

# **THE LEGAL FRAMEWORK FOR THE MODERNIZATION OF ENVIRONMENTAL MANAGEMENT ATMOSPHERE DURING EMERGENCIES**

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The Constitution of Ukraine recognizes that the safety of a person, his life and health is the highest social value. Every citizen of Ukraine has a constitutional right to a safe environment for life and health. These inalienable constitutional rights and freedoms of man and society in general are objects of national security of Ukraine [1]. In addition, Ukrainian legislation on the protection and management of atmospheric conditions is represented by an extensive system of regulations, most of which are bylaws. This includes 12 technological regulations, 2 instructions, 2 procedures, 2 lists, and at least 4 other regulations. All of them exist to ensure the regulation of a wide range of environmental issues, including the management of atmospheric air.

However, the sphere of emergency situations, both environmental and any other, is the main activity of the State Emergency Service (SES) of Ukraine. In its activities it is guided by the Constitution and laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, other legislation and is much broader than environmental management. Thus, according to the Resolution of the Cabinet of Ministers of Ukraine [2], SES: establishes observation points and monitors the levels of pollutants, indicators and components of precipitation determined (...) on the observation network of the National Hydrometeorological Service and provides subjects of atmospheric air monitoring with hydrometeorological forecasts. In addition, the powers of the SES include: state supervision over compliance with fire, civil, part of environmental legislation, as well as metrological support. According to the regulation "On the State Service of Ukraine for Emergencies", the activities of the SES can be divided into five main activities:

- 1) implementation of state policy in the field of civil security;
- 2) emergency response;
- 3) state supervision of economic entities;
- 4) legislative activity;
- 5) management of volunteer activities.

It follows that, the SES performs a large number of tasks and is a "universal" service. However, this versatility mostly harms the quality of safety management in the sphere of service and reduces the speed of response to emergencies, causing big consequences for people and the environment. The situation of duties also significantly deteriorating due to quarantine measures 2020-2021 years [3], which, in particular, hinders and / or significantly slows down the responsibilities for providing methodological support to executive bodies and enterprises, to conduct inspections to

ensure that government and business entities are prepared for emergencies, as well as comprehensive inspections of business entities and authorities of compliance with civil and environmental legislation of Ukraine.

In terms of impact on the environment and human health, emergencies and emergencies at man-made sites and areas are on the one hand a significant threat to national security, and on the other a great burden on the natural environment, as well as a determining factor transboundary pollution [5].

The existing system of ecological management in technogenic-dangerous territories does not allow the SES units to carry out effective direct management of the state of the atmosphere during emergencies with the involvement of modern remote automated systems, although according to the Law of Ukraine on State Supervision, the possibility for simple introduction of these powers to the State Emergency Service of Ukraine. In our opinion, in order to increase the interest of the parties in such cooperation between enterprises and subdivisions of the SES, it is necessary to increase fines for violations of regulations, as well as to promote a policy of friendliness and encouragement among governmental and non-governmental organizations.

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