

AIR QUALITY QUESTIONNAIRE

Framework directive on air quality + daughters directives

Legal reference

Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management (OJ L 296 21.11.1996 p. 55) EUR-Lex hyperlink [html](#)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to air quality is the By-Law on Air Quality Control (Official Gazette: 2 November 1986, No. 19269). This By-law regulates air pollution and management of air quality by providing management tools for air quality and also technical instructions for pollutant sources.

In addition, technical study on Ambient Air Quality Assessment and Management in Turkey has been started in October 2004 under Twinning Project on Air Quality (TR.03-EN-01). The study considers Air Quality Framework Directive (96/62/EC) and Its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

B. When is transposition foreseen for the remaining measures?

The Technical Study on Ambient Air Quality Assessment and Management in Turkey is being worked under the Twinning Project on Air Quality. The study considers Air Quality Framework Directive (96/62/EC) and Its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

C. What have been achieved as regards:

- **Designating the competent authority/ies and bodies (Art. 3)**

According to the By-Law on Air Quality Control, the competent authorities are the Ministry of Environment and Forestry, the Ministry of Health, Governorships and Municipalities.

The Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167) describes the process on determining, monitoring and measurement of the air quality; determines the limit values of air quality and envisages necessary measures to be taken; regulates public awareness and access to information under responsibility of the Ministry of Environment and Forestry.

- **Identifying zones and agglomerations (Arts. 2.9 & 2.10)**

There is a technical study for identifying zones and agglomeration in Turkey under Twinning Project on Air Quality.

- **Obtaining preliminary data on ambient air quality (Art. 5)**

Preliminary assessment studies have been finalized in city centers of Ankara and Kutahya in the scope of MATRA Programme (MAT02/TR/9/2) and Karabuk in the scope of the EU funded Environmental Heavy Cost Investment Planning for Turkey Project (TR03-EN-01). In addition, pre-studies for preliminary assessment have been done in Kocaeli and Gaziantep Cities under Twinning Project (TR03-EN-01).

- **Establishing limit values and alert thresholds (Art. 4)**

The By-law on Air Quality Control introduces air quality standards for 17 pollutant parameters (Sulphur dioxide including sulphur trioxide, Carbon monoxide, Nitrogen dioxide, Nitrogen oxide, Chlorine, Hydrogen chloride and gaseous inorganic chlorine, Hydrogen fluoride and gaseous inorganic fluorine, Ozone photochemical oxidizers, Hydrocarbons Hydrogen sulphide, Suspended Particular Matter, Lead in PM and its compounds, Cadmium in PM and its compounds, settling dust including particles larger than 10 microns, Lead and its compounds in settling dust, Cadmium and its compounds in settling dust, Thallium and its compounds in settling dust), long and short-term limit values, target limits and alert thresholds for pollutants.

- **Establishing a system for assessing ambient air quality (Art. 6)**

Establishing a system for assessing ambient air quality (Art. 6) mentioned in the Directive (96/62/EC) has been taken into consideration in technical study on Ambient Air Quality Assessment and Management in Turkey.

On the other hand, assessments of ambient air quality for SO₂ and PM have been done by the Ministry of Environment and Forestry taking into account of the data from the monitoring stations in accordance with the By-Law on Air Quality Control.

Ministry of Environment and Forestry prepares annual circulars after these assessments, and delegates to the Governorships authority for taking necessary measures at provincial level.

- **Drawing up action plans for areas where there is a risk of air quality limit values being exceeded (Art. 7)**

The By-law on Air Quality Control states that in case effects harmful to human beings and their environment arise or anticipated in all or part of a pollution sensitive zone, the Governorships shall develop clean air plans.

- **Drawing up a list of zones/agglomerations where the levels of pollutants exceed limit values (Art. 8)**

Technical studies need to be initiated.

- **Drawing up a list of zones/agglomerations where the levels of pollutants are lower than limit values (Art. 9)**

Technical studies need to be initiated.

- **Drawing up plans/programmes to ensure that limit values are complied with within a specified time limit (Art. 8)**

Information on concentrations of SO₂ and PM are evaluated and cities are classified according to pollution levels as first degree or second degree polluted cities by the Ministry of Environment and Forestry. The results of the evaluation are announced to the Governorships by an official circular. The Governorships have to make technical studies and take necessary measures at the provincial level in the form of Action Plans mitigating harmful effects to human beings and their environments such as restriction for mobile installations to operate, temporary restrictions for vehicles, other mobile and stationary sources.

- **Establishing a system to provide information to the public (Arts. 8 & 10)**

- Sulphur dioxide (SO₂) and particulate matter concentrations have been measured by the Ministry of Health and sent periodically to the Turkish Statistical Institute (TURKSTAT) since 1990. Data are evaluated and published as monthly, winter season and annual news bulletins. All the bulletins are available on the TURKSTAT web site and news bulletins are announced at the time of release date. They are sent to the media and some officials by e-mail. Air quality database as a whole is available on the TURKSTAT web site.

- In 36 provincial centers full automatic measurement stations have been established by the Ministry of Environment and Forestry. PM₁₀ and SO₂ parameters measures and the information on concentration of SO₂ and PM are announced by the Ministry of Environment and Forestry 's web site for these cities.

- In case air quality limit values exceeded, necessary measures are taken by Governorships and the information on air quality is announced to the public by using local TV boards and radio.

- **Establishing a protocol to consult with other Member States (Art. 8-10)**

Not applicable before membership.

- **Establishing an information database on ambient air quality (Art. 11)**

Article 11 of Directive (96/62/EC) has been taken into consideration in technical study on Ambient Air Quality Assessment and Management in Turkey under twinning project.

Sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air Directive

Legal reference

Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air (OJ L 163 29.06.1999 p. 41) EUR-Lex hyperlink [html](#) [pdf](#)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to air quality is the By-law on Air Quality Control (Official Gazette: 2 November 1986, No. 19269). This By-law regulates air pollution and management of air quality by providing management tools for air quality and also technical instructions for pollutant sources.

A technical study related with Directives is in progress under Twinning Project on Air Quality.

B. When is transposition foreseen for the remaining measures?

The Technical Study on Ambient Air Quality Assessment and Management in Turkey is being worked under the Twinning Project on Air Quality. The study considers Air Quality Framework Directive (96/62/EC) and Its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

C. What have been achieved as regards:

- **Identifying the relevant authorities**

According to the By-law on Air Quality Control, the competent authorities are the Ministry of Environment and Forestry, the Ministry of Health, Governorships and Municipalities.

The Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167) describes the process on determining, monitoring and measurement of the air quality; determines the limit values of air quality and envisages necessary measures to be taken; regulates public awareness and access to information under responsibility of the Ministry of Environment and Forestry.

- **Dividing the territory into zones and agglomerations**

The technical studies are in progress in Twinning Project.

- **Establishing limit values and alert thresholds for pollutants (Arts. 3, 4, 5 & 6)**

There are limit values and alert thresholds (for only SO₂ and PM) in the current the By-law on

Air Quality Control.

- **Establishing upper and lower assessment thresholds for Article 6 of Directive 96/62/EC (Art. 7)**

The technical studies are in progress in Twinning Project.

- **Establishing sampling and analytical methods (Annex IX)**

There are analytic methods in By-Law on Air Quality Control Annex –II.

The technical studies are in progress in Twinning Project.

- **Determining the location and numbers of sampling points (Arts. 3-7 and Annexes V-IX)**

Technical studies need to be initiated at a later stage.

- **Designating zones/agglomerations where assessment thresholds are exceeded, which mechanism of review of such designations (Art. 7)**

The technical studies are in progress in Twinning Project.

- **Taking measures to ensure that limit values of sulphur dioxide are not exceeded (Arts 3)**

Information on concentrations of SO₂ and PM are evaluated and cities are classified according to pollution levels as first degree or second degree polluted cities by the Ministry of Environment and Forestry. The results of the evaluation are announced to the Governorships by an official circular. The Governorships have to make technical studies and take necessary measures at the provincial level in the form of Action Plans mitigating harmful effects to human beings and their environments such as restriction for mobile installations to operate, temporary restrictions for vehicles, other mobile and stationary sources.

There have been significant reductions in concentrations of both SO₂ and PM in urban areas in the last 5 to 10 years, largely due to the major changes in fuel mix used in these areas:

- Coal for domestic use for heating with high sulphur content was prohibited by the Ministry of Environment and Forestry by the By-law on Control of Air Pollution from Heating (Official Gazette: 13 January 2005, no 25699).
- Major investments were made in gas transport and distribution, so that natural gas could be substituted for coal in several cities.

- **Taking measures to ensure that limit values of lead are not exceeded (Art 6)**

Leaded gasoline was forbidden by the By-law on Quality of Petrol and Diesel (Official Gazette: 11 June 2004, no 25489) and Communiqué Regarding the Production, Supply from Domestic and Foreign Resources and Delivery to the Market of Petrol Types (Official Gazette: 05 January 2006, no 26044).

- **Taking measures to ensure that limit values of particulate matter are not exceeded (Art 5)**

The Official Circulars are sent to Governorships by the Ministry of Environment and Forestry. Necessary measures are taken by Governorships.

There have been significant reductions in concentrations of particulates in urban areas in the last 5 to 10 years, largely due to the major changes in fuel mix used in these areas:

- Coal for domestic use for heating with high sulphur content was prohibited by the Ministry of Environment and Forestry by the By-law on Control of Air Pollution from Heating (Official Gazette: 13 January 2005, no 25699).
- Major investments were made in gas transport and distribution, so that natural gas could be substituted for coal in several cities.

- **Taking measures to ensure that limit values of nitrogen dioxide and oxides of nitrogen are not exceeded (Art 4)**

Technical studies are in progress in Twinning Project.

- **Ensuring that action plans for PM10 also aim to reduce concentrations of PM2.5 (Art. 5.3)**

Technical studies are in progress in Twinning Project.

- **Establishing a mechanism to provide information to the public (Art. 8)**

- Sulphur dioxide (SO₂) and particulate matter concentrations have been measured by the Ministry of Health and sent periodically to the Turkish Statistical Institute (TURKSTAT) since 1990. Data are evaluated and published as monthly, winter season and annual news bulletins. All the bulletins are available on the TURKSTAT web site and news bulletins are announced at the time of release date. They are sent to the media and some officials by e-mail. Air quality database as a whole is available on the TURKSTAT web site.

- In 36 provincial centers full automatic measurement stations have been established by the Ministry of Environment and Forestry. Information on concentration of SO₂ and PM are announced by the Ministry of Environment and Forestry's web site for these provincial centers.

- In case air quality limit values exceeded, necessary measures are taken by Governorships and the information on air quality is announced to the public by using local TV boards and radio.

- **Establishing an information database**

Technical studies are in progress in Twinning Project.

- **Establishing an effective inspection and enforcement system (Art. 11)**

Penalties are applied if required according to Environment Law No: 2872.

Directive on benzene and carbon monoxide in ambient air

Legal reference

Directive 2000/69/EC of the European Parliament and of the Council of 16 November 2000 relating to limit values for benzene and carbon monoxide in ambient air (OJ L 313 13.12.2000 p. 12) EUR-Lex hyperlink [html](#) [pdf](#)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to air quality is the By-Law on Air Quality Control (Official Gazette: 2 November 1986, no 19269). This By-law regulates air pollution and management of air quality by providing management tools for air quality and also technical instructions for pollutant sources.

A technical study related with Directives is in progress under Twinning Project on Air Quality.

B. When is transposition foreseen for the remaining measures?

A technical study on Ambient Air Quality Assessment and Management in Turkey has been initiated under the Twinning Project on Air Quality. The study consists of Air Quality Framework Directive (96/62/EC) and its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

C. What have been achieved as regards:

• Identifying the relevant authority/ies

According to the By-law on Air Quality Control, the competent authorities are Ministry of Environment and Forestry, the Ministry of Health, Governorships and Municipalities.

The Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167) describes the process on determining, monitoring and measurement of the air quality; determines the limit values of air quality and envisages necessary measures to be taken; regulates public awareness and access to information under responsibility of the Ministry of Environment and Forestry.

• Establishing limit values for benzene and CO (Arts. 3 and 4)

There are limit values for CO in the By-law on Air Quality Control.

• Establishing upper and lower assessment thresholds for Article 6 of Directive 96/62/EC (Art. 5.1)

Technical studies are in progress in Twinning Project.

- **Establishing sampling and analytical methods (Art. 5.5)**

Technical studies are in progress in Twinning Project.

