of competence in a permit decision from a state environmental permit authority to a municipal environmental protection authority

On application by a municipality and having consulted the state environmental permit authority and the state supervisory authority, the Ministry of the Environment may decide that in permit decisions specified in Annex 1, Table 2, the competent authority is the municipal environmental protection authority. The decision may also be restricted to apply only to some of the above-mentioned activities. However, the competence cannot be transferred in permit decisions that concern peat production, mining, mechanised gold mining, ore or mineral processing plants, airports, harbours, nuclear power plants, waste incineration plants, waste co-incineration plants or the operations of the Finnish Defence Forces or Border Guard. Any matters that have been initiated by the state environmental permit authority before the decision on the transfer of competence has been made shall be processed in full by the state environmental permit authority.

A condition for the transfer of competence is that the municipal environmental protection authority has sufficient expertise to manage the tasks appropriately and that the transfer of competence will improve the efficiency of the work or can achieve a balanced division of responsibilities between the authorities. The competence may be transferred for a fixed period or until further notice. The decision may be amended if the conditions for the transfer of competence cease to exist. Matters that have been initiated before the deadline for the transfer of competence or the amendment of the decision on competence shall be processed in full at the municipal environmental protection authority.

Chapter 5
Permit procedure

Section 39
Permit application

The permit application shall be submitted in writing to the competent permit authority. On request of the authority, additional copies of the application documents shall be provided if this is necessary for public notice of the matter or for requesting statements. An application to the state environmental permit authority shall also be submitted electronically, unless other means have been approved by the authority.

The application shall include a description of the activity, its impacts, the parties concerned and other relevant matters that are needed for permit consideration. If the application concerns an activity referred to in the Act on Environmental Impact Assessment Procedure (468/1994), an assessment report in accordance with that Act and a statement by the coordinating authority on the report shall be attached to the application before the decision is made. In addition, the assessment referred to in section 65 of the Nature Conservation Act (1096/1996) shall also be attached to the application, as necessary.

The party preparing the application shall have sufficient expertise. Where necessary, the application shall show the documentation and calculations, research or assessment method on which the information is based.

Further provisions on the content of the application, its electronic submission and the reports necessary for permit consideration to be appended to the application are laid down by government decree.

Section 40
Supplementing the application

If the application is inadequate or deciding on the matter requires specific information, an opportunity shall be reserved for the applicant to supplement the application within a deadline set by the authority. An application that is not supplemented within the deadline may be dismissed.

If deciding on the matter is significant in terms of the public interest or if important reasons so require, the applicant may be obliged to supplement the application or obtain the information necessary for a decision on the application under notice that this will be obtained at the applicant's expense.

Section 40a (423/2015)
Energy projects of common interest to the European Union

If an energy project of common interest, referred to in Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009, is subject to an environmental permit the above Regulation of the European Parliament and of the Council and the Act on the Permit Procedure for Energy Projects of Common Interest to the European Union (684/2014) shall apply to the processing of the matter in addition to this Act.

Section 41
Applying for a permit for activities located in the same operating area

If several activities subject to an environmental permit are located in the same operating area, and the activities are technically and operationally connected in such a way that it is necessary to investigate their environmental impacts or waste management together, separate permit applications for a permit for the activities shall be submitted simultaneously or a single permit application shall be submitted jointly. The permit may, however, be applied for separately if the application does not concern changes in a valid permit covering other activities.

Section 42
Statements

The permit authority shall request a statement on a permit application from:

1) municipal environmental protection authorities in the municipalities where the environmental impacts of the activity referred to in the application may occur;

2) the health protection authority of the municipality where the activity is located;

3) the authorities protecting the public interest in the matter;

4) the Saami Parliament if the environmental impacts of the activity referred to in the application may occur in the Saami homeland, and from the Skolt Saami Village Committee if the environmental impacts may occur in the Skolt area referred to in the Skolt Act (253/1995);

5) other parties as necessary for due consideration of the permit.

Besides the provisions of subsection 1, the state environmental permit authority shall request a statement from the state supervisory authority, from the municipality where the activity referred to in the application is located and, if necessary, from municipalities in the area impacted by the activity.

The permit authority may also obtain other necessary reports and clarifications relevant to the matter.

Further provisions on the parties from whom a statement shall be requested may be issued by government decree.

Section 43
Objections and opinions

Before deciding on the matter, the permit authority shall reserve for the parties whose rights or interests the matter may concern (*party concerned*) the opportunity to lodge an objection to the matter.

Parties other than the parties concerned shall be reserved the opportunity to express their opinions.

Provisions on hearing views are also laid down in the Administrative Procedure Act (434/2003).

Section 44
Announcement of the permit application

The permit authority shall announce the permit application by public notice posted for at least 30 days on the notice boards of municipalities within the area impacted by the activity, as laid down in the Act on Public Notices (34/1925). The public notice shall also be published on the permit authority's website, in which case the notice may include information on the name of the operator and the location of the activity, notwithstanding section 16, subsection 3, of the Act on the Openness of Government Activities (621/1999). The public notice shall be published in at least one newspaper in general circulation within the area impacted by the activity, unless the matter is of minor importance or the notification is otherwise manifestly unnecessary. Public notice shall be provided separately for information purposes to those parties concerned who are particularly affected by the matter.

The application documents shall be displayed for public viewing in the municipalities within the area impacted by the activity for at least the duration of the public notice period. The state environmental permit authority shall also publish a summary of the permit application for the public on its website, along with other essential contents of the application, where possible. The municipal environmental protection authority shall provide information on the contents of the application on its website, where possible. Notwithstanding section 16, subsection 3, of the Act on the Openness of Government Activities, the application may include the name of the operator and the location of the activity, if the application is only displayed online for the time required for the effective communication of information.

The provisions of chapter 11, section 11, subsection 2, of the Water Act apply to the notification of non-organised partners to a jointly owned area.

Further provisions on the public notice and its publication, as well as other communications concerning the permit application may be issued by government decree.

Section 45
Promoting access to information by means of electronic communications

Anyone has the right to request to be informed of environmental permit matters initiated in a specific area by means of electronic communications insofar as the authority's information systems are able to receive such requests and automatically send messages.

Section 46
Simultaneous processing of permits for different activities

If the joint impact of separate activities that pose a risk of environmental pollution is significant in terms of permit consideration and the environmental permit matters for these activities are pending at the same permit authority, the matters shall be processed and decided together unless this is deemed unnecessary for justifiable reasons.

If the permit procedures for activities referred to in section 41 have been initiated by way of separate permit applications, the applications shall be processed and decided together, taking into account the activities as a whole.

Section 47
Joint processing of an application under the Water Act and an environmental permit application

An environmental permit application for an activity that poses a risk of water pollution and a permit application for the same activity under the Water Act, and an application to obtain right of use referred to section 34, subsection 1, paragraph 3, of this Act, shall be processed together and resolved through one decision, unless this is deemed unnecessary for a specific reason. Joint processing is not necessary if the activity requires only an environmental permit and a permit referred to in chapter 4 of the Water Act for purposes of water intake, and the intake of water and its discharge back into a water body has no direct impact on water supply.

If it becomes evident during the course of processing a permit that the activity also requires a permit under the Water Act, the applicant shall submit a permit application in accordance with the Water Act within a reasonable time limit set by the permit authority. Failing that, the pending permit application shall be dismissed.

Matters referred to above in subsection 1 are processed in accordance with the Water Act, taking into account the provisions laid down in this Act or under it on the contents of permit applications and decisions. However, the environmental permit application shall be submitted electronically, and information on the permit application and the decision shall be provided on the authority's website, as laid down in this Act.

An exception that is needed to the regulations for a protected area referred to in chapter 4, section 12, of the Water Act shall be resolved under the same decision as for a pending environmental permit matter.

Section 47a (423/2015)
Joint processing of an environmental permit application and an application for a land extraction permit

If a project involving land extraction is subject to an environmental permit and a permit in accordance with the Land Extraction Act (555/1981), the permit applications shall be processed and decided together unless this is deemed unnecessary for justifiable reasons. One application may be submitted for a joint permit.

If it becomes evident during the course of processing a permit that the activity also requires a permit under the Land Extraction Act, the applicant shall submit a permit application in accordance with the Land Extraction Act within a reasonable time limit set by the permit authority. Failing that, the pending permit application may be dismissed.

Chapter 6
Permit consideration and permit regulations

Section 48
Principles of permit consideration

The permit authority shall investigate the conditions for granting the permit and shall take into account the statements issued and the objections and opinions submitted on the matter. The permit authority shall also take into account provisions issued on the protection of the public and private interest.

An environmental permit shall be issued if the activity fulfils the requirements of the provisions given in and under this Act and the Waste Act.

Provisions laid down in and under the Nature Conservation Act shall be complied with when deciding on a permit matter.

A permit application concerning a substantial change in an activity shall be resolved in such a way that the consideration takes into account those parts of the activity that the substantial change may affect and the environmental impacts and risks that may be caused by the change.

Section 49
Conditions for granting a permit

The conditions for granting an environmental permit are that the activity alone or in combination with other activities, taking permit regulations and the location of the activity into account, does not cause:

1) harm to health;

2) other significant consequences referred to in section 5, subsection 1, paragraph 2, or the risk of such;

3) a consequence prohibited in sections 16–18;

4) deterioration of special natural conditions or risk to water supply or other potential uses important to the public interest within the area impacted by the activity;

5) an unreasonable burden referred to in section 17, subsection 1, of the Adjoining Properties Act;

6) substantial deterioration in the conditions under which the Saami people practise their traditional livelihoods in the Saami homeland or otherwise maintain and develop their culture, or substantial deterioration in the living conditions of the Skolts or reduced opportunities to engage in nature-based livelihoods in the Skolt area referred to in the Skolt Act.

Section 50
Exceptions to the conditions for granting a permit concerning the Finnish Defence Forces and the Border Guard

If the use of heavy weaponry or explosives by the Defence Forces or in corresponding operations of the Border Guard require an environmental permit, the conditions for granting an environmental permit referred to in section 49 that concern noise caused by the operations, vibration and the risk of pollution to soil, groundwater or the sea may be derogated from to the degree necessary if the operations to be carried out in the area in question are absolutely necessary for maintaining the operational capabilities of national defence. In such a case, the following shall be ensured through the planning of the operations and permit regulations:

1) the area impacted by noise from the operations and night-time noise exposure is limited to what is absolutely necessary;

2) the dispersal of harmful substances from the firing area does not cause a consequence prohibited in sections 16 and 17 outside the area;

3) the operations do not cause significant environmental pollution or a risk of it.

In the event that an aerodrome used for military aviation or for conducting the statutory duties of the Border Guard fails to meet the conditions for granting a permit as specified in section 49 due to noise, the conditions may be derogated from to the degree necessary if this is required by the special nature of military or Border Guard aviation and the use of the aerodrome is justified for national security reasons or for ensuring that the Border Guard can conduct its statutory duties. Any harm caused by carrying out the duties specified in section 2, subsection 1, paragraph 1, subparagraphs (a) and (b), and paragraph 2, of the Act on the Defence Forces (551/2007) shall not be considered when assessing the impacts of the operations.

If the environmental permit matter concerns an aerodrome that is used to a substantial extent for military and civilian aviation, the civilian and military operations shall be assessed separately for the permit consideration and the Defence Forces, the Border Guard and the party maintaining the airport or aerodrome shall be subject to separate permit regulations.

Section 51
Effects of certain plans and programmes

When assessing the significance of a consequence referred to in section 49, subsection 1, paragraph 2, the permit shall take into account what is set out in a river basin management plan or the marine strategy specified in the Act on the Organisation of River Basin Management and the Marine Strategy (1299/2004), on aspects related to the status and use of waters and the marine environment in the area of impact of the activity. When assessing the suitability of a site in accordance with section 11, subsection 2, and when issuing permit regulations necessary for preventing accidents, the permit shall take into account what is set out in a flood risk management plan specified in the Flood Risk Management Act (620/2010), concerning the location and area of impact of the activity. The permit shall also take into account the plans and programmes referred to in section 204 of this Act, to the necessary degree.

Permits for waste treatment plants and sites shall take into account the regional waste plans referred to in section 88 of the Waste Act.

Section 52
Permit regulations for preventing pollution

An environmental permit shall contain the necessary regulations on:

1) emissions, emission limit values, the prevention and limitation of emissions and the location of the site of the emissions;

2) the prevention of soil and groundwater pollution;

3) wastes and the reduction of their quantity and harmfulness;

4) actions to be taken in the event of a malfunction or in other exceptional circumstances;

5) measures to be taken after the cessation of operations, such as remediation of the area and prevention of emissions;

6) other measures to prevent or reduce environmental pollution or the risk of it.

If, with regard to activities other than industrial production or the generation of energy, the provisions under subsection 1 do not, due to the nature of the activity, give the means for sufficient prevention or reduction of harmful environmental impacts, the necessary regulations concerning production volume, energy generation or feed used in production may be issued in the permit.

When permit regulations are issued, the nature of the activity, the characteristics of the area where the impacts of the activity occur, the impacts of the activity on the environment as a whole, the significance of the measures, to the environment as a whole, intended to prevent environmental pollution, and the technical and financial feasibility of implementing these measures shall be taken into account. Permit regulations concerning emission limit values and the prevention and limitation of emissions shall be based on the best available techniques. The permit regulations, however, shall not oblige the operator to apply only one specific technique. In addition, energy efficiency and efficiency in the use of materials, and precautions for preventing accidents and limiting their consequences shall be taken into account as needed.

Section 53
Assessment of best available techniques

The assessment of the best available techniques shall take into account the following:

1) the reduction of the quantity and harmfulness of waste;

2) the scope for the recovery and reuse of materials used and waste generated in production processes;

3) the hazardousness of the materials used and the potential for using less hazardous alternatives;

4) the quality, quantity and impact of emissions;

5) the quality and consumption of raw materials used;

6) energy efficiency;

7) the prevention of operational risks and the risk of accidents, and the limitation of damage in the event of an accident;

8) the time needed for introducing the best available techniques and the importance of the starting date for launching operations, and the costs and benefits of limiting and preventing emissions;

9) environmental impacts;

10) the production methods in use on an industrial scale and methods for controlling emissions;

11) developments in technology and knowledge of the natural sciences;

12) information on best available techniques published by the European Commission or international bodies.

Section 54
Regulation concerning a specific account

The environmental permit may stipulate that the operator shall provide a specific account of the environmental pollution caused by the activity in question or determine the risk of it, if it has not been possible to provide detailed information on emissions, waste or operational impacts for the permit consideration.

The account shall be submitted to the permit authority by the date specified in the permit. Sufficient time shall be provided for preparing the account. Provisions on amending the permit based on the account that is received are laid down in section 90.

Section 55
Regulations concerning greenhouse gas emissions

If the Emissions Trading Act (311/2011) is applied to the activity in question, the environmental permit may not set emission limit values for the greenhouse gas emissions referred to in section 2 of the Emissions Trading Act, unless these limits are necessary for preventing significant local pollution of the environment.

Section 56
Regulations concerning the capture of carbon dioxide

An environmental permit concerning the capture of carbon dioxide shall give the regulations necessary for complying with the provisions on carbon dioxide flow as specified in sections 5 and 6 of the Act on Carbon Capture and Storage (416/2012).

Section 57
Regulations pertaining to fisheries

If the discharge of wastewater or some other substance may cause damage to fish stocks or fishing, the necessary regulations pertaining to a fisheries obligation or a fisheries fee referred to in chapter 3, section 14, of the Water Act shall be given in the environmental permit. Chapter 3, sections 14, 15 and 22 of the Water Act shall be applied to these regulations.

Section 58
Waste and waste management regulations

The permit shall specify the regulations necessary for waste and waste management concerning compliance with the Waste Act and the provisions issued under it. Where necessary, regulations shall be issued on delivering mixed municipal waste intended for recovery or for disposal, for which the municipality is responsible under section 32 of the Waste Act, or on other waste intended for disposal, to a treatment facility referred to in section 19, subsection 2, of the Waste Act. This Act shall apply to the enforcement of the related regulations.

An environmental permit for waste treatment may be limited to treatment of certain types of waste. A permit concerning the recovery or disposal of mixed municipal waste for which the municipality is responsible under section 32 of the Waste Act or concerning the disposal of other waste may specify, if necessary, that only waste originating in a certain area may be treated.

The permit authority may give regulations in the environmental permit that deviate from the requirements in a government decree issued under section 14 of the Waste Act, on the grounds provided in the decree. Regulations may also be issued on the grounds of a separate application in compliance with the provisions on the processing of permit applications, as appropriate.

Section 59
Financial guarantee for waste treatment operations

Operators engaged in waste treatment shall provide a financial guarantee to ensure appropriate waste management, monitoring and control, and actions needed for the cessation of operations or thereafter. Operators other than those engaged in landfill operations may be exempt from the requirement for a financial guarantee, if the costs to be covered by the guarantee upon the cessation of operations are minor in scale, considering the quantity and nature of the waste and other aspects. Further provisions may be issued by government decree on the conditions under which a financial guarantee is not necessary.

Section 60
Amount of the financial guarantee

The financial guarantee shall be sufficient for managing the actions referred to in section 59, taking into account the extent and nature of the operations, and the regulations issued for the operations. The financial guarantee for a landfill shall also cover the costs of monitoring and control, treatment of leachate and gases, and other aftercare following the closure of the landfill, for a minimum period of 30 years, unless the operator demonstrates that other measures are sufficient. The financial guarantee for a waste facility for extractive waste shall also cover the costs of restoring to a satisfactory state a land area located within the area of impact of the waste facility and defined in more detail in the waste management plan.

The environmental permit shall specify that the operator's financial guarantee for a landfill, a waste facility for extractive waste and other long-term operations accrues over time to correspond, as well as possible, to the costs of ceasing operations and the aftercare, at the time of assessment.

The government may issue further provisions on calculating the amount of the financial guarantee and its accrual. For small-scale operations, the amount of the financial guarantee may be specified as a fixed sum, and no more than EUR 10,000.

Section 61
Providing a financial guarantee and validity of the guarantee

The environmental permit shall give the necessary regulations on the financial guarantee set out in section 59, and on providing the guarantee. Acceptable financial guarantees are a guarantee, insurance or pledged deposit. The party issuing the financial guarantee shall be a credit or insurance institution, or another commercial financial institution, domiciled in a European Economic Area country.

The financial guarantee shall be assigned to a competent supervisory authority indicated in the environmental permit, before operations commence. A financial guarantee concerning a waste facility for extractive waste shall be provided before the depositing of extractive waste begins at the waste facility.

The financial guarantee shall remain valid continuously or be renewed at regular intervals for a minimum of three months after the measures covered by the guarantee have been carried out and the supervisory authority has been notified about them. If the validity of the financial guarantee is extended, renewal shall take place before the previous period of guarantee comes to an end. The financial guarantee for a landfill shall remain valid until monitoring and other aftercare following the closure of the landfill come to an end.

The permit authority shall release the financial guarantee upon application once the operator has fulfilled the necessary obligations. The financial guarantee may also be partly released.

Section 62
Monitoring and control regulations

The environmental permit shall give the necessary regulations on the monitoring of emissions and operations and of the impacts of the activity and the state of the environment following the cessation of the operations. In addition, the permit shall give the necessary regulations on the monitoring and control of waste management, provided in section 120 of the Waste Act, and on a plan for the monitoring and control of waste treatment and compliance with the plan.

To facilitate control, the permit shall include regulations on measurement methods and frequency of measurements. It shall also specify how the results of monitoring and control are assessed and submitted to the supervisory authority. The operator may also be ordered to provide other information necessary for supervision.

The operator shall regularly submit to the supervisory authority the results of emissions monitoring and other information necessary for supervision, as provided by the environmental permit in more detail. Information on the results of the monitoring of the emissions of an installation covered by the directive, and other such information on the compliance of the installation covered by the directive with the permit that is necessary for supervisory purposes shall be submitted to the supervisory authority at least once a year.

When regulations are given on monitoring the impacts of an activity on waters or the marine environment, that which is deemed necessary in order to organise the monitoring in the monitoring programme concerning the status of waters or the marine environment, referred to in the Act on the Organisation of River Basin Management and the Marine Strategy, shall be taken into account. The information gathered during the monitoring of an activity may be used in the monitoring carried out in accordance with the above Act, and in the drawing up of a river basin management plan or the marine strategy document.

Section 63
Regulation on joint monitoring

When needed, the permit authority may order several permit holders to monitor the impact of their activities jointly *(joint monitoring)* or may approve participation in monitoring carried out in the region in order to follow the activities. Joint monitoring may relate to monitoring based on this Act and the Water Act.

Section 64
Monitoring and control plan

The environmental permit may specify that the operator shall present a separate plan on organising the monitoring and control as provided in section 62, or on organising joint monitoring as provided in section 63, to the permit authority, supervisory authority or fisheries authority for approval. The plan shall be submitted to the authority in sufficient time for monitoring and control to be initiated when the activity begins or at some other appropriate time with regard to the impacts of the activity. The provisions laid down in section 39 on environmental permit applications shall be applied to the submission of the plan.

The decision on the approval of the plan shall be prepared in compliance with the provisions of section 96.

Section 65
Amending the regulations on monitoring

When necessary, the permit authority or the authority that approved the plan specified in section 64 may amend the regulations on monitoring it has issued or its approval of the plan regardless of the permit or plan being valid. The decision to amend may be made on the initiative of the authority, or at the request of the permit holder, supervisory authority, an authority protecting the public interest, a municipality, a party suffering harm, or a registered company or foundation referred to in section 186. Section 39 shall apply to the application of the permit holder requesting an amendment. The provisions of section 96 shall be observed in the processing of the matter.

The authority that made the decision on joint monitoring shall amend the decision if a new operator is ordered to take part in the joint monitoring. The provisions of subsection 1 shall be applied to the procedure.

Section 66
Regulations on the protection of soil and groundwater

Operators engaged in an activity subject to a permit shall ensure that measures are taken to prevent emissions into soil and groundwater, such as the regular upkeep, maintenance and inspections of structures. The permit shall give the necessary regulations on the matter.

The operator shall ensure soil and groundwater monitoring at regular intervals, taking into account any such hazardous substances at the installation site that may cause pollution of soil or groundwater (*relevant hazardous substances*). Based on a systematic assessment of the pollution risk, the permit shall give the necessary regulations on the monitoring and the interval for periodic monitoring.

Section 67
Regulations on wastewater discharged into a sewer

If industrial wastewater is conveyed to a municipal wastewater treatment plant, the environmental permit shall give the necessary regulations on the pretreatment of the wastewater to prevent environmental pollution or ensure the operational performance of the wastewater treatment plant.

Section 68
Right to convey wastewater on another's property

An environmental permit may grant the right to convey wastewater into a ditch or streamlet specified in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act on another's property, if this does not pose unreasonable harm to others and it is technically and economically justified. No right to convey wastewater into an open ditch or streamlet may be granted if the ditch or streamlet is located in the immediate vicinity of a plot, building site, beach or other corresponding area in specific use. Provisions on the obligation of a party that conveys wastewater to maintain the channel and the responsibility for costs incurred from conveying wastewater are laid down in section 158.

