

**L A W**  
**No.8990, dated 23.1.2003**

**ON ENVIRONMENTAL IMPACT ASSESSMENT**

In reliance with Articles 78, 81 paragraph 1 and 83 paragraph 1 of the Constitution of the Republic of Albania and on the proposal of the Council of Ministers,

**THE ASSEMBLY OF REPUBLIC OF ALBANIA**

**D E C I D E D:**

**CHAPTER I**

**GENERAL PROVISIONS**

**Article 1**

**Purpose [of the law]**

This law aims at provision of:

- a) General, integrated and in time assessment of environmental impacts of projects or activities that want to be implemented preventing and lessening negative impacts on the environment;
- b) An open assessment process and impartially administered through participation of central and local organs, the public, and environmental non-for profit organizations, of the project proposer and natural and juridical persons specialized in this field.

**Article 2**

**Object [of the law]**

This law sets forth rules, procedures, deadlines, rights and duties on the following:

- a) To identify, correct and assess direct and indirect impacts of project of activity on the environment where they will be implemented;
- b) To compare advantages and deficiencies of a project proposed in other potential variants that include changes;
  - i) Place where the project will be implemented;
  - ii) Measurements and its capacities;
  - iii) Technology;
  - iv) Comparisons with the state of environment unless project is implemented;

- v) Determination of measures to prevent and bumper damages on the environment;
- c) Provision of a technical, professional, legal and administrative processing of the request and decision making by relevant organs.

### **Article 3**

#### **Definitions**

Within this law, the below words shall have these meanings:

- 1. "Acceptable average impact" is the negative impact on environment which can be lessened, is not accumulated and does not cause environmental dispersed [diffused] damage.
- 2. "Significant impact" is the impact on environment which is not easily lessened, accumulates and causes diffused dispersed damage of environment.
- 3. "Direct impact" is the impact cause only by implementation of a given project.
- 4. "Indirect impact" is the previously accumulated or distantly displaced impact that may be forecasted.
- 5. "Project" is:
  - a) Implementation of construction works, installations or schemes;
  - b) Intervention into the natural and scenery environment including utilization of natural resources and mining properties.
- 6. "Classification" is the process of reviewing the summary report of environmental impact assessment in order to categorize a project in accordance with appendixes 1 and 2 of this law.
- 8. "Proposer" is the natural and juridical person that asks for approval of a project, plan, program or policy.

## **CHAPTER II**

### **ENVIRONMENTAL IMPACT ASSESSMENT**

#### **Article 4**

##### **Projects that undergo Impact Assessment on Environment**

- 1. All projects and activities described in appendixes 1 and 2 of this law, prior to approval by relevant organs shall undergo the process of impact assessment on environment.
- 2. Projects and activities shall undergo two levels of revision to assess such impact:
  - a) Profound [advanced] process of impact assessment on environment;
  - b) Summary [outlined] process of impact assessment on environment.
- 3. Projects and activities of appendix 1 and projects and activities that ask for implementation in a protected area or in the marine environment of the Republic of Albania shall undergo the profound process of impact assessment on environment

4. Projects of appendix 2 and changes or rehabilitations of projects of appendix 1 shall undergo summary process of impact assessment on environment

5. A project of appendix 2 shall undergo the profound process of impact assessment on environment only when regional environmental agency or Ministry of Environment based on criteria of appendix 3 of this law deems that this project may have significant impact on environment.

#### **Article 5**

##### **Strategic Environmental Assessment**

1. Strategic environmental assessment shall undergo the following:

a) Strategies and action plans on energy, mines, industry, transport, agriculture, forests, on natural resources and mining properties management and on waste management;

b) Territory adjustment national and regional plans of urban and rural centers, industrial areas, coastal areas, tourism areas, protected areas and highly pollution and damage sensible areas.

2. State organ or natural or juridical person that submits a proposal in accordance with paragraph 1 of this Article shall compile strategic environmental assessment report and asks for evaluation of it from the Minister of Environment prior to endorsement by relevant organs. Assessment is given through environmental declaration which shall be published.

2. Procedures, deadlines and parties obligations in all phases of strategic environmental assessment process shall be the same as for projects requiring profound process of impact assessment on environment.

### **CHAPTER III**

#### **PROCEDURES OF IMPACT ASSESSMENT ON ENVIRONMENT**

##### **Article 6**

##### **Request for Approval**

1. The request for approval of the project and accompanying [attached] documentation the proposer shall submit to the regional environmental agency of the region where the project will be implemented or activity will be exercised.