- **Determining the location and numbers of sampling points (Art. 5.2)**

Technical studies are in progress in Twinning Project.

- **Classifying zones/agglomerations where assessment thresholds are exceeded, with review mechanism (Art. 5.1)**

Technical studies are in progress in Twinning Project.

- **Taking measures to ensure that concentrations shall not exceed limit values of carbon monoxide (Art 4)**

Technical studies are in progress in Twinning Project.

- **Taking measures to ensure that concentrations shall not exceed limit values of benzene (Art 3)**

Technical studies are in progress in Twinning Project.

- **Establishing a mechanism to provide information to the public and to appropriate organisations (Art. 7)**

Technical studies are in progress in Twinning Project.

- **Establishing an information database**

Technical studies are in progress in Twinning Project.

- **Establishing an effective inspection and enforcement system (Art. 9)**

Technical studies are in progress in Twinning Project.

Ozone in ambient air Directive

Legal reference

Directive 2002/3/EC of the European Parliament and of the Council of 12 February 2002 relating to ozone in ambient air (OJ L 067 09.03.2002 p. 14) EUR-Lex hyperlink [html](#) [pdf](#)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to air quality is the By-Law on Air Quality Control (Official Gazette: 2 November 1986, No. 19269). This By-law regulates air pollution and management of air quality by providing management tools for air quality and also technical instructions for pollutant sources.

A technical study related with Directives is in progress under the Twinning Project on Air Quality.

B. When is transposition foreseen for the remaining measures?

A technical study on Ambient Air Quality Assessment and Management in Turkey has been initiated under the Twinning Project on Air Quality. The study consists of Air Quality Framework Directive (96/62/EC) and its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

C. What have been achieved as regards:

- **Identifying the relevant authorities**

According to the By-law on Air Quality Control, the competent authorities are Ministry of Environment and Forestry, the Ministry of Health, Governorships and Municipalities.

The Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167) describes the process on determining, monitoring and measurement of the air quality; determines the limit values of air quality and envisages necessary measures to be taken; regulates public awareness and access to information under responsibility of the Ministry of Environment and Forestry.

- **Establishing target values for ozone (Art. 3.1)**

Technical studies are in progress in Twinning Project.

- **Establishing long-term objectives for ozone (Art. 4.1)**

Technical studies are in progress in Twinning Project.

- **Establishing information threshold values for ozone (Section I of Annex II)**

Technical studies are in progress in Twinning Project.

- **Establishing alert threshold values for ozone (Section I of Annex II)**

Technical studies are in progress in Twinning Project.

- **Determining the number and location of sampling points (Art. 9)**

Technical studies are in progress in Twinning Project.

- **Establishing reference methods of sampling and analysis (Art. 9.4 and Section I of Annex VIII)**

Technical studies are in progress in Twinning Project.

- **Identifying relevant zones and agglomerations (Arts. 3, 4 & 5)**

Technical studies are in progress in Twinning Project.

- **Taking measures to ensure that target values are not exceeded (Art. 3.3)**

Technical studies are in progress in Twinning Project.

- **Taking measures to ensure that long-term objectives are not exceeded (Arts. 4.2 & 5)**

Technical studies are in progress in Twinning Project.

- **Establishing a mechanism to inform health care institutions and the population where alert thresholds of ozone are or are predicted to be exceeded (Art. 6.1(c))**

Technical studies are in progress in Twinning Project.

- **Establishing a mechanism to provide information to the public and to appropriate organisations (Art. 6)**

Technical studies are in progress in Twinning Project.

- **Establishing an information database on ozone pollution**

Technical studies are in progress in Twinning Project.

- **Establishing an effective inspection and enforcement system**

Technical studies are in progress in Twinning Project.

Arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air Directive

Legal reference

Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 023 26.01.2005 p. 3) EUR-Lex hyperlink [html](#) [pdf](#)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to air quality is the By-Law on Air Quality Control (Official Gazette: 2 November 1986, No. 19269). This By-law regulates air pollution and management of air quality by providing management tools for air quality and also technical instructions for pollutant sources.

A technical study related with Directives is in progress under the Twinning Project on Air Quality.

B. When is transposition foreseen for the remaining measures?

A technical study on Ambient Air Quality Assessment and Management in Turkey has been initiated under the Twinning Project on Air Quality. The study consists of Air Quality Framework Directive (96/62/EC) and its Daughter Directives (1999/30/EC, 2000/69/EC, 2002/3/EC and 2004/107/EC).

C. What have been achieved as regards:

- **The assessment of ambient concentrations of the pollutants covered by the directive (Article 4) and the identification of zones and agglomerations where the relevant target values are met and exceeded?**

Technical studies are in progress in Twinning Project.

National Emission Ceiling Directive

Legal reference

Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309 27.11.2001 p. 22)

EUR-Lex hyperlink [html](#) [pdf](#)

Technical studies need to be initiated.

Questions

A. Which parts of the provisions of the Directive have been transposed?

B. When is transposition foreseen for the remaining measures?

C: What have been achieved as regards:

- **Identifying relevant authority/ies**
- **Ratifying the Gothenburg Protocol**
- **Establishing national emission ceilings for the relevant pollutants (Art. 4)**
- **If necessary (i.e. Turkey only), estimating areas where critical loads and levels are exceeded (Art. 5)**
- **Drawing up programmes for the progressive reduction of national emissions of the relevant pollutants (Art. 6)**
- **Implementing national programmes**
- **Establishing an information database (Art. 7)**
- **Establishing a mechanism to provide information to the public and to appropriate organisations (Arts. 6 and 7)**
- **Establishing an effective inspection and enforcement system (Art. 12)**

Quality of petrol and diesel fuels Directive

Legal Reference:

Directive 1998/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 1993/12/EEC (OJ L 350 28.12.1998 p.58)

A. Which parts of the provisions of the Directive have been transposed?

Legislation with respect to the quality of petrol and diesel fuels are Technical Regulation Communiqué Regarding the Production, Supply from Domestic and Foreign Resources and Delivery to the Market of Petrol Types, (Official Gazette: 05 January 2006 No. 26044) and Technical Regulation Communiqué Regarding the Production, Supply from Domestic and Foreign Resources and Delivery to the Market of Diesel Oil Types, (Official Gazette: 30 December 2005 No. 26039). According to these Communiqués, the provisions of the Directive will have been almost fully harmonized, as of 1 January 2007.