If conveying wastewater requires the placement of a sewer pipe or the digging of a ditch on another's property, and the owner declines to give his or her consent to this, a right of use for the area needed shall be granted in the permit under the conditions provided in subsection 1. Chapter 13 of the Water Act shall apply to compensation for any damage, harm or other loss of benefit. Chapter 2, sections 12 and 13, and chapter 17 of the Water Act apply to the right of use.

If, for purposes of conveying wastewater as described in this section, it is necessary to dig a ditch or lay a pipeline under a public road, street, railway, other tracks, cable or gas pipeline, the permit shall issue the necessary regulations concerning the matter. The provisions of chapter 5, section 13, of the Water Act shall apply to the construction and maintenance of a ditch or pipeline. If the matter cannot be resolved in connection with the environmental permit, due to the scope of it or for any other reason, the matter shall be resolved under ditch drainage proceedings, or referred to the municipal environmental protection authority as provided in chapter 5, sections 4 and 5, of the Water Act.

Section 69
Regulations on sewer pipes

When necessary, the permit shall include regulations on the construction of a sewer pipe and on the required right of use in accordance with the Water Act. Provisions laid down in chapter 3 of the Water Act shall apply to the issuance of the regulations. Chapter 13 of the Water Act shall apply to compensation for any damage, harm or other loss of benefit. Chapter 2, sections 12 and 13, and chapter 17 of the Water Act apply to the right of use.

Section 70
Permit regulation in relation to a government decree

A permit regulation may be stricter than a specific minimum environmental protection requirement laid down in a government decree issued under this Act or the Waste Act if it is necessary:

1) for fulfilling the conditions for granting a permit;

2) for ensuring that environmental quality requirements issued by government decree are met;

3) for ensuring that the best available techniques are used.

If stricter provisions than those in a permit that has already been granted or if provisions on the review of the permit or its validity that deviate from the permit are issued by government decree under this Act or the Waste Act, the decree shall be complied with, the permit notwithstanding.

Section 71 (423/2015)

Section 71 is repealed by Act 423/2015.

Chapter 7
Permit consideration for an installation covered by the directive

Section 72
Definitions concerning the best available techniques

In this chapter:

1) *reference document* means a document prepared in accordance with Article 13 of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, from here on the *Industrial Emissions Directive*, that describes for the activity in question the applied techniques, emissions and consumption levels, techniques considered for the determination of best available techniques and the preparation of the relevant conclusions, and emerging techniques;

2) *conclusions* means a decision of the European Commission adopted in accordance with Article 13(5) of the Industrial Emissions Directive that contains those parts of the reference document presenting conclusions on the best available techniques, the descriptions of these techniques and information to assess their applicability, the emission levels, monitoring and consumption levels associated with the techniques and, where appropriate, site remediation measures;

3) *emission levels* means the range of emission levels obtained under normal operating conditions using a best available technique or a combination of techniques, as described in the conclusions, expressed as an average over a given period of time under specified reference conditions.

Section 73
Scope of application of the chapter

Besides that provided in chapter 6, this chapter shall be applied in the processing of an environmental permit matter of an installation covered by the directive. However, this chapter shall not be applied to research, development or the testing of new products and processes.

Section 74
Regulations on energy efficiency

If necessary, the environmental permit of an installation covered by the directive shall give regulations on the energy efficiency of the activity in question and on improving the efficiency. The regulations shall be feasible in terms of technology, financial and production aspects and they can concern:

1) the specification and management of energy efficiency;

2) the monitoring of energy efficiency based on available key figures;

3) the assurance that, upon the construction of a new installation or the substantial refurbishment of an operational installation, the prevention of environmental pollution will be assessed comprehensively and in accordance with the best available techniques, taking into account energy efficiency in addition to emissions.

The permit may specify that the operator shall submit information on the improvement of energy efficiency to the supervisory authority.

However, the issuance of regulations is not required if the operator has joined an energy efficiency agreement or other similar voluntary arrangement that involves an energy management system within which the operator specifies the procedures for monitoring energy efficiency and commits to continuously improve energy efficiency.

Section 75
Application of the conclusions in environmental permit considerations

The emission limit values, monitoring and other permit regulations of an installation covered by the directive shall be based on the conclusions for implementing the requirement for the best available techniques. The environmental permit shall set emission limit values so that, under the normal operating conditions of the installation, the emission levels in the conclusions are not exceeded.

If the conclusions do not specify emission levels, the permit shall set out the regulations necessary for achieving the level of environmental protection associated with the best available techniques described in the conclusions. In the event that the conclusions do not describe the techniques in use at the installation, the assessment criteria laid down in section 53 shall be applied to the assessment of the best available techniques, when setting the emission limit values.

If the conclusions do not describe the type of the activity or production methods referred to in the permit application or all the related environmental impacts, the permit regulations, for the parts that are deemed necessary, shall be issued based on the best available techniques assessed in accordance with section 53. The operator's views shall be heard with regard to permit regulations issued in accordance with this subsection if the regulations substantially differ from what the applicant presented in

the application concerning the best available techniques, limitations on emissions and monitoring.

Section 76
Applicable conclusions

Conclusions that enter into force after an environmental permit matter has been initiated are applicable only if this is reasonable for the applicant, taking into account the contents of the permit application and the conclusions, and the date of entry into force of the conclusions.

If the Commission has not adopted the conclusions for the activity referred to in the permit application, the corresponding parts of the reference documents, referred to in Article 13(7) of the Industrial Emissions Directive and adopted by the Commission before 7 January 2011, shall be applied in the permit consideration. These parts shall be applied in the same way as the conclusions, with the exception of compliance with the emission levels.

The Ministry of the Environment shall provide information on the conclusions on its website immediately after the Commission has adopted the relevant decision.

Section 77
Setting emission limit values

The emission limit values imposed above under section 75, subsection 1, shall be set for the same period of time or a shorter period, and in accordance with the same reference conditions as the emission levels.

In contrast to subsection 1, the limit values, periods of time and reference conditions may be deviated from if this is necessary due to the nature of the emissions or monitoring. In a manner provided in more detail in the environmental permit, the operator shall, at least once a year, submit to the supervisory authority a summary of the results of the emissions monitoring in question for the same period and in accordance with the same reference conditions as for the emission levels.

Section 78
Less stringent emission limit values

In the event that the emission limit values imposed under section 75, subsection 1, would lead to unreasonably higher costs compared to the environmental benefits due to the geographic location or technical properties, or the local environmental conditions of the installation, the environmental permit may set emission limits that are less stringent than those in the above-mentioned subsection. However, the less stringent emission limit values shall not exceed the emission limit values laid down in the government decree issued under section 9, nor cause a consequence referred to in section 49, or compromise compliance with the environmental quality requirement.

The circumstances for the less stringent emission limit values shall be reassessed when the permit is reviewed based on sections 80 and 81 or when the permit is amended based on paragraphs 1, 3 or 6 of subsection 1 of section 89.

Section 79
Temporary derogation from the requirement for best available techniques

Upon application of the operator, the permit authority may grant a temporary derogation from the emission levels and other requirements for the best available techniques for the testing and use of an emerging technique, for a period of no more than nine months. The derogation may be granted as part of a pending environmental permit matter or in a decision following the notification of an activity undertaken on an experimental basis specified in section 119.

Section 80
Permit review due to new conclusions

Once the Commission has published its decision on the conclusions concerning the main activity of an installation covered by the directive, the environmental permit of the installation shall be reviewed, if it is not in accordance with the existing conclusions and the provisions laid down in or under this Act or if the permit includes regulations on less stringent emission limit values specified in section 78. The review shall take into account all new and updated conclusions that are applicable to the installation and that the Commission has adopted after the permit was granted or last reviewed, or the need for its review was assessed.

The operator shall submit an account of the need and justification for permit review to the supervisory authority. The account shall be submitted within six months of the Commission publishing a decision on the conclusions. On request, the supervisory authority may grant more time for preparing the account.

The supervisory authority shall assess whether or not subsection 1 necessitates a review of the permit in question. If the permit review is unnecessary, the authority shall provide a corresponding assessment to the operator and the review process is concluded. If the permit review is necessary, the supervisory authority shall order the operator to submit an application for review to the permit authority. The application shall be submitted no later than on the date specified by the supervisory authority, which may be at the earliest six months after the order was issued. Different operators may be ordered to submit their application at the same time or at differing times, depending on the organisation of the authority's work, the number of pending matters or differences in the situation of the operators. The order does not need to be issued if a permit matter that takes the requirements in subsection 1 into account is already pending. The supervisory authority may issue an order even if the operator has neglected to submit the account referred to in subsection 2.

Further provisions on the content of the account to be submitted to the supervisory authority may be issued by government decree.

Section 81
Review procedure

Upon application of the operator, the permit authority shall review the permit according to the criteria laid down in section 80, paragraph 1, and, if necessary, issue regulations on the use of less stringent emission limit values referred to in section 78. If the time needed to introduce the best available techniques requires a longer period than the four years specified in Article 21 of the Industrial Emissions Directive, a longer period may be set in the permit regulations for the introduction of the techniques, in accordance with the justifications in section 78.

The permit may oblige the operator to comply with the conclusions concerning the primary activity of the installation no earlier than four years after the publication of

the decision on the conclusions by the Commission, unless the applicant has indicated in the application the intent to be in compliance at an earlier date.

The provisions laid down in section 39 on the permit application shall apply to the application. The permit review shall be resolved as an urgent matter. The provisions of section 96 shall be observed in the processing of the matter.

Further provisions on the maximum processing times for the permit review and other requirements on the review procedure may be issued by government decree.

Section 82
Baseline report on soil and groundwater

Where the operations of an installation covered by the directive involve the use, production or storage of relevant hazardous substances referred to in section 66 or otherwise the generation of such, the operator shall prepare a baseline report on soil and groundwater. The report shall be appended to the permit application.

The baseline report shall contain information on soil and groundwater contamination caused by the relevant hazardous substances to enable the determination of the state of soil and groundwater for comparison with their state upon the cessation of operations. The baseline report shall present:

1) information on the current use and past uses of the site of the activity;

2) sufficient information on soil and groundwater measurements that reflect the state at the time the baseline report is drawn up;

3) an assessment of the state of soil and groundwater in the area that is prepared based on the information referred to in paragraphs 1 and 2.

Further provisions on the required contents of the baseline report may be issued by government decree.

Chapter 8
Permit decision

Section 83
Contents of a permit decision

Besides that which is provided in section 44 of the Administrative Procedure Act, the decision on the environmental permit shall provide responses to the specified demands set out in statements, objections and opinions.

When applying the Act on Environmental Impact Assessment Procedure to a project, the permit decision shall indicate how the assessment has been taken into account in the permit consideration. The permit decision shall also indicate how the river basin management plans and marine strategy prepared in accordance with the provisions of the Act on the Organisation of River Basin Management and the Marine Strategy, and the flood risk management plans prepared in accordance with the Flood Risk Management Act have been taken into account.

If the permit concerns separate operators that have applied for a permit through a joint permit application, the permit decision shall specify the obligations of each operator.

Further provisions on the contents of the permit decision may be issued by government decree.

Section 84
Issuing a permit decision

A permit decision is issued after a public notice of it has been published and those entitled to lodge an appeal against it are deemed to have knowledge of it when it is issued.

The issuing of the decision in accordance with subsection 1 shall be announced on the notice board of the decision-making authority prior to the date of issue. The public notice shall include the name of the authority, the nature of the matter, the date the decision is issued, the appeal period, and where and until when the decision is available for public viewing. The public notice shall be displayed on the notice board of the decision-making authority for at least the period during which the decision may be appealed. The decision shall be available on the date of issue given in the public notice.

Section 85
Notification of a permit decision

The decision on the permit shall be delivered to the applicant and to those who have specifically requested it, and to supervisory authorities and authorities protecting the public interest in the matter. Notification of the decision shall also be sent to those authorities who were requested to provide a statement on the application. The decision shall be sent to the Ministry of Employment and the Economy if the permit application of an electricity generation plant has been denied. Furthermore, notification shall be sent to those who filed an objection or expressed an opinion on the matter or who specifically requested notification, and to those who under section 44, subsection 1, were separately informed of the permit application. When a letter of objection has been co-signed by several signatories, the decision or notice of the decision need only be sent to the first signatory.

Information on the decision shall be published immediately in the municipality where the activity is located, and in other municipalities where the impacts of the activity may occur. Information on the decision shall also be published in at least one newspaper in general circulation within the area impacted by the activity, unless the matter is of minor importance or its publication is otherwise manifestly unnecessary.

The state environmental permit authority shall publish any permit decision it issues on its website. The municipal environmental protection authority shall publish any decision it issues on its website, where possible. A decision published on the internet may include information on the location of the activity, section 16, subsection 3, of the Act on the Openness of Government Activities notwithstanding.

Section 86
Promoting access to information by means of electronic communications

Anyone has the right to request that information about decisions on environmental permits that have been granted in a specific area be sent electronically, insofar as the authority's information systems are capable of receiving such requests and sending messages automatically.

Chapter 9
Validity and amendment of permits and cessation of operations

Section 87 (423/2015)
Validity of permits

The decision on the granting of an environmental permit is valid until further notice. However, the validity can be set for a fixed time limit by way of an application submitted by the operator or if there is an important reason for it as regards the special characteristics of the activity, the novelty of the technique or methods used in it or the difficulty of assessing the harmful impacts of the activity. An environmental permit granted for a fixed period expires when the period ends, unless otherwise provided in the permit decision.

Provisions on the validity period of the permit referred to in section 47a of this Act are provided in section 10 of the Land Extraction Act.

Section 88 (423/2015)
Lapse of a permit

The permit authority may decide on the lapse of a permit if:

1) the activity has been suspended for at least five consecutive years, or the operator reports that the activity will not be started or that operations have ceased;

2) the activity or measures essential to its starting up have not been initiated or taken within five years of the permit becoming legally valid, or within a longer period stipulated in the permit decision;

3) an application to review the permit has not been submitted in accordance with section 80, subsection 3.

The provisions of section 96 shall be observed in the processing of the matter. The matter may be initiated by the permit authority on its own initiative, a supervisory authority, the operator, a municipality or a party suffering harm.

Section 89 (423/2015)
Amending a permit

An operator may apply for the amendment of an environmental permit. The provisions of section 39 on permit applications shall apply to the operator's application for amending the permit.

Additionally, the permit authority shall, on application by the supervisory authority, the relevant authority protecting the public interest or a party suffering harm, or a registered association or foundation referred to in section 186, amend the permit, if:

1) the pollution or risk of such caused by the activity substantially differs from preliminary estimates;

2) the activity has a consequence prohibited by this Act;

3) emissions may be substantially reduced without undue cost due to advances in best available techniques;

4) the external circumstances of the activity have changed substantially since the granting of the permit, resulting in the need to amend the permit;

5) amending the permit after it has been issued is necessary in order to fulfil a binding specified requirement concerning the prevention of environmental pollution set by law in a government decree or in a European Union regulation.

If the amendment of a permit is initiated by one of the parties referred to in subsection 2, the permit authority shall, before deciding on the matter, hear the views of the operator and, if necessary, present to them an individualised request to provide the reports required for assessing the need and justification for the amendment.

The provisions of section 96 shall be complied with in the processing of the matter.

Section 89a (423/2015)
Amending a fisheries obligation or fisheries fee

The provisions of chapter 3, section 22, of the Water Act apply to amending a fisheries obligation or fisheries fee. If new information has been obtained on the grounds of a fisheries obligation or fisheries fee in a compensation procedure referred to in section 126 of this Act, the state environmental permit authority may consider amending the obligation or the fee in conjunction with amending the permit, notwithstanding other provisions on amending and reviewing regulations.

Section 90
Amending a permit based on a specific account

The permit authority may issue more detailed permit regulations or supplement a permit on the basis of a specific account in accordance with section 54. The provisions of section 96 shall be complied with in the processing of the matter.

Section 91 (423/2015)
Extension of time limits

If complying with the terms of an environmental permit within the set time limit causes undue difficulty for reasons beyond the control of the permit holder and a delay in compliance with the terms does not pose a risk of significant environmental pollution, the permit authority on application can extend the time limit by a maximum of three years. The permit shall be reviewed as needed because of the extension of the time limit. The provisions of section 96 shall be observed in the processing of the matter.

The time limit shall not be extended under this section if an extension would be in violation of this Act or the Waste Act, or decrees issued under them, or international obligations binding on Finland.

Section 92
Clarification of permits

At the request of an operator or a supervisory authority, the permit authority may update the information in an environmental permit by issuing a written statement on the matter. The statement may be issued if it provides clarification and if it is not used to modify the actual content of the permit in a way that could result in environmental pollution or risk of such or a change in anyone's rights or interests.

Section 93
Revoking a permit

On the initiative of the supervisory authority, the authority granting the permit may revoke it if:

1) the applicant has provided erroneous information that is material to the conditions for granting the permit;

2) the permit regulations have been violated repeatedly despite a written reminder from the supervisory authority so that the activity may cause consequences contradictory to the conditions for granting the permit; or

3) the conditions for continuing the activity cannot be met by amending the permit.

The provisions of section 96 shall be observed in the processing of the matter.

Section 94
Cessation of operations

When an activity subject to a permit or an activity subject to registration referred to in section 116, subsection 1, ceases operations, the operator is still obliged to take any necessary actions to prevent pollution and to determine and monitor the impacts of the activity, in accordance with the permit regulations or a specific obligation laid down by government decree.

If the operator is not to be found or cannot be reached, and monitoring of the environment is necessary for supervision of the environmental impacts of the activity that has ceased operations, the party in possession of the activity site is responsible for the monitoring.

If the permit does not include sufficient regulations on the actions needed to cease operations, the permit authority shall issue orders for this purpose. The provisions of section 96 shall be complied with in the processing of the matter.

Section 95
Measures concerning soil and groundwater upon the cessation of the operations of an installation covered by the directive

If a soil and groundwater baseline report referred to in section 82 has been required for the operations of an installation covered by the directive, the operator, upon ceasing the operations mentioned in that section, shall assess the state of the soil and groundwater in relation to the baseline state. The assessment shall specifically examine the relevant hazardous substances referred to in section 66, and it shall include a report on any possible measures necessary for restoration to the baseline state. The assessment shall be delivered to the state supervisory authority or, if the competence in matters concerning the restoration to the baseline state has been transferred as specified in subsection 4, to the municipal environmental protection authority. Based on the assessment, the authority shall issue a decision that includes regulations on the necessary measures for restoration to the baseline state if the state of the soil or groundwater differs significantly from that of the baseline state because of the operations. The technical feasibility of the measures may be taken into account in this regard. The regulations may concern, for example, the removal, reduction, containment or control of polluting substances, and the recovery of the soil. The decision is issued after public notice of it, and information on it shall be

provided as laid down in section 84 on issuing an environmental permit decision and in section 85 on notification of the decision.

If the baseline state has not been determined or if the site covered by the baseline may pose a risk or cause harm to health or the environment, the contamination of the site shall be determined and the contaminated area shall be treated as provided in chapter 14.

The authority shall publish on its website information on measures concerning soil and groundwater that the installation covered by the directive has carried out when it ceases its operations.

On application by a municipality and having consulted the state supervisory authority and the state environmental permit authority, the Ministry of the Environment may decide that in permit decisions concerning restoration to the baseline state, the competent authority is the municipal environmental protection authority. The competence may be transferred for a fixed period of time or until further notice. The decision may be amended if the reasons for the transfer of competence are no longer valid. The provisions of section 138 shall be complied with regarding the reasons for the transfer of competence, the procedure followed and the processing of matters in the transition phase.

Section 96
Administrative procedure in certain matters

If provisions laid down in this Act require compliance with the provisions laid down in this section regarding the processing of a matter, the following shall be applied:

1) the provisions of section 40 on supplementing an application;

2) the provisions of section 42 on requesting a statement from a supervisory authority and other parties referred to in section 42, if this is necessary for adequate review of the matter or for the protection of the public interest represented by the party giving the statement;

3) the provisions of section 43 on the hearing of views of parties;

4) the provisions of section 44 on public notice of a permit application, unless the matter is of minor importance or the quality of the matter is such that notification of the application can be given to the parties concerned in other ways; if the matter only affects the rights or interests of the applicant, public notice is not necessary;

5) the provisions of section 83 on the contents of a decision:

6) the provisions of section 84 on the issuing of a decision;

7) the provisions of section 85, subsection 1, on the delivery and notification of a decision;

8) the provisions of section 85, subsections 2 and 3, on publishing a decision, unless the matter is of minor importance or the quality of the matter is such that notification of the decision can be given to the parties concerned in other ways; if the matter only affects the rights or interests of the applicant, notification is not necessary.

However, the initiation of the matter and the decision shall always be announced in accordance with sections 44 and 85 if the matter concerns:

1) the issuing of limit values that are less stringent than the emission levels under section 78;

2) the amendment of the permit of an installation covered by the directive under section 89, subsection 2, paragraph 1.

(423/2015)

If, considering the nature of the matter, the right of a party to have his or her views be heard and be given a justified decision and the right of the public to participate in the decision-making concerning their living environment cannot be adequately ensured by the application of the provisions laid down in subsections 1 and 2, the provisions of section 5 on permit procedures and section 8 on permit decisions shall still apply to the processing of the matter.

Chapter 10
Provisions that concern certain sectors

Large combustion plants

Section 97
Scope of application

Besides what is laid down elsewhere in this Act, sections 98 to 106 shall be applied to combustion plants that utilise solid, liquid or gaseous fuel and that have a thermal input of at least 50 megawatts (*large combustion plant*).

However, sections 98 to 106 of the Act shall not be applied to:

1) plants in which the products of combustion are used for the direct heating, drying, or any other treatment of objects or substances;

2) post-combustion plants which have been designed to purify the waste gases by combustion and which are not operated as independent combustion plants;

3) facilities for the regeneration of catalytic cracking catalysts;

4) facilities for the conversion of hydrogen sulphide into sulphur;

5) reactors used in the chemical industry;

6) coke battery furnaces;

7) cowpers;

8) any technical apparatus used in the propulsion of a vehicle, ship or aircraft;

9) gas turbines and gas engines used on offshore platforms;

10) plants which use any solid or liquid waste other than biomass as fuel;

11) plants for the research, development or testing of diesel, gas or multifuel engines.

Section 98 (423/2015)
Aggregation rules for the thermal input of a combustion plant

If the waste gases of two or more separate boilers, gas turbines or combustion engines *(energy production unit)* are discharged through a joint stack consisting of one or more flues, a combination of these shall be regarded as a single combustion plant and their thermal inputs shall be aggregated when determining the thermal input of the plant. In the specification of the thermal input of a combustion plant, energy production units with a thermal input of less than 15 megawatts are not included in the calculation.

