

REGULATIONS
on the Enforcement of the Protection of Air,
Waters and Soil Against Pollution Act

Approved by Decree No. 45 of the Council of Ministers
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Amended SG No. 9/1978

I PROTECTION OF AIR AGAINST POLLUTION

Article 1

(Amended – SG No. 9/1978)

The ambient air shall be protected against pollution with wastes from industrial enterprises, thermal power plants, animal breeding farms, transport facilities etc., including certain activities related to the everyday life of the population.

Article 2

(Amended – SG No. 9/1978)

The harm of emitted pollutants shall be estimated on the basis of standards and regulations for admissible concentration limits in the ambient air determined by the Ministry of Public Health and approved by the Environment Protection Committee.

The harm of pollutants for which no sanitary standards and regulations exist, shall be determined on the basis of surveys by domestic and foreign research institutions.

Article 3

Concentrations of pollutants in the ambient air shall be expressed by their weight in one cubic metre of air.

(Paragraph 2 amended – SG No. 9/1978)

Concentrations on the territory of enterprises shall be determined quantitatively in accordance with the established sample taking and analysis methods.

Concentrations of pollutants in the ambient air in areas where new industrial enterprises, thermal power plants etc. are under construction, shall be determined by the calculations method.

Article 4

(Amended – SG No. 9/1978)

The ambient air sampling and analysing shall be subject to the established standards and methods defined by the Ministry of Public Health, in consultation with the Environment Protection Committee.

The method for calculating new-site pollutant concentration in the lower atmospheric strata, and the guidelines for the design of gas precipitators and of stack heights shall be approved by the Architecture and Urban Planning Committee in consultation with the Ministry of Public Health and the Environment Protection Committee.

Provisional or permanent emissions standards for various sources of ambient air pollution shall be approved by the Environment Protection Committee in consultation with the Ministry of Public Health.

Article 5

Ambient air pollutants concentrations at the boundary of protection zones around enterprises shall not exceed the admissible maximum and average daily concentration according to relevant sanitary standards for such pollutants.

Article 6

(Amended – SG No. 9/1978)

The pollution of ambient air by industrial enterprises, thermal power plants, animal breeding farms etc. shall be prevented by constructing harmful substances removal and treatment facilities.

In the event of accidents or repair of certain parts of the treatment facilities, the latter shall be constructed so as to provide for continued full-capacity production, while retaining necessary treatment levels.

Changes of technology shall be followed by changes in the treatment facilities respectively.

Article 7

Apart from constructing industrial treatment facilities, protection of populated areas against pollution from waste shall be effected also by means of protective green belts between the populated area and the industrial zone, and also by means of cultivation of unused areas of the enterprises.

Article 8

Stack heights of industrial enterprises, thermal power plants etc., which emit pollutants in the ambient air, shall be in accordance with the amounts of such pollutants, the possibilities for their dispersion in the atmosphere and the availability of treatment facilities, in consultation with the State Sanitary Inspection.

Article 9

(Amended – SG No. 9/1978)

In populated areas where the ambient air is polluted by industrial enterprises, thermal power plants, animal breeding farms and other activities, monitoring points shall be set up within the framework of the National Environment Monitoring System.

Article 10

The zones for construction of industrial, agricultural and other enterprises within populated areas shall be determined in accordance with the provisions of these Regulations.

(Paragraph 2 amended – SG No. 9/1978)

The location of industries within or outside industrial zones shall be based on their sanitary classification, while observing the surrounding restricted sanitary areas approved by the Ministry of Public Health.

Article 11

Enterprises within industrial zones shall be classified by type of produce to avoid sources of pollution impacting adversely pollution-free industries, and the employees and technology thereof.

Food industry enterprises shall be constructed, where possible, within separate industrial zones or at a distance required for housing construction schemes.

Article 12

(Amended – SG No. 9/1978)

Sites for industrial enterprises, thermal power plants, animal breeding farms etc. located outside industrial zones shall be determined with the consent of the Architecture and Urban Planning Committee, the Ministry of Public Health, the Ministry of Agriculture and Food Industry, and the Environment Protection Committee, after the prospective production capacities of such enterprises are determined by the State Planning Committee.

Article 13

Prior to constructing, expanding or reconstructing industrial enterprises, thermal power plants etc., estimations shall be made of the expected levels of the ambient air pollution present in the atmosphere of the region after such enterprises are set into operation with the current air pollution levels being taken into consideration. The current pollution levels shall be determined on the basis of data from the National Environment Monitoring System. Where no regional statistic data are available, the agencies of the National Environment Monitoring System shall conduct air quality surveys under most unfavourable meteorological conditions.