B. When is transposition foreseen for the remaining measures?

Technical studies are in progress.

C. What have been achieved as regards:

- **Identifying authorities with responsibilities for regulating fuel quality?**

According to the Article 4/4/1 of the Law on Petroleum Market Law No. 5015 (Official Gazette: 20 December 2003 No. 25322), Energy Market Regulatory Authority is the competent authority for regulating fuel quality.

- **Carrying out an assessment of national fuel consumption?**

According to provisions laid down by the By-law on Petroleum Market Information Systems (Official Gazette: 09 December 2005 - No. 26018), Energy Market Regulatory Authority has established an assessment mechanism.

- **Establishing analytical methods for fuel quality assessment?**

Analytical methods laid down by TS EN 228 and TS EN 590 are put into effect as binding technical regulations for petrol and diesel types respectively. Therefore, analytical methods, as stipulated by TS EN 228 and 590, are binding analytical methods for fuel quality assessment.

- **Establishing a system for monitoring fuel quality?**

Fuel quality monitoring system, which is attached to supervision and surveillance mechanism carried out with the participation of public administrations and the Marmara Research Center of

Scientific and Technical Research Council of Turkey, is established by the Energy Market Regulatory Authority with the By-law on Petroleum Market Information Systems.

For establishing the supervision and surveillance mechanism, Energy Market Regulatory Authority signed protocols with Ministry of Industry and Trade and Ministry of Interior, carried a public tender for selecting accredited lab. According to the protocols, sampling activities are carried out by provincial staff of related administrations. Testing activities are carried out by the Marmara Research Center of Scientific and Technical Research Council of Turkey. Data from lab testing are evaluated by the Energy Market Regulatory Authority to monitor fuel quality. Furthermore Energy Market Regulatory Authority is collecting, processing and evaluating data, which are notified by refineries, distributors, eligible consumers, lube oil producers and bunker delivery licensees, stemming from notification requirements according to By-law of Petroleum Market Information Systems.

Completion of the on-going Regulatory Information System (RIS) project is considered to be necessary for effective functioning of information system.

- **Prohibiting the marketing of leaded petrol?**

According to the Decision of Board of Energy Market Regulatory Authority dated on 21 April 2005, marketing of leaded petrol was prohibited as of 1 January 2006.

In addition Technical Regulation Communiqué Regarding the Production, Supply from Domestic and Foreign Resources and Delivery to the Market of Petrol Types, (Official Gazette: 05 January 2006 No. 26044) and Provisional Article 2 of By-Law on Petrol and Diesel Quality (Official Gazette: 11 June 2004 No. 25489) prohibits the lead content of fuels.

- **Permitting the marketing of unleaded petrol only if it meets Directive's requirements (Art 3)?**

According to the Communiqué putting technical regulations into effect for petrol types, as of publication date, TS EN 228 will be binding technical regulation, without any exemption, for petrol types, as of 1 January 2007. According to the this Communiqué, there are two types of petrol '*Unleaded Petrol 95 Octane*' and '*Unleaded Petrol 98 Octane*', which contain min. 95 max. 97.9 research octane number and min. 98 research octane number respectively. According to the Provisional Article 1 of this Communiqué, refineries and distributors may add min. 8, max. 20 mg/kg potassium and min. 10, max. 50 mg/kg manganese to '*Unleaded Petrol 95 Octane*' and deliver to market until 1 January 2015. This type of unleaded petrol named as '*Alloyed Unleaded Petrol*'. There are also some exemptions for the technical specifications of petrol for the content of sulphur, aromatics and benzene and analysis and percentage evaporated at 70 and 100 °C until 1 January 2007.

- **Permitting the marketing of diesel fuel only if it meets Directives requirements?**

According to the Communiqué putting technical regulations into effect for diesel types, as of publication date, TS EN 590 will be binding technical regulation for diesel fuels, without any

exemption as of 1 January 2007. The Communiqué sets out technical regulations for diesel fuels and classifies diesel fuels as '*Diesel*' and '*Off Road Diesel*', respectively containing max. 50 mg/kg sulphur and min. 51-max. 1000 mg/kg sulphur (will be 2000 mg/kg until 1 January 2008). According to the Provisional Articles of Communiqué, (i) '*diesel 500*' (containing min. 51 max. 500 mg/kg sulphur) and (ii) '*diesel 7000*' (containing min. 2001 max. 7000 mg/kg sulphur) can be marketed until 1 January 2007. There are also some other exemptions for the technical specifications for diesel fuels in density and distillation points and cetane number until 1 January 2007.

As of 1 January 2007 only two types of diesel fuel, '*diesel*' and '*off road diesel*' containing max. 50 and min. 51-max. 2000 mg/kg sulphur respectively, shall be delivered to market. Maximum sulphur content for off road diesel will drop to 1000 mg/kg at 1 January 2008 parallel to the Directive. Prohibition from marketing, for diesel fuels which does not comply 10 mg/kg sulphur content, will be decided according to the results of technical studies about Turkish fuel market.

- **Permitting the marketing of gas oil intended for non road mobile machinery and forestry tractors only if it meets Directives requirements?**

According to the Decision of Board of Energy Market Regulatory Authority, dated on 29 December 2005, categorization of diesel fuels is completed in parallel to the Directive, but application of this norm requires financial and administrative incentives and tax exemptions.

- **Establishing a regulatory system to cover exceptional circumstances (Art 7)?**

According to the Article 22 paragraph 2 of the Law on Petroleum Market No. 5015, Energy Market Regulatory Authority has authority to take specific decisions on exceptional circumstances. Specific decisions concerning the public shall be announced via media and bulletins.

- **Establishing an effective enforcement system (including penalties)?**

For establishing effective enforcement mechanism, Energy Market Regulatory Authority has put into force 7 by-laws, 8 communiqués, several specific decisions and tens of decisions. With completion of these regulations and application of them, regulatory phase and licensing phase have been almost fully completed. Afterwards Energy Market Regulatory Authority signed protocols with public institutions (Ministries) and trained more than 1000 country staff of them about petroleum market regulations. Experts from the Marmara Research Center trained and certified those personnel about sampling activities. Consequently, regulations of Energy Market Regulatory Authority about licensing and fuel quality have been applied by site inspections by those personnel.