Where two or more separate energy production units referred to in subsection 1, which have been granted or will be granted an environmental permit on or after 1 July 1987 to start operations, have been built or are to be built in such a way that, taking technical and economic factors into account, their waste gases could in the judgement of the competent authority, be discharged through a common stack, the combination formed by such energy production units shall be considered a single combustion plant and their capacities aggregated for the purpose of calculating the thermal input of the plant.

However, combinations of two or more separate energy production units with a thermal input of at least 15 megawatts shall not be regarded as a single combustion plant in accordance with subsection 1 if these energy production units were put into operation no later than 31 December 1994 and they were, at that time, managed by a different operator.

Section 99
Procedure in exceptional circumstances

The operator of a large combustion plant shall immediately notify the state supervisory authority and the municipal environmental protection authority of any disruptions in fuel availability and of any malfunctions and breakdowns in the waste gas treatment equipment of an energy production unit.

During the time that the waste gas treatment equipment of the energy production unit is malfunctioning or broken down, the operator shall use low-emission fuels or shall restrict the operations of the plant.

In the event of a disruption in fuel availability, the state supervisory authority may grant an operator for a limited time the right to derogate from the emission limit values set for an energy production unit that utilises low-sulphur fuel, or the right to use other than gaseous fuel in an energy production plant that utilises gaseous fuel.

The state supervisory authority may, for the purpose of preventing environmental pollution, issue orders concerning the operations of the combustion plant to the operator who has made the report referred to in subsection 1, or may prohibit or suspend the operations if this is necessary in order to enforce the obligations specified in Chapter III and Annex V of the Industrial Emissions Directive. The decision of the state supervisory authority referred to in this subsection shall be made in compliance with the provisions of section 84 on the issuing of an environmental permit decision and section 85 on notification of the decision.

In exceptional circumstances other than those referred to in this section, the provisions of chapter 12 shall be observed.

Further provisions on the obligation to provide notification referred to in subsection 1, the restriction of the operations of a plant during the malfunction or breakdown of the waste gas treatment equipment of the plant referred to in subsection 2, and the

granting of the derogation referred to in subsection 3 shall be laid down by government decree.

Section 100
Capture of carbon dioxide

A report on conditions for carbon dioxide capture shall be appended to environmental permit applications for combustion plants with a rated electrical output of 300 megawatts or more. If, on the basis of the report or other information, it can be assessed that the conditions for carbon dioxide capture are met, the environmental permit for the plant shall specify that suitable space on the installation site for the equipment to capture and compress carbon dioxide is set aside.

The report referred to above in subsection 1 shall indicate:

1) whether the installation site has suitable storage sites for carbon dioxide capture;

2) whether the transfer facilities for carbon dioxide capture are technically and economically feasible; and

3) whether it is technically and economically feasible to retrofit for carbon dioxide capture.

The provisions of subsections 1 and 2 are not applicable to combustion plants that were granted an environmental permit before 27 June 2009 to start operations.

Section 101
Government decision on a transitional national plan for reducing the emissions of large combustion plants

Upon application of operators, the government may decide on a transitional national plan for reducing emissions to air by large combustion plants *(government decision)*. The decision shall impose a common obligation on operators to achieve a linear reduction in air emissions between 1 January 2016 and 30 June 2020. The decision shall require that the emissions during 2019 and 2020 are no higher than if these plants would be complying with the emission limit values laid down in the government decree issued under section 9. The decision shall give more details on the allocation of emissions reductions for each respective plant.

Under the government decision, the plants shall be exempt from compliance with the emission limit values laid down in the government decree issued under section 9 for the duration of the validity of the decision and as regards certain pollutants. As of 1 July 2020 at the latest, plants referred to in the government decision shall comply with the permit regulations given in the environmental permit issued under this act; however, the emission limit values shall be at least equal to those referred to in this subsection.

The government decision shall lay down the annual maximum emission levels for the plants concerned, with regard to each respective pollutant specified in the decision. The decision shall include the information referred to in the implementing rules of the European Commission issued under Article 41(1)(b) of the Industrial Emissions Directive.

Further provisions on the pollutants specified in the decision, the information to be included in the decision, and the specification criteria and calculation of the maximum emission levels shall be issued by government decree.

Section 102
Plants that fall within the scope of application of the government decision

The government decision may apply only to such large combustion plants that were granted a permit to start operations before 27 November 2002, and those plants where public notice of the environmental permit application was posted before that date and whose operations were initiated no later than 27 November 2003.

The government decision may apply only to the entirety of a combustion plant referred to in section 98, subsection 1.

The government decision does not apply to the following:

1) plants referred to in Articles 33 and 35 of the Industrial Emissions Directive;

2) plants to which Article 4(4) of Directive 2001/80/EC of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from large combustion plants is applied;

3) plants within refineries firing low calorific gases from the gasification of refinery residues or the distillation and conversion residues from the refining of crude oil for own consumption, alone or with other fuels.

When a plant referred to in the decision is decommissioned after 1 January 2016 or no longer falls within the scope of this chapter, this shall not result in an increase in total annual emissions from the remaining plants covered by the plan.

Section 103
Emission limit values for plants referred to in the government decision and the decision in relation to the environmental permit

The environmental permit for a plant referred to in the government decision shall set emission limit values for the pollutants specified in the decision for the period of validity of the decision. If the plant in question is a combination of energy production units referred to in section 98, subsection 1, this shall be confirmed in the environmental permit of the plant and emission limit values shall be set for such a combustion plant.

The environmental permit of a plant referred to in the government decision shall be reviewed as a result of the decision. The review may only concern matters specified in subsection 1, unless otherwise necessitated by section 29. The provisions in section 96, as applicable, shall be observed in the processing of the matter.

If the government decision differs from the environmental permit of the plant, the government decision shall be followed.

Section 104
Preparation of a government decision

An application for a transitional plan may be filed by a body or party representing the operators or appointed by them. The applicant shall deliver to the Ministry of the Environment detailed information on the measures required to implement the plan at each plant in order to assess that the maximum emission limits set in the decision are not exceeded during the period of validity of the decision and that the plants are in compliance with the emission limit values laid down in the government decree issued under section 9 by 1 July 2020.

During the preparation of the government decision, registered associations and foundations specified in section 186 shall be given the opportunity to express their views. Statements shall be obtained from the municipality where the activity is located and from municipalities in the area impacted by it, and from the relevant Regional State Administrative Agencies and Centres for Economic Development, Transport and the Environment.

If the European Commission does not approve the transitional national plan, the decision shall be amended and the Ministry of the Environment shall submit the amended plan to the Commission for approval.

Section 105

Information to be provided on the operations of a plant referred to in the government decision and monitoring of compliance with the decision

By the end of February each year, the operator of a plant referred to in the government decision shall submit to the municipal environmental protection authority and the state supervisory authority information on the operations and emissions of the plant, as specified in the government decree issued under section 9.

In addition, the operator shall immediately report to the state supervisory authority any such substantial changes in the operations of the plant that may affect compliance with the maximum emission levels specified in the decision.

The Finnish Environment Institute shall prepare a summary of the information referred to in subsection 1 for the Ministry of the Environment by the end of November each year. In addition, the state supervisory authority shall immediately notify the Ministry of the Environment of any changes referred to in subsection 2.

Based on the summary referred to in subsection 3, the Ministry of the Environment shall track whether the maximum emission levels set in the government decision are being achieved. If, based on the summary or other information, the Ministry of the Environment finds that the maximum emission levels will be exceeded or are at risk of being exceeded, the Ministry shall request an account of this from the party that filed the application for the plan.

Section 106

Amendment of a government decision

The Ministry of the Environment may amend the government decision on its own initiative, at the initiative of a supervisory authority or at the initiative of an operator if the plant referred to in the decision is decommissioned, if it no longer meets the requirements laid down in section 102, if the operations of the plant change substantially, or if the information included in the decision has to otherwise be reviewed.

The Ministry of the Environment may prepare a proposal to the government on amending or reversing the government decision if it has found, based on the report received, non-compliance with the maximum emission levels set in the decision. In response to the proposal, the government may decide to amend the transitional plan, or reverse the decision on the plan as well as decide on the deadline by which the plants referred to in the decision shall comply with the emission limit values laid down in the government decree issued under section 9.

In the processing of the matter referred to in subsections 1 and 2 above, the applicable provisions in section 104, subsection 2, on the hearing of views and requests for statements shall be observed.

Waste incineration plants and waste co-incineration plants

Section 107
Scope of application

In addition to other provisions laid down in this Act, sections 108–110 shall be applied to waste incineration plants and waste co-incineration plants that burn solid or liquid waste.

However, sections 108–110 of the Act shall not apply to:

1) gasification or pyrolysis plants, if the gases resulting from this thermal treatment of waste are purified to such an extent that they are no longer a waste prior to their incineration and they can cause emissions no higher than those resulting from the burning of natural gas;

2) plants that only incinerate the following types of waste:

   a) vegetable waste from agriculture and forestry;

   b) vegetable waste from the food processing industry, if the heat generated is recovered;

   c) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;

   d) wood waste with the exception of wood waste from construction, demolition or other activities which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating;

   e) cork waste;

   f) radioactive waste;

   g) animal carcasses incinerated as regulated by Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (*Animal By-products Regulation*);

   h) waste resulting from the exploration for, and the exploitation of, oil and gas resources from off-shore installations and incinerated on board the installations;

3) experimental plants used for research, development and testing in order to improve the incineration process and which treat less than 50 tonnes of waste per year.

Section 108
Definitions

In this Act:

1) waste incineration plant means a unit dedicated to the thermal treatment of waste, with or without recovery of the combustion heat generated, through the incineration of waste by oxidation as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated;

2) waste co-incineration plant means a unit whose main purpose is the generation of energy or production of material products and which uses waste as a regular or additional fuel or in which waste is thermally treated for the purpose of waste disposal through the incineration by oxidation of waste as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated.

If waste co-incineration takes place in such a way that the main purpose of the plant is not the generation of energy or production of material products but rather the thermal treatment of waste, the plant shall be regarded as a waste incineration plant, as defined in subsection 1, paragraph 1.

If processes other than oxidation are used for the thermal treatment of waste, the waste incineration plant or waste co-incineration plant shall include both the incineration process and the preceding thermal treatment process.

Further provisions on the units, equipment, structures and other comparable elements contained in the plant are laid down by government decree.

Section 109 (423/2015)
Aggregation of rated thermal input for a co-incineration plant

The rated thermal input for a waste co-incineration plant is specified in accordance with the aggregation rule defined in section 98.

Section 110
Procedure in exceptional circumstances

If a malfunction occurs in the operation of treatment equipment in the waste incineration plant or waste co-incineration plant, the operator shall restrict or suspend the operations of the plant as quickly as possible for as long as it takes until normal operations can continue.

More specific provisions on the operations of waste incineration plants and waste co-incineration plants in exceptional circumstances are laid down by government decree.

Waste management in extractive operations

Section 111
Scope of application

In addition to other provisions laid down in this Act, sections 112–115 shall be applied to extractive operations.

Section 112
Definitions

In this Act:

1) *extractive operations* means mining operations, preparatory activities for or comparable activities to mining operations, processing plants, quarries, other quarry operations, stone crushing or peat production;

2) *extractive waste* means waste generated in the extraction of naturally occurring organic or inorganic material from bedrock or soil, or in the storage or processing of this material;

3) *processing* means the treatment of mineral resources to separate minerals; however, this does not include smelting processes, metallurgical processes or other comparable operations;

4) *waste facility for extractive waste* means a site used for depositing extractive waste;

5) *waste facility for extractive waste posing a risk of major accident* means a waste facility for extractive waste that may pose a significant risk to health, property or the environment due to improper operations or its structural stability, or to the deposit of hazardous waste or chemicals hazardous to the environment or health.

Further provisions on specific waste facilities for extractive waste are given by government decree based on the risks posed by the facility and the origin and nature of the extractive waste deposited at the facility and the duration of the deposit. Further provisions on assessing the risk of a major accident posed by the waste facility are also given by government decree. Further provisions on the specification of extractive operations, extractive waste and processing may also be issued by government decree.

Section 113
Regulations on extractive waste

An environmental permit for extractive operations or a decision issued under section 119 shall give the necessary regulations on extractive waste, the waste management plan for extractive waste operations, and compliance with the plan.

The permit for the waste facility for extractive waste shall give the regulations necessary for the establishment, management, closure and aftercare of the waste facility, as well as regulations on an internal emergency plan for a waste facility for extractive waste posing a risk of major accident.

Section 114
Waste management plan for extractive waste

A waste management plan for extractive waste shall be drawn up by the operator for any extractive operation subject to an environmental permit, or subject to notification under section 119, that generates extractive waste. However, such a waste management plan is not required where quarrying or rock crushing is related to earthworks and hydraulic construction.

The waste management plan for extractive waste shall be prepared so as to prevent the generation of extractive waste and to reduce its harmfulness, while promoting the recovery and safe treatment of such waste. The waste management plan shall include information on the environment of the area, extractive waste, the recovery of extractive waste, waste facilities for extractive waste, environmental impacts, measures for preventing environmental pollution, the control of operations, and measures related to the cessation of operations. Further provisions on the objectives and content of the waste management plan are given by government decree.

The operator shall assess, and, if necessary, revise the waste management plan for extractive waste at a minimum of every five years, and shall inform the supervisory authority of this.

The waste management plan for extractive waste shall be amended if there is any significant change in the quantity or quality of extractive waste, or in the organisation of final treatment or recovery of the waste. In such a case, the environmental permit shall be amended as provided in section 89, or the decision on notification shall be revised. If, however, a substantial change in the operations occurs, the provisions laid down in section 29 shall apply.

Section 115
Waste facilities for extractive waste posing a risk of major accident

The operator of a waste facility for extractive waste shall be aware of any risk of major accident posed by the waste facility and see to the planning, establishment, management, closure and aftercare of the waste facility in such a manner as to prevent major accidents.

A policy document shall be drawn up for any waste facility for extractive waste that poses a risk of major accident, and a safety management system and internal emergency plan shall be adopted. When drawing up these documents, any risk of major accident posed by the waste facility shall be taken into account. The internal emergency plan shall present measures for preventing the impacts of potential accidents, for minimising the consequences of any accidents and for making preparations for restoration in the aftermath of an accident, and measures for warning the public and notifying the authorities. The emergency plan shall include an account of the policy document and the safety management system. The plan shall be assessed, and if necessary revised, at a minimum of three-year intervals, and the authorities shall be notified of such an assessment or revision. Further provisions on the policy document and safety management system, and on the internal emergency plan and its submission to the supervisory authorities, are given by government decree.

The operator shall appoint a person to be in charge of ensuring that all operations at the waste facility for extractive waste comply with the policy document, safety management system and internal emergency plan.

The operator shall inform any persons and corporations who may be affected by a major accident occurring at the waste facility for extractive waste of the safety

measures intended to counter the risk of such an accident. Information on safety measures shall be updated at a minimum of three-year intervals and details shall be provided on any major changes made. Further provisions on the dissemination of information are given by government decree.

The provisions laid down in subsections 1–4 do not apply if the requirements of sections 30–32 of the Act on the Safe Handling and Storage of Dangerous Chemicals and Explosives are applied to a waste facility for extractive waste posing a risk of major accident.

Chapter 11
Registration of activities

Section 116
Notification of an activity subject to registration

The municipal environmental protection authority shall be notified of an activity posing a risk of environmental pollution, as provided in Annex 2 of this Act, for registration in the environmental protection database. Notification shall be made no later than 90 days before the start of the operations. Provisions on special requirements concerning the activities subject to registration in order to prevent environmental pollution are laid down in government decrees issued under section 10.

Notification of waste treatment referred to in section 32, subsection 2, shall be submitted to the state supervisory authority well in advance before the start of the operations for registration in the environmental protection database. If, however, the activity subject to registration has an environmental permit and the permit is voided in accordance with section 32, subsection 2, the notification is not required, and the authority registers the activity itself and immediately notifies the operator of the matter.

If the activity subject to registration is of a kind specified in subsections 1 and 2, the notification shall be submitted to the municipal environmental protection authority no later than 90 days before the start of the operations.

A notification does not need to be submitted for an activity subject to an environmental permit or an activity undertaken on an experimental basis referred to in section 31.

Section 117
Contents of the notification of registration and report of registration by the authority

The notification referred to above in section 116 shall contain the information required for registration of the operator, the activity, and its location and impacts. Further provisions on the contents of the notification may be laid down by government decree. The authority shall immediately inform the party submitting the notification of the registration of the activity.

Chapter 12
Notification procedures

Section 118
Temporary activity causing noise and vibration

Operators shall notify the municipal environmental protection authority in writing of measures or events causing temporary noise or vibration, such as construction work or public events, if there is reason to expect that such noise or vibration will be especially disturbing. If a measure is to be taken or an event is to be organised in the territories of several municipalities, the notification shall be submitted to the state supervisory authority in whose area of operation the noise or vibration will primarily occur.

However, notification is not required for an activity that requires an environmental permit or that concerns the household of a private person, the Defence Forces' operations or such temporary activities for which the municipality has issued environmental protection regulations under section 202 and, at the same time, has specified that there is no obligation to provide notification.

The notification shall be made in good time before the measure is taken or the activity is started, but not less than 30 days in advance, unless the municipal environmental protection regulations provide for a shorter period. However, for the notification referred to above in subsection 1 that falls within the competence of the state supervisory authority, the notification period is always 30 days.

The measure cannot be taken nor the activity started before 30 days, or less if so provided in the municipal environmental protection regulations, have passed since the notification was submitted. However, in the decision made subsequent to the notification, the authority processing the notification may allow the measure to be taken or the activity to start before the times mentioned above.

Further provisions on the contents of the notification may be laid down by government decree.

Section 119
Activity undertaken on an experimental basis

A written notification of an activity undertaken on an experimental basis, referred to above in section 31, shall be submitted to the competent environmental permit authority at the latest 30 days before the start of the activity.

Section 120
Exceptional circumstance concerning an activity other than that subject to a permit or registration

If an accident, unanticipated production failure or other comparable unexpected reason independent of the activity itself, or the dismantling of a structure or device in an activity that does not require a permit or registration causes or may cause emissions or generates waste in a way that it may pose an immediate and apparent risk of environmental pollution, or may require extraordinary waste management operations because of the quantity or properties of the waste, the party responsible for the activity or the waste holder shall immediately notify the municipal environmental protection authority of the occurrence.

Section 121
Hearing of views

If the activity that is reported may have a substantial impact on the public or private interest, information shall be provided on the pending notification submitted in accordance with sections 118 and 119 above and the views of the parties concerned shall be heard as laid down in the Administrative Procedure Act. Similarly, information on the pending notification referred to in section 120 above shall be given and the views of the parties concerned shall be heard if there are special reasons for doing so.

Section 122
Processing of the notification

Following the submission of a notification referred to in sections 118–120, the authority shall issue a decision. In the decision, orders shall be issued that are necessary for preventing environmental pollution resulting from the activity and for meeting obligations concerning the organisation of the activity as laid down in the Waste Act. Additionally, orders may be issued in the decision on the monitoring of the activity and providing residents with information.

The authority may prohibit or suspend the activity if the considerable harm that will be caused to the public or private interest cannot be sufficiently reduced by the orders that have been issued. The decision shall be issued after publication of it, and notification shall be provided of it as laid down in section 84 on the issuance of an environmental permit decision and in section 85, subsections 1 and 2, on the notification of the decision. The orders may be issued or the activity prohibited even if the duty to submit notification has been neglected.

In addition to the issuing of orders referred to in subsection 1, the authority may, in situations referred to in section 120 above and when applying its own terms and conditions, allow a necessary short-term exception to an obligation based on this Act or the Waste Act. No harm to health shall result from the exception nor other significant consequence referred to in section 5, subsection 1, paragraph 2, or a risk of such. Provisions on the treatment of polluted soil or groundwater are laid down in chapter 14, while provisions on remediation of substantial pollution of a water body and damage to protected species and natural habitats are laid down in section 176.

Further provisions on the content, preparation and processing of the notifications referred to in sections 118–120 and on the content of the decision may be issued by government decree.

Section 123
Exceptional circumstance concerning an activity subject to a permit or registration

In the event that an accident, unanticipated production failure or another comparable unexpected reason independent of the activity itself, or the dismantling of a structure or device in an activity that is subject to a permit or registration causes emissions or generates waste in such a way that it results in a situation where the requirements of the government decree pertaining to the environmental permit or the activity in question cannot be complied with, or in a situation where it may pose an immediate and apparent risk of environmental pollution, or where it may require extraordinary waste management operations because of the quantity or properties of the waste, the party responsible for the activity or the waste holder shall immediately notify the municipal environmental protection authority of the occurrence, or the state supervisory authority if the state environmental permit authority is responsible for granting the environmental permit for the activity or if the notification referred to in

section 116, subsection2, has been submitted to the state supervisory authority. Immediately after the notification, the party responsible for the activity or the waste holder shall provide the authority with a plan according to which the emissions and waste, along with the subsequent environmental pollution, can be limited during the period of an extraordinary circumstance.

Following the notification, the authority shall make a decision and issue the orders necessary for returning the activity to a state where it is in compliance with the Act and any provisions issued under it, and where the harm and hazard caused by the situation are eliminated, and shall set a deadline by which the measures shall be implemented. Furthermore, temporary orders shall be issued, if necessary, based on the operator's plan and other information in order to prevent environmental pollution. The orders may be issued or the activity prohibited even if the obligation to provide notification has been neglected.

The provisions on administrative enforcement given in chapter 18 shall be complied with when issuing the orders. Chapter 14 includes provisions on the treatment of polluted soil or groundwater and section 176 gives provisions on the remediation of substantial pollution of a water body and damage to protected species and natural habitats.

In the event of an exceptional circumstance, the municipal environmental protection authority or the state supervisory authority shall, on its own initiative, start the procedure to amend the permit regulations referred to in section 89 or the procedure to revoke the permit referred to in section 93.

Chapter 13
Compensation

Section 124
Applicable provisions

Besides what is provided in the Act on Compensation for Environmental Damage (737/1994), the provisions of this chapter also apply to matters concerning compensation for the pollution of a water body.

The provisions of this chapter on bodies of water also apply to ditches, springs, artificial water bodies and streamlets referred to in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act.

Section 125 (423/2015)
Deciding on compensation in connection with a permit matter

When granting an environmental permit, the permit authority shall, at the same time, subject to section 126, order compensation for any damage from water pollution caused by the activity. In such cases, section 9 of the Act on Compensation for Environmental Damage shall not apply. When deciding on compensation, due consideration shall be given to the provisions of section 87 of this Act on the fixed-term nature of the permit.

Section 126
Deciding separately on compensation

If a detailed account of the damage referred to in section 125 would unreasonably delay the permit decision, the state environmental permit authority may decide on the granting of the permit, and postpone the decision on compensation for later.

