

No. 717

ENVIRONMENTAL DAMAGE INSURANCE DECREE

October 2, 1998

Section 1

Operations subject to the obligation to take out insurance

The obligation to take out environmental damage insurance referred to in section 2 of the Environmental Damage Insurance Act (81/1998) shall apply to private corporations which have:

- 1) a permit from the Water Court under chapter 10, section 24 or 31, of the Water Act (264/1961);
- 2) an environmental permit granted by a regional environment centre under the Environmental Permit Procedures Act (735/1991) or a comparable decision concerning examination of an air pollution notification submitted by a facility referred to in section 1 of the Environmental Permit Procedures Decree (777/1992) which was issued under provisions of the Air Pollution Control Act (67/1982) in force before the Environmental Permit Procedures Act took effect; or
- 3) a permit from the Safety Technology Authority referred to in section 32, paragraph 1 or 2, of the Chemicals Act (744/1989); operations of which the Safety Technology Authority was notified under section 32, paragraph 2, of the Chemicals Act shall also be treated as operations under a permit.

The obligation to take out insurance does not apply to operations engaged in for the following purposes:

- 1) storage or distribution of oil products or production of lubricants;
- 2) cleaning of a polluted area; or
- 3) utilization of waste, unless the operations for some other reason require a permit as referred to in paragraph 1.

Section 2

Start of the obligation to insure

Insurance coverage must be obtained within three months of when the corporation referred to in section 1 starts operations.

Section 3

Compliance monitoring

If a regional environment centre becomes aware that a corporation subject to an obligation to take out insurance does not have said insurance coverage, it must urge the corporation to obtain insurance and notify the Environmental Insurance Centre that coverage is lacking.

The insurer must notify the regional environment centre of cases in which insurance coverage is terminated.

Section 4

Entry into force

This Decree enters into force on January 1, 1999.

Measures needed to enforce this Decree may be taken before it comes into effect.