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PUBLIC INFORMATION ON AIR QUALITY

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Abstract:

Citizens' right to have access to the information on air quality is an essential lever for environmental protection. There are a lot of examples when, due to an acute lack of information for finding the optimal solutions in order to solve different problems, mistakes with serious consequences on the environment are made, and those ones who are aware of these consequences are not able to take efficient measures for preventing them, also due to lack of proper information.

For assuring the mission of surveying the air quality, the bodies responsible for this activity have a network of continuous measurement stations and can implement, if necessary, fixed means for temporary measurements..

In completing the measurements, the modeling helps, among other, to make reliable the anticipations and so it limits the impact of pollution phenomena by anticipation actions. A key problem approached in this paper is represented by the links between different information sources and public, as information receiver.

Key words: information; public; protocol; convention; dissemination

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1. INTRODUCTION

Transparency and public participation in the processes of decision making are recognized at the same time with the adoption of the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). Both Romania and Bulgaria are parties of this Convention.

Knowing the way of accessing the information on air quality, its use in the corresponding context is not only a right, but also an obligation of citizen.

Romanian constitution recognizes the right to a healthy and clean environment.

Information on air state and quality is a component of the information of public interest, the access to it being guaranteed by:

- Romanian constitution, which at article 31 specifies:

„Right to information:

(1) Person right to have access to any information of public interest cannot be restricted;

(2) Public authorities, according to their respective powers, are obliged to assure the correct information of citizens on the public affairs and on personal problems”.

- Constitution of Bulgarian republic which, in article 41, stipulates the person right to have access to information.

2. LEGISLATIVE FRAMEWORK

For assuring the mission of surveying air quality, the bodies responsible for this activity have a network of continuous measurement stations and may implement, if necessary, fixed means for temporary measurements.

2.1. European framework regarding public information

2.1.1. Aarhus Convention- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

UNECE convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was adopted on 25 June 1998, in the Danish city Aarhus (Århus) at the fourth Ministerial Conference, as a part of the process "Environment for Europe". It entered into force on 30 October 2001.

Aarhus convention sets a lot of rights of the public (individuals and their associations) regarding the environment. The parties participating in the convention adopt the necessary provisions so as the public authorities (at national, regional or local level) to contribute to these rights for making them efficient. The convention provides:

- any person's right to receive environmental information which is held by public authorities ("access to environmental information");
- right to participate in making environmental decisions;
- right to revise the procedures for contesting the public decisions which have been made without observing the two rights mentioned above or the environmental right in general ("access to justice").

Public information is not explicitly mentioned within the **Convention on Long-range Transboundary Air Pollution**, but its respective protocols take into account the public participation:

Aarhus protocol on Heavy Metals:

Article 4 - Exchange of information and technology provides the following:

- according to their own laws, regulations and practices, the parties must create conditions favorable to the exchanges of techniques and technology for reducing the heavy metal emissions, inclusively but not exclusively, for developing measures for product management and applying the best available technique, promoting especially:

- commercial exchange of available technology;
- direct contacts and cooperation at industrial level, joint ventures inclusively;

- exchange of information and expertise;
- assurance of technical assistance.

- in promoting the activities specified at paragraph (I), the parties should create favorable conditions by facilitating the contacts and cooperation between organizations and competent persons from public and private sectors, able to assure technologies, designing and engineering services, equipment or financial means.

Aarhus protocol on Persistent Organic Pollutants

Article 6 -Public awareness

In accordance with their own laws, regulations and practices, the parties must promote the information dissemination to general public, to those who are not direct users of persistent organic pollutant, inclusively.

Gothenburg protocol to Abate Acidification, Eutrophication and Ground-level Ozone:

Article 5 -Public awareness provides the following:

- each party, by acting according to its laws, regulations and practices, will support supplying information to general public, including information on:

- national yearly emissions of sulfur, nitrogen oxides, ammonia and volatile organic compounds;
- advances with a view to complying to national emission ceiling or other obligations mentioned at Article 3;
- sediments and concentrations of those pollutants and, where appropriate, their sediments and concentrations related to the critical levels and content mentioned at Article 2;
- concentration of ground level ozone;
- strategies and applied measures, or measures going to be applied for alleviating the atmospheric pollution problems approached in this protocol and exposed in Article 6;

- besides, for reducing as much as possible the emissions, any party may act so as the general public has wide access to information on:

- less polluting fuels and combustibles, renewable energy sources and their energy efficiency, their use in transport sector inclusively;
- volatile organic compounds contained in products, their marking inclusively;
- options for managing the waste containing volatile organic compounds which are produced by the consumers;
- non polluting agricultural practices with a view to reducing the ammonia emissions;
- effects on health and environment associated to the pollutants covered by this Protocol;
- measures the enterprises and individuals can take for supporting the reduction of the pollutant emissions mentioned in this Protocol.