The state environmental permit authority may also order that the decision on certain aspects of compensation for damage be postponed for later, if the required account is missing or if there are other special reasons. In such a case, the permit recipient shall be obliged to obtain the required account and submit an application to supplement the compensation decision within the deadline.

Section 127
Lodging of security

In permit decisions referred to above in section 126, applicants other than the state, a municipality or joint municipal authority shall be required to lodge an acceptable security before the activity is started or, if it has already been started, within the time stipulated by the permit authority, for compensation for the damage referred to in section 125. The provisions of chapter 11, section 20, of the Water Act apply to lodging security, reviewing the amount and releasing the security.

Section 128
Decision of an appellate court on the processing of a compensation matter

If an appellate court amends an environmental permit decision so that a decision on compensation needs to be amended, the court shall refer the compensation matter to be processed either entirely or in part by the permit authority, unless it can amend the decision on compensation by itself.

Section 129
Compensation for damage incurred before a permit matter is resolved

In connection with a permit matter, the state environmental permit authority may also process a claim pertaining to compensation for damage referred to in section 125 caused by the activity before the permit matter is resolved, unless this leads to substantial delay. If the claim is not processed in connection with the permit matter, the state environmental permit authority shall process it separately.

Section 130
Compensation for unforeseeable damage

Notwithstanding earlier decisions on compensation, an application may be submitted to the state environmental permit authority to claim compensation for damage not foreseen when the permit was granted. Claims for compensation for damage caused by the same activity carried out in contradiction to the permit may be processed at the same time.

Section 131
Processing of a compensation matter in the district court

An action brought to a district court to seek compensation shall be dismissed if the same compensation matter is pending at the permit authority.

Notwithstanding sections 129 and 130, a claim for compensation pertaining to a crime relating to the pollution of water shall be resolved in a district court. The state environmental permit authority shall not investigate a compensation matter if a criminal matter is pending at a district court on which the claim for compensation is based.

The district court shall notify the state environmental permit authority when the processing of the compensation matter commences.

The district court and the appellate court may request a statement from the state supervisory authority or the state environmental permit authority if special expertise in environmental protection or water-related issues is needed to resolve the compensation matter.

Section 132
Application of the Water Act to the processing of a compensation matter

The permit authority may stipulate that a specific account shall be obtained to resolve a compensation matter. The provisions of chapter 11, section 16, of the Water Act shall be applied to obtaining the account.

In addition, the provisions of chapter 13, sections 16–18, of the Water Act shall be applied to the compensation matter.

Chapter 14
Treatment of contaminated soil and groundwater

Section 133
Obligation to treat soil and groundwater

Any party whose operations have caused the contamination of soil or groundwater is required to treat the soil or groundwater *(contaminated site)* to a state where it does not pose a risk or cause harm to health or the environment.

If the party that has caused the soil contamination cannot be determined or prevailed upon to fulfil the treatment obligation, and if the contamination has occurred with the consent of the party in possession of the area or if he or she has known, or should have known, the state of the area when it was acquired, the party in possession of the area shall treat the soil in so far as this is not clearly unreasonable. The party in possession of the area is also responsible, under the same conditions, for the treatment of groundwater if the pollution was caused by soil contamination in the area concerned.

In so far as the party in possession of the contaminated site cannot be required to treat contaminated soil, the municipality shall establish the need for soil treatment and carry out the treatment of the soil.

Section 134
Obligation to report pollution hazards

If waste or some other substance that may cause contamination has entered the soil or groundwater, the polluter shall notify the supervisory authority immediately.

Section 135
Obligation to investigate and assessment of the need for treatment

If there is reason to suspect that the soil or groundwater has been contaminated, the party responsible for treatment under section 133 shall establish the level of contamination of the area and the need for treatment. The report shall be delivered to the state supervisory authority.

If the party responsible for the treatment fails to fulfil the obligation to establish the state of contamination, as described in subsection 1, the state supervisory authority may order the party in question to fulfil this obligation. The order shall be issued in accordance with the provisions of chapter 18.

An assessment of the need for the treatment of contaminated soil and groundwater shall take into account the present and future use of the contaminated site, its surroundings and the groundwater, and any hazard or harm to the environment and health that would be caused by the contamination.

Further provisions may be issued by government decree on the highest permissible concentrations of harmful substances in the soil and the concentrations of harmful substances for the purpose of assessing contamination and the need for treatment, with due consideration to the various purposes for which the land is used.

Section 136
Decision on the treatment of contaminated soil and groundwater

Action may be initiated to restore soil and groundwater at a contaminated site and to recover soil excavated in connection with treatment in the extraction area, or to remove contaminated soil for treatment elsewhere by submitting the relevant notification to the state supervisory authority, if the treatment does not require an environmental permit in accordance with chapter 4. The notification shall be submitted well in advance and no later than 45 days before the start of the work phase essential to the treatment.

The state supervisory authority shall review the notification and issue a decision based on it. The decision shall give the necessary orders for the treatment of the contaminated area, the goals of the treatment, and the recovery and monitoring of the soil. The treatment of the contaminated site shall include the measures that are necessary for removing, reducing, preventing the dispersal of, or controlling the contaminating substances. The decision shall be issued after public notice and announcement of it, as laid down in section 84 on the issuance of an environmental permit decision and section 85 on notification of the decision.

Further provisions on the notification and on the decision made may be issued by government decree. Further provisions may also be issued by government decree on the processing and isolation of contaminated soil, the technical requirements of treatment, and on monitoring and control.

Section 137
Ordering treatment

The state supervisory authority shall order that treatment of contaminated soil or groundwater be undertaken if the party responsible for treatment under section 133 does not take action. The order shall be issued in accordance with the provisions of chapter 18.

The authority may, in the decision referred to in subsection 1, also issue an order on other necessary measures that shall be taken to restore the environment to a previous state or to reduce or eliminate the harm that has arisen. If the groundwater has been substantially contaminated, the authority shall order the party responsible for treatment to take the remedial measures referred to in the Act on the Remediation of Certain Environmental Damages (383/2009).

Section 138
Transfer of competence to the municipal environmental protection authority

On application by a municipality and having consulted the state supervisory authority and the state environmental permit authority, the Ministry of the Environment may decide that in matters concerning contaminated soil and groundwater referred to in this chapter, with the exception of section 133, subsection 3, the competent authority is the municipal environmental protection authority. The requirements for the transfer of competence are that the municipal environmental protection authority has sufficient expertise to perform the tasks appropriately and that the transfer of competence will improve operational efficiency or create a balanced division of responsibilities between the authorities. Any matters that have been initiated by the state supervisory authority before the decision on the transfer of competence has been made shall be fully processed in full by the state supervisory authority.

The competence may be transferred for a fixed period or until further notice. The decision may be amended if the conditions for the transfer of competence cease to exist. Matters pending at the municipal environmental protection authority before the deadline for the transfer is reached or the decision on competence is amended shall be fully dealt with by the municipal environmental protection authority.

Section 139
Duty to report in conjunction with the transfer of land

A party transferring or renting land shall provide the new owner or tenant with any information available on the activity carried out on the land and any wastes or substances that may cause, or have caused, pollution of the soil or groundwater, along with any information on possible investigations conducted in the area or treatment measures carried out.

Chapter 15
State of the environment

Section 140
Surface water quality

The aim for all activities shall be to achieve a level of surface water quality where substances hazardous and harmful to the aquatic environment do not cause harm to health or other significant consequences referred to in section 5, subsection 1, paragraph 2, or any risk of such.

Provisions on environmental quality requirements that may concern the concentration of substances hazardous and harmful to the aquatic environment in surface water, sediment and fauna are issued by government decree to secure the surface water quality referred to in subsection 1. Derogations from environmental quality requirements may also be provided by government decree, when this is necessary for the enforcement of European Union legislation.

The environmental targets for the chemical and ecological state of aquatic areas, and any derogations from these, are provided in and under the Act on the Organisation of River Basin Management and the Marine Strategy.

Section 141
Air quality

The aim for all activities shall be to achieve a level of air quality where the quantity of hazardous or harmful substances or compounds in ambient air, or in the deposition of these, is not present at a level that would cause harm to health or other significant consequences referred to in section 5, subsection 1, paragraph 2.

Provisions on environmental quality requirements and objectives that may concern the quantity of hazardous or harmful substances or compounds in ambient air, or in the deposition of these, are issued by government decree to secure the air quality referred to in subsection 1. Derogations from environmental quality requirements may also be provided by government decree, when this is necessary for the enforcement of European Union legislation.

Section 142
Quality of the sound environment

The aim for all activities shall be to achieve a level of quality of the sound environment where hazardous or harmful sound (noise) does not occur to an extent that would cause harm to health or other significant consequences referred to in section 5, subsection 1, paragraph 2, or any risk of such.

Provisions on environmental quality requirements and objectives are issued by government decree to secure the quality of the sound environment referred to in subsection 1. The requirements and objectives may vary for different noise sources and areas, and they can be set only for specific periods of time.

Section 143
Monitoring the state of the environment

Within its territory, the municipality shall see to the necessary monitoring of the state of the environment according to local conditions and using the appropriate methods. The state supervisory authority is responsible for the monitoring of the state of the environment in its area. The tasks of the Finnish Environment Institute concerning the monitoring of the state of the environment are laid down separately.

Notwithstanding the provisions of subsection 1, the monitoring of air quality in the Greater Helsinki area is the responsibility of Espoo, Helsinki, Kauniainen and Vantaa in cooperation. In the Greater Helsinki area, airborne concentrations of particulate matter smaller than 2.5 micrometres shall be continuously monitored by one permanently fixed urban background station, where the ambient air quality is representative of that in the city.

Monitoring data shall be published and information on the data provided to the extent deemed necessary.

Further provisions may be issued by government decree on organising the monitoring of the state of the environment, the monitoring and assessment methods and their quality targets, and the publication of monitoring data, the provision of information on the data, and the delivery of the data to the environmental protection database.

Provisions on the monitoring of surface water and groundwater and the state of the Baltic Sea in relation to the management of water resources and the marine environment, and on providing information on the monitoring data, are laid down in and under the Act on the Organisation of River Basin Management and the Marine Strategy.

Section 144
Protection of air quality

In so far as possible, municipalities shall ensure good air quality in their territories, taking into account the environmental quality requirements and objectives referred to in section 141.

In the implementation of plans drawn up to secure air quality in accordance with sections 145 and 146, municipalities may issue regulations on restricting and suspending activities other than those subject to a permit and registration. Provisions on lowering the emissions caused by activities subject to a permit and registration, and on preventing unpredictable, severe air pollution are issued separately.

Section 145
Air quality protection plan

If a limit value specified for air pollution under section 141 is exceeded, or if there is a risk of such, the municipality shall prepare a medium-term or long-term air quality protection plan aimed at keeping pollution below the limit value and shortening the time during which the limit value is exceeded. An air quality protection plan does not need to be drawn up in cases concerning the exceedance of limit values, or the risk of such, specified for particulate matter (PM_{10}) referred to in section 148. At their own discretion, municipalities may also draw up an air quality protection plan for achieving the target values set for ozone.

In order to improve air quality, the air quality protection plan shall include information on deteriorating air quality and the necessary measures targeted at transport and other activities causing emissions. When necessary, the plan shall also include measures for the protection of population groups with special sensitivity to air pollution. Further provisions on the content of the air quality protection plan may be issued by government decree.

Section 146
Short-term action plan

If the alert threshold specified under section 141 for sulphur dioxide or nitrogen dioxide is exceeded or there is a risk of this occurring, the municipality shall prepare a short-term action plan to reduce the risk and duration of such an exceedance. When the alert threshold for ozone is exceeded or there is a risk of this occurring, the municipality is only obliged to prepare a short-term action plan if such a plan would be of use in reducing the risk, duration or severity of such an exceedance. At its own discretion, the municipality may prepare a short-term action plan for keeping pollution below the limit value and shortening the time during which the limit value is exceeded, and for achieving the target values set for ozone.

The short-term action plan shall include the information specified in section 145 and corresponding measures laid down in section 145 that facilitate the most rapid possible improvement in air quality. Further provisions on the content of the short-term action plan may be issued by government decree.

Section 147
Procedure for preparing the plans and disclosure of information

The air quality protection plan shall be prepared within 18 months of the end of the calendar year during which the limit value was exceeded or the risk of this was first detected. If it is apparent that the limit value will be exceeded, or there is a risk of it being exceeded, upon the end of the validity period of the air quality protection plan, a new air quality protection plan shall be drawn up to take effect immediately at the end of the validity period of the previous air quality protection plan. When the period of validity of the previous air quality protection plan has ended, a new air protection plan shall be prepared without delay when the alert threshold is exceeded or is at risk of being exceeded again.

A short-term action plan shall be prepared without delay after the alert threshold has been exceeded or a risk of such has been detected.

Municipalities shall, in sufficiently good time, provide the public with the opportunity to express their opinion on draft plans by posting a public notice of the matter on a notice board of the municipality concerned or providing information in a newspaper in general circulation within the locality affected and through electronic channels. A statement on the draft plans shall be requested from the state supervisory authority.

As provided in subsection 3, the public shall be informed of approved plans and of how the opinions expressed and the statement of the state supervisory authority have been taken into account. Approved plans shall be sent to the state supervisory authority and the Ministry of the Environment for information.

Municipalities shall submit information on any measures implemented in accordance with the air quality protection plan as well as any revision of the air quality protection plan and separate preparation of a short-term action plan to the state supervisory authority and the Ministry of the Environment by 15 May every year.

Section 148
Exceedance of limit values due to sanding and salting

In an area where the limit values laid down under section 141 for particulate matter (PM_{10}) are exceeded due to a particulate load caused by sanding or salting for the winter maintenance of roads and streets, the municipality may prepare, instead of an air quality protection plan, a report on the exceedance of the limit values, the reasons for the exceedance, and the measures required to lower concentrations. Further provisions on the content of the report may be issued by government decree.

The report shall be prepared within seven months of the end of the calendar year in which the limit value was exceeded for the first time. When preparing the report, the provisions of section 147, subsection 3, on providing the public with an opportunity to participate and on the statement to be requested from the state supervisory authority shall be observed.

If the limit value is again exceeded after the report is prepared, the municipality shall submit a report to the state supervisory authority and the Ministry of the Environment on measures already taken to lower concentrations, including an assessment of the impacts of the measures and any additional measures required. However, if the additional measures required are of such significance that they require the preparation of an entirely new report, the procedure referred to in subsection 2 shall be observed.

Section 149 (1068/2016)

Section 149 was repealed by Act 1068/2016.

Section 150
Promoting the quality of the sound environment

Municipalities shall promote the quality of the sound environment in their territory, taking into account the environmental quality requirements and targets referred to in section 142.

Section 151
Noise mapping and noise abatement action plans

Noise maps and noise abatement action plans shall be prepared within the time specified in Article 8 of Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise for:

1) agglomerations of more than 100,000 inhabitants, which because of their population density can be considered urbanised areas;

2) public roads with more than three million vehicle passages per year;

3) railways with more than 30,000 train passages per year; and

4) airports used for civil aviation in which the number of combined take-offs and landings of aircraft, excluding the take-offs and landings of light aircraft for training purposes, is more than 50,000 per year.

Noise mapping shall describe the existing and predicted noise situation in the area in terms of noise indicators, including the quiet areas, and shall present the number of persons exposed to the noise and the number of residential buildings in the area.

The purpose of noise abatement action plans is to reduce noise and its impacts and prevent noise from increasing in quiet areas.

Provisions on the indicators used in noise maps, the contents of noise maps and noise abatement action plans, and, where necessary, the naming of the agglomerations are laid down by government decree.

Section 152
Procedure for preparation of noise maps and noise abatement action plans

Noise maps and noise abatement action plans for roads and railways are prepared by the Finnish Transport Agency, for airports by the airport operator, for other traffic areas by the party responsible for maintaining them, and for agglomerations other than the areas referred to above, by the municipalities concerned. Any noise maps and action plans prepared by the Finnish Transport Agency or an airport operator shall be provided by these parties to the municipalities concerned, which shall take them into account when drawing up the noise maps and action plans for the agglomerations in question.

The noise maps and action plans shall be reviewed at least once every five years, and, in this connection, the action plans and, if necessary, the noise maps shall also be updated. If necessary, the action plans shall also be amended and updated at other times if new factors appear that substantially affect the existing noise situation in the area.

When preparing a noise abatement action plan, persons whose living, working and other conditions may be affected by the action plan shall be given an opportunity to express their opinion on it. Municipalities shall, in sufficiently good time, provide this opportunity by posting a public notice on the matter on a notice board of the municipality concerned or by providing information on it in a newspaper in general circulation within the locality affected and through electronic channels. Statements shall be requested from the municipalities in the areas affected, the relevant state supervisory authorities, the Finnish Transport Agency, the airport operator and from other parties who may be indicated by government decree. Furthermore, registered associations or foundations referred to in section 186 shall be given an opportunity to have their views heard during the drawing up of the action plan.

Provisions on the deadline for the noise map and action plan are laid down by government decree.

Section 153
Providing information on noise maps and noise abatement action plans

Noise maps and noise abatement action plans shall be publicised, and information on them distributed to the necessary extent. The maps and plans shall be submitted to the state supervisory authority. Furthermore, they shall, as necessary, be submitted for information to the other responsible parties listed in section 152, subsection 1.

Chapter 16
Treatment and conveyance of wastewater outside a sewerage network

Section 154
Definitions related to the treatment of domestic wastewater

In this chapter:

1) *domestic wastewater* means wastewater originating from water closets, kitchens, washing facilities and the corresponding facilities and equipment of dwellings, offices, business premises and installations, and wastewater with a similar composition and properties originating from milk rooms at dairy farms or resulting from other business operations;

2) *wastewater treatment system* means all equipment and structures needed for the purification or other treatment of domestic wastewater, which may consist of a septic tank, a soil infiltration system, a sand filter system, a cesspool, a packaged treatment plant or other equipment, or a combination of such equipment and methods;

3) *wastewater system* means all domestic wastewater sewers and wastewater treatment systems located inside and outside buildings, which are needed for the conveyance and treatment of the domestic wastewater of the property;

4) *person-equivalent load for dispersed settlements* means the average load of untreated wastewater generated by one resident measured in grams per day in organic matter, phosphorus and nitrogen;

5) *the load in untreated wastewater* means the load contained in domestic wastewater destined for wastewater treatment that is being defined as the product of the average number of residents using the wastewater system and the person-equivalent load for dispersed settlements or, if the domestic

wastewater originates from other than residential activities, as the average analysed daily load;

6) *sludge* means settleable or floating solids originating from wastewater in septic tanks, packaged treatment plants or other treatment processes that can be separated from wastewater as individual fractions.

Section 155
General obligation to treat wastewater

If a property is not connected to a sewerage network and the activity is not subject to an environmental permit, wastewater shall be conveyed and treated so as not to pose a risk of environmental pollution.

Domestic wastewater shall be treated before it is conveyed into the ground, a water body or a ditch, an artificial pond, or a streamlet referred to in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act. Wastewater other than that issuing from a water closet may be conveyed into the ground without treatment, if the amount of wastewater is negligible and it poses no risk of environmental pollution.

Section 156
Wastewater treatment system

For the treatment of domestic wastewater, a property shall be equipped with a treatment system for wastewater that is suitable for its intended purpose, considering the load of untreated wastewater resulting from the use of the property, attributes of other parts of the wastewater system, the risk of environmental pollution, such as the location of the property in a coastal area, or in an important or other groundwater area suitable for water supply, and other environmental conditions.

The wastewater treatment system shall be planned, constructed and maintained so that, in normal use, it can be reasonably assumed to achieve a sufficient standard of treatment as regards organic matter, phosphorus and nitrogen, specified in more detail by government decree on the treatment of domestic wastewater based on the load of such chemicals in untreated wastewater. A sufficient standard of treatment shall be specified in such a way as to facilitate the attainment of an acceptable level of load, viewed as a whole in terms of environmental protection, with particular attention to national objectives for water protection. Further provisions on the standard of treatment required, the load of domestic wastewater on the environment, the planning, use and maintenance of a wastewater system, and on sludge removal are laid down by government decree.

Stricter treatment requirements shall be applied instead of the standard referred to above in subsection 2 if there are provisions on them elsewhere in the Act or in the provisions and regulations issued under the Act. Furthermore, the above-mentioned requirements shall not be applied in an area that, due to environmental conditions, is subject to municipal environmental protection regulations regarding standards of treatment as issued under section 202 of the Act. Further provisions may be issued by government decree on the normative standard of treatment that should be attained through the treatment of domestic wastewater if the municipal environmental protection regulations specify requirements that are more stringent than those referred to in subsection 2.

Provisions on permits for the construction and modification of wastewater treatment systems for individual properties, as well as on instructions for the use and servicing of wastewater treatment systems, are laid down in the Land Use and Building Act.

Section 157
Derogation from the requirements for treatment of domestic wastewater

An exception may be granted with respect to requirements for the treatment of domestic wastewater provided above under section 156 if the environmental load can be considered negligible considering the use of the property in comparison with the load from untreated domestic wastewater, and the measures required for upgrading the treatment system, when assessed as a whole, are deemed unreasonable for the property holder due to high costs or demanding technical requirements. When assessing the unreasonableness of measures for the property holder, the following shall be taken into account:

1) the property being located in an area intended for coverage by a sewerage network;

2) the property holder and those living permanently on the property being of an advanced age, as well as other, corresponding special factors related to the current circumstances of the occupants;

3) the property holder being affected by long-term unemployment or illness, or some other comparable social hindrance to the performance of the provisions under the Act.

Upon submission of an application for the exception referred to in subsection 1, authority to grant the exception is vested in the competent local authority. An exception may be granted to an applicant for a maximum period of five years at a time.

Section 158
Conveying wastewater in an area belonging to another party

Should wastewater be conveyed into a ditch or a streamlet referred to in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act in an area belonging to another party, the party conveying the wastewater is required to attend to the maintenance of the ditch or streamlet concerned. The party conveying the wastewater shall perform any work required to enlarge, restore and maintain the channel, should such work become necessary because of the conveyance of the wastewater, and shall otherwise ensure that the conveyance of the wastewater does not cause any harm that is avoidable at a reasonable cost. Moreover, the party conveying the wastewater shall maintain any sewer pipe located in the area belonging to another party and other pipes and structures constructed for the conveyance of the wastewater.

If several parties are conveying wastewater into a ditch or streamlet, or if the conveyance of wastewater provides a landowner with more than a minor benefit in terms of ditch drainage, each party benefitting from the conveyance of the wastewater shall participate in the maintenance of the ditch, in the manner provided in chapter 5 of the Water Act on joint ditch drainage. No obligation to participate in measures necessary for conveying wastewater can be imposed on a party conveying water other than wastewater. If necessary, a ditch drainage corporation shall be established in the manner provided in chapter 5 of the Water Act.