2. The request contains name, address, juridical status of the proposer and the project proposed for approval.

3. Accompanying documentation contains:

a) For projects described in appendix 1, the profound report of impact assessment on environment;

b) For projects of appendix 2, summary report of impact assessment on environment.

4. Minister of Environment shall determine the list of documents attached to the request according to type and nature of projects or activities to be exercised.

## **Article 7**

### **Reports of Impact Assessment on Environment**

1. The report of impact assessment on environment is the fundamental document where is based the process of environmental impact assessment on the proposed project.

2. Reports shall be compiled by licensed natural and juridical persons, selected, contracted and paid by the proposer. The compilers of the report shall be liable for accuracy of data and recommendations in accordance with laws in power.

3. In compilation of environmental impact assessment report may be used data from public organs in accordance with requirements of Law No.8503, dated 30.6.1999 "On the right of information on official documents".

4. On the proposal of Minister of Environment, the Council of Ministers approves the national methodology of the process of impact assessment on environment where shall be defined in details the methodologies and requirements for compilation of reports of impact assessment on environment and strategic environmental impact assessment.

## **Article 8**

### **Summary Report of Impact Assessment on Environment**

Summary report of impact assessment on environment contains the following:

- a) Objective of the project;
- b) Detailed objective description;
- c) Data on present environment of the area and in its vicinity where the project is implemented;
- ç) Detailed description of all installations that are part of the project or will be used during its implementation;
- d) Construction plan and the deadlines of its implementation;
- dh) Description of engineered values that are constructed or enlarged and of necessary works for project implementation;
- e) Potential impacts on environment and proposed measures to prevent or bumper these impacts;
- ë) Monitoring program of project impact on environment;
- f) Conformity of the project with territory adjustment plan and with economic development plan of area where project will be implemented;
- g) Summary of consultations with local government organs, the public and environmental non-for profit organizations and of their opinions;
- gj) Rehabilitative measures in case of pollution and damage of environment as well as their cost;
- h) A copy of the license of natural or juridical person which has prepared the report of impact assessment on environment.

## **Article 9**

### **Profound Report of Impact Assessment on Environment**

Profound report of impact assessment on environment apart from data of summary report contains in addition the following:

- a) Procedures and reasons of selection of site where project will be implemented, description of at least two additional options of location of project;
- b) Its direct and indirect level of impact on environment;
- c) Potential impacts of options [of project] on environment and health;
- c) Risks of accidents with significant impact on health and environment and measures to prevent these;
- d) Trans-border impact on environment if any;
- dh) Technical measures plans to prevent and bumper negative impacts on environment;
- e) Detailed descriptions about sustainable use of energy, of natural and mining resources;
- ë) Potential negotiations plan with local government organs, the public and environmental non-for profit organizations during the phases of planning, review and implementation of the project.

## **Article 10**

### **Initial Review**

The regional environmental agency within five (5) days of receipt of the request shall conduct initial review of documentation and the following:

- a) Accept for review the request and accompanying documentation provided that requirements of Articles 8 and 9 of this law are been satisfied and asks for at least 5 copies in Albanian language of the report of impact assessment on the environment;
- b) Reject the request if documents are not been prepared in accordance with requirements of Articles 8 to 11 and notify in written the proposer about changes and adjustments that he should make in the documents;
- c) Procedures of request review shall not commence if the proposer does not submits corrected and amended documentation.

## **Article 11**

### **Classification of the Request**

1. Regional environmental agency in collaboration with the proposer within five (5) days form the receipt of request shall classify the proposed project in accordance with appendixes 1 and 2 and decide whether it will undergo the profound process of impact assessment on environment.

2. When the proposer has included the profound report of impact assessment on environment into the submitted documentation the classification shall be considered completed.

## **Article 12**

### **Profound Process of Impact Assessment on the Environment**

1. When from the classification results the project should undergo the profound process of impact assessment on environment the regional environmental agency shall request in written to the proposer to submit the profound report of impact assessment on environment.

2. The regional environmental agency notifies about this decision the Ministry of Environment, organs that issue licenses of construction and activity as well as local government organs of the area where the project will be implemented.

3. The proposer may present a complaint to the Minister of Environment within ten (10) days from the date of notification of the decision, which announces the final decision within ten (10) days from the date of complaint submission.

### **Article 13**

#### **Amendments to the Project**

1. When the proposer requests to make amendments to the project or to its implementation way during the time that the request has started the procedures of review, shall submit such amendments in written to the regional environmental agency that has accepted the request.