Energy Market Regulatory Authority is responsible for the effective application of the Law on Petroleum Market No. 5015 and secondary regulations. The Authority signed protocols with public institutions, granted public tender to MRC to perform accredited lab activities. In order to achieve effective application of the Petroleum Market Law No. 5015, technical studies about

promoting regional accredited labs, training more staff, supplying complimentary instruments are being carried out. There are various administrative sanctions and fines for violators.

- **Establishing a system to collect national fuel quality data (Art. 8)**

Fuel quality monitoring system has been established by the Energy Market Regulatory Authority. Data from testing of liquid fuel samples are collected by Energy Market Regulatory Authority. There are also data, from notifications according to By-law of Petroleum Market Information Systems (Official Gazette: 09 December 2005 - No. 26018), collected, processed and evaluated with those stemming from surveillance system. According to mentioned By-law refineries, distributors, eligible consumers, lube oil producers and bunker delivery licensees, notify about their activities monthly, quarterly and annually.

Reduction in sulphur content of certain liquid fuels Directive

Legal Reference:

Council Directive 1999/32/EC of 26 April 1999 relating to reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121 11.05.1999 p.13)

A. Which parts of the provisions of the Directive have been transposed?

Main legislation with respect to regulations on liquid fuel oil quality is the Petroleum Market Law No. 5015 (Official Gazette: 20 December 2003 No. 25322). Collection and process of data about national fuel oil consumption and technical arrangements for diesel types are regulated respectively by the By-law of Petroleum Market Information Systems (Official Gazette: 09 December 2005 - No. 26018) and Communiqué Putting Technical Regulations Into Effect for Diesel Types (Official Gazette: 05. January 2006 No. 26039). There is also the By-law on Control of Air Pollution from Heating (Official Gazette: 13 January 2005 No. 25699).

B. When is transposition foreseen for the remaining measures?

Technical studies are in progress for remaining measures including technical regulations of liquid fuel oil quality.

C. What have been achieved as regards?

- **Establishing authority/ies for regulating liquid fuel oil quality?**

According to the Petroleum Market Law No. 5015 (Official Gazette: 20 December 2003 No. 25322), Energy Market Regulatory Authority is the competent authority for regulating liquid fuel oil quality, not only for heating purposes but also for vehicles and facilities. Furthermore, the Ministry of Environment and Forestry regulates fuel oil quality, used for heating by the By-law on Control of Air Pollution from Heating.

- **Carrying out an assessment of national fuel oil consumption?**

Based on the Decision of the Board of Energy Market Regulatory Authority No. 623/1, dated on 29 December 2005, under the scope of official naming and categorization of fuels, fuel oils were qualified as 'fuels' and production and import regime is bound to licenses. In this context, according to provisions of the By-law of Petroleum Market Information Systems, which came into force on 09 December 2005, data about import and consumption of fuel oils are collected within information system. Subsequently data collected by Energy Market Regulatory Authority, are being processed and evaluated within an assessment mechanism.

- **Establishing an effective sampling system (Art. 6.1 and 6.1.a)**

Standardization works for fuel oils were completed at the end of April 2006 by Turkish Standards Institute. Technical studies are under way for designing technical regulations for fuel oils as well as establishing a sampling system.

- **Establishing the appropriate analytical methods of analysis (Art. 6.2)**

Technical studies are in progress for establishing analytical methods.

- **Prohibiting the use of heavy fuel oil with a sulphur content greater than 1, 00% (Art. 3.1)**

According to the Article 5 of the By-law on Control of Air Pollution from Heating, The Ministry of Environment and Forestry prohibits the use of fuel oils with sulphur content more than 1.00% if it is imported product or with sulphur content more than 1.50% if it is national product. Furthermore, the Ministry of Environment and Forestry attributes continuous emission liability to large industrial facilities, using fuel oils, by the Article 6 of the By-law on Industrial Air Pollution Control (Official Gazette: 7 October 2004 No. 25606). Technical studies are in progress to harmonize sulphur content requirements for domestic and imported products.

- **Establishing a permit system for combustion plants using heavy fuel oil with a sulphur content greater than 1,00% (Art. 3.2.ii)**

According to the Article 6 of the By-law on Industrial Air Pollution Control, the Ministry of Environment and Forestry is authorized to grant emission permissions to large industrial combustion facilities using liquid oil (including fuel oils).

- **Prohibiting the use of gas oil with a sulphur content greater than 0, 20% (Art. 4.1)**

According to the Communiqué putting technical regulations into effect for diesel types, as of publication date, TS EN 590 will be binding technical regulation for diesel fuels, without any exemption as of 1 January 2007. The Communiqué sets out technical regulations for diesel fuels and classifies diesel fuels as ‘*Diesel*’ and ‘*Off Road Diesel*’, respectively containing max. 50 mg/kg sulphur and min. 51-max. 1000 mg/kg sulphur (will be 2000 mg/kg until 1 January 2008). According to the Provisional Articles of Communiqué, (i) ‘*diesel 500*’ (containing min. 51 max. 500 mg/kg sulphur) and (ii) ‘*diesel 7000*’ (containing min. 2001 max. 7000 mg/kg sulphur) can be marketed until 1 January 2007. There are also some other exemptions for the technical specifications for diesel fuels in density and distillation points and cetane number until 1 January 2007.

As of 1 January 2007 only two types of diesel fuel, ‘*diesel*’ and ‘*off road diesel*’ containing max. 50 and min. 51-max. 2000 mg/kg sulphur respectively, shall be delivered to market. Maximum sulphur content for off road diesel will drop to 1000 mg/kg at 1 January 2008 parallel to the Directive. Prohibition from marketing, for diesel fuels which does not comply 10 mg/kg sulphur content, will be decided according to the results of technical studies about Turkish fuel market.

According to the Article 5 of the By-law on Industrial Air Pollution Control, use of fuel oils is prohibited for heating facilities, with max. 1.00% sulphur content by mass if imported or max. 1.50% sulphur content by mass if national product until 1 January 2007.

- **Taking measures to apply limit values for the sulphur content of marine fuels (Arts. 4a and 4b)**

Technical studies are in progress.

- **Establishing a regulatory system to cover exceptional circumstances (Art. 5)**

According to the Article 22 paragraph 2 of the Law on Petroleum Market No. 5015, Energy Market Regulatory Authority has authority to take specific decisions on exceptional circumstances. Specific decisions concerning the public shall be announced via media and bulletins.

