

REPUBLIC OF LITHUANIA
LAW ON ENVIRONMENTAL
MONITORING

November 20, 1997 No. VIII - 529
Vilnius

Chapter I
GENERAL PROVISIONS

Article 1. Objective of the Law

The Law on Environmental Monitoring shall establish the organisational structure and procedure of implementation of monitoring, and liability with regard to this. It shall be applied to environmental monitoring, which is defined by the Law on Environmental Protection and The Underground Law.

Article 2. The Basic Definitions of this Law

1. **Environmental monitoring** means the systematic observation of the state of the environment and its components and changes thereof and evaluation and prognosis of anthropogenic impact.

2. **Anthropogenic impact** means impact of human activity upon the environment.

3. **State environmental monitoring** means constant observations on a state level, of the condition of natural environment throughout the entire territory of the Republic of Lithuania.

4. **Municipality environmental monitoring** means observations of the state of the environment on the level of municipalities within the areas assigned to them.

5. **Economic entity environmental monitoring** means monitoring by legal and natural persons, affecting the environment and using natural resources, of the impact of economic entities on the natural environment, conducted in accordance with the procedure established by law.

Article 3. The Tasks of Environmental Monitoring

The fundamental tasks of environmental monitoring are to:

1) systematically observe the state of the natural environment and its components within the territory of the Republic of Lithuania;

2) systematise, evaluate and forecast the spontaneous and anthropogenic changes caused by impact, that are taking place within the environment, tendencies of environmental change and possible consequences;

3) gather, analyse and provide for the state institutions and public some information concerning the state of the environment, required in order to adopt decisions regarding economic development, territorial planning and social evolution, and health protection, science and other needs;

4) ensure exchange of inter-state monitoring information.

Article 4. Entities Implementing Environmental Monitoring

State, local government and scientific institutions, that affect the environment and economic entities, that use natural resources as well as, other legal and natural persons, who collect, accumulate and analyse the information obtained regarding the state of natural environment elements, shall implement environmental monitoring.

Chapter II
THE STRUCTURE OF ENVIRONMENTAL MONITORING

Article 5. The System of Environmental Monitoring

1. State, local government and economic entity environmental monitoring in the course of the implementation whereof, information shall be accumulated and analysed regarding the state of all of the natural environment elements, and their changes on a local, regional and state scale, shall comprise the environmental monitoring system.

2. Special environmental monitoring (of woodlands, underground) which encompasses one particular element (woodlands, underground) of the environment, shall take place as part of the general state environmental monitoring.

3. State, municipal and scientific institutions, legal and natural persons may engage in constant observations of the state of natural environment on the basis of individual programmes, projects or agreements, which are not a part of the state environmental monitoring system and are not regulated by this Law.

Article 6. Methods of Environmental Monitoring

1. Observations and laboratory investigations, data processing and result evaluation during monitoring of the environment of State and economic entities, shall be performed based upon the regulations of state environmental monitoring, state standards and other methods legally established in normative legislation.

2. Observations and laboratory investigations, data processing and result evaluation shall be performed based on state standards and other methods legally established by normative legislation.

Article 7. Objectives of Environmental Monitoring

In carrying out environmental monitoring, one observes, evaluates and makes forecasts:

1) physical, radiational, chemical, biological and other sources of anthropogenic impact and influence thereof upon the environment;

2) state of the air and precipitation, surface waters (rivers, lakes, ponds, Couronian Lagoon, Baltic Sea) soil, underground and biota;

3) state of the natural and anthropogenically affected natural components (swamps, natural and cultured meadows, woodlands etc.);

4) the change and tendencies of the global processes taking place within the environment (acid rain, change in the ozone layer, greenhouse effect etc.).

Chapter III IMPLEMENTATION OF ENVIRONMENTAL MONITORING

Article 8. The Programme of Environmental Monitoring

1. The Ministry of Environmental Protection together with other state institutions, implementing environmental monitoring, shall prepare the State programme of environmental monitoring. This programme shall be approved by the Government.

2. The following State institutions shall prepare programmes of special environmental monitoring: The Ministry of Agriculture and Forest Economy - Programme on Woodland Monitoring, the Geological Service of Lithuania at the Ministry of Construction and Urban Development (further-Geological Service of Lithuania) - Programme on Underground Monitoring. The Government or an institution authorised by it, shall approve the monitoring programmes co-ordinated with the Ministry of Environmental Protection.

3. Local government institutions shall prepare environmental monitoring programmes of municipalities, and the Ministry of Environmental Protection shall co-ordinate them.

4. Economic entities shall implement the environmental monitoring of economic subjects. The Ministry of Environmental Protection, having co-ordinated with the Ministry of Health, shall establish the procedure of implementation. The Ministry of Agriculture and Forest Economy and the Geological Service of Lithuania, having co-ordinated with the Ministry of Environmental Protection, shall approve implementation of special environmental monitoring of economic entities.

Article 9. The Regulations of Environmental Protection

1. Observation sites, parameters under investigation, periodicity, providing of information and other procedure regarding implementation of the state environmental monitoring shall be established by the State Environmental Monitoring Regulations, which shall be prepared by the Ministry of Environmental Protection and approved by the Government or an institution authorised by it. All of the entities of state environmental monitoring shall be guided by them.

2. The procedure of implementing the municipal monitoring shall be regulated by general principles of municipal environmental monitoring.

3. The environmental monitoring of economic entities shall be regulated by Licenses of Use of Natural Resources, which shall be prepared by economic entities. These licenses shall be co-ordinated by the Ministry of Environmental Protection.