2. The regional environmental agency or the Ministry of Environment shall accept the proposed amendments when such amendments to the project or to its implementation way are clear and accurate and if there is real possibility of their review. In the acceptance notice to the proposer is made known the prolongation of the review deadlines caused by such amendments.

3. When proposed amendments are unclear, the regional environmental agency or the Ministry of Environment shall reject in written the acceptance of such amendments and requests to the proposer to submit those again.

4. When proposed amendments are to the extent profound that constitute a new project, the regional environmental agency or the Ministry of Environment shall reject the acceptance of such amendments and suggest to the proposer to initiate procedures of a new project assessment.

5. Against the rejection of amendments the proposer may appeal in the court within thirty (30) days from receipt of [rejection] notification.

### **Article 14**

#### **Opinion of Regional Environmental Agency**

1. Regional Environmental Agency after inspection in the field of data presented in the report on impact assessment on environment and in all other documents shall consult with local government units, with those of urban and tourism development and prepare in written its own justified opinion in favor of approval or refusal of the project as well as propose conditions to be placed in the approval documentation and forward these conditions to the Ministry of Environment within twenty (20) calendar days from the day of request acceptance for review.

2. The detailed description of duties of regional environmental agency in the process of impact assessment on environment shall be determined by guidelines issued by the Minister of Environment.

## **Article 15**

### **Deadlines**

1. Deadlines of the review process shall commence with submission of the proposer's request from the regional environmental agency to the Ministry of Environment and shall expire with decision announcement from the Minister of Environment.

2. The time of twenty (20) calendar days from the date of request acceptance by the regional environmental agency to its submission to the Ministry of Environment shall be a preparatory phase.

3. For projects requiring a profound assessment process, the review shall be conducted within three (3) months from the date regional environmental agency has forwarded the request to the Ministry of Environment. For projects requiring a summary assessment process, the review shall be conducted within two (2) months.

4. Time during which the proposer makes interventions to fill in requests, data, documents, complaints review, shall be deduced by the compulsory deadlines for the Ministry of Environment.

## **Article 16**

### **Commission of Requests Review**

1. The Minister of Environment shall establish the commission of requests review which proposes the decisions. Composition, duties and functioning of the commission shall be determined in its charter approved by the Minister of Environment aiming at representation of all aspects of environment in it.

2. If during the review it is noticed that the project, different from the classification of the regional environmental agency, requires profound process of impact assessment on environment and when the documentation does not contain the necessary data, the proposer shall be obliged to submit those to the Ministry of Environment in order to continue the review procedure.

## **Article 17**

### **Review Criteria**

1. The review of request from the commission shall be conducted on basis of review criteria that consist of the following:

- a) Verification of level of impact on environment;
- b) Conformity of the project with national and regional plans of social and economic development and with territory adjustment plans;
- c) Ability of the proposer to bear rehabilitation costs of damaged and polluted environment by its activity;
- g) Technical and technological characteristics of the project to apply requirements for prevention of pollution and damage to environment;
- c) Consideration of opinions of interested parties.

2. Meeting of the commission of request review is open to interested public, non-for profit organizations, the proposer and the media.

## **Article 18**

### **Specialists**

1. Minister of Environment to provide the necessary capacities and high professional level in request review shall engage specialists, natural or juridical person, local or foreign, licensed and experienced in the field of forecasting and impact assessment on environment.

2. Specialists shall prepare in written their opinions, shall be called in the commission meetings and give required explanations.

3. The specialist that has taken part in preparation of impact assessment on environment report of a project can not be called to review the same.

4. Specialists are compensated for their work in accordance with rules determined by the Council of Ministers on the proposal of the Minister of Environment and the Minister of Finance.

## **Article 19**

### **Consultation with Interested Parties**

The Minister of Environment shall require an opinion whether the project is in conformity with national and regional development programs and plans and about the expected level of impact on environment forwarding the description of the project and the profound impact assessment on environment report to:

- a) Central organs covering the field of project objective;
- b) Urban and tourism development organs;
- c) Local government organs of the area where the project will be implemented;
- ç) Specialized institutions in the forecast of impact on environment.

## **Article 20**

### **Public Debate**

1. The project and the report of impact assessment on environment shall undergo a public debate where participate representatives of the ministry which licenses the project, territory adjustment and tourism organs, local government organs, specialized institutions, interested people, environmental non-for profit organizations and the proposer.