- **Establishing an effective enforcement system (Art. 11)**

For establishing effective enforcement mechanism, Energy Market Regulatory Authority has put into force 7 by-laws, 8 communiqués, several specific decisions and tens of decisions. With completion of these regulations and application of them, regulatory phase and licensing phase have been almost fully completed. Afterwards Energy Market Regulatory Authority signed protocols with public institutions and trained more than 1000 provincial staff of them about petroleum market regulations. Experts from the Marmara Research Center trained and certified those personnel about sampling activities. Consequently, regulations of Energy Market Regulatory Authority about licensing and fuel quality have been applied by site inspections by those personnel.

Energy Market Regulatory Authority is responsible for the effective application of the Law on Petroleum Market No. 5015 and secondary regulations. The Authority signed protocols with public institutions, granted public tender to MRC to perform accredited lab activities. In order to achieve effective application of the Petroleum Market Law No. 5015, technical studies about promoting regional accredited labs, training more staff, supplying complimentary instruments are being carried out. There are various administrative sanctions and fines for violators.

By the completion of technical studies designing technical regulations for fuel oils, marine fuels, fuel naphta and kerosene and expansion of enforcement system for all types of fuels, an effective enforcement system for all fuel types will have been established.

- **Setting up a system (e.g. a database) to collect results of sampling and analysis (Art. 7)**

Fuel quality monitoring system has been established by the Energy Market Regulatory Authority. Data from testing of liquid fuel samples are collected by Energy Market Regulatory Authority. There are also data, from notifications according to By-law of Petroleum Market Information Systems (Official Gazette: 09 December 2005 - No. 26018), collected, processed and evaluated

with those stemming from surveillance system. According to mentioned By-law refineries, distributors, eligible consumers, lube oil producers and bunker delivery licensees, notify about their activities monthly, quarterly and annually.

Directive on CO₂ labelling of passenger cars

Legal references

Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars (*OJ L 012 18.01.2000 p. 16*), as amended by Commission Directive 2003/73/EC of 24 July 2003 amending Annex III to Directive 1999/94/EC of the European Parliament and of the Council (*OJ L 186, 25.07.2003, p. 34*) (see also Commission Recommendation of 26 March 2003 on the application to other media of the provisions of Directive 1999/94/EC concerning promotional literature (*OJ L 82, 29.03.2003, p. 33*)) EUR-Lex hyperlink.

A. Which parts of the provisions of the Directive have been transposed?

The Directive has been transposed to the Turkish legislation by the By-law on Informing Consumers on Fuel Economy and CO₂ Emissions of New Passenger Cars (Official Gazette: 28 December 2003 No. 25330) which will enter into force on 1 January 2008.

B. When is transposition foreseen for the remaining measures?

Not applicable.

C. What have been achieved as regards:

- **Appointing competent authority/ies (Art. 8)**

According to the Article 17 of the By-law the Ministry of Industry and Trade is the competent authority.

- **Designating body for distribution of the guide on fuel economy and CO₂ emissions (Art. 4)**

According to the Article 10 of the By-law the Ministry of Industry and Trade is responsible for the distribution of the guide on fuel economy and CO₂ emissions and will perform this task through its provincial directorates.

- **Establishing the requirements for the label on fuel economy and CO₂ emissions (Art. 3)**

The Article 6 and 7 of the By-law define the requirements for CO₂ and fuel economy labels of passenger cars. In addition, according to these articles the manufacturers of the passenger cars are responsible for the preparation of this label. Moreover, the information required in the label is displayed in detail in the Annex I of the By-law.

- **Producing a guide on fuel economy and CO₂ emissions (Art. 4)**

According to the Article 10 of the By-law the Ministry of Industry and Trade is responsible for preparing a guide on fuel economy and CO₂ emissions. Technical studies have been initiated within this framework.

- **Establishing the requirements for the posters/displays on fuel consumption and specific CO₂ emissions (Art. 5)**

The Article 8 of the By-law describes the requirements for the posters/display on fuel economy and CO₂ emissions and the manufacturers of the passenger cars responsible for the preparation of these posters/displays. In addition, the Annex III of the By-law sets out the provisions on the items to be placed on the posters.

- **Requiring all promotional literature to comply with the requirements of Annex IV (Art. 6)**

According to the Article 8 of the By-law manufacturers shall provide promotional literature. The Annex IV of the By-law includes the form and content of the promotion literature.

- **Prohibiting the display of labels, posters etc which may cause confusion (Art. 7)**

Pursuant to the Article 11 of the By-law the display of labels and posters causing confusion is prohibited.

- **Establishing an effective inspection and enforcement mechanism, including the penalties applicable to breaches of the national provisions (Art. 11)**

The Ministry of Industry and Trade employs 620 inspectors 600 of whom work at the provincial directorates located in 81 cities for performing market surveillance activities. According to Article 13 of the By-law periodical and spot checks will be performed by these inspectors. In the infringements of the provision of the Article 12 of the By-law the offenders will be charged with an administrative fine. The amount of fine for 2006 is 2 459 Euro (4 392 YTL). The amount of fine is adjusted each year.

EU monitoring scheme on CO₂ from new passenger cars

Legal reference

Decision No 1753/2000/EC of the European Parliament and of the Council of 22 June 2000 establishing a scheme to monitor the average specific emissions of CO₂ from new passenger cars (OJ L 202 10.08.2000 p. 1) EUR-Lex hyperlink [html](#) [pdf](#)

A. What has been achieved as regards:

With the entry into force of the By-law on Relating to Informing Consumers on Fuel Economy and CO₂ Emissions of New Passenger Cars on 1 January 2008, implementation will be started.

- **Designating a competent authority (Art. 5)**

Competent authority will be designated before the entry into force of the By-law.

- **Setting up the necessary instruments to collect the data referred to in Annex I of the Decision, including measures to check, validate and improve where necessary the data collected (Art. 3)**

This issue will be addressed when the competent authority is designated.

- **The determination and transmission of the information foreseen in Article 4**

Technical studies are under way.