The content of the obligations of the party conveying wastewater can be decided in more detail in the environmental permit. If the permit does not include the required regulations, or if wastewater is conveyed on the basis of an activity not subject to a permit, the municipal environmental protection authority decides on more detailed terms for the obligation, in compliance with the provisions of chapter 5 of the Water Act on ditch drainage. Any disputes concerning maintenance of the channel are

resolved by the municipal environmental protection authority in compliance with the provisions of chapter 5 of the Water Act on ditch drainage.

If a right has been granted under sections 68 or 69 for conveying wastewater into a ditch or streamlet, or for placing a sewer pipe or digging a ditch, the conveyance of wastewater may not be prevented or obstructed because of construction or related measures. Moreover, the provisions of chapter 5, section 10, of the Water Act shall apply to any ditch or sewer pipe constructed for conveying wastewater.

Chapter 17
Substances that deplete the ozone layer and fluorinated greenhouse gases

Section 159

Qualifications required for handling substances that deplete the ozone layer and certain fluorinated greenhouse gases and demonstration of these

A person and operator who handles substances referred to in the Ozone Regulation and Annex 1 of the F-gas Regulation or who installs, maintains, services or carries out waste management on devices or systems that contain these substances shall have sufficient qualifications for preventing emissions of these substances, provisions on which are laid down in a government decree issued under this Act. (423/2015)

The person referred to above in subsection 1 shall demonstrate his or her qualifications in accordance with the requirements provided in or under the Ozone Regulation or the F-gas Regulation. A person working in the refrigeration, air-conditioning and heat pump industry shall demonstrate his or her qualifications with a competence-based qualification as provided in the Act on Adult Vocational Education (631/1998) and with a curriculum-based qualification from vocational upper secondary education as provided in the Vocational Education and Training Act (630/1998). For a competence-based qualification, the qualification committee issues a certificate to the person who demonstrates his or her qualifications and for a curriculum-based qualification from vocational upper secondary education, the education organiser issues the certificate. A person working in the fire extinguisher industry, the high-voltage switchgear industry and the mobile air conditioning industry shall demonstrate his or her qualifications through an examination organised by an expert party approved by the Finnish Safety and Chemicals Agency. A person recovering gases from equipment that contains fluorinated greenhouse gas-based solvents shall demonstrate his or her qualifications through an examination organised by an expert party approved by the Finnish Environment Institute. Operators considered expert parties in this context include educational institutions in these sectors and companies carrying out certification of personnel in the industries in question, as well as importers of the equipment and systems in question. The person demonstrating his or her qualifications shall be issued a certificate for successfully completing the examination.

Provisions on liability for acts in office apply to the employees of the expert parties referred to above in subsection 2 while they are performing the public administration tasks referred to in this Act. Provisions on tort liability are laid down in the Tort Liability Act.

The Finnish Safety and Chemicals Agency or the Finnish Environment Institute may withdraw its approval of organising examinations to assess people's qualifications if the organiser of the examination no longer operates in the industry or otherwise no longer meets the conditions for approval.

Further provisions concerning the education and qualification requirements of the persons and operators referred to in subsection 1 are given by government decree.

Section 160
Proof of qualification in another country of the European Economic Area

The qualifications of the person or operator referred to in section 159, subsection 1, may also be demonstrated with a certificate of qualification issued in another country of the European Economic Area, if the requirements for issuing such a certificate comply with the provisions of the Ozone Regulation and the F-gas Regulation, or with provisions issued under these.

Section 161
Person in charge of operations and equipment

The operator referred to above in section 159, subsection 1, shall appoint a person in charge, who shall be primarily employed by the operator in question and qualified in accordance with section 159, subsection 1. The person in charge shall ensure that the operations comply with the environmental protection requirements and that the installation and maintenance personnel meet the qualification requirements. The person in charge shall have the real possibility to attend to his or her duties. However, an operator in the high-voltage switchgear industry or one recovering gases from equipment that contains fluorinated greenhouse gas-based solvents is not required to appoint a person in charge.

The operator referred to in section 159, subsection 1, shall have the necessary equipment and tools required for the proper maintenance work. Further provisions are laid down by government degree on the installation, maintenance and servicing of devices and systems that contain substances specified in the Ozone Regulation and the F-gas Regulation, and on the equipment and tools required in the waste management of these substances.

Section 162
Verification of qualifications

The person referred to above in section 159, subsection 1, shall notify the Finnish Safety and Chemicals Agency for the purpose of verifying his or her qualifications. The notification shall include the necessary personal and contact information and an account of the fulfilment of the qualification requirements in accordance with section 159, subsection 2. A person who fulfils the qualification requirements is issued a certificate of qualification by the Finnish Safety and Chemicals Agency.

The operator referred to above in section 159, subsection 1, shall notify the Finnish Safety and Chemicals Agency about the qualifications of personnel and the nature of the activity and tools used for monitoring purposes and for verifying the qualifications referred to in section 159, subsection 1, and required under the Ozone Regulation or F-gas Regulation or a decision made under them. An operator that fulfils the qualification requirements is issued a certificate of qualification by the Finnish Safety and Chemicals Agency. However, the obligation to provide notification does not extend to operators in the high-voltage switchgear industry or to operators recovering gases from equipment that contains fluorinated greenhouse gas-based solvents.

The Finnish Safety and Chemicals Agency may issue a decision to withdraw the certificate of qualification if it becomes apparent that the person or operator is operating contrary to the qualification requirements or that the operator no longer meets the qualification requirements. Before withdrawing the certificate of

qualification, the Finnish Safety and Chemicals Agency shall provide the operator or person with the chance to correct the deficiency, unless the deficiency is of such major significance that correcting it is not possible within a reasonable time frame. (423/2015)

Further provisions on the content of the notifications and the notification procedure referred to in this section are given by government decree.

Section 163 (423/2015)
Leak inspections

A party in possession of equipment or an owner of equipment containing the substances referred to in section 159, subsection 1, above shall ensure that the equipment and its leak detection system for potential leaks are regularly inspected and that service and inspection records are kept of the equipment as laid down in Article 23 of the Ozone Regulation and Articles 4–6 of the F-gas Regulation.

The party in possession or owner of the equipment shall ensure that the person and operator carrying out the inspection have been issued a certificate of qualification referred to in section 162 by the Finnish Safety and Chemicals Agency.

Further provisions on the inspections and the information included in the maintenance and inspection records referred to in subsection 1 are given by government decree.

Section 164
Register maintained by the authority

The Finnish Safety and Chemicals Agency maintains a register of operators that have provided it with the notification referred to in section 162, subsection 2. In addition, the Finnish Safety and Chemicals Agency maintains a register of certificates of qualification and persons in charge.

The name of the person, business or facility to be registered, with the necessary contact information, shall be entered into the register. Additionally, the basis for the certificate of qualification and the field of special expertise shall be entered into the register. An entry shall be deleted from the register at the request of the registered person or operator, or when the operator ceases operations, or when the certificate of qualification is withdrawn.

The Act on the Openness of Government Activities is applied to the secrecy and disclosure of data recorded in the register, and the Personal Data Act (523/1999) to other handling of personal data. Notwithstanding section 16, subsection 3, of the Act on the Openness of Government Activities, information from the register may be provided in the form of copies and through the public information network.

Section 165 (423/2015)
Providing information on fluorinated greenhouse gases

The importer or exporter of the substances referred to in Annex I of Regulation (EU) No 525/2013 of the European Parliament and of the Council on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC, and in Annexes I and II of the F-gas Regulation, or of equipment containing them, or the party engaged in manufacturing, installing or servicing or otherwise engaged in the treatment, distribution or waste management of equipment containing them, shall, on request, provide the Finnish Environment

Institute annually with information about the sale, use, import, export and disposal of these substances.

Further provisions on the information referred to in subsection 1 and the procedure for providing the information may be given by government decree.

Section 166
Obligation of the authority to provide notification

If, in the supervision of this chapter or the regulations issued under it, it is found that the qualification requirements listed in section 159 have not been complied with, the supervisory authority shall notify the Finnish Safety and Chemicals Agency of the matter.

If the supervisory authority referred to in section 24, subsection 2, discovers through supervision that an obligation imposed in accordance with section 163 or under it has been neglected, the authority shall notify the appropriate state supervisory authority or municipal environmental protection authority.

Chapter 18
Supervision and administrative enforcement

Section 167
Organisation of supervision

The supervisory authority shall organise the supervision of this Act and any regulations and provisions issued under it in such a way that it ensures a high level of quality, regularity and efficiency, and that it is based on the assessment of environmental risks. The supervisory authority may prioritise tasks if this is necessary for the appropriate performance of the tasks.

Further provisions on the operations of the supervisory authority to ensure the quality and efficiency of the supervision may be issued by government decree.

Section 168
Regular supervision

The state supervisory authority and municipal environmental protection authority shall, in accordance with this Act, draw up a plan *(supervision plan)* for regular supervision in their area. The supervision plan shall include information on the environmental conditions of the area, activities that pose a risk of pollution, and the resources and means available for supervisory purposes. The plan shall include a description of the organisation of supervision and risk assessment criteria, and the cooperation between the authorities in charge of the supervision. The supervision plan shall be reviewed regularly.

The state supervisory authority and municipal environmental protection authority shall regularly supervise activities subject to an environmental permit or registration through periodic inspections. The inspection targets and the frequency of the inspections shall be determined based on the assessment of environmental risks.

The periodic inspection of an installation covered by the directive shall be conducted at intervals of at least once per year and no more than every three years in accordance with the risk level of the activity in question. An additional inspection shall be conducted on such an installation within six months if it is found through

supervision that the requirements set for the installation in this Act or under it have been substantially violated.

The state supervisory authority and municipal environmental protection authority shall draw up a programme *(supervision programme)* for the periodic inspections of activities subject to a permit or registration, and on their other regular supervision. The supervision programme shall include information on the targets of the supervision and the regular supervisory measures to which they are subjected. The supervision programme shall be kept up to date.

Further provisions on the preparation and contents of the supervision plan and programme, the periodic inspections, the assessment of environmental risks, other regular supervision and the related communications may be issued by government decree.

Section 169

Inspection in the event of an accident, harm or a violation

If due to an accident, report of harm, failure to comply with a permit or some other issue, there is reason to presume that an activity will cause a health hazard or other significant consequence or a risk of such referred to section 5, subsection 1, paragraph 2, the supervisory authority shall inspect the activity or ascertain the situation in some other appropriate manner. If a permit matter concerning the activity is being processed at the same time, the inspection or analysis shall be conducted where possible before the permit matter is resolved.

Section 170

Notification of changes in operations and change of permit holder

The holder of an environmental permit shall notify the supervisory authority in advance of the commencement of an activity if the starting date is not specified in the permit application or permit decision, or if it has changed from what was indicated beforehand. Furthermore, the supervisory authority shall be notified of the following without delay:

1) long-term interruption of an activity;

2) cessation of operations;

3) other changes and events that may have an effect on environmental pollution or compliance with the permit.

If the permit holder changes, the new holder of the permit shall report this. The information shall be provided to the state supervisory authority if the environmental permit is issued by the state environmental permit authority, and otherwise to the municipal environmental protection authority.

Section 171

Monitoring in an area belonging to another party

The state supervisory authority, or the permit authority in connection to the granting of a permit, may grant an operator the right to monitor the environmental impacts of the activity and the quality of the environment in an area belonging to another party if the owner or party in possession of the area has not given consent for this. The right to monitoring covers the installation of measuring equipment, performance of measurements and other corresponding observations and monitoring, as well as access to and presence in the area as required for these purposes. The right may be

granted for as long as the monitoring is necessary to determine the environmental impacts of the activity and it does not cause any major inconvenience.

The owner or party in possession of the area shall be given the opportunity to express views on the matter.

The monitoring shall be arranged in such a way that it does not compromise the domestic privacy or the privacy protection of the owner or party in possession of the area.

Section 172
Right to information and inspections

The supervisory and permit authority and the type approval authority referred to in section 26, or a public official or local government officer appointed by the authority, is entitled, for the purposes of performing their duties:

1) to obtain the necessary information from authorities and operators, notwithstanding the obligation of secrecy;

2) to move around in an area belonging to another party;

3) to obtain, from the manufacturer, importer or other party placing products on the market, the necessary information on the products manufactured, imported or placed on the market, and on the manufacturing of the product and substances used in the manufacturing;

4) to take measurements and samples, and record sound or images;

5) to gain access to places where operations are taking place;

6) to monitor the activity, and the emissions and environmental impacts of the activity;

7) to conduct inspections using the ways and means specified in paragraphs 1–6.

The measures referred to in subsection 1 above may only be carried out on premises used for permanent residence if they are necessary to protect life, health, property or the environment.

The operator engaged in the activity being inspected or the party manufacturing the product under inspection, putting it on the market or in possession of it shall, on request, present to the inspection authority, public official or local government officer any documents, in written or digital format, that may be significant to the supervision of compliance with this Act or any provisions issued under it. The public official or local government officer conducting the inspection is entitled to receive copies of the documents being inspected and printouts of data stored in information systems.

Section 173
Use of an assistant

When carrying out the tasks specified in section 172, the supervisory authority may employ the assistance of a person other than someone serving in the position of a public official or local government officer. The person acting as assistant shall have sufficient qualifications for the nature of the task.

The assistant may access premises used as a permanent residence only with an authority, public official servant or local government officer.

Provisions on criminal liability for acts in office apply to the person acting as assistant while he or she is performing the duties referred to in this Act. Provisions on tort liability are laid down in the Tort Liability Act.

Section 174
Inspection procedure

For periodic inspections and other supervisory inspections, the provisions of section 39 of the Administrative Procedure Act shall be observed. However, only the party engaged in the activity being inspected or the party in possession of the object, product, premises or site being inspected shall be considered as the party immediately concerned by the matter in the context of the inspection.

Further provisions on the conducting of the inspection and the content of and providing of information on the inspection report may be issued by government decree.

Section 175
Rectification of a violation or negligence

A supervisory authority may:

1) prohibit a party who violates this Act or a provision or regulation issued under it from continuing or repeating the procedure in contravention of the provision or regulation or otherwise order the party in question to fulfil its obligations;

2) order the party referred to in paragraph 1 to restore the environment to the previous state or to eliminate the harm to the environment caused by the violation;

3) order an operator to conduct an investigation on a scale sufficient to establish the environmental impacts of an activity where there is reasonable cause to suspect that it is causing pollution in violation of this Act.

Regarding an activity subject to a permit, the order shall be given by the state supervisory authority if the environmental permit is issued by the state environmental permit authority, and otherwise by the municipal environmental protection authority.

If the order concerns an activity requiring a permit where, in accordance with section 47, the permit matter is dealt with in joint processing, the order shall be issued as laid down for administrative enforcement matters in chapter 14 of the Water Act. If the order concerns only compliance with an obligation laid down in or under this Act, however, it shall be issued in accordance with this Act.

An order cannot be issued immediately to enforce sections 11 and 20.

Section 176
Order for remediation of substantial pollution of a water body and damage to protected species and natural habitats

If a violation or negligence referred to in section 175, subsection 1, paragraph 1, results in substantial pollution of a water body or damage to protected species and natural habitats, referred to in section 5a of the Nature Conservation Act, the state supervisory authority shall, in addition to the provisions laid down in section 175 of this Act, order the operator to undertake remedial measures against the

environmental damage, referred to in the Act on the Remediation of Certain Environmental Damages.

If substantial pollution of the water body or damage to protected species and natural habitats was due to an accident or any other unpredictable cause, the state supervisory authority shall order the operator that caused the damage to undertake the remedial measures referred to in the Act on the Remediation of Certain Environmental Damages.

Section 177
Assessment of the significance of the pollution of a water body

The assessment of the significance of the pollution of a water body, referred to above in section 176, shall, in addition to other relevant information, take into account what is presented in a river basin management plan or the marine strategy document, in accordance with the Act on the Organisation of River Basin Management and the Marine Strategy, on matters concerning the state and use of waters and the marine environment in the area of impact of the activity. Further provisions on the assessment of the significance of the pollution of a water body and on matters to be taken into account in the assessment are given by government decree.

Section 178
Notification of substantial pollution of a water body and damage to protected species and natural habitats

The operator shall notify the state supervisory authority without delay of any substantial pollution of a water body and damage to protected species and natural habitats referred to in section 176 and the imminent risks.

Section 179
Measures taken by the authority as a result of illegal conduct

In the event that this Act or provisions issued under it have not been complied with, the supervisory authority shall request, considering the nature of the matter, that conduct in violation of the provisions shall cease and shall take action to initiate the administrative enforcement proceedings referred to in sections 175 and 176.

The state supervisory authority shall ensure that the request and the prohibition or order issued in the administrative enforcement proceedings are complied with.

Section 180
Issuance of an order to prevent pollution

After conducting an inspection, a municipal environmental protection authority may issue a single order that concerns an activity posing a risk of environmental pollution and that is necessary for preventing pollution. The order can apply to an operation or restriction, operational monitoring or communications, or the provision of information necessary for supervisory purposes. The order cannot apply to an activity subject to a permit or registration. The order shall be reasonable, considering the nature of the activity in question and the severity of the environmental pollution concerned.

Section 181
Suspension of operations

If an activity that poses a risk of environmental pollution causes direct harm to public health or there is the danger it will cause immediate and significant harmful impacts on the environment, the supervisory authority shall suspend the operations to the extent necessary to protect public health or the environment, if the operator has not taken sufficient measures to do so.

Where possible, the operator shall be given the opportunity to have his or her views heard before the suspension. A record shall be kept of the suspension measure and a decision on the suspension shall be made without delay. In addition, the authority shall provide information on procedures for resuming operations.

The state supervisory authority orders the suspension of an activity subject to a permit if the environmental permit is issued by the state environmental permit authority, and the municipal environmental protection authority shall do so if it issued the permit.

Section 182
Temporary order by a local government officer appointed by the municipal environmental protection authority

By way of derogation from section 22, subsection 2, in urgent cases a prohibition or order referred to in section 175 can be issued or a suspension referred to in section 181 can be imposed by a local government officer appointed by the municipal environmental protection authority to act on its behalf.

However, the local government officer shall without delay submit the order, prohibition or suspension measure to the municipal environmental authority for its decision. The decision of the local government officer remains valid until the municipal environmental protection authority has resolved the matter.

Section 183
Prohibitions and orders concerning substances, chemicals, mixtures, products, equipment and machinery

If a government decree issued under section 216 or under section 217, subsection 2, has been violated, the Ministry of the Environment may:

1) prohibit the manufacturer, importer or other market supplier, or the party maintaining the equipment or handling the substance from continuing operations:

2) prohibit the use, manufacture, marketing, sale or other supply of substances, chemicals, mixtures, products, equipment or machinery that is in violation of the provisions;

3) order the offender to bring the substance, chemical, mixture, product, equipment or machinery into compliance with the provisions or otherwise meet his or her obligations;

4) order the offender to deliver the substance, chemical, mixture, product, equipment or machinery or part of it for appropriate treatment as waste.

If a substance, chemical, mixture, product, equipment or machinery referred to in subsection 1 has been placed on the market, the Ministry of the Environment may require the party acting in contravention of the decree to remove it from the market.

The Finnish Safety and Chemicals Agency decides on the prohibition or order referred to in subsections 1 and 2 when the violation concerns compliance with the government decree on products that contain organic solvents issued under section 216. The Finnish Safety and Chemicals Agency also decides on the prohibition or order when the violation concerns compliance with the provisions laid down in or under sections 159–163, or with the obligations concerning the qualifications of a person or operator in accordance with the F-gas Regulation, or compliance with the special permit decision referred to in section 218, subsection 2. The Finnish Environment Institute decides on the prohibition or order when the violation concerns compliance with the Ozone Regulation, the government decree on protecting the ozone layer issued under section 216 or the government decree issued under section 163. The Finnish Environment Institute also decides on the prohibition or order concerning issues other than the qualifications of a person or operator in accordance with the F-gas Regulation. The prohibition on using equipment in contravention of the provisions or the order concerning the obligation to meet the maintenance requirement, however, is issued by the supervisory authority referred to in section 23, subsection 1. (423/2015)

Section 184
Notice of a conditional fine, notice of enforced compliance and notice of enforced suspension

Unless such a course of action is manifestly unnecessary, the authority shall reinforce the prohibition or order that it has issued with a notice of a conditional fine, a notice that the activity that has been neglected shall be carried out at the expense of the negligent party, or a notice that the operations in question shall be suspended. However, a notice may not be issued to reinforce an order given under section 180.

Any information that is based on an obligation to provide information imposed on a natural person by this Act or under it and that has been obtained through notice of a fine served on the natural person may not be used to hold the person criminally liable in a preliminary investigation, in consideration of charges or in legal proceedings.

Unless otherwise provided in this Act, the provisions of the Act on Conditional Fines (1113/1990) shall apply to matters concerning notice of a conditional fine, notice of enforced compliance and notice of enforced suspension.

Section 185
Hearings of views

Before issuing an order referred to in this chapter, the authority shall give the affected party an opportunity to be heard on the matter, as provided in the Administrative Procedure Act. If necessary, the views of other concerned parties, other supervisory authorities, the permit authority and authorities protecting the public interest shall also be heard.

Section 186
Right to initiate proceedings

If proceedings on a matter referred to in section 135, 137, 175, 176, 180 or 181 are not initiated by the supervisory authority, the matter may be instituted in writing by:

1) the party concerned;

2) a registered association or foundation, whose purpose is to promote the protection of the environment, human health or nature conservation, or the pleasantness of the living environment, and in whose operating area the environmental impacts in question arise;

3) the municipality in which the activity is located, or another municipality in the area in which the environmental impacts arise;

4) the state supervisory authority and the municipal environmental protection authority of the municipality in which the activity is located or which is in the area of impact of the activity;

5) an authority protecting the public interest in the matter;

6) the Saami Parliament if the environmental impacts occur in the Saami homeland, and the Skolt Saami Village Committee if the environmental impacts occur in the Skolt Saami area.

The state supervisory authority may initiate proceedings in a matter concerning the issuing of municipal environmental protection regulations referred to in section 202, subsection 3, paragraph 7, if the municipality has not issued regulations on the measures referred to in the paragraph.

Section 187
Executive assistance

Chapter 9, section 1, of the Police Act (872/2011) contains provisions on the obligation of the police to provide executive assistance, and section 77 of the Border Guard Act (578/2005) contains provisions on the obligation of the Finnish Border Guard to provide executive assistance. Executive assistance by the rescue authority is laid down in section 50 of the Rescue Act (379/2011). Customs is obliged to provide executive assistance in the supervision of compliance with this Act and any provisions and regulations issued under it.

On request, the supervisory authorities shall provide each other with executive assistance to carry out the duties laid down in this Act.

Section 188
Action in criminal matters

The supervisory authority shall report any act or negligence referred to in sections 224 and 225 to the police for preliminary investigation. However, no notification is needed if the act can be considered minor in view of the circumstances and the public interest does not require charges to be brought.

If there is an infringement of the public interest, the state supervisory authority is considered to be the injured party in criminal matters.