Article 10. State Environmental Monitoring

1. State environmental monitoring shall be implemented throughout the entire territory of the State. It shall include all of the natural and anthropogenically affected biological systems.

2. The Ministry of Environmental Protection shall organise state environmental monitoring and perform the following functions:

1) together with the other monitoring entities and state institutions, responsible for the special environmental monitoring, shall implement monitoring of state environment;

2) shall implement quality control of monitoring and methodically manage programme implementation;

3) shall create state ecological information systems and perform a complex analysis of monitoring data of the economic entities concerning the state of the environment;

4) shall accumulate and keep environmental observation data in the Environmental Monitoring Data Fund;

5) shall approve the procedure of environmental monitoring of economic entities and functions of control and co-ordination;

6) shall analyse and evaluate environmental changes, inform the public and economic entities, every year submit to Seimas and Government a public statement regarding the state of the environment;

7) shall represent the Republic of Lithuania on international environmental monitoring questions;

8) shall according to its competence implement other functions linked with state environmental protection, which are not contrary to existing laws.

3. The Ministry of Agriculture and Forest Economy and the Geological Service of Lithuania shall methodically administer special environmental monitoring of woodland and underground, co-ordinate its implementation, be correspondingly responsible for information data bases.

Article 11. Municipal Environmental Monitoring

1. Municipal environmental monitoring shall be implemented within the areas assigned to them in seeking to obtain more detailed information concerning the biological state of the municipality area and based upon objective information, to plan and implement local environmental protection measures.

2. Municipal institutions shall organise the monitoring of municipality environment according to the programme co-ordinated with the Ministry of Environmental Protection, and perform the following functions:

1) observe the state of natural environment within its area;

2) evaluate and forecast environmental changes and the possible consequences thereof;

3) supply information to public and state institutions.

Article 12. Monitoring of Economic Entity Environment

1. Economic entities shall implement monitoring of the sources of pollution and their impact on the environment by informing about the influence of the economic activity upon environment and providing monitoring information to state and municipal institutions.

2. The Ministry of Environmental Protection shall draw up, according to the procedure of issuance of Licenses for the Use of Natural Resources, and limits in the use of natural resources as well as, the establishment of normatives regarding the emission of pollutants into the environment, a list comprised of the legal and natural persons, who must implement monitoring.

3. According to the procedure established by the Ministry of Environmental Protection economic entities shall transfer all of the environmental monitoring data to the Environmental Monitoring Data Fund. The data being implemented by economic entities on woodland monitoring and underground monitoring shall also be transferred according to the procedure established by them, to the Ministry of Agriculture and Forest Economy and the Geological Service of Lithuania, accordingly.

Article 13. Funding of Environmental Monitoring

1. State environmental monitoring shall be funded from the State Budget and money from the fund for nature protection.

2. Special environmental monitoring shall be funded from the State Budget.

3. Monitoring of municipality environment shall be funded from the municipal budget and money from their fund for nature protection.

4. Legal and natural persons shall fund monitoring of economic entity environment with their own funds.

5. The funds designated for this purpose by international organisations and programmes, special funds and sponsors, may be used for environmental monitoring.

Article 14. Control of Environmental Monitoring

The Ministry of Environmental Protection shall control implementation of environmental monitoring, quality of monitoring data and information, and compliance with the standards and other normative legislation, while special environmental monitoring shall be controlled by the state institutions which also establish the procedure thereof.

Article 15. Assurance of Data on Environmental Monitoring Quality

The quality of environmental monitoring data shall be assured by:

- 1) creating and implementing a quality control system of state data;
- 2) implementing attestation and accreditation of ecological research laboratories according to laws;
- 3) standardising the measures, methods, methodology and rules of monitoring implementation;
- 4) participating in international monitoring and utilised methodology attestation programmes.

Article 16. The Standardisation, Accumulation and Storage of Environmental Monitoring Information

1. Information shall be collected, accumulated, analysed and used in the Republic of Lithuania according to the procedure established by the appropriate normative legislation and state standards.

2. State and municipal institutions, organisations, other legal and natural persons implementing state, municipal and economic entity environmental monitoring, shall submit the information to the Ministry of Environmental Protection according to the established procedure.

3. The person submitting the environmental monitoring information shall be responsible for its reliability.

4. The environmental monitoring information shall be collected, accumulated and kept in the Environmental Monitoring Data Fund at the Ministry of Environmental Protection.

5. The Ministry of Environmental Protection shall administer the Environmental Monitoring Data Fund and approve its regulations. The data bases of special environmental monitoring shall be administered by the following state institutions: data bases of woodland monitoring - the Ministry of Agriculture and Forest Economy, data bases of underground monitoring - the Lithuanian Geology Service.

Article 17. Supplying of Environmental Monitoring Information

1. The preliminary or summary information of environmental monitoring shall be supplied to State, municipal and scientific institutions, legal and natural persons, and the public, according to the procedure established by laws, Government decrees and the Ministry of Environmental Protection or a state institution which manages special monitoring data bases (in an instance of special monitoring).

2. Environmental monitoring information shall be provided to other states and international organisations according to the procedure established by laws, Government decrees and international agreements.

Chapter IV FINAL PROVISIONS

Article 18. Legal Liability

Legal and natural persons who are in violation of the requirements of the Law on Environmental Monitoring shall be held liable in accordance with the procedure established by laws.

Article 19. Resolution of the Disputes on Questions Involving Environmental Monitoring

Disputes on questions involving environmental monitoring shall be resolved by court in accordance with the procedure established by laws.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC ALGIRDAS BRAZAUSKAS