2. The debate shall be organized and directed by the local government organ where the project will be implemented which within five (5) days upon receipt of consultation request from the Minister of Environment shall:

a) Notify the public and environmental non-for profit organizations and put into their disposal the impact assessment on environment report for a period of one (1\_ month;

b) In collaboration with the Ministry of Environment and the proposer set the debate day, notify participants ten (10) days in advance and within one month deadline organizes the open debate with all the interested.

3. If in the conclusion of the debate participatory parties does not submit their opinions to the Ministry of Environment, the commission of request review shall continue the procedures.

## **Article 21**

### **Review Result**

1. After review of documentation including the one prepared during the process of review the commission prepares the final report.

2. The final report contains the proposal for approval of the request vested in the form of a declaration or environmental permit, or justified rejection of the request.

## **Article 22**

### **Decision-making**

1. Within five (5) days from submission of the commission report the Minister of Environment shall take the respective decision announcing the environmental declaration or permit.

2. Environmental declaration contains:

- a) Norms of discharges of expected pollutants in air, water and land;
- b) Compulsory measures based on best available techniques of construction put into use of the project;
- c) Compulsory measures for protection of air, water land, biodiversity and to prevent the pollution transferal from one component of the environment to another;
- ç) Requirements for monitoring of discharges determining measurements methodology, their frequency, assessment procedure and publication of results;
- d) Conditions on limiting the trans-border pollution above the permitted levels;
- dh) Additional measures to prevent surpassing of the quality norms of environment;
- e) The requirement of reporting and comparing determined impacts during preparation of the report with real effects of project implementation.

3. When the decision rejects the request, environmental declaration shall contain full rejection justification from the environmental, technical, legal and administrative point of view.

The proposer may present the request and attached documentation no prior than one year from the date of its rejection.

## **Article 23**

### **Notice and Appeal of Decision**

1. The Minister of Environment shall notify its decision which is published and a copy of the environment declaration or permit shall be delivered to the proposer,

state organs that license activity and local government organs of area where the project will be implemented.

2. Against the decision the proposer may appeal in court within thirty (30) days of its publication.

#### **Article 24**

##### **Honor of Environmental Conditions**

1. Conditions and requirements defined in the environmental declaration shall be considered by the territory adjustment councils including those in the content of construction permits.

2. Projects and activities described in appendixes 1 and 2 shall be implemented only in conformity with conditions set forth in the environmental declaration, in environmental permit and in construction permit.

3. Projects of appendixes 1 and 2 shall not be licensed if they have not undergone the process of impact assessment on environment and to them it has not been approved the environmental declaration.

#### **Article 25**

##### **Annulment**

1. The Minister of Environment shall annul at any time the environmental declaration or permit approved by him when proves that these have been issued based on false documents. The annulment shall be published and a copy of it shall be delivered to the licensing organ, local government organ of the area where project is implemented and to the proposer.

2. The project and activity to which are been annulled the environmental declaration or permit shall be suspended by the Inspectorate of Environment in co-operation with the Construction Police but this suspension shall not last less than 3 months and more than one year, a time within which request and documents for review shall be prepared and submitted.

3. If the proposer does not submit documents within this time period, the Inspectorate of Environment in co-operation with the Construction Police and the licensing organ inspectorate shall order definite closing of the activity. Orders of suspension and definite closing of the activity shall be published and copies of them shall be delivered to local government organ of area where project is implemented and to the proposer.

4. Against orders of suspension and definite closing of activity the proposer may file a complaint to the Minister of Environment within ten (10) days from receipt of notice and the Minister shall reply within twenty (20) days from receipt of complaint. Against the decision of the Minister the proposer may appeal in court within thirty (30) days from receipt of notice.

## **Article 26**

### **Public Participation**

1. The interested public and environmental non-for profit organizations shall participate in all phases of the impact assessment on environment process decision-making inclusive. The Minister of Environment shall determine with separate normative act duties of environmental organs in order to guarantee public participation and of environmental non-for profit organizations in this process.

2. When the interested public and environmental non-for profit organizations observe irregularities in the process of impact assessment on environment shall require the Minister of Environment partial or entire re-review of the process of impact assessment on environment and the Minister shall reply within twenty (20) days from receipt of request.

## **Article 27**

### **Communication with Proposer**

The Ministry of Environment and regional environmental agency shall continuously notify the proposer issuing official notice to him on attitudes and actions that undergo during the entire process of request review.

## **Article 28**

### **Withdraw of Request**

1. The proposer may withdraw the request been submitted for impact assessment on environment of a strategy, action plan, project or activity at any time and in any phase of its review notifying in written the regional environmental agency where he has deposited the request.

