

SUMMARY

Boć J., Moryl A. Evaluation of legal regulations related to storage of wastes in rock mass.

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The paper is aimed towards interesting the Reader in the problems of the waste disposal in the rock mass, from the legal point of view. It draws consideration to the influence of the European Law on shaping of the Polish standard regulation concerning the environment protection and indicates as well as discusses the legal acts referring to the waste disposal in the rock mass. It should be noted that the Community solutions have exerted the direct influence upon shaping of the Polish legislation within the scope of the waste management and, consequently, its disposal. The many-year work on creation of the common law and rules in this domain has had its share in development of the general decisions of the Community environment protection law. On the other hand, without the development of the Community environment protection law and the still increasing pressure upon the environment protection, the waste handling issue would not be, for sure, touched so widely.

The waste disposal in the rock mass constitutes an alternative to the dumping sites located on the earth surface and the legal issues concerning the waste disposal in the rock mass have been defined in the Geological and Mining Law Act (Ustawa 1994). The Geological and Mining Law should be situated in the specific part of the Environment Protection Law. Consequently, it is subordinated to the Community guidelines and may not be inconsistent with the home regulations within that scope. With the Amending Act dated 22 April 2005, the

division IIIa (Waste disposal in rock mass) was added to the Geological and Mining Law Act. The regulations of the articles 82b – 82f refer to the disposal in the underground mining workings. In spite of the significant importance of the above mentioned amending law concerning disposal of waste in the rock mass, in particular from the point of view of utilisation of underground workings for waste disposal, the topic is still hardly noticeable in the references. In the context of the waste disposal in the rock mass, the division IIIa is of such fundamental importance that it needs a detailed study.

The paper discusses various rank legal standards of the European and Polish law scope, that are of influence upon the legal aspects of the waste disposal in the rock mass in Poland. The paper emphasises also how many foreign factors have exerted influence upon creation of the Polish legal regulation concerning the waste disposal in the rock mass and draws attention to the fact that the accession of Poland to the European Union has fructified in the positive adjustment of the internal legal regulations concerning the environment protection to the Community standards and requirements. It draws also consideration to the fact that the waste disposal process requires the knowledge and observation of many regulations from an entrepreneur. Due to the paper, the Reader is able to review the legal regulations concerning waste disposal in the rock mass, such as directives, acts or ordinances of the Environment Minister, concerning the underground waste disposal sites.