

Abstract

The purpose of my master thesis is to analyse the incorporation of Directive 96/61/EC concerning integrated pollution prevention and control in the Czech legal order, show the strengths and weaknesses of current regulations and to find some solution.

The thesis is composed of chapters, each of them concerning different aspects of integrated pollution prevention and control (hereinafter "IPPC"). Chapter One is introductory and explains origin of environmental protection.

Chapter Two concentrates on sources of regulation of IPPC, firstly explain the role of international law in environmental protection. The chapter is subdivided into two parts. Part One presents the evolution of environmental law of the European Union and Part Two focuses on Czech legislation of IPPC.

Chapter Three deals with the principles of the IPPC regulations. The fundamental principles are principles of prevention, highest value, sustainable development, integrated protection, best available techniques and participation of public.

The basic legal instruments of the IPPC are treated in Chapter Four which is subdivided into three parts. Part One deals with the integrated permit; Part Two describes subjects of regulation of the IPPC and Part Three its obligations.

Chapter Five concerning the procedure to issue integrated permits is the longest chapter. The chapter is subdivided into thirteen parts which deal with the procedure step by step. Part One explains the relation between IPPC law and administrative code, next part contains two sub-sections dealing with the content of the authorisation request and the preliminary discussion. Part Three focuses on submission of the request and particularly to the sending and publication of the request. Part Four contains four subsections concerning participation of administrative offices in charge, public, foreign state and participation of qualified professional. Next Part describes the possibility of oral negotiations, Part Six explains in two sub-sections the possibilities of decision on the application-the rejection or the issuance of the permit. Next Part shows the relation of the IPPC with EIA procedure. Part Eight describes the administrative charges relating to the procedure of the IPPC, Part Nine deal with the possibility of an appeal against the

decision. Part Ten focuses on monitoring compliance with permit conditions, Parts Eleven and Twelve interest in the process of changing the authorisation, the transfer and the ending of authorization. Last Part focuses on administrative offences and fines which may be imposed on an operator.

Part One of Chapter Six defines the best available techniques, Part Two explains how to compare the technical processes with BAT, and Part Three shows the organization of information exchange system in the European and national level. Part Four explains the concept and role of BREF.

Chapter Seven contains the conclusion which summarizes the procedure of the IPPC and highlights the strengths and weaknesses of the procedure in the Czech legislation.