Article 14

(Amended – SG No. 9/1978)

Sites for construction, reconstruction and expansion of thermal power plants, ferrous and non-ferrous metal industries, and of cement and chemical industries shall be determined on the basis of prospective production capacities, the composition of raw materials, and the efficiency of treatment facilities. The restricted sanitary areas around such industries in relation to the housing schemes and food industries shall be determined individually for each case by the State Sanitary Inspection under the Ministry of Public Health and approved by the Architecture and Urban Planning Committee and the Environment Protection Committee.

When sites are selected for such industrial enterprises, the Architecture and Urban Planning Committee and the investor shall draw up a diagram showing the pollution zone, and shall present calculations of possible agricultural losses, and of resources for possible resettlement of the population from settlements within the area of pollution to be considered in assessing different options.

In selecting such sites, economy of land shall be required.

Article 15

(Amended – SG No. 9/1978)

It shall be prohibited to set into operation industrial enterprises, thermal power plants, animal breeding farms etc., if treatment facilities provided for in the project design are not completed.

Treatment facilities shall be regarded as completed only after the project capacity is achieved during test operation thereof. A representative of the Environment Protection Committee shall participate in the panel giving the approval of the treatment facility.

Article 16

It shall be prohibited to stop the operation of treatment facilities except in case of discontinuation of the respective production lines.

Article 17

Institutions, agencies, people's councils, enterprises etc. shall provide the specialists and materials necessary to maintain and secure continuous operation of treatment facilities in keeping with project capacities.

(New – SG No. 9/1978)

The Environment Protection Committee shall issue general guidelines and instructions obligatory for all organisations on the maintenance and operation of gas-treatment facilities.

Article 18

Industrial enterprises, thermal power plants etc., shall conduct continuous monitoring of the capacity (degree of treatment of pollutants) of their treatment facilities.

Monitoring data shall be recorded in a journal.

Article 19

Sanitary authorities shall control from time to time the state of repair of industrial treatment facilities and monitoring thereof.

Where pollution concentrations are higher than the admissible levels, the sanitary authorities shall provide obligatory instructions to industries on performing additional activities to protect the air against pollution, and, as an ultimate measure, to discontinue the operation of the enterprise.

Article 20

(Repealed SG No. 26/1988)

Article 21

(Repealed SG No. 26/1988)

Article 22

With a view of preventing the ambient air pollution in towns from incompletely and completely combusted automobile exhaust, the Ministry of Internal Affairs, the Ministry of Transport, the Architecture and Urban Planning Committee, the Ministry of Public Health, and the people's councils shall conduct activities such as organising transit traffic on out-of-town highways; complete inspections from time to time of visible-exhaust emitting automobiles by means of control stations constructed specially for the purpose, and, in case of disrepair, declaring automobiles unroadworthy; prohibiting access and driving of visible-exhaust emitting automobiles in populated areas; strict adherence to the motor vehicle use regulations; construction of two-level crossings on major motorways in big cities in order to minimise motor vehicle stopping.

(New – SG No. 9/1978)

Where the air pollution in a certain street exceeds, or may well exceed the maximum admissible levels of pollution by vehicles, the Environment Protection Committee, with the approval of the relevant authorities of the Ministry of Internal Affairs, and the Ministry of Transport shall make recommendations to the People's Council to restrict or completely stop traffic in such streets.

II PROTECTION OF WATERS AGAINST POLLUTION

Article 23

Waterflows and basins such as streams, rivers, irrigation channels, diversion and navigable channels, dams, lakes, coastal sea waters and groundwaters shall be protected against pollution.

Pollution of water shall mean every change of physical, chemical and biological properties, and also radioactivity thereof that render water hazardous or unsuitable for municipal, industrial or irrigation purposes, and also for animals, fishes and plants.

Article 24

It shall be prohibited to discharge waste waters and dispose of waste in waterflows and basins, and in the courses thereof, and also in coastal sea waters, without the consent in writing by the Environment Protection Committee.

'Waste waters' shall mean all effluents after being used for municipal and public-utility, industrial or agricultural purposes.

Article 25

(Amended – SG No. 9/1978)

Based on their use, waterflows or sections thereof, basins, and ground waters shall be divided in three categories:

first category – waters, used for drinking purposes in food and other industries which require drinking-quality waters, in swimming pools, etc.;

second category – waters, used for drinking by animals, for aquatic sports, cultural events, fisheries, etc.;

third category – waters, used for irrigation, industries etc.

(Paragraph 5 deleted – SG No. 9/1978)

Article 26

Categorisations shall be based on indices and standards which determine the degree of pollution of waters for each category.