2. In this case, the Minister of Environment shall order cease of request review and filing of all submitted and prepared documentation during the review which is not returned to the proposer. The proposer shall pay all occurred expenses of the Ministry of Environment for the review of the request until the moment of its withdrawn.

3. The request may be submitted again for review but it can not be submitted prior to one year from the date of withdraw.

## **Article 29**

### **Archiving of Documentation**

1. The Ministry of Environment shall archive all documentation of the process of impact assessment on environment no less than fifteen (15) years from [the date of] decision. Archiving and its administration shall be made in accordance with legislation in force.

2. The proposer for its own needs may require copies of documentation or part of it through submitting a written request to the Ministry of Environment that

honors the request within 15 days from receipt. For this service the proposer shall pay a fee in accordance with rules defined by the Minister of Environment.

3. Any natural or juridical person has the right of acquaintance with proposer's archived documentation in application of guidelines on information about official documents, approved by the Minister of Environment.

### **Article 30**

#### **Acceptance of Expenses**

1. Expenses of preparation of impact assessment on environment report, of public discussion, of review and consultation shall be at the cost of the proposer.

2. Expenses committed by the regional environmental agency and the Ministry of Environment for the request review and decision shall be valued as service fee. The value of such fee includes all administrative expenses occurred during the process of review and decision and shall be determined by guidelines of the Minister of Environment.

3. The proposer shall liquidate one third of the fee when submitting the request for review and two thirds prior to final review in the commission. The request shall not be handled by the regional environmental agency and the commission shall not commence the review if the proposer has not executed payments.

4. Paid fee is not reimbursable, regardless of the fact of approval or not of the request by final decision.

### **Article 31**

#### **Administrative contraventions**

1. The making of false declarations, preparation of documents or information distribution aiming at the approval of the request shall constitute administrative contravention and shall be punished with a fine from 50 thousand to 300 thousand ALL in accordance with the importance of the contravention.

2. The fine shall be given and executed by the Inspectorate of Environment. Against it a complaint may be filed to the Minister of Environment within ten (10) days which shall reply to the complaint within fifteen (15) days upon filing.

3. Against the decision of the Minister of Environment or when the latter does not respond within fifteen days, an appeal may be made in the court.

4. When these breaches constitute criminal offense the Ministry of Environment shall denounce for criminal prosecution.

## **CHAPTER IV**

### **FINAL PROVISIONS**

#### **Article 32**

##### **Obligation of Application**

Provisions of this law shall be applied even in cases when a natural or juridical person asks for to make significant changes in approved project prior to entry into force of this Law.

#### **Article 33**

##### **By-Laws**

The Council of Ministers is responsible to enact by-laws in application of Article 7 paragraph 4 and Article 18 paragraph 4 of this Law.

The Minister of Environment is responsible to enact orders and guidelines in application of Article 6 paragraph 4, Article 14 paragraph 2, Article 16 paragraph 1, Article 26 paragraph 1, Article 29 paragraph 2 and 3 and Article 30 paragraph 2 of this Law.

#### **Article 34**

##### **Entry in Force**

This law is effective 15 days after publication in the Official Journal.

**CHAIRMAN**  
**Servet Pëllumbi**

**Councilor: Ilir Shurdhi**  
**Editor: Gazmend Hanku**  
**Operator: Servete Muzhaqi**

## Appendix 1

Activities that undergo profound process of impact assessment on environment

1. Refineries of diesel and gas, liquidation and processing of coal and bituminous sands, plants for regeneration of used oils higher than 100 000 tons/year.
2. Thermo-plants of production of energy and other burning plants with a production of heat higher than 50 MV.
3. Hydro-plants.
4. Factories of fuse of minerals (including minerals that contain sulfur).
5. Calcimining and bake of minerals that contain toxic elements such as mercury, arsenic and cadmium.
6. Factories of steel and cast iron casting (primary and secondary communion) including continuous casting.
7. Factories and foundries of iron metals:
  - Lamination factoring;
  - Forge with machine hammer, energy of each exceeds 50 KJ for machine hammer whilst heat power exceeds 20 MV;
  - Application of protective coating with mixed metal with an input exceeding 1 tons of gross steel per hour.
8. Foundries of iron metals with a production capacity higher than 100 tons per day.
9. Foundries or factories for:
  - Production of colored metals and non-ferric metals from minerals, concentrates or secondary matters of metallurgical, chemical and electrolytic processes;
  - Casting including mixing of colored metals, recuperated products (refining, casting in the foundry, etc) with a casting capacity exceeding 1 tons per day for lead and cadmium or 10 tons per day for all metals.
10. Factories for superficial treatments of metals and plastic materials using an electrolytic or chemical process in which volume of vats of treatment exceeds 10 m<sup>3</sup>.
11. Production and processing of alloys for non-ferric metals containing arsenic, mercury and lead with a higher capacity than 1000 tons a year.
12. Mining and processing of coal, lignite and bitumen with higher capacity higher than 50 000 tons a year.
13. Mining of diesel with higher capacities than 50000 tons/year.
14. Mining of gas for commercial purposes where the mined quantity is higher than 250 000 m<sup>3</sup> a day for natural gas.
15. Factories for protection of cement in rotary furnaces (burning and drying) with a production capacity exceeding 300 tons per day or for lime (calcium oxide) production in rotary furnaces with a production capacity exceeding 30 tons per day or in other furnaces with a production capacity exceeding 30 tons per day.
16. Factory for production of glass including glass fibers with a fuse capacity exceeding 10 tons per day.
17. Foundries for fuse of mineral substances including production of mineral fibers with a fuse capacity exceeding 10 tons per day.
18. Factories for production of ceramics using fire and in particular, tiles, bricks,