Section 189
Division of responsibilities between supervisory authorities in the supervision of activities subject to a permit or registration

The state supervisory authority is responsible for the supervision of an activity subject to a permit, as specified in sections 168 and 169, if the environmental permit for the activity is granted by a state environmental permit authority, whereas the responsibility falls on the municipal environmental protection authority if it is the party issuing the environmental permit.

The municipal environmental protection authority is responsible for the supervision of activities subject to registration, as specified in sections 168 and 169. However, the state supervisory authority carries the responsibility for the supervision of activities registered under section 116, subsection 2. The supervision of an activity subject to registration may be conducted as part of the supervision of an activity subject to a permit that is located in the same area if this is necessary for the appropriate and efficient arrangement of supervision. The views of the operator engaged in the activity subject to a permit and of the operator engaged in the activity subject to registration, and the views of the authority to which responsibility for the supervision is transferred, shall be heard if the authority in charge of the supervision is changed for this reason.

Chapter 19
Appeal and enforcement of a decision

Section 190
Appeal

A decision by an authority issued under this Act may be appealed to the Vaasa Administrative Court as provided in the Administrative Judicial Procedure Act (586/1996). The appeal document concerning a decision made in joint processing, referred to in section 47, subsection 1, above, shall be submitted to the authority that made the decision.

A decision by the Government and the Ministry of the Environment may be appealed to the Supreme Administrative Court, as provided in the Administrative Judicial Procedure Act.

Prohibitions or orders of local government officers issued under section 182 cannot be appealed. A decision referred to in section 189 concerning the transfer of supervision to another authority cannot be appealed. A decision referred to in sections 36, 126 and 128 concerning the referral of a matter to another authority and concerning the separate processing of a claim for compensation referred to in section 129 is not subject to separate appeal. Rulings on processing fees to be charged under section 205 are appealed in the same order as the principal claim.

A decision concerning the approval of municipal environment protection regulations and tariffs for environmental permit processing fees are subject to appeal as provided in the Local Government Act (365/1995). The state supervisory authority has a right of appeal in decisions concerning municipal environmental protection regulations.

A decision of the Vaasa Administrative Court is appealed to the Supreme Administrative Court as provided in the Administrative Judicial Procedure Act.

Section 191
Right of appeal

Right of appeal pertains to:

1) the party concerned;

2) a registered association or foundation, whose purpose is to promote the protection of the environment or human health or nature conservation or the pleasantness of the living environment, and in whose operating area the environmental impacts in question arise;

3) the municipality in which the activity is located or another municipality in the area in which the environmental impacts arise;

4) the state supervisory authority and the environmental protection authority of the municipality in which the activity is located or which is in the area of impact of the activity;

5) an authority responsible for supervision of the public interest in the matter;

6) the Finnish Saami Parliament on the grounds that the activity referred to in the environmental permit impairs the rights of the Saami as indigenous peoples to maintain and develop their own language and culture;

7) the Skolt Saami Village Committee on the grounds that the activity referred to in the environmental permit causes deterioration in the living conditions of the Skolts and reduces the possibilities to practice nature-based livelihoods in the Skolt area referred to in the Skolt Act.

For purposes of supervision of the public interest in environmental protection or for some other justified reason, the state supervisory authority and the municipal environmental authority also have the right to appeal Vaasa Administrative Court decisions amending or reversing the decisions they have issued.

Section 192
Request for an administrative review of a decision concerning a monitoring and control plan and amendments to regulations on monitoring

A request for an administrative review of a decision referred to in sections 64 and 65 may be submitted to the permit authority within 30 days of the decision being issued. The request for an administrative review is submitted to the state environmental permit authority if the obligation to supervise a certain activity within the sphere of joint monitoring was based on a decision by the authority. A dispute concerning the sharing of joint monitoring costs may also be dealt with as a request for an administrative review. The decision on a request for an administrative review shall be issued in the manner referred to in section 84 after a public notice on it, and information on the decision shall be provided in accordance with sections 84, 85 and 96. The decision on a request for an administrative review may be appealed as provided in section 190. Otherwise, the Administrative Procedure Act shall be applied to the processing of a request for an administrative review.

Section 193
Request for an administrative review of a decision concerning fishery matters

A request for an administrative review of a decision concerning the implementation plan for a fisheries obligation and the plan for using the fisheries fee referred to in chapter 3, section 15, of the Water Act, can be submitted to the permit authority as provided in chapter 15, section 1, subsection 3, of the Water Act.

Section 194
Request for an administrative review of a decision concerning the obligation of an installation covered by the directive to submit a permit for review

The operator may submit a request for an administrative review of a state supervisory authority decision concerning permit review, referred to in section 80, subsection 3, to the state environmental permit authority as provided in the Administrative Procedure Act. The decision on the request for an administrative review is not subject to separate appeal.

Section 195
Appeal in certain cases

A decision by an authority on type approval and a decision by the Finnish Safety and Chemicals Agency under section 162 to issue or cancel a certificate of qualification are open to appeal as provided in the Administrative Judicial Procedure Act.

The party concerned may request an administrative review of the decision of the inspection body or other responsible institution referred to in section 26, subsection 2, from the body that has issued the decision, as provided in the Administrative Procedure Act. A decision used as a basis for rejecting the request for an administrative review may be appealed to an administrative court, as provided in the Administrative Judicial Procedure Act.

A person dissatisfied with an assessment of qualification determined under a competence-based qualification in accordance with section 159 may lodge an appeal for a change in the assessment as provided in the Vocational Adult Education Act.

A student dissatisfied with an assessment of qualification determined under a vocational upper secondary qualification in accordance with section 159 may lodge an appeal for a change in the assessment as provided in the Vocational Education and Training Act.

With respect to a decision to issue a certificate made by an expert party approved by the Finnish Safety and Chemicals Agency or the Finnish Environment Institute under section 159, the person subject to a qualification assessment may request an administrative review of the decision as provided in the Administrative Procedure Act. A decision used as a basis for rejecting the request for an administrative review may be appealed to an administrative court, as provided in the Administrative Judicial Procedure Act. An appeal against the ruling handed down by the administrative court may be lodged with the Supreme Administrative Court, if the Supreme Administrative Court grants leave to appeal.

Section 196
Hearing of views on an appeal concerning an environmental permit decision

The Vaasa Administrative Court shall announce an appeal of an environmental permit decision by a permit applicant, unless such a course of action is manifestly unnecessary, by posting a public notice of it for at least 14 days on the notice boards of the administrative court and municipalities concerned. Appeal documents shall be available for viewing in the municipalities concerned throughout the period of public notice. The public notice shall indicate where the documents are available for viewing.

Furthermore, the Vaasa Administrative Court, in consequence of the permit applicant's appeal, shall afford the parties who the matter particularly concerns and authorities protecting the public interest with an opportunity to provide a response, unless this is manifestly unnecessary. Otherwise, the hearing of views concerning an appeal shall be organised as provided in the Administrative Judicial Procedure Act. Information on the appeal for the purpose of providing a response shall be issued as laid down in the Administrative Procedure Act. At the same time, information shall be provided on where the appeal documents are available for viewing and where the response letters can be delivered during the period reserved for their submission.

The provisions laid down in chapter 15, section 3, subsections 1–4, of the Water Act on the hearing of views in consequence of appeal apply to a decision issued under joint processing referred to in section 47, subsection 1.

Section 197
Procedure in the appellate court

In addition to what is provided in the Administrative Judicial Procedure Act concerning inspections, the appellate court or by its order the president, a member, or a referendary of the court can conduct an inspection on site.

A decision of the Vaasa Administrative Court on an environmental permit shall be given after public notice of it has been published, in which case the parties concerned are considered to have been informed of the decision at the time it is issued. The Administrative Court shall also ensure that the decision is posted without delay on the notice boards of the municipality in which the activity is located and of those municipalities in the area of impact.

The Vaasa Administrative Court decision shall be delivered to the appellant and a copy of the decision shall be delivered to the parties who have requested it, and, in a case concerning a permit, to the operator concerned, unless this party is an appellant. A copy of the decision shall also be delivered to the state environmental permit authority, supervisory authority, the authorities protecting the public interest in the matter and the Finnish Environment Institute.

A decision by an administrative court on administrative enforcement proceedings issued under this Act shall be given by way of verifiable service or delivery as provided in the Administrative Judicial Procedure Act.

The appellate court shall deliver information by electronic means to the permit and supervisory authority on amendments to their decisions and their legal force so that the information can be recorded in the environmental protection database. Further provisions on the method and timing of providing information, as laid down in this subsection, may be issued by government degree.

Section 198
Enforceability of a decision

An activity shall not be initiated or changed before the permit decision authorising its implementation has gained legal force. An appeal regarding compensation shall not prevent the initiation of an activity.

The provisions on the enforcement of a final decision shall apply to the enforcement of a legally valid decision by a permit authority in so far as the decision is in respect of compensation awarded under chapter 13 of this Act or the right of use and related compensation granted under section 69.

Section 199
Initiating an activity subject to a permit regardless of appeal

At the request of the permit applicant, the permit authority may in the permit decision, for a justified reason and on condition that the enforcement does not render the appeal worthless, order that regardless of the appeal the activity may be initiated in accordance with the permit decision provided that the applicant gives an acceptable guarantee for restoration of the environment in case the permit decision is rescinded or the permit regulation is changed. The requirement for the guarantee does not apply to the state, state agencies, municipalities or joint municipal authorities. The permit authority may, if necessary, order the enforcement to be on a smaller scale than what is laid down in the permit decision and issue an order on the date of initiation of the enforcement.

The permit authority may grant the right to initiate the activity under the same conditions provided in subsection 1 upon separate application submitted within 14 days of the end of the appeal period. The views of the supervisory authorities and those having appealed against the permit decision shall be heard in regard to the application. Thereafter, the decision shall be made without delay. The decision may be appealed to the Vaasa Administrative Court as laid down in the Administrative Judicial Procedure Act. The decision granting the right referred to in subsection 1 shall be delivered immediately to the Vaasa Administrative Court and the appellants.

Section 200
Enforcement of a decision regardless of appeal

The authority that has issued a decision may stipulate that an order or decision referred to in sections 62, 64, 65, 99, 122, 123, 136, 137, 171, 175, 176, 180, 181 and 183 shall be complied with regardless of appeal.

Section 201
Consideration of an enforcement matter at an appellate court

An appellate court may, on appeal, revoke an order referred to in sections 199 and 200 or amend it, or otherwise prohibit the enforcement of the permit decision. An administrative court decision on enforcement may be appealed to the Supreme Administrative Court with respect to the main issue only.

The party that has lodged an appeal against an environmental permit decision may request that the decision referred to in section 199, subsection 2, be reversed or amended by an administrative court without the appellant having to submit a separate appeal on the matter.

If the permit matter is a question of the continuation of an existing activity, the Vaasa Administrative Court may in its decision order that the decision, despite the

appeal, shall be complied with in full or in part, unless the Supreme Administrative Court decides otherwise.

Chapter 20
Miscellaneous provisions

Section 202
Municipal environmental protection regulations

To enforce this Act, municipalities may issue necessary general regulations based on local circumstances, pertaining to the entire municipality or a part of it *(municipal environmental protection regulations)*.

The regulations may not apply to:

1) an activity subject to a permit or registration;

2) an activity undertaken on an experimental basis referred to in section 31;

3) exceptional circumstances referred to in section 120;

4) the notification procedure concerning the treatment of contaminated soil and groundwater referred to in section 136, subsection 1;

5) the operations of the Finnish Defence Forces or the Border Guard.

The regulations may apply to:

1) activities, limitations and structures that prevent emissions or the harmful impacts of them;

2) abatement of noise or vibration that is especially disturbing;

3) environmental protection requirements regarding the siting of activities outside local detailed plan areas;

4) the specification of areas where conveying wastewater into the ground, a water body or a ditch, spring, artificial pond, or streamlet referred to in chapter 1, section 3, subsection 1, paragraph 6, of the Water Act is prohibited due to a special risk of pollution;

5) the specification of areas and zones where the use of manure, fertilisers and environmentally harmful substances used in agriculture is restricted;

6) the provision of information required for supervision;

7) measures concerning the improvement of the state of waters and of the marine environment that are considered necessary under a river basin management plan or the marine strategy document drawn up in accordance with the Act on the Organisation of River Basin Management and the Marine Strategy.

On a case-by-case basis, the municipal environmental protection authority may grant an exception to an environmental protection regulation on the grounds specified in it.

Section 203
Procedure when issuing municipal environmental protection regulations

Before issuing a municipal environmental protection regulation, the municipality shall provide the state supervisory authority in question and, if necessary, other authorities with the opportunity to issue a statement. Provisions on reserving opportunities to exert an influence on a matter are laid down in section 41 of the Administrative Procedure Act. Information on the preparation of the matter shall also be provided on the municipality's website.

The municipality shall issue a notice of the environmental protection regulations in the manner in which municipal notifications are normally published in the municipality. The regulations shall be made available on the municipality's website. Furthermore, they shall be provided to the appropriate state supervisory authority and the state environmental permit authority for information.

Section 204
National plans and programmes

National plans and programmes on environmental protection referred to in the regulations of the European Union are approved by the government. When plans and programmes are drawn up, the authorities and parties whose interests and rights the issue concerns and the national associations and foundations referred to in section 186 shall be provided with an opportunity to issue statements about the draft plans and programmes. The draft shall be published in electronic format and members of the public shall be given an opportunity to express their views at a sufficiently early stage. Information on the approved plan or programme and its justification and on how consideration has been given to the views expressed shall be provided in electronic format.

Provisions on national and regional waste plans are laid down in the Waste Act.

Section 205 (423/2015)
Fees

In addition to the provisions laid down in the Act on Criteria for Charges Payable to the State (150/1992), a state supervisory authority may charge a fee for:

1) periodic inspections of an activity subject to a permit and an activity subject to registration based on the supervision plan that it has prepared and other regular supervision of such activities based on the plan;

2) the inspections referred to in section 169;

3) inspections necessary for supervising compliance with a prohibition or order referred to in section 175 or section 176, or for supervising the suspension of operations referred to in section 181.

A municipal environmental protection authority may charge a fee for:

1) the processing of a permit, notification or other matter under this Act;

2) periodic inspections of an activity subject to a permit and an activity subject to registration based on the supervision plan that it has prepared and other regular supervision of such activities based on the plan;

3) inspections necessary for supervising compliance with a prohibition or order referred to in section 175 or section 176, or for supervising the suspension of operations referred to in section 181.

Provisions on fees payable to municipalities for the processing and supervision of permit applications referred to in section 47a of this Act are given in section 23 of the Land Extraction Act.

A fee payable to a municipality may not exceed the total cost of the service provided by the municipality. The grounds for the fees shall be specified in detail in a tariff approved by the municipality.

No fee shall be charged for the processing of a matter initiated by an authority or a party suffering harm, unless otherwise provided in subsection 1 or 2, or that concerns the amendment of a permit referred to in section 89 that has been initiated by way of an application submitted by an authority. The operator shall be charged a fee for amending a permit referred to in section 89 even if the matter is initiated by way of an application submitted by an authority.

A fee may be charged for the processing of a matter initiated at the request of a party who is someone other than an authority or a party suffering harm, if the initiation is considered manifestly unjustified.

Provisions on the collection of public receivables without a judgement or decision and on the right to submit a material appeal regarding a fee are given in the Act on the Enforcement of Taxes and Public Payments (706/2007).

Section 206

Fee for the supervision of microenterprises

Notwithstanding the provisions of section 205, the fees referred to in section 205, subsection 1 and subsection 2, paragraphs 2 and 3, that are collected from microenterprises shall be reasonable in respect to the scope and nature of the activity in question. The fees shall also be reasonable if the operator is a natural person that does not engage in economic activity.

A microenterprise is a natural or legal person engaged in economic activity that employs fewer than 10 people and whose annual turnover or balance sheet total is no more than EUR 2 million. The provisions herein concerning a legal person engaged in an economic activity also apply to other legal persons when assessing the size for determining the amount of the fee.

Provisions on the way in which turnover and balance sheets are entered in the accounting records are laid down in the Accounting Act (1336/1997). Instead of annual turnover and balance sheet data, either one of these, or some other key figure that is the closest equivalent to them in describing the financial scale of the activity, may be used in the assessment of size if the company is not under a special statutory obligation to keep a record of its turnover or balance sheet. If neither of the figures is readily available, the number of employees may be used to determine the size of the company.

For determining the fee, the operator, on request, shall report to the supervisory authority the number of employees of the company, the turnover and balance sheet data, or the key figures that are the closest equivalent to these. If such data are not provided despite the request, the fee may be imposed without reduction.

Provisions may be issued by government decree on the grounds for determining employee numbers, annual turnover, balance sheet data or equivalent financial data,

and on the situations specified in subsection 3 where the grounds listed in subsection 2 may be partially used to specify the size of the company.

Section 207 (802/2015)
Hearing views of a witness

For a special reason, the state environmental permit authority may hear the views of a witness under affirmation and the views of a party concerned orally. All parties shall be given an opportunity to be present when the views of witnesses or parties concerned are heard, and they are entitled to present questions and express their views of the testimonies of the witnesses and parties concerned. The provisions of the Administrative Judicial Procedure Act apply to remuneration paid to witnesses.

Section 208
Reimbursement of costs in matters concerning compensation

In the case of reimbursement of court costs incurred by a party in a matter related to compensation referred to in chapter 13, the provisions on reimbursement laid down in the Administrative Judicial Procedure Act shall be applied.

If a party has been granted public legal aid under the Legal Aid Act (257/2002), the provisions of section 22 of the Legal Aid Act shall apply to the liability of the party opposing the legal aid recipient to pay compensation.

Section 209 (384/2016)
Quality assurance of measurements and inspections

Measurements, tests, reports and inspections required for the enforcement of this Act shall be done competently, reliably and with appropriate methods.

The Finnish Meteorological Institute approves the air quality measurement systems in accordance with Article 3(b) of Directive 2008/50/EC of the European Parliament and of the Council on ambient air quality and cleaner air for Europe, and reviews the measurement results in accordance with Annex I, section C. A written assessment of the review shall be prepared on an annual basis and submitted to the Ministry of the Environment by 31 July at the latest.

Further provisions on the following may be issued by government decree:

1) sampling, methods used for measurements, calculations and testing, standards and calculation models that shall be used in the application of this Act and provisions issued under it;

2) quality assurance of the reliability and quality of sampling, measurements, tests, reports and inspections;

Section 210
Obligation of secrecy and disclosure of confidential information

The provisions of the Act on the Openness of Government Activities shall apply to the obligation of secrecy in the performance of duties under this Act. Data on emissions and monitoring concerning the activity and environmental quality data are not confidential, however.

Notwithstanding the obligation of secrecy laid down in the Act on the Openness of Government Activities, information obtained in the performance of duties under this

Act on the financial standing of a private person or corporation, on business or professional secrets, or on the personal circumstances of an individual can be disclosed to the supervisory authority or the Ministry of the Environment for the purpose of discharging the duties under this Act, or to prosecution, police and customs authorities for the investigation of a crime, and when required by an international agreement binding on Finland.

Section 211
Transboundary impacts

Should the environmental impacts of an activity referred to in this Act extend into another state, they shall be taken into account in the same manner in which account would be taken of corresponding impacts in Finland, unless otherwise provided by an agreement with the state in question. The prohibitions laid down in section 18 above shall also apply to the territorial waters or the exclusive economic zone of another state.

If a permit is required for an activity from the permit authority in accordance with the Agreement on Frontier Rivers referred to in section 2, subsection 2, the environmental permit is not necessary solely under section 27, subsection 2, paragraphs 1 or 2. Decisions on environmental permits shall take into account the decisions issued by the permit authority under the Agreement on Frontier Rivers.

Section 212
Procedure for taking transboundary impacts into account

If the operations of an installation covered by the directive or of a waste facility for extractive waste posing a risk of major accident are likely to cause significant harmful environmental impacts in the territory of another Member State of the European Union, the state environmental permit authority shall provide to the other state information about the environmental permit application for the activity in question and any related documents at the same time as public notice of them is given and hearing of views is arranged, as laid down in chapter 5. The same notification procedure is also followed at the request of a Member State if the activity in question is likely to cause significant harmful environmental impacts. If necessary, the Ministry of the Environment shall hold consultations with the competent authority of the other state before the permit matter is resolved to ensure that the environmental permit application and the related documents are made available to the public for an appropriate period in the state in question for possible comments.

When resolving the permit matter, the state supervisory authority shall take into account any comments based on the hearing of views pursuant to subsection 1.

The state environmental permit authority shall notify the state that it held consultations with under subsection 1 of the environmental permit decision and shall provide the information referred to in Article 24(2) of the Industrial Emissions Directive.

Section 213
Decision on joint implementation

For a particular activity, the Ministry of the Environment may, on application, grant an exception to the provisions on emissions laid down in government decrees issued under section 9, if the operator implements such environmental protection measures elsewhere in Finland or in another state that will lead to substantial reductions in emissions or in their impact as a whole *(joint implementation)*.

Requirements for joint implementation are that:

1) it does not breach international obligations binding on Finland;

2) it is expedient, taking into account the technical and economic capacity to implement environmental protection measures; and

3) emissions and environmental protection measures and their impacts can be monitored reliably.

If the activity causes adverse regional impacts, a further requirement for a decision on joint implementation is that emissions are reduced in Finland's territory as a result of the arrangements.

The necessary conditions may be included in a Ministry of the Environment decision. The decision shall not supersede any requirements concerning the activity laid down in or under this Act.

Section 214

Hearing of views and announcement of joint implementation

Before making the decision referred to in section 213, the Ministry of the Environment shall request a statement on the application from the municipality where the activity is located and from municipalities within the area of impact of the activity, from the relevant state supervisory authorities and from parties specified in more detail by government decree. Furthermore, registered associations or foundations referred to in section 186 shall be given an opportunity for their views to be heard concerning the application.

A notice of the application shall be published in the Official Gazette, and the notice shall be published on the website of the Ministry of the Environment. In addition, information about the application shall be disseminated in the municipality where the activity is located and in the municipalities within the area of impact of the activity in accordance with the Local Government Act.

Section 215

Amending and reversing a decision on joint implementation

A decision on joint implementation may be amended or reversed if:

1) after the decision was issued the circumstances have changed in such a way that the requirements for joint implementation are no longer met;

2) it is found that joint implementation does not reduce emissions substantially or that joint implementation otherwise causes substantially more adverse environmental impacts than expected; or

3) amending or reversing the decision is necessary to comply with the legal provisions issued in order to enforce Finland's international obligations.

Before making the decision, the Ministry of the Environment shall provide the operator referred to in section 213 with an opportunity for his or her views to be heard.

Section 216
Prohibitions and limitations concerning fuels and certain chemicals and products

If the use of a fuel, of a product containing organic solvents, or of a chemical or product with an adverse impact on the atmosphere gives rise to emissions that may be justifiably deemed to cause harm to health or some other consequence referred to in section 5, subsection 1, paragraph 2, their manufacture, placement on the market, export or use may be prohibited, restricted or subjected to conditions, or an order may be imposed to provide information on them to the authorities.