(Paragraph 2 amended – SG No. 9/1978)

Indices and standards shall be determined by the Ministry of Public Health, the Environment Protection Committee, and the Architecture and Urban Planning Committee in consultation with the authorities concerned on the basis of surveys and user needs.

Article 27

Waterflows or sections thereof, basins, ground waters and coastal sea waters shall be categorised on the basis of projects developed by design institutes at the assignment of the Environment Protection Committee.

Article 28

Projects for categorisation of waterflows or sections thereof, basins and ground waters shall be designed for each river valley based on programs approved with the annual plans.

(Paragraph 2 amended – SG No. 9/1978)

Water intake categories shall be approved by the Chairman of the Environment Protection Committee in consultation with the agencies concerned.

Article 29

(Amended – SG No. 9/1978)

The designing, constructing, restructuring and expanding of industrial enterprises, thermal power plants, animal breeding farms, and populated area sewage systems shall be conducted simultaneously and obligatory, as part of the project, with the designing, constructing, restructuring and expanding of the respective waste water treatment plants used individually or shared with other industrial enterprises or populated areas. If such facilities are not provided for, projects shall not be approved.

Article 30

Waterflows and basins with minimal water quantities, ground waters and coastal sea waters after discharges therein of domestic and industrial waste water with maximum pollution levels shall not contain pollutants exceeding the maximum admissible levels defined by the approved sanitary and technical standards and regulations.

Article 31

(Amended – SG No. 9/1978)

It shall be prohibited to set into operation industrial enterprises, thermal power plants, animal breeding farms, and populated area sewage systems prior to putting into operation the waste water treatment facilities thereof.

Completed facilities shall be approved following a preliminary pre-operation efficiency testing over a complete treatment cycle. A representative of the Environment Protection Committee shall participate in the panels giving the approval.

Article 32

The discharge of waste waters in waterflows and basins, in fish farms and in coastal sea waters shall be subject to a written permit to that effect by the Environment Protection Committee with the approval of the Ministry of Public Health and the agencies and organisations concerned or the people's councils which manage such basins.

Where waterflows and basins are used for municipal water supplies, or the region downstream from the waste water discharge point is a wellhead area, the permits issued shall be subject to approval also by the authorities of the Architecture and Urban Planning Committee.

The permit shall define the conditions under which waste waters can be discharged into the wellhead.

Article 33

Permits for waste water discharging into waterflows and basins, in fish farms and coastal sea waters shall be preliminary or final.

Preliminary permits shall be issued prior to the development of projects for industrial enterprises and populated area sewage systems at the request in writing by the investor with data on the type and volume of production and on the quantities and composition of discharged waters.

Final permits shall be issued after inspection of the treatment facilities and the efficiency thereof. Inspections shall be carried out by a committee appointed by the Chairman of the Environment Protection Committee consisting of: representatives of the Environment Protection Committee, the Ministry of Public Health, the Architecture and Urban Planning Committee, and the Ministry of Agriculture and Food Industry.

As an exception, temporary permits may be issued to enterprises concerning declines for setting in operation thereof.

The decisions of the committee shall be approved by the Chairman of the General Water Administration.

Article 34

The authorities which have issued the permit shall be entitled to change or cancel it if the conditions under which it has been issued have changed and no longer meet the technical, hygienic, and economic requirements.

Article 35

(Amended – SG No. 9/1978)

The control of the condition and operation of water treatment facilities shall be carried out by the agencies of the Environment Protection Committee, the sanitary control on water intakes shall be exercised by the agencies of the Ministry

of Public Health, and the quality of waters for agricultural purposes shall be controlled by the Ministry of Agriculture and Food Industry.

The control of the condition of waterflows, basins, ground waters and coastal sea waters shall be carried out in specialised monitoring points of the National Environmental Monitoring System.

Article 36

Institutions, people's councils, offices, enterprises, public organisations and individuals shall maintain waste water treatment facilities in good repair and shall secure their continuous proper operation.

Article 37

Industrial enterprises, thermal power plants etc. whose waste water outflows have been constructed or are used without permission, or where permits are not adhered to, shall be put out of operation if not brought in good working order within a period, determined by the controlling agencies.

The discontinuation of operation shall be carried out at the order by the Chairman of the Environment Protection Committee based on statements of violation drawn up by the relevant technical, medical or veterinary supervision offices.

III PROTECTION OF SOIL AGAINST POLLUTION

Article 38

Soils in populated areas, health resort and hiking areas, and forests within drinking water supply regions, and agricultural-use soils shall be protected against pollution.

Article 39

'Soil pollution' shall mean changes of composition, properties, and qualities thereof by mechanical, chemical and radioactive substances, as well as by biological causes which render the soil hazardous to humans and animals, and harmful to plants.