- porcelain bricks with a production capacity exceeding 30 tons per day.
19. Mining of stones and open mines of argyle where the site surface is larger than 5 hectares or peat extraction where surface of site is larger than 50 hectares.
  20. Production of cardboard fibers over 100 000 m<sup>2</sup>/year.
  21. Production of furniture over 10000 m<sup>3</sup>/year of raw material.
  22. Integrated works for industrial production of substances or groups of substances listed in paragraphs (a-g) with chemical processes:
    - (a) For Production of base organic chemicals such as:
      - Simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);
      - Hydrocarbons containing oxygen such as: alcohol, aldehydes, acetones, carboxylic acids, ethers, acetone, peroxide, resin;
      - Sulfuric hydrocarbons;
      - Nitrogen hydrocarbons such as amine, amide, components of nitrogen, components nitrate, cyanides, isocyanides;
      - Hydrocarbons containing phosphor;
      - Halogen hydrocarbons;
      - Organic-metallic components;
      - Base plastic materials (polymers, synthetic fibers and fibers of cellulose base);
      - Synthetic rubbers;
      - Colorants and pigments;
      - Active agents superficial and superficialies.
    - (b) For production of base inorganic chemicals such as:
      - Gases such as ammoniac, chlorine, or hydrogen chloride, fluoride or hydrogen fluoride, carbon dioxide, components of sulfur, hydrogen, sulfur dioxide, carbonyl chloride;
      - Acids such as chromium acid, hydro-fluoride acid, phosphoric acid, nitric acid, hydrochloric acid, sulfuric acid, ileum and sulfurous acid;
      - Alkaline such as ammonium hydroxide, potassium hydroxide, sodium hydroxide;
      - Salts such as ammonium chloride, potassium chlorates, potassium carbonate, sodium carbonate, perorates, silver nitrate;
      - Non-metals, metal oxides or other organic compounds such as calcium carbide, and silicon carbide.
    - (c) For production of fertilizers with phosphates and phosphates and nitrogen bases (simple or composed fertilizers);
    - (ç) For production of vegetable and health products and of biocides;
    - (d) Plants that use chemical or biological processes for production of pharmaceuticals, paints and pesticides;
    - (dh) Chemical plants for production of explosives;
    - (e) Chemical plants that produce protein food additives, ferments and other protein substances through chemical or biological method;
  23. Plants for burning, recuperation, chemical treatment or bury of hazardous waste
  24. Plants for burning of urban waste with capacity higher than 1 tons/hour.
  25. Landfill for deposit of non hazardous waste with capacity higher than 30 tons/day.
  26. Construction of long distance railways and for airports with base access roads higher or equal to 2100 m.
  27. Construction of a new road with two or more lanes or redirection or widening of