Framework Directive 2008/50/CE specifies the ways of informing the public and the information content.

These provide especially that the State should disseminate de information on SO₂, NO_x, particulates, lead, CO, benzene, ozone, certain heavy metals and certain HAPs to:

- public;
- environmental protection bodies;
- consumer associations ;
- bodies which represent the interests of sensitive persons and of health-care bodies.

Member States assure themselves that the public and interested bodies are systematically and adequately informed on the pollutant concentrations from ambient air which are covered by the directive. In case of exceeding the alert thresholds and the possible informing thresholds, the Member States make available for the public:

- information on the exceedance or the observed exceedances (exceedance point or area, type of exceeded threshold, exceedance moment and duration, the highest concentration observed);
- prognoses for the next hours and days;

- information on the population group exposed, possible effects on health and recommended precaution measures;
- information on the actions for preventing and reducing the emissions.

Besides, the Member States put yearly reports referring to all the pollutants covered by the directive at the public disposal.

2.2. Public information in Romania

Romania has ratified the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters by the Law no. 86/2000, and the Aarhus protocol on Heavy Metals, Aarhus protocol on Persistent Organic Pollutants and Gothenburg protocol to Abate Acidification, Eutrophication and Ground-level Ozone by the Law 271/2003.

Environment Protection Law no. 265/2006, republished with modifications, stipulates in Art 6 that the state recognizes to *any person the right to a healthy and ecologically balanced environment*, guaranteeing for this purpose the *access to environmental information*, with the observance on the confidentiality conditions provided by the legislation in force and *the right to address*, directly or by means of the organizations for environment protection, administrative and/or judicial authorities, as appropriate, in environmental problems, irrespective if a prejudice occurred or not.

Decision no. 878/2005 regarding public access to environmental information assures the right of access to the environmental information held by or for the public authorities and establishes the conditions, basic terms and ways of exerting this right. Environmental information is progressively disseminated and put at the public disposal for achieving the widest and systematic accessibility and dissemination of this information. With a view to reaching the proposed goal, the use of electronic technology and/or computerized telecommunication is especially promoted.

Law 104/2011 on ambient air quality, at CHAPTER V: Public information, Article 62 2 provides that public authorities for environment protection should assure public information, also the information of interested organizations, such as: environment protection organizations, consumer protection organizations, organizations representing the interest of some sensitive groups of population, other relevant bodies from healthcare field and relevant industrial organizations, adequately and in time. Moreover, in the same article it is provided that information is put at the public disposal for free, by means of any easily accessible media, internet inclusively or other adequate telecommunication means, and takes into account the provisions of Government Ordinance no.4/2010 regarding the establishment of national infrastructure for spatial information in Romania, approved with modifications by the Law no. 190/2010.

Article 63 provides that the territorial public authority for environment protection organized at county level and at Bucharest level makes available to the public, yearly, until 30 March, the report on ambient air quality for the previous year, with reference to all pollutants which are covered by this law.

Article 64 provides that if the information threshold or any of the alert thresholds provided at letter E from Annex no.3 are exceeded, the territorial public authority for environment protection organized at county level or at Bucharest level informs the public by mass media or internet.

Article 65 provides the following:

- information on ambient air quality is a public one, if it is not covered by the provisions of other normative documents for information protection.
- all the public authorities are obliged to assure the access to information and the public participation in making decisions in this field, under the conditions and terms provided by the laws in force.
- central public authority for environment protection informs the public on the authorities and bodies with duties and responsibilities for assessing and managing the ambient air quality.

Article 66 provides that all information supplied to the public should be clear, intelligible and accessible.

2.3. Public information in Bulgaria

Bulgaria has ratified:

- Aarhus Protocol on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants in 2001 (State Gazette No 42/ 27 April 2001);
- Aarhus Protocol on Long-Range Transboundary Air Pollution on Heavy Metals in 2003 (State Gazette No 88/ 7 October 2003);
- Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-Level Ozone in 2005 (State Gazette No 38/ 3 May 2005)

Clean Air Act Prom. SG. 45/28 May 1996 amend. SG. 6/23 Jan 2009: The goal of this law is to protect the people's and their generation's health, the animals and the plants, their communities and places of habitation, the natural and cultural values from harmful effects, as well as to ward off dangers and damages to society, resulting from changes in the quality of the atmospheric air, due to various activities.

Law on Access to Public Information (State Gazette No 55/7.07.2000 amended SG No.104/05.12.2008). This act shall regulate the social relations relating to the access to public information, as well as re-use of public sector information. Public sector information shall be any kind of information materialized on paper, electronic or other carrier, including if it was held as audio or video record, and collected or generated by a public sector organization.