Article 40

To protect soils against pollution, agencies, people's councils, offices, enterprises, co-operative farms, state farms and individuals shall construct and maintain in good repair the necessary treatment plants and facilities and shall conduct sanitary, technical, veterinary and agricultural activities.

Article 41

Prior to initiating the main construction works of housing and resort schemes, industrial enterprises, thermal power plants, hydrotechnical, erosion control and other projects, water distribution and sewage systems, and hygienic washroom facilities shall be constructed.

Article 42

In selecting sites for industrial enterprises which during operation shall discharge cinder, slag, mining and ore-dressing wastes, etc., suitable sites shall be selected to deposit the wastes thereof.

Article 43

Animal and bird carcasses, confiscates within and outside slaughterhouses, as well as industrial animal waste shall be disposed of and incinerated.

Article 44

People's councils shall organise the cleaning of populated areas, collection of refuse and supplies of heating materials (coals etc.) in homes and establishment by means of special vehicles and vessels.

In populated areas where people's councils have not yet organised refuse collection, co-operative farms, state farms and individuals shall collect refuse, manure, plant waste etc. in manure heaps or composting sites determined by the People's Council and the medical and veterinary control authorities.

Article 45

Where soils are polluted (in yards, animal sheds, agricultural arable lands etc.) with manure, urine and other waste from animals with contagious and parasitic diseases, co-operative farms, state farms and individuals shall carry out compulsory decontamination under the instructions of the medical and veterinary control authorities.

Article 46

Institutions, people's councils, offices, enterprises, public organisations and individuals shall build and maintain hygienic washroom facilities.

Hygienic washroom facilities shall be built and maintained in mines, shafts and other galleries. Working in underground work places contaminated with anchylostomydosis shall be stopped until decontamination thereof.

Article 47

Soils polluted with fresh, untreated raw sewage sludges and untreated sewage waters shall not be used for planting therein of vegetable and fruit bearing plants, as well as other lowstemmed plants for at least two years.

Article 48

It shall be prohibited to pollute soils with herbicides and other agricultural-plant pest control chemicals in concentrations exceeding the admissible levels approved by the Ministry of Agricultural Production and the Ministry of Public Health and Social Affairs.

Article 48a

(New – SG No. 9/1978)

The environment protection authorities shall control the proper construction and maintenance of landfills and waste treatment facilities. On establishing violations, they shall issue compulsory instructions for the elimination thereof.

IV TRANSITIONAL AND CONCLUDING PROVISIONS**Article 49**

(Amended – SG No. 9/1978)

Feasibility studies and projects for industrial enterprises, thermal power plants, animal breeding farms, populated area sewage systems etc., shall not be approved if they do not conform to the provisions of these Regulations, except for the cases set forth in Article 24 of the Act on Protecting Air, Waters and Soil Against Pollution.

(Paragraph 2 amended – SG No. 9/1978)

The agencies of the Environment Protection Committee shall control the implementation of the project and construction of treatment facilities and shall assist the prompt completion thereof.

(Paragraph 3 amended – SG No. 9/1978)

Prior to the initiation of construction of new sites, expansion or restructuring of existing enterprises and sewage systems, investors shall present the facility project as well as other environment protection activities to the respective Regional Environment Protection Inspectorate which shall examine the adherence to the environment protection requirements. Where these requirements are not met, the Regional Environment Protection Inspectorate shall not grant its approval and the Bulgarian National Bank shall not open credit lines.

Article 50

(Amended – SG No. 9/1978)

The agencies of the Environment Protection Committee shall control economic and other organisations and individuals with respect to their adherence to the fertilisation and plant protection standards and technologies, adherence to quarantine periods, and movement of chemicals in order to prevent pollution of soils and harm to plants and animals.

Article 51

People's councils, industrial enterprises, thermal power plants, offices and public organisations, as well as individuals, shall provide the controlling bodies with unrestricted access to the territory managed by them, in pursuance of the obligations imposed by these Regulations and by other existing regulations.

Article 52

Laboratories of industrial enterprises, thermal power plants and sewage treatment plants shall conduct studies periodically and at the request of controlling agencies for specific pollutants of air, water, and soil during production thereof and shall record the results in journals.

Article 53

The Ministry of Public Health shall provide general guidance and control on protection of air, waters and soil against pollution.

Article 54

Violators of the provisions of these Regulations, punishments for which are not provided for in the Act on Protection of Air, Water and Soil Against Pollution, shall be punished under Article 207, Paragraph 4 of the Penal Code.

Article 55

These Regulations are issued in accordance with Article 25 of the Act of Protection of Air, Waters and Soil Against Pollution.