- an existing road with two or less lanes when are to be provided two or more lanes, in which this new road or redirected section should be 5 km or more in continuity.
28. Roads of internal waters pass and ports for the traffic of roads of internal waters pass that allows passing of ships of a tonnage greater than 500 tons.
  29. Merchandise ports, docks for loading – unloading connected with the land or external ports (excluding railway docks) which can hold ships of a tonnage greater than 1000 tons.
  30. Extraction of subterranean water or artificial schemes of recharging the subterranean waters where the annual volume of refilled (recharged) water is equal or higher than 5 million m<sup>3</sup>.
  31. Works for transferal of water sources from basins of rivers, where the transferal aims at preventive shortcuts of waters pass roads and where the quantity of transferred waters is higher than 100 million m<sup>3</sup>/year.
  32. In all cases works for transferal of water sources from river basins where the multi-annual stream of the basin is higher than 1000 million m<sup>3</sup>/year and where the quantity of transferred waters is higher than 5 % of this stream. In both cases potable water transferal using tubes is excluded.
  33. Barriers and other reservoirs designed for protection and deposit of water, where an additional water quantity is higher than 5 million m<sup>3</sup>.
  34. Tubes for transportation of diesel products or chemicals with diameter greater than 500 mm and a greater distance than 10 km.
  35. Plants for intensive cultivation of fowls, pigs and sheep that have more than:
    - a) 10 000 fowls;
    - b) 500 pigs;
    - c) 1000 sheep;
  36. Construction of high voltage lines with a minimum voltage of 220 KV or with a greater distance than 10 km;
  37. Plants of treatment of urban liquid discharges with a higher capacity than 150 000 equivalent inhabitants;
  38. Industrial plants for:
    - a) Production of pulp from wood or other similar fibers;
    - b) Production of paper and cartoon with production capacity higher than 50 tons/day.
  39. Warehouse for conservation and deposit of diesel, its products, petrochemicals and chemicals with capacity greater or equal to 100 000 tons.
  40. Plants for initial treatment (operations such as washing, whitening and mercerization), or coloring of fibers and textiles where the capacity of treatment is higher than 10 tons/day.
  41. Factories for treatment of leather where the treatment capacity is higher than 6 tons of ready product/day.
  42. Treatment and processing aiming at production of food from:
    - Raw material of animal origin (and others except of milk) with capacity of production of ready product higher than 30 tons/day;
    - Raw material of vegetable origin with capacity of production of ready product higher than 250 tons/day (average value based on one fourth);
    - Treatment and processing of milk, quantity of milk generated

- higher than 100 tons/day (average value on annual basis);
- Plant for deposit and recycling of animal waste and animal skeletons with a treatment capacity higher than 10 tons/day;
  - Plant for superficial treatment of substances, objects or products that use organic solvents in particular for clothing, printing, over-clothing, degreasing, water-proof, paints or suppression with a capacity higher than 100 tons/year.

## Appendix 2

### Activities that undergo Summary Process of Impact Assessment on Environment

1. Agriculture, forestry and aquatic life:
  - (a) Projects for rehabilitation of rural areas;
  - (b) Projects for using of non-agricultural lands or half-natural areas for purposed of intensive agriculture;
  - (c) Projects of water management for agriculture needs including projects of irrigation and drainage of the land;
    - (ç) Reforestation and deforestation for purposes of destination change of the land use;
  - (d) Intensive fishing farms.
2. Mining Industry:
  - (a) Stone pits, open quarries and mining of peat (projects not included in appendix 1);
  - (b) Subterranean mines;
  - (c) Mining of mineral – gravels from marine and river drainage;
  - (ç) Deep drilling in particular:
    - Geo-thermal drilling;
    - Drilling for water supply excluding drilling to monitor the land sustainability;
  - (d) Surface industrial plants for mining of coal, diesel, gas and bituminous sand.
3. Energy Industry (projects not included in appendix 1):
  - (a) Industrial plants for generation of electrical energy, steam and hot water;
  - (b) Industrial plants for storage of gas, steam, hot water, for transmitting energy through wires (projects not included in appendix 1);
  - (c) Surface conservation of gas;
  - (ç) Subterranean conservation of burning gases;
  - (d) Surface conservation of liquid fuels;
  - (dh) Natural briquette of coal and lignite;
  - (e) Hydro-electrical generating plants.
4. Production and processing of metals (which are not included in appendix 1):
  - (a) Production of red iron and steal with continuous metal-casting;
  - (b) Plants for processing of iron metals;
  - (c) Foundries of iron metals;
    - (ç) Fuse including mixture of colored metals, including recuperated products (refinery, fuse in foundry, etc.);
  - (d) Plants for surface treatment of metals and plastic materials;
  - (dh) Production and assembling of vehicles and production of motors of vehicles;
  - (e) Mole;
  - (ë) Plants for annealing and synthesis of metallic minerals.
5. Mining Industry: (projects which are not included in appendix 1):
  - (a) Industrial furnace of coke (dry distillation of coal);