Regulation no 7 from 3 May 1999 on ambient air quality assessment and management, Chapter Seven: Population information, provides the following:

Article. 37.(1)- The Ministry of Environment and Water together with the regional Environmental Inspectorates shall ensure that the lists referred to in article 30 are made available to the public in accordance with the relevant provisions of article 23 of the Clean Air Act.

Article 38 The Ministry of Environment and Water together with the regional Environmental Inspectorates shall disseminate within the population adequate information on the ambient air quality concerning the levels of the different pollutants in accordance with the specific provisions established on grounds of article 6 of the Clean Air Act.

Article 39 provides the following:

- when the alert thresholds are exceeded the corresponding competent authorities according to article 19 of the Clean Air Act, within their sphere of competence, shall undertake the necessary measures in order to inform the population in the affected areas by means of radio, television and the press, etc.
- the information which is presented to the population in order to comply with the provisions of the above paragraph shall be determined by the minister of environment and water and the minister of health depending on the type of individual pollutants.

3. MANNERS AND INSTRUMENT FOR PUBLIC INFORMATION

A key problem approached in this section is that of the links between different information sources and the public as information receiver.

Dissemination of information on air quality is achieved on two levels:

- on one side, at local level, by APMs in Romania and RIEWs in Bulgaria;
- on the other side, at national level, so:
 - a) in Romania, by ANPM, in partnership with the Ministry of Environment and Sustainable Development;
 - b) in Bulgaria, by the Ministry of Environment and Water, in partnership with the Executive Agency for Environment.

Locally, many supports for information dissemination are created:

- real time information by means of some outdoor and indoor panels containing different messages. The outdoor panels (Figure 1) are located in the densely populated zones, and the indoor ones (Figure 2) are located in the City halls.
- real time information on a web page (Figure 3 and Figure 4);
- information in print media, on-line media, radio and television.
- dissemination of balances allowing to notice the air quality in each county, district respectively, by interpreting the measurement results, even giving advices on the behavior and health and being focused on limiting the impact of each source on air quality and individual exposure to those values.

At present, some APMs disseminate data (in general monthly), but there is a high need to adapt the information both to European requirements and to the decision makers at local level.



