

Legislation

Act on biofuels (“sustainable criteria act”) (HE 13/2013, EV 58/2013, not yet in force)

- implements the RES directive, important also from national point of view because in Finland wood is (and in the future even more) used as a raw material for biofuels (e.g. land use changes and peatland drying after 1.1.2008 not allowed)

Chemical Act amendment (HE 38/2013)

- more REACH compatible national chemical legislation

Proposal for new Environmental Protection Act (will be given to the Parliament in June)

- main reason for the new act is IE directive, but also many changes are national origin
- one of the national issues is how “nature values” must be taken into account in environmental permits (these values have less value than nature values in the Nature Conservation Act) – will be seen in June if this kind of legislation will be proposed (decision will be made on political level, meaning “six pack” government of Finland)

Many of amendments are “inspired” by the problems related to mining boom in Finland. One of the most problematic mine is Talvivaara, which is very large nickel mine in Sotkamo. Size of the Talvivaara mining district is 6000 hectares (6km*10km area), at the moment “only” 1000 hectares is in use. The mine is using bioheapleaching technology and in this scale technology is in use first time in northern hemisphere. The mine has had too many problems, but the worst are related to “salting lakes” (water in couple of lakes is like seawater) and the control of waters inside the mining area (too much water and one of the dams leaked last year very badly).

Working group for preparation of new energy efficiency Act is positioned

- main reason this is new Energy Efficiency directive (Finland has not been very satisfied of it and probably would like to continue with current situation)

Working group for preparation of climate act is positioned

- in March government finally decided that preparation will be begin
- will probably be very different than climate act in UK or Austria or any other country
- will mainly concern non-ECT sector and does not probably include “carbon budgets”

New legislation in force 1.1.2012

Waste Act – mostly because of new directive, but also domestic issues

Water Act – water act is always big issue in Finland, but this time not, because mostly same rules apply (only “modernisation”, though many details changed)

KHO 2013:79 (Supreme Administrative Court)

Mining company wanted to have a temporary exception of the environmental permit and lead effluent to a ditch (according to permit effluent should be lead to the sea in pipe). The change increased the environmental impact in this ditch and in downstream waters, and the change would not be according to the existing environmental permit. According to the Court the company required a environmental permit.

KHO 2013:74 (Supreme Administrative Court)

Rock blasting and crushing of the material needed environmental permit. In this area was found rare spider species (possibility for a new species to science). There was scientific values related to these spider species and they may be affected by the project and therefore there was a possibility that there were natural values in the area (the Environmental Protection Act section 42 values). It was clear that dust from the planned action would have harmful effect to these spiders.