

Procedure for Applying for and Granting of Approval for the Production, Export, Import or Transit of Substances Depleting the Ozone Layer or of the Products Containing such Substances

Regulation No. 43 of 13 April 1999 of the Minister of the Environment

This Regulation has been adopted pursuant to section 8 (4) of the Ambient Air Protection Act (RTI 1998, 41/42, 624).

I Application for approval

1. For obtaining approval for the production, import, export and transit of substances depleting the ozone layer or of products containing such substances (hereinafter: approval), the applicant shall submit the following documents:
 - 1) an application in compliance with the format presented in Annex 1 to this Regulation;
 - 2) a copy of the relevant registration card.

II Granting or refusal of the approval:

2. **Approval shall be granted, in the name of the Ministry of the Environment, by the Director of the Environmental Department of the Ministry of the Environment (hereinafter: the issuer of approval).**
3. **The issuer of approval shall register the application immediately after receipt of such application and shall check the conformity of the application to the established requirements. If approval is required for the activity for which the application was submitted and if no deficiencies are detected in the application, the issuer of approval shall open the processing of the application.**
4. **If no approval is required for the activity for which the application was submitted, the issuer of approval shall notify the applicant thereof within 7 days of registration of the application.**
5. **If an application does not meet the requirements specified in section 1 of this Procedure, or if the information included in the application documentation is not sufficient for processing the application, the issuer of approval shall fix a term for eliminating the existing deficiencies or for submission of additional information, and shall return the application to the applicant. If the deficiencies are not eliminated, or the additional information provided, by the end of the term, the issuer of approval shall establish a new term or make a decision to refuse to open the processing of the application, and shall communicate a copy of the decision to the applicant within 7 days of passing of the term.**
6. **The issuer of application shall have the right to request additional data on documents referred to in section 1 of this Procedure or check, either by reviewing the relevant documentation or on the spot, whether the information submitted is substantiated and correct, establishing a term for submission of additional information. The term may be extended upon the proposal of the applicant.**

7. The issuer of approval shall make a decision on granting or refusing approval within a 60-day processing period. The processing term shall commence after the decision has been taken to open the processing of the application.
8. Approval may be refused if:
 - 1) the applicant refuses to submit additional information requested by the issuer of approval;
 - 2) the applicant refuses to allow the persons authorised by the issuer of approval to check by reviewing the relevant documentation or on the spot the information submitted;
 - 3) the application does not meet the requirements referred to in section 1 of this Procedure.
9. A decision to refuse approval must be motivated, include the reason for refusal and a reference to the legal act on which such decision is based.
10. The issuer of approval shall forward a copy of the decision on granting or refusing approval within 3 working days of taking the decision.
11. The issuer of approval shall make out approval in two copies, register it and issue one copy to the applicant within 7 days of taking the decision, at the latest.
12. Approval shall be issued for a fixed term. The term of validity shall commence from the day following the day of issuance of approval.
13. Approval shall be issued on the official blank of the Ministry of the Environment, following the approved format presented in Annex 2.

Heiki Kranich, Minister

Rein Ratas, Secretary General

Annex 1

to Regulation No. 43 of 13 April 1999 of the Minister of the Environment

Ministry of the Environment

Toompuiestee 24

15172 Tallinn

Application

for obtaining approval for the production, export, import or transit of substances depleting the ozone layer or of the products containing such substances

1. Trade name of the undertaker:

- 2. Registration code:
- 3. Address of the undertaker:

Telephone/fax number (together with the country and local codes):

E-mail address:

4. Turnover of substances depleting the ozone layer in the enterprise for the 2 previous years:

..... (year) (kg)

..... (year) (kg)

5. Responsible person:

Name and position:

Address:

Telephone/fax number (together with country and local codes):

6. Data on import (shall be filled in in the case of import of substances depleting the ozone layer):

Time period from “.....”..... (year) until “.....” (year)

Name of Substance		EKN code ¹	Volume of substance (kg)		Exporting country	Purpose of import	Place and time of import (if known)
Chemical name	Common name		New	Collected and reclaimed			

7. Data on export (to be filled in in the case of export of substances depleting the ozone layer):

Time period from “.....” (year) until “.....” (year)

Name of substance		EKN code ¹	Volume of substance (kg)		Destination country of export	Volumes of new substances exported as raw materials (kg)	Comments about the purpose of export
Chemical name	Common name		New	Collected and reclaimed			

8. Data on products containing substances depleting the ozone layer (to be filled in in the case of import of products containing substances depleting the ozone layer):

Time period from “.....” (year) until “.....” (year)

Name of product	EKN code ¹	Used substance	Volume in one unit (kg)	Exporting country

9. Data on the production of substances depleting the ozone layer (to be filled in in the case of production of substances depleting the ozone layer):

Time period from “.....” (year) until “.....” (year)

Name of substance			Volume (kg)
Chemical name	Common name	Formula	

Note: Collection and reclamation of substances depleting the ozone layer shall not be regarded as production.

¹ Code according to the Classification of Goods Produced in Estonia, established by Regulation No. 20 of 19 January 1999 of the Government of Estonia on “Approval of the Procedure for Management and Keeping of the Classification of Goods Produced in Estonia, and the Classifications established on the basis of the Classification of Goods Produced in Estonia, the Customs Act and other legislative acts”.

Applicant:

.....

Name and position signature and stamp date

Annex 2

to Regulation No. 43 of 13 April 1999 of the Minister of the Environment

Approval

for the production, import, export or transit of substances depleting the ozone layer or of products containing such substances

Issued to:

- 1. Trade name of the undertaker:**
- 2. Registration code:**
- 3. Address:**

Telephone/fax:

Issued for (activity for which approval is granted) of controlled substances or of products containing these substances (listed below).

Time period from “.....” (year) until “.....” (year)

- 4. Data on production of substances depleting the ozone layer:**

Name of substance			Volume (kg)
Chemical name	Common name	Formula	

- 5. Data on import or export of substances depleting the ozone layer:**

Name of substance			EKN code ¹	Volume (kg)	
Chemical name	Common name	Formula		New	Collected and reclaimed

6. ¹ Code according to the Classification of Goods Produced in Estonia, established by Regulation No. 20 of 19 January 1999 of the Government of Estonia on “Approval of the Procedure for Management and Keeping of the Classification of Goods Produced in Estonia, and the Classifications established on the basis of the Classification of Goods Produced in Estonia, the Customs Act and other legislative acts”.
7. Data on import of products containing substances depleting the ozone layer

Name of product	EKN code ¹	Volume (no. of units)	Exporting country

8. Exporting country:
9. Purpose of import:
10. Destination country of export:
11. Purpose of export:
12. Notes:

Note: One or several of subdivisions 4, 5 and 6 in the tables above shall be filled in, depending on the activity for which the approval is granted; subdivisions 7 and 8 shall be filled in in the case of import; subdivisions 9 and 10, in the case of export.

Approval granted by:

.....

Name, position signature, stamp date

Notes of the customs: substance:

product:

volume:

Place: name and surname of inspector:

.....

.....

(stamp)