Further provisions may be issued by government decree on restricting or prohibiting the manufacture, import, placement on the market, export, distribution or use of the fuels, chemicals and products referred to in subsection 1, and on the content and marking of the fuels, chemicals or products manufactured, imported, placed on the market, exported or used, and on the duty to provide the relevant authority with information on the fuels, chemicals or products.

Section 217
General environmental protection obligations regarding the use of motorised vehicles, machinery and equipment

Unnecessary idling elsewhere other than on those roads referred to in the road traffic legislation is prohibited. Further provisions on the permissible idling when necessary in these areas may be issued by government decree. Provisions on supervising the prohibition on idling are laid down in the Act on Parking Control (727/2011). Provisions on idling on roads are given in and under the Road Traffic Act (267/1981).

Machinery and equipment shall be designed, serviced, maintained and operated in such a way that adverse environmental impacts caused by their use are minimised as much as possible. Machinery and equipment shall be type approved or their suitability for the intended use shall be shown by other means if their use causes greater than negligible adverse environmental impacts. When the use of machinery or equipment has been observed to cause or it can be justifiably assumed to cause hazard or harm to health or the environment, the government may prohibit or restrict their manufacture, placement on the market, export or use, or may impose conditions or require type approval for the machinery or equipment. Further provisions may be issued by government decree:

1) on emissions from machinery or equipment, and on prohibiting or restricting their placement on the market or use, or on the marking of machinery or equipment; and

2) on the obligation to obtain type approval or otherwise demonstrate that machinery or equipment meets the requirements of the decree.

Section 218
Granting exceptions in certain cases

The Ministry of the Environment may grant an exception concerning compliance with a government decree on fuel quality specifications, issued under section 216, if such an exception is necessary due to an extraordinary and sudden change in the supply of crude oil or oil products, and it is not possible for refineries to fulfil the requirements of the decree and the exception is otherwise in accordance with the European Union directive that is implemented by the government decree. The exception shall be granted on application for a fixed period. Further provisions on the content of the application and the length of the period may be issued by government decree.

The Finnish Safety and Chemicals Agency may, on application, grant an exception concerning the purchase or sale of a certain amount of a product in which the content of volatile organic compounds is higher than the limit value given in the government decree that has been enacted to enforce Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds due to the use of organic solvents in decorative paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC. The exception may be granted for products that are used for the restoration and maintenance of such buildings and vintage vehicles that are of particular historical and cultural value. Further provisions on the content of the application and the objects of particular historical and cultural value for which exceptions may be granted may be issued by government decree.

Section 219
Preparation of decrees

In the preparation of the government decrees referred to in chapters 2, 14 and 15 and sections 216 and 217, the authorities and stakeholders whose activities or interests the matter specifically concern shall be given the opportunity to issue a statement.

Section 220
Special provisions on persistent organic compounds

When considering a permit or notification matter under this Act, the provisions of Article 6(3) and Article 7 of Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants and amending Directive 79/117/EEC shall be followed.

The environmental permit authorities under this Act act as the competent authorities referred to in Article 7 of the Regulation mentioned above in subsection 1. Provisions on the supervision of compliance with the provisions and regulations laid down in and under this Act apply to the supervision of Article 7 of the Regulation.

Section 221
Special provisions on mercury

When considering a permit or notification matter under this Act, the provisions of Article 2, Article 3(1), Article 4(1) and (2), and Article 6 of Regulation (EC) No 1102/2008 of the European Parliament and of the Council on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury, from here on the *Mercury Export Ban Regulation*, shall be followed.

Provisions on the supervision of compliance with the provisions and regulations laid down in and under this Act apply to the supervision of Article 2, Article 3(1), Article 4(1) and Article 6 of the Mercury Export Ban Regulation.

Section 222
Environmental protection database

An environmental protection database is available for providing information on the environment and activities that have an impact on it. It is used for managing and processing information related to environmental protection, implementing supervision regarding environmental legislation, monitoring the state of the environment, and carrying out research and planning related to the environment.

The environmental protection database comprises information that is stored in information systems, registers and files maintained by a Centre for Economic Development, Transport and the Environment, Regional State Administrative Agencies, the Finnish Meteorological Institute, the Finnish Environment Institute and the Ministry of the Environment. Provisions on the information stored in the database are laid down in section 223, in the Waste Act, in the Water Act and in the Act on Environmental Protection in Maritime Transport, and under these. The information can be stored through data transfer in computer language via a technical interface.

The maintainers of information referred to in subsection 2 above are also considered controllers in accordance with the Personal Data Act.

Notwithstanding secrecy provisions, the maintainers of information referred to in subsection 2 above and the municipal environmental protection authority, the municipal building control authority and the municipal health protection authority are entitled to receive information free of charge from the environmental protection database that is necessary for carrying out the duties provided by law.

In addition to what is provided in the Act on the Openness of Government Activities, the information in the database can be provided in computer language, via a technical interface or in some other suitably secure and reliable way.

The Ministry of the Environment is responsible for developing the content and functionality of the environmental protection database in cooperation with the other maintainers of information referred to in subsection 2.

Section 223

Information stored in the environmental protection database

The state environmental permit authority shall store in the database any decisions issued under this Act and information on any related decisions by the Vaasa Administrative Court and the Supreme Administrative Court.

The state supervisory authority shall store the following in the database:

1) any decisions issued under this Act and information on any related decisions by the Vaasa Administrative Court and the Supreme Administrative Court;

2) information on registered activities based on notifications of registration to the state supervisory authority;

3) inspection reports related to supervision under this Act, and other information concerning supervisory activities;

4) information referred to in section 105, subsection 1, in accordance with the government decision;

5) noise maps and noise abatement action plans prepared based on section 151, subsection 1, paragraphs 2–4;

6) supervision plans and supervision programmes prepared by the state supervisory authority referred to in section 168;

7) monitoring and control data on activities that are subject to a permit and subject to registration and that fall under the supervisory responsibilities of the state supervisory authority, and other information that the operator is obliged to provide to the supervisory authority.

The municipality or the municipal environmental protection authority shall store the following in the database:

1) decisions issued by the municipal environmental protection authority relating to permit and supervisory duties under this Act, and information on decisions taken on their appeal by the Vaasa Administrative Court and the Supreme Administrative Court;

2) information on registered activities based on notifications of registration to the municipal environmental protection authority;

3) air quality protection plans referred to in section 145, and short-term action plans referred to in section 146;

4) noise maps and noise abatement action plans prepared based on section 151, subsection 1, paragraph 1;

5) monitoring and control data on activities that are subject to a permit and subject to registration and that fall under the supervisory responsibilities of the municipal environmental protection authority, and other information that the operator is obliged to provide to the supervisory authority.

The authority that approves the monitoring and control plans referred to in section 65 shall also store them in the database.

The authorities and expert and research institutions responsible for monitoring the state of the environment shall store the monitoring data referred to in section 143 in the database. Monitoring data can also be stored by other parties approved by the authorities and the expert and research institutions in question.

The municipality and the municipal environmental protection authority may submit the information provided above to the state supervisory authority for entry into the database, if they are unable to store the information themselves.

Section 224
Penal provisions of the Criminal Code

Provisions on punishment for degradation of the environment are laid down in chapter 48, sections 1–4, of the Criminal Code (39/1889).

Section 225
Violation of the Environmental Protection Act

Anyone who intentionally or through negligence

1) fails to observe the obligation to provide notification laid down in sections 99, 116, 118–120, 123, 136 or 178;

2) neglects a duty under a permit regulation of an environmental permit or a duty imposed by an order given by the authorities under section 80, subsection 3, section 94, subsection 3, section 95, subsection 1, section 99 or section 136;

3) violates a prohibition referred to in sections 16–18 or a government decree issued under sections 9, 10, 17, 156, 216 or 217;

4) neglects a duty under section 94, subsection 1–2, section 114, section 115, section 133, section 134, section 139 or section 155, or violates the conditions

included in a decision given by the Ministry of the Environment under section 213;

5) undertakes a measure or starts an activity referred to in section 118 before the period of time referred to in section 118, subsection 3, has passed;

6) neglects a duty under Articles 4–8, Articles 10–13, Articles 15–17, Article 20, Articles 22–24 or Article 27 of the Ozone Regulation, or Articles 3–8, Articles 10–17 or Article 19 of the F-gas Regulation, or section 165, or acts in breach of a duty under Article 5, Article 6, or Article 9(1) of Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC, or acts in contravention of section 159, subsection 1, or section 161, or in contravention of a government decree issued under chapter 17 or the F-gas Regulation; (423/2015)

7) neglects a duty under Article 7 of Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants and amending Directive 79/117/EEC; or

8) violates a duty to send data under Article 6 of the Mercury Export Ban Regulation,

shall be sentenced to a fine for *violation of the Environmental Protection Act*, unless a more severe punishment is provided elsewhere by law.

The penalty for breaching the obligation of secrecy laid down in section 210 shall be judged in accordance with chapter 38, section 1 or 2, of the Criminal Code, unless the act is punishable in accordance with chapter 40, section 5, of the Criminal Code, or a more severe punishment is provided elsewhere by law.

A parking ticket may be issued for violating the prohibition on idling of motorised vehicles as laid down in the Act on Parking Control.

Punishment for violating a prohibition or obligation referred to in this Act that has been intensified by notice of a conditional fine may be waived if the offender has been sentenced to pay a conditional fine for the same violation.

Chapter 21
Entry into force and transitional provisions

Section 226
Entry into force

This Act enters into force on 1 September 2014. However, section 23, subsection 2, enters into force on 1 January 2015.

This Act repeals the Environmental Protection Act (86/2000), from here on the *Repealed Act* and the Act on Implementation of the Legislation on Environmental Protection (113/2000), from here on the *Implementation Act*. However, the repeal of section 22, subsection 4, of the Repealed Act does not take effect until 1 January 2015.

When reference is made in other legislation to the Environmental Protection Act in effect upon the entry into force of this Act, this Act is applied in its stead.

Section 227
Provisions issued before the entry into force of the Act

Any decrees of the government and the Ministry of the Environment issued under the Repealed Act, and government decisions given under acts repealed by the Implementation Act, remain in effect until otherwise provided under this Act.

Section 228
Decisions of authorities given before the entry into force of the Act

Any decisions of authorities given under the Repealed Act that are in effect upon the entry into force of this Act shall be complied with, unless otherwise provided below.

Any permit, a comparable decision or other decisions that are in effect upon the entry into force of this Act and issued under the Water Act (264/1961), the Waste Act (1072/1993), the Adjoining Properties Act, the Waste Management Act (673/1978) and the Public Health Act (469/1965), and acts repealed by the Implementation Act shall be complied with, unless otherwise provided below.

Chapter 9 of this Act applies to the decisions referred to in subsections 1 and 2, and chapter 18 applies to the supervision of compliance with these decisions. The above-mentioned chapters also apply to an activity for which a permit application has not been required because it has been sited in accordance with a local detailed plan or building plan.

Section 229
Pending matters

Matters pending at an administrative authority or court of law upon the entry into force of this Act shall be processed and resolved in accordance with the provisions in effect when this Act enters in force, unless otherwise provided below.

If the appellate court repeals a decision to which the provisions in effect upon the entry into force of this Act apply and fully reinitiates the processing of the matter, the matter shall be processed and resolved in compliance with the provisions of this Act.

Section 230
Obligation to apply for an environmental permit

An application for an environmental permit shall be submitted for any such activity carried out at the time this Act enters into force that is subject to a permit under this Act, but that has not been subject to a permit under the Repealed Act, within one year of the entry into force of this Act. However, an application for an environmental permit for peat production and related trenching referred to in Annex 1, Table 2, point 7(d), shall be submitted within two years of the entry into force of this Act, if the size of the production area is five hectares or less. A pending permit application does not prevent the continuation of the activity.

If an activity subject to a permit under this Act and carried out under a decision referred to in section 228, subsection 2, or a plan mentioned in section 228, subsection 3, undergoes a substantial change in a manner referred to in section 29, an application for an environmental permit shall be submitted for the entire activity. A pending permit application does not prevent the continuation of the activity. (423/2015)

Notwithstanding the provisions laid down in subsection 1, an application shall be submitted for an installation using organic solvents referred to in Annex 1, Table 2,

point 6, of this Act that is in operation when this Act enters into force and that does not have an environmental permit, when the operation of the installation changes substantially in a manner referred to in a government decree issued under section 9 or in a decree issued under the Repealed Act after this Act enters into force.

Section 231
Activity no longer subject to a permit

If an activity is no longer subject to an environmental permit in accordance with this Act, any permit or equivalent decision issued under the Repealed Act or under an act mentioned in section 228, subsection 2, of this Act becomes void when this Act enters into force. If the processing of a permit application for such an activity is pending, the application is withdrawn.

However, if the activity referred to in subsection 1 is subject to registration under section 116, subsection 1, the environmental permit for the activity becomes void only after a government decree concerning the activity issued under section 10 of this Act or section 12 of the Repealed Act becomes applicable. If the activity subject to registration concerns the establishment or operation of an installation subject to a permit referred to in section 5, subsection 1, paragraph 3, the environmental permit for the activity becomes void only after an environmental permit for a substantial change in activity has to be applied for in accordance with section 29 or after the environmental permit has to be amended in accordance with section 89. (423/2015)

When the environmental permit of the activity subject to registration is rendered void, the competent authority registers the activity and notifies the operator of the registration.

If it is unclear whether the activity referred to in subsection 1 or 2 is subject to an environmental permit under this Act, the operator or the supervisory authority may request an explanatory decision from the permit authority on whether the permit has been rendered void. The matter shall be processed in accordance with the provisions laid down in section 96. No fee shall be charged for the processing of the matter.

The supervisory authority shall notify the operator within a year of the entry into force of this Act of a permit for an activity other than that referred to in subsection 2 becoming void and, if necessary, at the same time, initiate the clarification of the matter referred to in subsection 4 on whether the permit has been rendered void.

Section 232 (423/2015)
Installations covered by the directive

The operator of an installation covered by the directive that is in operation when this Act enters into force, where the conclusions covering primary activities have been adopted before this Act enters into force, shall conduct the review referred to in section 80, subsection 2, within six months of the entry into force of this Act, if the primary activity of the installation is the manufacture of glass, the production of iron and steel, the production of cement, lime and magnesium oxide, or the tanning of hides and skins, and otherwise within one year of the entry into force of this Act, and, if necessary, apply for a review of the permit in accordance with section 81.

The operator of an installation covered by the directive that is in operation when this Act enters into force shall prepare the baseline report referred to in section 82 no later than when:

1) an application for a permit for a substantial change in an activity is submitted pursuant to section 29;

2) the permit or permit regulations are reviewed pursuant to section 81; or

3) the permit is amended pursuant to section 89.

The provisions of subsection 2 apply to operators of large combustion plants and waste co-incineration plants only after 31 October 2014.

Section 233
Large combustion plants

As of 1 January 2016, section 98, subsection 1, applies to large combustion plants that have been granted an environmental permit before 20 February 2013, or to plants where the environmental permit application was published before this date and where operations are initiated no later than 20 February 2014.

The operator of a large combustion plant referred to in subsection 1 that is in operation after 31 December 2015 shall, no later than 31 October 2014, submit an application to confirm in the permit of the plant the thermal input aggregation rule, in accordance with section 98, subsection 1, and the obligations imposed in any government decree issued under section 9, unless the obligations have been previously confirmed in the permit of the plant. As provided in section 103, subsection 2, an application to review the permit regulations of a plant included in the transitional national plan referred to in section 101 shall also be submitted by this date. The provisions in section 96 shall be complied with, as applicable, in the processing of the matters described in this subsection.

The operator of a combustion plant included in the transitional national plan referred to in section 101 shall, no later than 1 January 2019, submit an application to confirm in the permit of the plant the obligations referred to in subsection 2, unless the obligations have been previously confirmed in the permit of the plant. The operator of a combustion plant referred to in Article 35 of the Industrial Emissions Directive shall submit a corresponding application no later than 1 January 2020. The provisions in section 96 shall be complied with, as applicable, in the processing of the matter.

Pending matters concerning the environmental permit of a large combustion plant or the review of permit regulations may be processed, on request of the applicant, in such a way that the processing takes account of the provisions of any government decree issued under section 98 and section 9.

The applicant referred to above in section 104, subsection 1, shall, no later than 30 June 2014, submit to the Ministry of the Environment the detailed information specified in the subsection on the measures necessary to implement the plan at each plant.

Section 234
Waste co-incineration plants

As of 1 January 2016, section 109, applies to waste co-incineration plants that have been granted an environmental permit before 20 February 2013, or to plants where the environmental permit application was published before this date and where operations are initiated no later than 20 February 2014.

The operator of a waste co-incineration plant referred to in subsection 1 that is in operation after 31 December 2015 shall, no later than 31 October 2014, submit an application to confirm in the permit of the plant the thermal input aggregation rule, referred to section 109, and the obligations imposed in any government decree issued under section 9, unless the obligations have been previously confirmed in the

permit of the plant. The provisions in section 96 shall be complied with, as applicable, in the processing of the matter.

Pending matters concerning the environmental permit of a waste co-incineration plant or the review of permit regulations may be processed, on request of the applicant, in such a way that the processing takes account of the provisions of any government decree issued under section 109 and section 9.

Section 235 (423/2015)
Review of a permit regulation concerning the financial guarantee required for waste treatment operations

If an environmental permit has been issued for waste treatment operations prior to 1 May 2012 and if the financial guarantee set for the operations does not comply with sections 59–61, the permit regulation concerning the guarantee shall be reviewed no later than when:

1) an application for a permit for a substantial change in the activity is submitted pursuant to section 29;

2) the permit is reviewed pursuant to section 81;

3) the permit is amended pursuant to section 89; or

4) the permit authority issues the orders referred to in section 94, subsection 3, regarding measures for ceasing operations.

Section 236
Waste facility for extractive waste

Sections 113–115 shall not apply to waste facilities for extractive waste if:

1) the waste facility for extractive waste has been closed in accordance with the relevant legislation before 1 June 2008; or

2) the waste facility has not accepted extractive waste after 30 April 2006 and the closure of the waste facility has been ordered in the environmental permit of the facility, or if an application for the closure has been filed on or before 1 July 2008 and the waste facility has been effectively closed since 31 December 2010.

However, section 115, subsection 1, applies to waste facilities for extractive waste posing a risk of major accident in the situations referred to above in subsection 1, paragraph 2.

As of 1 May 2014, the obligations regarding the financial guarantee referred to in sections 59–61 apply to waste facilities for extractive waste for which an environmental permit has been granted before 1 June 2008. In order to supplement the financial guarantee, the environmental permit shall be amended where necessary. However, if an application for an environmental permit for a substantial change in the activity is submitted before the above-mentioned date, the permit regulation on the financial guarantee shall be reviewed, at the same time, for compliance with sections 59–61.

Section 237
Contamination of soil

Section 133 applies to the obligation to treat soil that was contaminated before the entry into force of this Act, if the contamination was caused after 31 December 1993. However, any government decree issued under sections 135 and 136 of this Act or section 14 of the Repealed Act also applies to soil contamination caused before 1 January 1994.

Section 238
Wastewater system on an individual property

The requirements for treatment laid down by a government decree issued under section 156 shall not apply to any such wastewater system that is operational on 9 March 2011 on a property where the permanent resident or residents have reached the age of 68 by that date, if the domestic wastewater of the property does not pose a risk of environmental pollution.
Section 157 of this Act shall be applied to wastewater systems operational on 1 May 2005. This section shall also be applied to wastewater systems that have been approved in a building permit before that date.

Section 239
Supervision plans and supervision programmes

Supervision plans under section 95 of the Repealed Act shall be considered supervision plans in accordance with section 168 of this Act. The state supervisory authority shall prepare the supervision plan referred to in section 168 of this Act within nine months of the entry into force of this Act.

The municipal environmental protection authority shall prepare the supervision plan and the supervision programme within three years of the entry into force of this Act.

Section 240
Information stored in the environmental protection database

The obligation of municipalities and municipal environmental protection authorities to store information, as laid down in section 223, applies three years after the entry into force of this Act, if the obligation is new in terms of the Repealed Act.