- (b) Factory for production of cement;
  - (c) Factory for production of glass and glass fibers;
  - (ç) Foundries for fuse of mineral substances including mineral fibers;
  - (d) Production of ceramics, tiles, bricks, stubborn bricks, stone or porcelain coating through burning.
6. Chemical Industry (projects which are not included in appendix 1):
- (a) Treatment of intermediary products and production of chemicals;
  - (b) Production of pesticides and pharmaceutical products, paints and varnish, elastic matter and peroxides;
  - (c) Warehouses for trading or conservation purposes of diesel, diesel products and chemical products.
7. Food Industry:
- (a) Production of oils and vegetable/ animal fat;
  - (b) Packaging and wrapping of vegetable products;
  - (c) Production of diary products;
  - (ç) Distillation of beer;
  - (d) Production of syrups and candies;
  - (dh) Factories of fish and fish oil;
  - (e) Sugar factories.
8. Leather, wood and paper industry:
- (a) Factories for production of paper (for projects not included in appendix 1);
  - (b) Plants for pre-treatment (washing, whitening, mercerization);
  - (c) Plants for treatment of leathers and heels;
  - (ç) Plants for processing and production of cellulose.
9. Rubber Industry:
- Production and treatment of products with basis of elastic matter.
10. Infrastructure project:
- (a) Projects of industrial development;
  - (b) Projects of urban development including construction of malls and vehicles parking places;
  - (c) Construction of railways, inter-mode facilities and transport and inter-mode terminals (projects which are not included in appendix 1);
  - (ç) Construction of airports (for projects not included in appendix 1);
  - (d) Construction of roads, ports and installations in ports, including even the fishing ports (projects not included in appendix 1);
  - (dh) Construction of water canals in ground, which are not included in appendix 1;
  - (e) Other installations designed to hold water or to conserve it for a long time (projects which are not included in appendix 1);
  - (è) Trams, elevators and undergrounds [subway] used only or mainly for passengers;
  - (f) Oil and installation tubes of gas (projects which are not included in appendix 1);
  - (g) Work in the coast against erosion and works that will change the coast during

- construction such as moles and other protective marine works, excluding maintenance and rehabilitation of such works;
- (g) Discharging of subterranean waters and schemes of artificial refill of subterranean waters which are not included in appendix 1;
  - (f) Work for transfer of water sources between basins of rivers which are not included in appendix 1.

11. Other projects:

- (a) Permanent roads used for testing and rallies of motor vehicles;
- (b) Installations used for waste elimination (projects which are not included in appendix 1);
- (c) Plants for treatment of polluted waters (projects which are not included in appendix 1);
- (ç) Installation for collection of waste (projects which are not included in appendix 1);
- (d) Warehouses for conservation of iron waste including metallic chassis of out of use vehicles;
- (dh) Installation for production of artificial mineral fibers;
- (e) Installations for recovery or destruction of explosive substances;
- (e) Landfills of industrial waste;
- (f) Places used for collection of dead animals or undesirable ones;
- (g) Food industries which are not included in appendix 1.

12. Tourism and free time:

- (a) Ski aerial tramways [telphers], vehicles with wiring and developments accompanied by these types of activities;
- (b) Tourist ports;
- (c) Tourist villages and hotel complexes outside urban areas and of developments accompanied by these types of activities;
- (ç) Camping places (areas);
- (d) Amusement Parks.

## Appendix 3

### Selection Criteria

#### 1. Project Characteristics

Project characteristics consider particularly the following:

- Project size;
- Combined impact on environment with existing or future projects;
- Use of natural resources;
- Generation [recycling] of waste;
- Pollution and disturbance;
- Risk for accidents based mainly from substances and used [old] technologies.

#### 2. Location of project implementation

Environmental sensitiveness of geographical areas that might impact from the project should be considered particularly at:

- Existing use of the land;
- Relative abundance, quality and regenerative capacity of natural resources in the area;
- Absorbing capacity of natural environment paying special attention to the following areas:
  - (a) Marshland;
  - (b) Coastal areas;
  - (c) Forest and mountainous areas;
  - (ç) Natural parks and reservations;
  - (d) Strictly protected areas;
  - (dh) Areas within which quality standards in national and EU have been exceeded;
  - (e) Overpopulated areas;
  - (f) Landscapes of cultural, archeological and historical importance.

#### 3. Potential impact characteristics

Potential impacts of projects should be reviewed in accordance with criteria 1 and 2 but particularly based on the following:

- Extension of impact (geographical area and extension in distance of affected population);
- Trans-border feature of the impact;
- The size and complexity of the impact;
- Possibilities of impact exercise;
- Duration, frequency and reversibility of the impact.