

TRANSLATED FROM THE ICELANDIC

Gov't Gazette B, No. 164/1972.

Regulations

respecting Precautions against Pollution caused by Toxic and Hazardous Substances.

Art. 1

If it may be assumed that toxic or hazardous substances according to Act No. 85/1968 which may cause damage to humans or animals or cause pollution to air, land or water so as to endanger humans, animals or plants, be formed, presented or used in the operation of factories and industrial plant, their operation shall be subject to a licence from the Minister of Health, cf. Art. 3, 4 and 10.

Art. 2

The following are i. a. among the factories and industrial plant referred to in Art. 1: —

1. Cement works, lime-kiln works and glass works.
2. Paper and timber mills.
3. Chemical plant, including fertilizer plant, paint works and sanitary-chemicals plant.
4. Foundries, metal-works and metal casting works.
5. Oil-wells and pumping stations.
6. Oil and fat reduction plant (refineries).
7. Herring and fish meal factories.
8. Operations where the burning of coal, coke and oils is undertaken for purposes other than the heating of houses or for household.

Art. 3

Factories and industrial plant referred to in Art. 1 cf. Art. 2, having been erected, but intended to commence operation after the present Regulations enter into force may not start operating until licensed by the Minister of Health.

Art. 4

If a factory or industrial plant, which may be assumed to be subject to the provisions of Art. 1, is to be erected, its location, type or outfit may not be decided upon until a licence has been obtained from the Minister of Health.

Art. 5

Anyone desiring to commence operations cf. Art. 3 or erect a factory or industrial plant cf. Art. 4 shall send an application for a professional licence to the National Institute of Environmental Health.

The application shall i. a. specify: —

1. Which kind of production is to be undertaken in the factory or industrial plant.
2. Main outline of production method.

3. Estimated quantity of production of each kind of produce.
4. Which kinds of toxic and hazardous substances shall be used for the operation or may be assumed to be formed or presented thereby.
5. Which kind of outfit shall be used for protection against pollution.
6. How drainage facilities will be arranged.

The application shall also i. a. be accompanied by: —

1. An accurate description and plans of location, local conditions and buildings.
2. A description and plans of main machinery.
3. A description and plans of the immediate environment as well as a list of owners of real estate in the immediate neighbourhood.
4. An opinion by the Health Committee of the Municipality in which the factory or industrial plants is or is to be located.

Art. 6

Factories and industrial plant in operation when the present Regulations enter into force and subject to the provisions of Art. 1 cf. Art. 2 shall, within three months from the time the Regulations enter into force, send to the National Institute of Environmental Health the documentation referred to in Art. 5 and request a licence for operation.

Art. 7

A factory or industrial plant which has been granted a professional licence cf. Art. 3, 4 and 6 may not be enlarged or altered unless permission from the Minister of Health has been obtained. An application for alteration or enlargement shall be sent to the National Institute of Environmental Health with the reports and documentation referred to in Art. 5 as applicable.

Art. 8

In case an application has been received by the National Institute of Environmental Health this shall be taken for consideration forthwith. If the Institute consider documentation wanting, this shall be called for.

Art. 9

The National Institute of Environmental Health shall send applications for professional licences to the Committee on Toxic Substances, the Council for the Conservation of Nature, the State Directorate of Shipping and the State Directorate for Labour and Industrial Safety for their opinion if there is considered to be reason therefore.

The National Institute of Environmental Health may themselves investigate any items they deem necessary or have other parties do so, and they may acquire any documentation which they consider necessary. They may also require the applicant to submit any documentation and information they consider necessary and which may reasonably be required.

Art. 10

When the National Institute of Environmental Health have received such documentation relating to an application for a professional licence as they deem necessary and have investigated this, they shall prepare their proposals for the despatch of each individual case. Special care shall be taken that toxic and hazardous substances from factories and industrial plant shall not cause damage to humans, animals or plants, nor pollution of air, land or water. It may be proposed that specific operations shall not be permitted at all or only after meeting specific conditions such

as those relating to cleaning or protective outfit or the specialized education of operators. The proposals shall specify suitable respites for remedies and instructions as to in which manner remedies shall be effected. The proposals shall be thoroughly substantiated and tolerances of pollution shall be specified. The Institute of Environmental Health shall send their proposals to the Minister of Health who shall render a final decision in the case.

Art. 11

The Public Health Board in each Municipality shall follow that the provisions of the present Regulations be abided by. In case they notice that this be not so, they shall forthwith send the National Institute of Environmental Health a detailed report on the case.

Art. 12

The National Institute of Environmental Health have the superior supervision of abidance by the provisions of the present Regulations. In this connection the Institute and their staff are authorized to inspect and investigate production practices, precaution against pollution and all arrangements in this field which are made in factories or industrial plant. The management of the firms shall at all times be afforded an opportunity of following these studies. The Institute of Environmental Health may at each given time require from the management of factories and industrial plant any such information on the operations as the Institute consider necessary in order to be able to discharge their duties.

Art. 13

In case it be found that instructions relating to precautions against pollution be not abided by, the Institute of Environmental Health shall forthwith prescribe for the parties concerned a suitable respite to make amends. In case these instructions be not heeded either, the Institute of Environmental Health shall notify the Minister of Health about the case and he will decide which penalty shall be applied.

In case the Institute of Environmental Health notice a hazard which was not previously clear and therefore not specified in a professional licence, they may propose to the Minister of Health that the professional licence be taken for reconsideration having regard for this knowledge. The same applies in case of the introduction in the market of new equipment or devices for precaution against pollution which alter the premises for a professional licence in force.

Art. 14

In case the National Institute of Environmental Health consider there to be such a serious hazard of pollution from toxic or hazardous substances from a specific factory or industrial plant that action cannot wait, they are authorized to suspend by means of police action the operation or production of the factory or industrial plant. A report relating to this action and the requisite substantiating evidence and documentation shall be sent by the Institute of Environmental Health to the Minister of Health who will render a final decision in the case after having received a statement from the party subject to the ban.

Art. 15

After having received proposals from the National Institute of Environmental Health the Minister of Health may cause stoppage by police action of the operation of a factory or industrial plant coming under Art. 1 and not having acquired a

professional licence. The same applies in case of non-abidance by instructions from the Minister of Health relating to special precautionary arrangements against pollution.

Art. 16

Lawsuits arising out of violations of the present Regulations shall be treated according to the Code of Procedure in Criminal Cases.

Art. 17

Violations of the present Regulations shall be subject to penalties in the form of fines unless subject to heavier penalty under another Act. In case of reiterated or gross violation the penalty may be in the form of custody or imprisonment for up to two years. Attempted violations or participation in violations in accordance with the present Regulations is subject to penalty as stated in Section III of the Penal Code.

Art. 18

The present Regulations are laid down in accordance with authority contained in Art. 13 Act No. 85, December 31st, 1968, and enter into force forthwith.

Ministry of Health and Social Security June 15th, 1972.

Magnús Kjartansson.

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