Annex 1

ACTIVITIES SUBJECT TO A PERMIT

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
1. Forest industry		**1. Forest industry**
a) Industrial installations producing pulp from timber or other fibrous materials		
b) Industrial installations producing paper or cardboard with a production capacity exceeding 20 tonnes per day		
		a) Sawmills with an annual production capacity of at least 20,000 m^3 of sawn goods
		b) Floating basins for unbarked timber that hold at least 20,000 m^3 of timber at any one time, but excluding floating basins with a closed water treatment system
c) Industrial installations producing one or more of the following wood-based boards: oriented strand board, particleboard or fibreboard, with a production capacity exceeding 600 m^3 per day		c) Installations producing oriented strand board, particleboard or fibreboard, with a production capacity of at least 10,000 m^3 per year and not exceeding 600 m^3 per day, or installations producing or treating plywood or other wood-based boards, with an annual production capacity of at least 10,000 m^3
d) Preservation of wood and wood products with chemicals with a production capacity exceeding 75 m^3 per day, other than exclusively treating against sapstain		d) Wood impregnation plants with a production capacity not exceeding 75 m^3 per day, or other plants using wood preservatives where the volume of preservatives used per year exceeds 1 tonne
		e) Glue-laminated timber plants or plants producing other glue-laminated or laminated timber products that use more than 25 tonnes of glue per year
		f) Veneer plants
2. Metal industry		**2. Metal industry**
a) Metal ore (including sulphide ore) roasting or sintering		
		a) Cold rolling mills for ferrous metals
b) Production of pig iron or steel (primary or secondary fusion), including continuous casting, with a capacity exceeding 2.5 tonnes per hour		b) Ironworks or steelworks or metalworks producing iron alloys with a production capacity not exceeding 2.5 tonnes per hour

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
c) Production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes		
		c) Rolling mills, hammer mills or rod mills for non-ferrous metals
d) Ferrous metal foundries with a production capacity exceeding 20 tonnes per day		d) Ferrous metal foundries with a production capacity not exceeding 20 tonnes per day, but at least 200 tonnes per year
e) Other foundries or smelting plants with a melting capacity exceeding 4 tonnes per day for lead and cadmium and 20 tonnes for non-ferrous metals		e) Other foundries or smelting plants with a melting capacity not exceeding 20 tonnes per day, but at least 200 tonnes per year; smelting of a maximum of 4 tonnes of lead or cadmium per day
f) Processing of ferrous metals by the application of protective fused metal coats with an input exceeding 2 tonnes of crude steel per hour		f) Processing of ferrous metals by the application of protective fused metal coats with an input not exceeding 2 tonnes of crude steel per hour
g) Hot-rolling mill for ferrous metals with a capacity exceeding 20 tonnes per hour, or hammer mills where the energy of the hammers exceeds 50 kilojoules per hammer and the calorific power used exceeds 20 megawatts		g) Hot-rolling mill for ferrous metals with a capacity not exceeding 20 tonnes per hour, or hammer mills where the energy of the hammers does not exceed 50 kilojoules per hammer and the calorific power used does not exceed 20 megawatts
h) Surface treatment of metals or plastic materials using an electrolytic or chemical process where the volume of the treatment vats exceeds 30 m^3		h) Surface treatment of metals or plastic materials using an electrolytic or chemical process where the volume of the treatment vats is at least 5 m^3 and no more than 30 m^3
		i) Shipyards
		j) Battery factories
3. Energy production		**3. Energy production**
a) Combustion of fuels in plants with a thermal input of 50 megawatts or more; in the determination of the thermal input of a combustion plant, all energy production units located on the site shall be included in the calculation		a) Combustion of fuels in plants where the thermal input of one or more of the energy production units firing solid fuels is at least 20 megawatts and where the total thermal input of all energy production units on the site is less than 50 megawatts
b) Capture of CO^2 streams from installations listed in Table 1 for the purposes of geological storage pursuant to Directive 2009/31/EC of the European Parliament and of the Council on the		

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006		
		b) Nuclear power plants
4. Chemical industry; the production on an industrial scale by chemical or biological processing of substances or groups of substances listed below		**4. Chemical industry**; the production on an industrial scale by chemical or biological processing of substances or groups of substances listed below
a) Production of inorganic chemicals, such as: — gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride — acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids — bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide — salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate — non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide		
b) Production of organic chemicals, such as: — simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic) — oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters and mixtures of esters, acetates, ethers, peroxides and epoxy resins		

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
— sulphurous hydrocarbons — nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates — phosphorus-containing hydrocarbons — halogenic hydrocarbons — organometallic compounds — plastic materials (polymers, synthetic fibres and cellulose-based fibres) — synthetic rubbers — dyes and pigments — surface-active agents and surfactants		
c) Oil or gas refineries		
d) Production of plant protection products or of biocides		
e) Production of explosives		
f) Production of phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers)		
g) Production of pharmaceutical products, including intermediates		
		a) Factories producing detergents with an annual production capacity of at least 50 tonnes
		b) Coating, ink or varnish factories with an annual production capacity of at least 300 tonnes
		c) Adhesive factories
		d) Rubber factories
		e) Factories producing mineral oil products with an annual production capacity of at least 10,000 tonnes
		f) Sweetener factories
		g) Factories producing starch derivatives

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
5. Manufacture of fuels, or storage or treatment of chemicals or fuels		**5. Manufacture of fuels, or storage or treatment of chemicals or fuels**
a) Gasification or liquefaction of coal or gasification or liquefaction of fuels other than coal in installations with a thermal input of at least 20 megawatts		a) Gasification or liquefaction of fuels other than coal in installations with a thermal input of less than 20 megawatts and an annual fuel production of at least 3,000 tonnes
b) Production of hard-burnt coal or electrographite by means of incineration or graphitisation		
c) Production of coke		
		b) Production plants for solid, liquid or gaseous fuel with an annual production capacity of at least 5,000 tonnes
		c) Production plants for charcoal using wood as raw material with an annual production capacity of at least 3,000 tonnes
		d) Liquid fuel distribution stations with a total fuel tank volume of at least 10 m^3, but excluding distribution stations for fuel used in motorised vehicles or motor boats
		e) Other storage facilities for liquid fuels or liquid chemicals hazardous to health or to the environment that can store at least 100 m^3 of such chemicals, but excluding storage tanks of registered energy production plants, as specified in Annex 2, high-voltage transformer substations, or bulk storage facilities for packaged products not located in an important groundwater area or in another groundwater area suitable for water supply
		f) Coal storage facilities
6. Activities using organic solvents		**6. Activities using organic solvents**
a) Surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, with an organic solvent consumption capacity of more than 150 kg per hour or more than 200 tonnes per year		a1) Cleaning of surfaces with organic solvents that contain substances and mixtures specified in hazard statements H340, H341, H350, H350i, H351, H360D or H360F when the consumption of the solvents exceeds 1 tonne but does not exceed 200 tonnes per year a2) Activities where the consumption of organic solvents exceeds 10 tonnes per

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
		year but does not exceed 200 tonnes per year: — cleaning of surfaces other than those referred to in paragraph a1 — original coating of vehicles, both within and outside the production facility — coating or painting of metal, plastic, textiles, foil or paper — coating of wooden surfaces — coating of leather — winding wire coating — footwear manufacture — wood and plastic lamination — adhesive coating — the following printing activities: heatset web offset printing, publication rotogravures, other rotogravure, flexography printing, rotary screen printing, including the rotary screen printing of textiles and cardboard, laminating and varnishing units — rubber conversion — coil coating — wood impregnation
		b) Activities where the annual consumption of organic solvents exceeds 10 tonnes: — vegetable oil and animal fat extraction and vegetable oil refining — manufacture of coatings, varnishes, adhesives and inks — manufacturing of pharmaceutical products

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
		c) Installations using organic solvents where the annual consumption of the solvents is at least 10 tonnes, after deducting the amount absorbed by the products, or where the equivalent peak consumption is at least 20 kg per hour, including operations during which volatile organic compounds are released from the blowing or expansion agents contained within the raw materials
7. Mining of ores or minerals, or excavation of soil		**7. Mining of ores or minerals, or excavation of soil**
		a) Mining and mechanised excavation of gold
		b) Ore or mineral processing plants
		c) Stone quarries or stone quarrying for purposes other than civil engineering work, where the aggregate is processed for at least 50 days
		d) Peat production and related drainage work
		e) Fixed crushing plant or limestone grinding mill, or a mobile crushing plant or limestone grinding mill located in a specific area and in operation for at least 50 days in total
8. Manufacture of mineral products		**8. Manufacture of mineral products**
a) Production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other kilns with a production capacity exceeding 50 tonnes per day		a) Cement works with a production capacity in rotary kilns not exceeding 500 tonnes per day and in other kilns not exceeding 50 tonnes per day
b) Production of lime in kilns with a production capacity exceeding 50 tonnes per day		b) Production of lime in kilns with a total production capacity not exceeding 50 tonnes per day
c) Melting mineral substances, including the production of mineral fibres, with a melting capacity exceeding 20 tonnes per day		c) Mineral wool plants with a melting capacity not exceeding 20 tonnes per day, but exceeding 6,000 tonnes per year
d) Manufacture of glass, including glass fibre, with a melting capacity exceeding 20 tonnes per day		d) Plants producing glass or glass fibre with a melting capacity not exceeding 20 tonnes per day, but exceeding 6,000 tonnes per year
e) Production of asbestos or the manufacture of asbestos-based products		e) Plants treating asbestos or asbestos-based products

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
f) Manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain with a production capacity exceeding 75 tonnes per day and/or with a kiln capacity exceeding 4 m^3 and with a setting density per kiln exceeding 300 kg/m^3		Manufacture of the following ceramic products by firing with a production capacity not exceeding 75 tonnes per day and/ or with a kiln capacity not exceeding 4 m^3 and with a setting density per kiln not exceeding 300 kg/m^3: f1) ceramic or porcelain factories with an annual production capacity of at least 200 tonnes f2) plants producing expanded clay aggregate with an annual production capacity exceeding 3,000 tonnes
g) Production of magnesium oxide in kilns with a production capacity exceeding 50 tonnes per day		g) Fixed concrete plants or concrete products plants
		h) plants producing aerated concrete with an annual production capacity exceeding 3,000 tonnes
		i) Plants producing plasterboard
9. Installations for the production or treatment of leather or textiles		**9. Installations for the production or treatment leather or textiles**
a) Pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of textile fibres or textiles where the treatment capacity exceeds 10 tonnes per day		a) Plants for the pre-treatment or dyeing of fibres or textiles with a treatment capacity of at least 1 tonne per day and not exceeding 10 tonnes per day
b) Tanning of hides and skins where the treatment capacity exceeds 12 tonnes of finished products per day		b) Tanneries or fur-dressing shops, but excluding the manufacture of products from pre-treated leather
		c) Non-woven fabric factories
		d) Wet cleaning facilities for textiles with a capacity of at least 1 tonne per day, or cleaning facilities other than the dry cleaners subject to registration and specified in Annex 2
10. Production of food or feed		**10. Production of food or feed**
a) Operating slaughterhouses with a carcass production capacity exceeding 50 tonnes per day		a) Slaughterhouses with a carcass production capacity of at least 5 tonnes per day and not exceeding 50 tonnes per day
Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed		b1) Installations for the treatment or processing of meat or meat products that use at least 1,000 tonnes of animal raw materials per year, with the production

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
or unprocessed, intended for the production of food or feed from: b) Only animal raw materials (other than exclusively milk) with a finished product production capacity greater than 75 tonnes per day;		capacity of finished products not exceeding 75 tonnes per day b2) Installations for the treatment or processing of fish or fish products that use at least 100 tonnes of animal raw materials per year, with the production capacity of finished products not exceeding 75 tonnes per day
Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed from: c) Only vegetable raw materials with a finished product production capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year		c1) Installations for the treatment of potatoes or root vegetables or the processing of them into products that use at least 2,000 tonnes of vegetable raw materials per year, with the production capacity of finished products not exceeding 300 tonnes per day c2) Installations for the treatment of vegetables, oil plants, molasses or malting barley or the processing of them into products that use at least 5,000 tonnes of vegetable raw materials per year, with the production capacity of finished products not exceeding 300 tonnes per day, but excluding production plants for cold-pressed vegetable oil c3) Installations for the treatment of vegetable raw materials or the processing of them into products other than those referred to in paragraphs c1 and c2 that use at least 10,000 tonnes of vegetable raw materials per year, with the production capacity of finished products not exceeding 300 tonnes per day, but excluding production plants for cold-pressed vegetable oil or bakeries c4) Breweries with a production capacity of at least 250,000 litres per year and not exceeding 300,000 litres per day c5) Production of cider or wine through fermentation with a production capacity of at least 750,000 litres per year and not exceeding 300,000 litres per day c6) Installations producing non-alcoholic or alcoholic beverages other than those

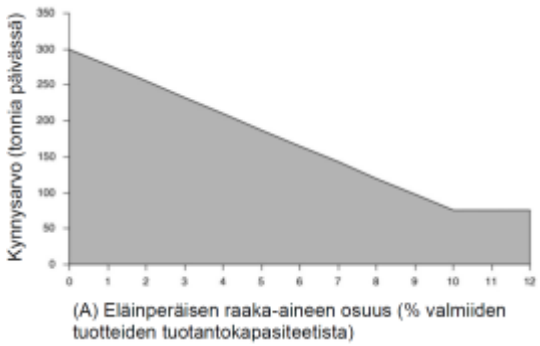
TABLE 1 Installations covered by the directive		TABLE 2 Other installations
		referred to in paragraphs c4 and c5 where the total production capacity of non-alcoholic and alcoholic beverages is at least 50 million litres per year and does not exceed 300,000 litres per day
Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed from: d) Animal and vegetable raw materials, both in combined and separate products, with a finished product production capacity in tonnes per day greater than: 75 tonnes if A is equal to or greater than 10; or, 300 - (22.5 x A) if A is smaller than 10, where 'A' is the portion of animal raw material (in percent of weight) of the finished product production capacity. Packaging shall not be included in the final weight of the product. This paragraph shall not apply to cases where the raw material is milk only.  		d1) Installations producing margarine or other vegetable or animal fats or oils with a finished product production capacity of at least 15 tonnes per day but not exceeding 75 tonnes per day, if the portion of animal raw material of the finished product production capacity is at least 10 percent of weight; in other cases, not exceeding 300 - (22.5 x A) tonnes per day, where 'A' is the portion of animal raw material of the finished product in percent of weight d2) Installations producing or mixing feed or high-protein feed with a finished product production capacity of at least 15 tonnes per day but not exceeding 75 tonnes per day, if the portion of animal raw material of the finished product production capacity is at least 10 percent of weight; in other cases, not exceeding 300 - (22.5 x A) tonnes per day, where 'A' is the portion of animal raw material of the finished product in percent of weight d3) Ice cream factories or cheese factories with a finished product production capacity of at least 1,000 tonnes per year but not exceeding 75 tonnes per day, if the portion of animal raw material of the finished product production capacity is at least 10 percent of weight; in other cases, 300 - (22.5 x A) tonnes per day, where 'A' is the portion of animal raw material of the finished product in percent of weight d4) Installations producing processed foods with a finished product production capacity of at least 5,000 tonnes per year but not exceeding 75 tonnes per day, if the portion of animal raw material of the finished product production capacity is at least 10 percent of weight; in other cases, 300 - (22.5 x A) tonnes per day, where 'A'

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
		is the portion of animal raw material of the finished product in percent of weight
e) Treatment and processing of milk only, the quantity of milk received being greater than 200 tonnes per day (average value on an annual basis)		e) Collection, treatment and processing facilities for milk only, where the quantity of milk received is at least 100 tonnes per day and not exceeding 200 tonnes per day
		f) Confectionery factories with a production capacity of at least 15 tonnes per day
		g) Packaging facilities for malt liquors, alcoholic or non-alcoholic beverages with an annual production capacity of at least 50 million litres
		h) Manufacture of gelatine from hides, skins and bones
11. Farm animal facilities and fish farming		**11. Farm animal facilities and fish farming**
a) Poultry farms with more than 40,000 places for poultry and pig houses with more than 2,000 places for production pigs (weighing over 30 kg) or more than 750 places for sows; poultry means chicken, turkey, guineafowl, domestic duck, duck, goose, quail, dove, pheasant, partridge and other birds		a) Farm animal facilities housing at least 50 dairy cows, 100 cattle for fattening, 60 horses or ponies, 250 ewes or goats, 100 full-grown sows, 250 pigs for fattening, 4,000 laying hens or 10,000 broilers
		b) Fur farms housing at least 500 breeder female minks or ferrets or at least 250 breeder female foxes or raccoons
		c) Farm animal facilities or fur farms for animals other than those specified in paragraph a) or b) where the number of livestock units is at least 250, calculated with the livestock unit coefficients provided in Table 1 of Annex 3
		d) The permit requirements for farm animal facilities or fur farms housing several production animals specified in paragraph a) or b) or in Annex 3 are determined by the numbers of livestock units, which are calculated using the livestock unit coefficients provided in Annex 3. This means that the livestock unit numbers of all production animals are summed up, and the sum is compared to the livestock unit number of the production animal with the largest number

TABLE 1 Installations covered by the directive		TABLE 2 Other installations
		of livestock units, which corresponds to the limit above which the operations are subject to a permit. In the case of animals specified in paragraph a) or b), the permit limit is converted into the number of livestock units by multiplying the permit limit specified as the number of animals in paragraph a) or b) by the livestock unit coefficient provided in Annex 3. Other animals on the farm are not taken into account in the calculation of the permit limit if the sum of their livestock unit numbers does not exceed 10, calculated with the livestock unit coefficients in Annex 3.
		e) Fish breeding or fish farms where at least 2,000 kg of dry food or other feed with equivalent nutritional value is used per year, or where the annual proliferation of fish is at least 2,000 kg, or where natural food ponds or groups of ponds are at least 20 hectares in size
12. Transport		**12. Transport**
		a) Ports or loading or unloading jetties intended mainly for commercial seafaring and for vessels with a capacity exceeding 1,350 tonnes
		b) Aerodromes
		c) Depots for more than 50 buses or lorries or machinery depots of equivalent size
		d) Motor racing tracks located outdoors
		e) Receiving yards or terminals for chemicals where chemicals that are hazardous to health and to the environment are transferred from one transport vehicle to another, from a transport vehicle to storage or from storage to a transport vehicle, but excluding bulk transfers
13. Treatment of waste on a professional basis or at an installation and treatment of waste water		**13. Treatment of waste on a professional basis or at an installation and treatment of waste water**
a) Treatment of waste at waste incineration plants or waste co-incineration plants with a capacity		a) Waste incineration plants or waste co-incineration plants firing solid or liquid waste with a capacity not exceeding

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
exceeding 3 tonnes per hour for non-hazardous waste and 10 tonnes per day for hazardous waste		3 tonnes per hour for non-hazardous waste and not exceeding 10 tonnes per day for hazardous waste
b) Disposal or recycling of animal carcases or animal waste with a treatment capacity exceeding 10 tonnes per day		b) Installations for animal carcasses or animal waste with a treatment capacity not exceeding 10 tonnes per day
c) Separate wastewater treatment plants for wastewater from plants listed in Table 1 that are not covered by Council Directive 91/271/EEC concerning urban waste-water treatment		c) Separate industrial wastewater treatment plants other than those referred to in Table 1, paragraph 13c, treating process wastewater from activities referred to in Table 2
d) Treatment of hazardous waste with a capacity exceeding 10 tonnes per day and involving one or more of the following activities: — biological treatment — physico-chemical treatment — blending or mixing prior to submission to any of the other activities listed in paragraphs 13a and 13d of Table 1 — repackaging prior to submission to any of the other activities listed in paragraphs 13a and 13d of Table 1 — solvent reclamation or regeneration — recycling or reclamation of inorganic materials other than metals or metal compounds — regeneration of acids or bases — recovery of components used for pollution abatement — recovery of components from catalysts — oil re-refining or other reuses of oil — surface impoundment		
e) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities, and excluding activities covered		

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
by Council Directive 91/271/EEC concerning urban waste-water treatment: — biological treatment — physico-chemical treatment — pre-treatment of waste for incineration or co-incineration — treatment of slags and ashes — treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components		
f) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, and excluding activities covered by Council Directive 91/271/EEC concerning urban waste-water treatment: — biological treatment — pre-treatment of waste for incineration or co-incineration — treatment of slags and ashes — treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components When the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for this activity shall be 100 tonnes per day.		
g) Landfills receiving more than 10 tonnes of waste per day or with an overall capacity exceeding 25,000 tonnes, excluding landfills for inert waste		
h) Temporary storage of hazardous waste not covered by paragraph 13g of Table 1 prior to the start of any of the activities listed in paragraphs 13a, 13d, 13g and 13i of Table 1, with a total capacity exceeding 50 tonnes, excluding temporary storage,		

TABLE 1 Installations covered by the directive		**TABLE 2 Other installations**
pending collection, on the site where the waste is generated		
i) Underground storage of hazardous waste with a total capacity exceeding 50 tonnes		
		d) Treatment and conveyance of urban wastewater when the population equivalent of the wastewater being treated is at least 100
		e) Waste facilities for extractive waste
		f) Treatment of waste on a professional basis or at an installation other than those referred to in paragraphs 13a, 13b and 13e of Table 2 and falling under the scope of the Waste Act
14. Other activities		**14. Other activities**
		a) Outdoor shooting ranges
		b) Permanent installations for abrasive blasting outdoors
		c) Permanent establishments where mainly wild animals are exhibited or amusement parks
		d) Crematories or pet crematories
		e) Fertiliser factories other than those referred to in paragraph 4f of Table 1
		f) Oil and gas prospecting and the exploitation of deposits and related activities in Finland's territorial waters and the exclusive economic zone

Annex 2

ACTIVITIES SUBJECT TO REGISTRATION

1. Energy production plants where the total thermal input is the sum of all energy production units on site with a minimum thermal input of one megawatt and where the thermal input is at least 5 megawatts, but under 50 megawatts, and where the thermal input of each energy production unit fired with solid fuels is under 20 megawatts.

2. Asphalt plants.

3. Distribution stations for liquid fuel used in motorised vehicles or motor boats with a total fuel tank volume of at least 10 m^3.

4. Dry cleaning facilities if the equipment and systems used in the operations are specifically designed for laundries and do not release emissions into the air or water, and if waste from the operations is delivered for treatment in accordance with section 29 of the Waste Act.

5. Operations and installations where the consumption of organic solvents does not exceed 10 tonnes per year:

   a) original coating of vehicles, both within and outside the manufacturing facility

   b) cleaning of surfaces other than cleaning with organic solvents that contain substances and mixtures specified in hazard statements H340, H341, H350, H350i, H351, H360D or H360F, when the consumption of the solvents exceeds 2 tonnes per year

6. Operations and installations where the consumption of organic solvents exceeds 5 tonnes but does not exceed 10 tonnes per year:
   a) coating other than the painting of wooden surfaces, including coating or painting of metal, plastic, textiles, foil or paper

   b) winding wire coating

   c) footwear manufacture

   d) wood and plastic lamination

   e) adhesive coating

***Annex 3* (423/2015)**

LIVESTOCK UNIT COEFFICIENTS USED IN THE CALCULATION OF THE PERMIT AND COMPETENCE LIMITS OF FARM ANIMAL FACILITIES AND FUR FARMS

Table 1. Livestock unit coefficients used in the calculation of the total number of livestock units at a farm animal facility or at a fur farm. In the case of other species, the livestock unit coefficient of the species closest to the animal in question in terms of nitrogen excretion shall be used.

Animal	Livestock unit coefficient
Dairy cow	10.8
Suckler cow	4.3
Heifer (12–24 months)	4
Cattle for fattening (bull 12–24 months)	5.7
Bull for breeding (bull > 2 years)	8.1
Calf 6–12 months	3.4
Calf < 6 months	1.7
Sow with pigs	2.6
Pig for fattening*	1.00
Boar	1.8
Mating sow in a separate unit	1.8
Post-weaning piglet, 5–11 weeks, if there are no sows at the farm*	0.24
Horse 2 years or older	3.9
Pony** 2 years or older, horse 1 year	2.8
Small pony** 2 years or older, pony** 1 year, horse < 1 year	2.0
Small pony** 1–2 years, pony** < 1 year	1.2
Small pony** < 1 year	0.8
Donkey (determined by height at the withers and age, similarly to ponies and small ponies)	0.8–2.8
Sheep (ewe with lambs, ram)	0.6
Goat (she-goat with kids, he-goat)	0.6
Laying hen	0.07
Female broiler parent	0.07
Cock	0.1
Female turkey parent	0.14
Turkey for fattening*	0.12
Broiler*	0.03
Pullet*	0.04
Female domesticated duck parent, domesticated duck for fattening*, female goose parent, goose for fattening*, female pheasant parent, pheasant for fattening*	0.07
Female duck parent, duck for fattening*	0.06
Quail, guineafowl	0.04

Animal	Livestock unit coefficient
Female rabbit with kittens***	0.19
Ostrich	0.9
Bison	2.5
Wild boar	0.9
Mink and ferret, breeder female with kits	0.18
Mink and ferret, kit	
Mink and ferret, breeder male	
Fox and raccoon, breeder female with kits	0.41
Fox and raccoon, kit	
Fox and raccoon, breeder male	

* per place for animal
** pony: height at the withers when full-grown 120–140 cm; small pony: height at the withers when full-grown < 120 cm
***Average live weight of a female rabbit is 5 kg. In addition to the kittens, the livestock unit coefficient of the female rabbit includes the male rabbit.