

Inspections of domestic boilers and stoves

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Legislative framework

Environmental Protection Act, Article 379:

- **The mayor of the municipality controls** the observance and application of **environmental protection regulations** by residents.
- The mayor may authorize **employees of the municipal office or officers of municipal police** to perform control functions.

Some of the municipalities which do not have a municipal police, cooperate with the police and the inspections are conducted **jointly by a municipality employee and a police officer.**

Legislative framework

Environmental Protection Act, Article 334:

- Who **does not comply with the restrictions, orders or prohibitions** laid down in the resolution of the regional parliament adopted on the basis of Article 96 (anti-smog resolution) **is subject to a fine.**

Waste Management Act, Article 155, 191:

- Waste incineration is allowed only in waste incineration plants. Anyone who **thermally converts waste** outside waste incineration plants **is subject to arrest or a fine.**

Inspection procedure

- The inspector, conducting inspection, is entitled to:
 - 1) **access to the property** from 6:00 to 22:00;
 - 2) **carrying out tests** or performing other necessary control activities;
 - 3) demand for written or oral information;
 - 4) **request to present documents** and provide all necessary data.
- The inspector prepares the report from control activities.
- **Obstructing the inspection is an offense** punishable by imprisonment of up to 3 years.

Testing of ash samples

- The inspector has the right to take all actions necessary to determine the actual state - it is the basis for **taking samples of ash** from the boiler or fuel samples.
- The sample can be sent to the lab to investigate specific substances that **indicate waste burning** (e.g. Al_2O_3 , CaO , Fe_2O_3 , K_2O).



Control of compliance with the anti-smog resolution

- The inspector may demand presentation of documents confirming that the boiler and fuel used **meet the requirements of the anti-smog resolution**, e.g.:
 - Instruction manual for the device,
 - Certificate or test report confirming emission standard,
 - Purchase invoice or a coal certificate.
- The inspector can be equipped with a **wood moisture meter**.
- It's **not possible to test the actual emissions** from the boiler or stove.

Sanctions

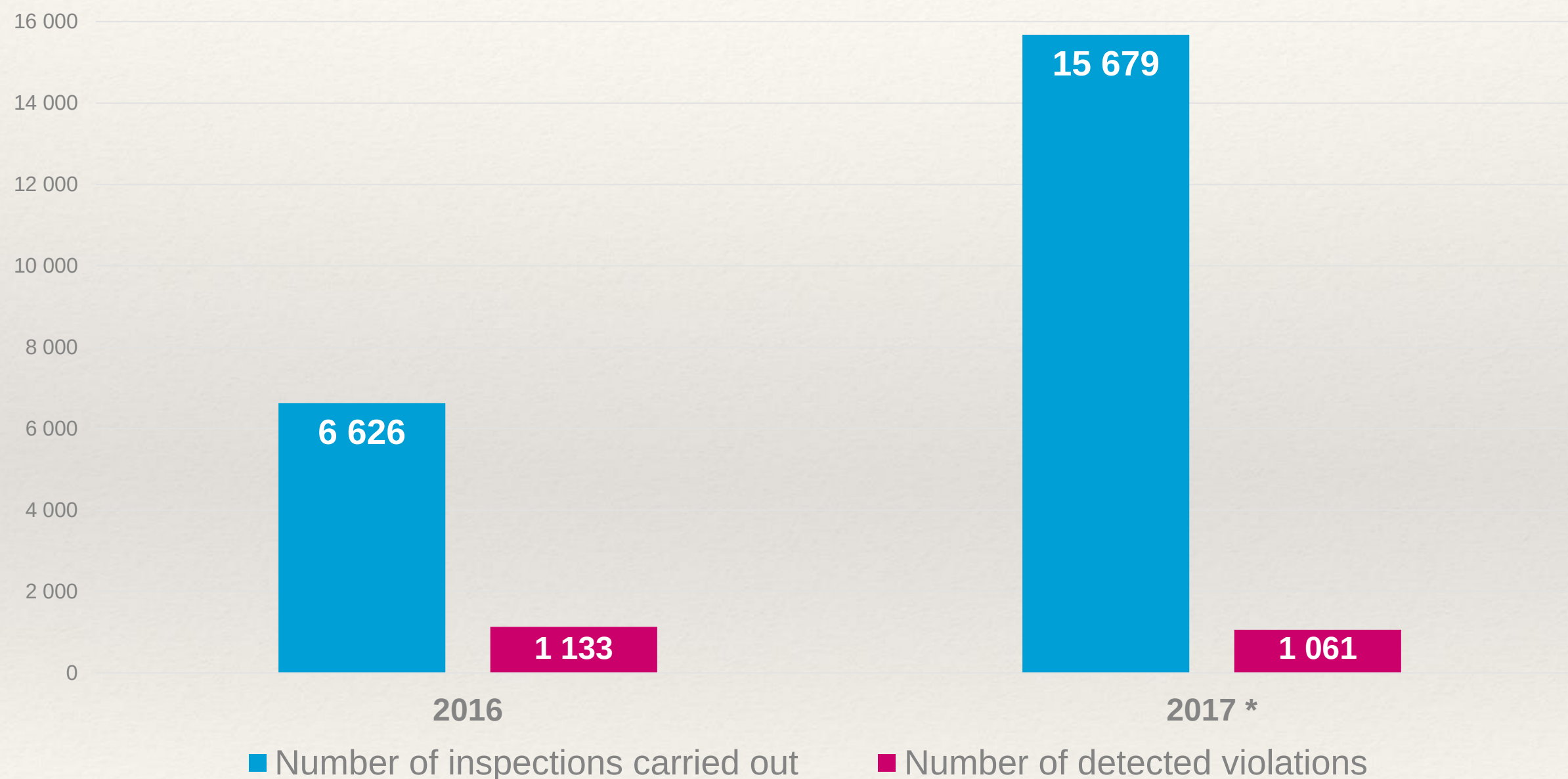
- Municipal police officer may give a ticket up to **500 PLN (110 EUR)** to person who violates the provisions of environmental law.
- The court may impose a fine of up to **5,000 PLN (1,100 EUR)**.

Training on the inspection procedure

- Malopolska and Silesian Region are conducting **training for employees of municipalities and municipal police officers** about inspection procedure.



Inspections carried out in the Malopolska Region



Thank you!



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