VOC emissions from storage of petrol and its distribution from terminals to service stations Directive

Legal reference

European Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations (OJ L 365 31.12.1994 p. 24)

A. Which parts of the provisions of the Directive have been transposed?

Legislation with respect to the storage of petrol and its distribution from terminals to service stations are the Law on Petroleum Market No.5015 (Official Gazette: 20 December 2003 No. 25322), the Law on Ratification for European Treaty on International Transportation of Dangerous Goods via Highways No.5434 (Official Gazette: 6 December 2005 No. 26015), the By-law on Start-up and Operation Licenses of Workplaces (Official Gazette: 10 August 2005 No. 25902), the By-law on Industrial Air Pollution Control (Official Gazette: 7 October 2004 No. 25606), the By-law on Petroleum Market License (Official Gazette: 17 June 2004 No. 25495), the By-law on Technical Criteria to be Applied at Petroleum Market (Official Gazette: 10 September 2004 No. 25579), Decision of Board of Energy Market Regulatory Authority dated on 07 September 2004.

The By-law on Start-up and Operation Licenses of Workplaces issues unsanitary establishment licenses to the installations provided that all necessary permits have been issued.

Installations are identified in the By-law on Industrial Air Pollution Control. Besides, Annex III of the By-law includes the list of activities subject to emission permit. The paragraphs 9.1 and 9.2 of Annex III identify storage facilities that are subject to emission permit and Article 43.Y of the By-law identifies emission limit values for highly air polluting installations, techniques and standards to be applied in petroleum storage facilities- for both fixed and floating roof tanks.

There are provisions for licensing in the Article 3 of the Law on Petroleum Market No.5015, Article 7 of the By-law on Petroleum Market License and Decision of Board of Energy Market Regulatory Authority. Article 5 of the By-law on Technical Criteria to be Applied at Petroleum Market determines the binding technical regulations.

Article 5 of the By-law on Start-up and Operation Licenses for Workplaces regulates start-up and operating of petroleum storage facilities.

The Law No.3348 on Duties, Competences and Responsibilities of the Ministry of Transport addresses the planning, operation, passenger and freight transportation. The legislation for dangerous goods is the Law No. 5434 on Ratification for European Treaty on International Transportation of Dangerous Goods via Highways (Official Gazette: 6 December 2005 No. 26015).

B. When is transposition foreseen for the remaining measures?

Technical studies need to be initiated.

C. What have been achieved as regards:

- **Identifying all terminals for storing and loading petrol (Art. 2(d))**

According to the Article 3 of the Law on Petroleum Market No.5015 and the Article 7 of By-law on Petroleum Market License, the competent authority for licensing storage terminals is the Energy Market Regulatory Authority. There is no clear reference to loading terminals at By-law on Petroleum Market License; all loading terminals which are integrated to a storage terminal, are covered by storing licences.

The By-law on Start-up and Operation Licenses of Workplaces issues unsanitary establishment licenses to the installations provided that all necessary permits have been issued.

Installations are identified in the By-law on Industrial Air Pollution Control. Besides, Annex III of the By-law includes the list of activities subject to emission permit. The paragraphs 9.1 and 9.2 of Annex III identify storage facilities that are subject to emission permit and Article 43.Y of the By-law identifies emission limit values for highly air polluting installations, techniques and standards to be applied in petroleum storage facilities- for both fixed and floating roof tanks.

The petrol storing and loading terminals and all kinds of petrol storing and loading activities, which are necessary for operational stages of airports, railways and seaports, are under the responsibility of the Ministry of Transport. In this respect, locations and technical criteria are determined according to Article 9 of the Law No.3348 on Duties, Competences and Responsibilities of the Ministry of Transport (Official Gazette: 17 April 1987 No. 19434).

The Law No. 5335 (Official Gazette: 27 April 2005 No. 25798), the By-law on Construction of Public Buildings (Official Gazette: 21 May 1998 No. 23348) and the international rules called as UIC Paper numbered 471-3 (International Union of Railways Company), RID (By-law on Transportation of Dangerous Goods via Railways) and RIW (By-law on Bilateral Use of Wagons for International Transportation) define the necessary rules for loading and storing vehicles and petrol terminals, which are located for supporting the transportation activities for railways transportation.

In the case of petrol usages in Airports; Law on Turkish Civil Aviation No.2920 (Official Gazette: 19 October 1983 No. 18196) and the By-Law on Airport Planning, Construction, Operation and Certification (SHY 14 A) are in force.

According to the SOLAS Convention, MARPOL Convention (Annex I, II and V) and IMDG Code, the Undersecretariat for Maritime Affairs is responsible for the application of all international regulations and inspecting ships.

- **Establishing technical measures to reduce loss of petrol from storage installations at terminals (Art. 3)**

The Article 43.Y of the By-law on Industrial Air Pollution identifies the emission limit values for highly air polluting installations, techniques and standards to be applied in petroleum storage facilities. Article 39 of the By-law describes the requirements for general cases, limit values in case certain substances such as toxic, carcinogenic or persistent pollutants are involved or emitted in the process. Article 40 of the By-law prescribes air quality monitoring in the plant impact area and estimation of plant's contribution to the local air pollution and when these assessments are needed.

According to the Article 5 of the By-law on Technical Criteria to be Applied at Petroleum Market, every storing terminal should submit all official permits, documents and authorizations stemming from other branches of legislation, especially environmental, construction and standardization. Therefore, every applicant to get storing license should submit permits for start-up and operation licence granted by competent authority according to its status under the By-law on Start-up and Operation Licenses of Workplaces. Furthermore every applicant should submit any official document proving that construction, installation and application procedures are in harmony with binding Turkish Standards.

The Undersecretariat for Maritime Affairs is responsible for the application of all international regulations and inspecting ships according to the SOLAS Convention, MARPOL Convention (Annex I, II and V) and IMDG Code.

- **Establishing technical measures to reduce loss of petrol during loading/unloading mobile containers at terminals (Art. 4)**

According to the By-law on Technical Criteria to be Applied at Petroleum Market, every applicant to get storing license should submit start-up and operation licence and official documents proving that construction, installation and application procedures are in harmony with binding Turkish standards.

Motor vehicles and trailers designed for transport of dangerous substances are approved and registered for traffic by the Ministry of Industry and Trade. The By-law on Type Approval of Motor Vehicles and Their Trailers regulates the transport of dangerous goods by road (Official Gazette: 11 May 2003 No. 25106).