Figure 1. Outdoor panel



Figure 2. Indoor panel

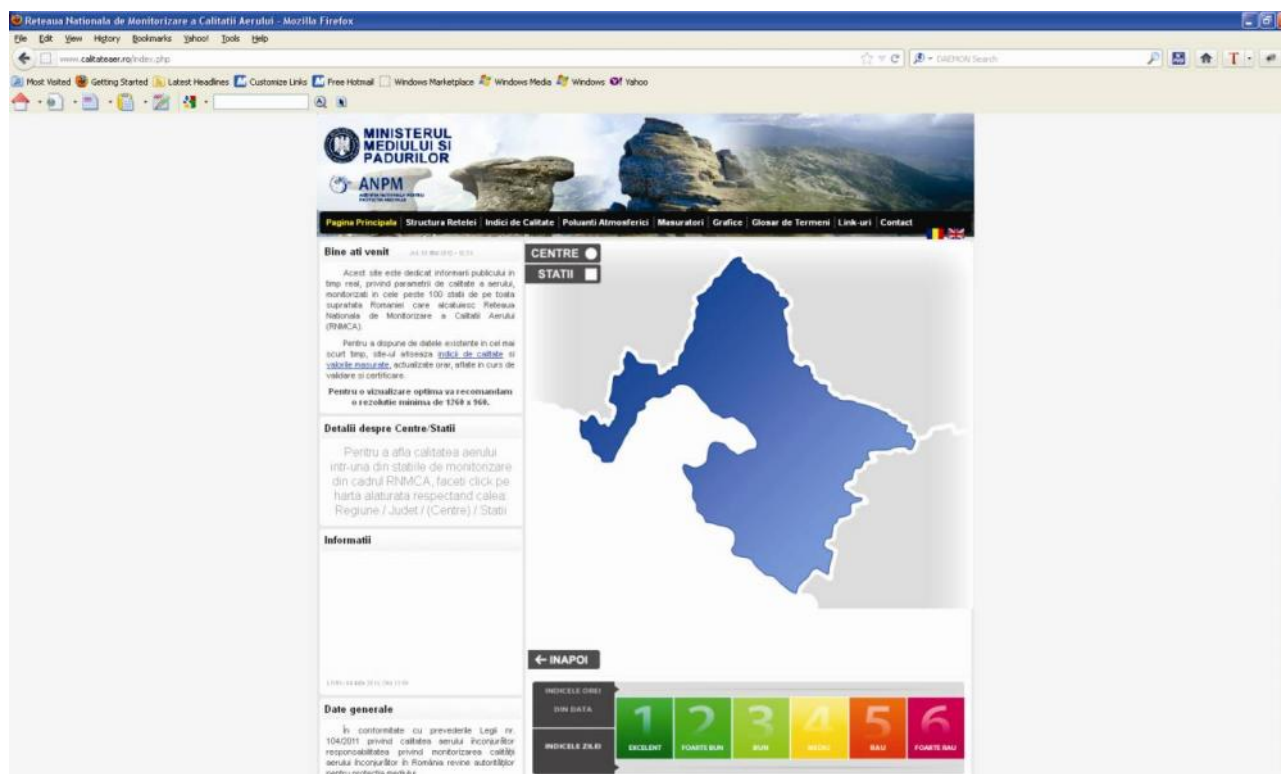


Figure 3. Example of on-line information on air quality in Mehedinți county

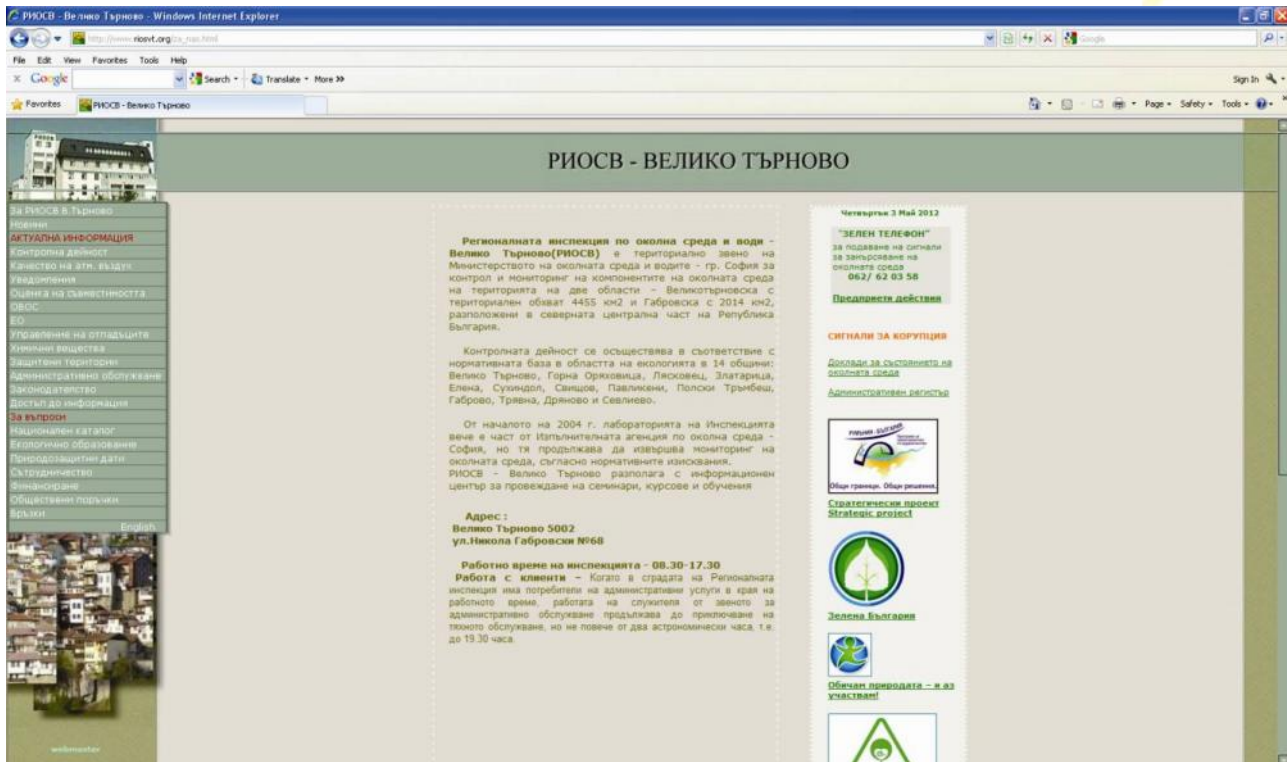


Figure 4. Example of on-line information of air quality in the district Veliko Tarnovo (web page of RIEW- Veliko Tarnovo)

3.1. Useful addresses

Below there are presented the most important internet addresses from where population may get useful information on air quality.

Romania: www.anpm.ro; www.calitateaer.ro

Bulgaria: www.eea.government.bg; www.emas-bulgaria.com;
www.riosv-varna.org; www.vracakarst.com; www.riosvt.org;
www.riosv-montana.com; ww.riosv-ruse.org

European Union: www.emep.int; www.ceip.at; www.eea.europa.eu
www.unece.org/env/lrtap/welcome.html;
www.eionet.europa.eu

http://webdab1.umweltbundesamt.at/scaled_country_year.html

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