- **Requiring all road tanker loading gantries to meet the requirements of Annex IV (Art. 4)**

Technical studies are being carried out under the Law No. 5434 on Ratification for European Treaty on International Transportation of Dangerous Goods via Highways.

- **Establishing technical measures to reduce loss of petrol from mobile containers (Art. 5 and Annex IV)**

Technical studies need to be initiated.

- **Identifying throughputs of service stations**

According to the Law No.5015 on Petroleum Market and the By-law on Petroleum Market License, service stations should act under licenses granted by the Energy Market Regulatory Authority. According to the Article 7 of the By-law every applicant should submit official documents required by the By-law on Start-up and Operation Licenses of Workplaces. After these procedures, the Energy Market Regulatory Authority grants licenses.

Installations are identified in the By-law on Industrial Air Pollution Control. Annex III of the By-law states the list of activities subject to emission permit, in two parts-A and B, depending on their capacities and pollution loads. The Paragraphs 9.1 and 9.2 of Annex III of the By-law define storage facilities that are subject to emission permit.

- **Establishing technical measures to reduce loss of petrol from storage installations at service stations (Art. 6 and Annex III)**

The Article 43.Y of the By-Law on Industrial Air Pollution Control lays down the measures; emission limit values for highly air polluting installations, techniques and standards to be applied in petroleum storage facilities- for both fixed and floating roof tanks.

- **Establishing measurement and analysis methods and their frequency for determining the mean concentration of vapours from terminals (Annex II)**

The Article 43.Y of the By-law on Industrial Air Pollution identifies the emission limit values for highly air polluting installations, techniques and standards to be applied in petroleum storage facilities. Article 39 of the By-law states the general binding rules which describe the requirements for general cases, limit values in case certain substances such as toxic, carcinogenic or persistent pollutants are involved or emitted in the process.

Monitoring of VOC in the emissions and in ambient air quality has been envisaged according to the Article 15 of the By-Law on Industrial Air Pollution Control. The Article describes the obligations for verification of permit conditions and lays down the requirements for the update of the information corresponding the permit conditions and reporting obligations. Article 40 of the By-law prescribes the methodology of both air quality monitoring in the plant impact area and estimation of plant's contribution to the local air pollution, and when these assessments are needed. Article 41 of the By-law determines emissions, describes periodic and continuous (depending on mass discharge rate of pollutants) measurements, when they are required, principles (sampling points, measurement program and duration, number of measurements, etc.) to be used and reporting of the emissions.

- **Establish an effective inspection and enforcement system for mobile containers (Art. 5)**

Technical studies need to be initiated.

- **Establishing an effective inspection and enforcement system for road tankers (Art. 5)**

The Law No. 5434 on Ratifying European Act on International Road Transport of Dangerous Goods (Official Gazette: 6 December 2005 No. 26015) is in force and technical studies are under way.

The main legislation for dangerous goods is the Law No. 5434 on Ratification for European Treaty on International Transportation of Dangerous Goods via Highways. In addition, technical studies are under way for the arrangement of transportation of petrol by the Ministry of Transport.

Limitation of emissions of VOC due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products Directive

Legal reference

Directive 2004/42/CE of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC (OJ L 143 30.04.2004 p. 87)

A. Which parts of the provisions of the Directive have been transposed?

The By-law on Industrial Air Pollution Control (Official Gazette: 7 October 2004 No. 25606) is the main legislation with respect to the VOC emissions from storage of petrol and its distribution from terminals to service stations.

Annex III of the By-law identifies the installations (paint and varnish producers and users (over 25 kg/h)). Article 39 of the By-law lays down the emission limit values for these substances and describes requirements for general cases, limit values in case certain substances such as toxic, carcinogenic or persistent pollutants are involved or emitted in the process. Article 43 of the By-law states the emission limit values for highly air polluting installations, lays general binding rules such as emission limit values of certain sectors and activities, operational requirements to be fulfilled by the operators of these activities, and other conditions and precautions. Paragraph 21 of Article 43 of the By-law addresses the limit values and criteria to control emissions from coating of metal surfaces.

B. When is transposition foreseen for the remaining measures?

Technical studies need to be initiated.

C. What have been achieved as regards:

- **Identifying the competent authorities with responsibilities for implementing the directive (article 5)**

The Ministry of Environment and Forestry is the competent authority regarding emissions to air according to the Law on Environment No.2872 (Official Gazette: 11 August 1983 No. 18132) and the By-law on Industrial Air Pollution Control. In addition, relevant Ministries and Authorities undertake certain functions with respect to use of solvents.

The Ministry of Health has a regime on permitting for the import of substances containing solvents according to the By-law on Chemical Substances Subject to Control (Official Gazette: 16 June 2005 No. 25494).

- **Identifying and informing the paints producers and importers**

Technical studies needs to be initiated.

- **Establishing a labelling (article 4)**

The By-Law on Control of Hazardous Chemicals and Products (Official Gazette: 11 July 1993 No. 21634) regulates hazardous chemicals and products in Turkey. The By-law was amended in 2001 by the By-law on Hazardous Chemicals (Official Gazette: 06 November 2001 No. 24575), which designates rules for labeling of the chemicals covered in the Compliance check of the labeling. Control of the hazardous chemicals if it is in line with the label, is done by the Ministry of Agriculture and Rural Affairs, the Ministry of Health, the Ministry of Labour and Social Security and the Energy Market Regulating Authority.

- **Setting in place a monitoring strategy (article 6)**

Monitoring of VOC in the emissions and in ambient air quality has been envisaged according to the Article 15 of the By-Law on Industrial Air Pollution Control, which states the obligations for verification of permit conditions. The Article lays down the requirements for the update of the information corresponding to the permit conditions and reporting obligations. The Article 41 determines emissions, describes periodic and continuous measurements (depending on mass discharge rate of pollutants), when they are required, principles (sampling points, measurement program and duration, number of measurements, etc.) to be used and reporting of the emissions.

- **Establishing an effective enforcement system (including penalties)**

Solvents are only allowed to be imported within an import regime.

As for enforcing the regulations and penalties to be applied, Article 18 of the By-Law on Industrial Air Pollution Control includes provisions stating that installations operating without an emission permit should be closed.

Article 19 of the By-Law provides that in case of installations (permitted according to this regulation) not complying with the conditions of the permit, the permit should be repealed.