

Annex 2

Decree
determining the
projects for which an
environmental impact
assessment shall be
carried out





Based on Article 77 of the Law on Environment (published in Official Gazette of Republic of Macedonia no.) the Government of the Republic of Macedonia adopted the following

DECREE

determining the projects for which an environmental impact assessment shall be carried out

Article 1

Subject of this Decree is to lay down provisions for

- projects that are subject to environmental impact assessment before development consent can be given.
- the criteria for the screening decision under Article 81 of the law on environment as to whether a project will be subject to environmental impact assessment before development consent can be given.

Article 2

(1) Annex I to this Decree lists the projects for which an environmental impact assessment shall be carried out before decision on approval or non approval of the application for project realization is taken by the Ministry of Environment and Physical Planning under Article 87 of the Law on Environment.

(2) Any change to or extension of projects listed in Annex I, where such a change or extension in itself meets the thresholds shall also be subject to an environmental impact assessment.

Article 3

(1) Annex II of this Decree lists the projects for which a screening procedure under Article 81 of the Law on Environment shall be carried out and for which Articles 5-9 of this Decree apply.

(2) Any changes to or extensions of projects listed in Annex II which may have significant adverse effects on the environment in itself, shall be subject to screening decision by the Ministry of Environment and Physical Planning according to Articles 5-9 of this Decree.



Article 4

The screening procedure of the projects listed in Annex II of this Decree shall be made on the basis of whether the project, because of its type, dimension or location, is likely to have significant effects on the Environment.

Article 5

In the screening procedure under Article 4, the Ministry of Environment and Physical Planning shall consider the characteristics of projects having regard, in particular, to:

- the size of the project,
- the cumulation with other projects,
- the use of natural resources,
- the production of waste,
- pollution and nuisances,
- the risk of accidents, having regard in particular to substances or technologies used.

Article 6

In the screening procedure the Ministry of Environment and Physical Planning shall consider the environmental sensitivity of geographical areas likely to be affected by projects, having regard, in particular, to:

- the existing land use,
- the relative abundance, quality and regenerative capacity of natural resources in the area,
- the absorption capacity of the natural environment.

Article 7

In determining the absorption capacity of the environment under Article 6, the Ministry of Environment and Physical Planning shall pay special attention to if the location of the project is in or near to the:

- (a) wetlands;
- (b) coastal zones;
- (c) mountain and forest areas;
- (d) nature reserves and parks;
- (e) special protected areas;
- (f) areas in which the environmental quality standards have already been exceeded;
- (g) densely populated areas;
- (h) landscapes of historical, cultural or archaeological significance.

Article 8

The potential significant effects of projects must be considered in relation to criteria set out under Article 5, 6 and 7 above, and having regard in particular to:



- the extent of the impact (geographical area and size of the affected population),
- the transfrontier nature of the impact,
- the magnitude and complexity of the impact,
- the probability of the impact,
- the duration, frequency and reversibility of the impact.

Article 9

This Decree shall come into effect on the eight day from the day of its publication in the "Official Gazette of the Republic of Macedonia".



ANNEX I

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. - Thermal power stations and other combustion installations with a heat output of 300 megawatts or more.
3. (a) Installations designed:
 - for the processing of high-level radioactive waste,
 - solely for the final disposal of radioactive waste,
 - solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.
4. - Integrated works for the initial smelting of cast-iron and steel;
 - Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations, i.e. those installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are:
 - (i) for the production of basic organic chemicals;
 - (ii) for the production of basic inorganic chemicals;
 - (iii) for the production of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers);
 - (iv) for the production of basic plant health products and of biocides;
 - (v) for the production of basic pharmaceutical products using a chemical or biological process;
 - (vi) for the production of explosives.
7. (a) Construction of lines for long-distance railway traffic and of airports (1) with a basic runway length of 2 100 m or more;
- (b) Construction of motorways and express roads (2);
- (c) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road would be 10



km or more in a continuous length.

8. Waste disposal installations for the incineration and chemical treatment.

9. Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.

10. (a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year;

(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 300 million cubic metres/year and where the amount of water transferred exceeds 10 % of this flow.

In both cases transfers of piped drinking water are excluded.

11. Waste water treatment plants with a capacity exceeding 100 000 population.

12. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.

13. Pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 km.

14. Installations for the intensive rearing of poultry or pigs with more than:

(a) 85 000 places for broilers, 40 000 places for hens;

(b) 2 000 places for production pigs (over 30 kg); or

(c) 700 places for sows.

15. Industrial plants for the

(a) production of pulp from timber or similar fibrous materials;

(b) production of paper and board with a production capacity exceeding 200 tonnes per day.

16. Quarries and open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction, where the surface of the site exceeds 150 hectares.

17. Construction of overhead electrical power lines with a voltage of 110 kV or more and a length of more than 15 km.

18. Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200 000 tonnes or more.

19. Introduction of new species.



ANNEX II

1. Agriculture, silviculture and aquaculture

- (a) Projects for the restructuring of rural land holdings;
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;
- (c) Water management projects for agriculture, including irrigation and land drainage projects;
- (d) Initial afforestation and deforestation for the purposes of conversion to another type of land use;
- (e) Intensive livestock installations (projects not included in Annex I);

- (f) Intensive fish farming

2. Extractive industry

- (a) Quarries, open-cast mining and peat extraction (projects not included in Annex I);
- (b) Underground mining;
- (c) Extraction of minerals by marine or fluvial dredging;
- (d) Deep drillings, in particular:
 - geothermal drilling,
 - drilling for the storage of nuclear waste material,
 - drilling for water supplies,with the exception of drillings for investigating the stability of the soil;
- (e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.

3. Energy industry

- (a) Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables (projects not included in Annex I);
- (c) Surface storage of natural gas;
- (d) Underground storage of combustible gases;
- (e) Surface storage of fossil fuels;
- (f) Industrial briquetting of coal and lignite;
- (g) Installations for the processing and storage of radioactive waste (unless included in Annex I);
- (h) Installations for hydroelectric energy production;
- (i) Installations for the harnessing of wind power for energy production (wind farms).

4. Production and processing of metals

- (a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;
- (b) Installations for the processing of ferrous metals:
 - (i) hot-rolling mills;
 - (ii) smitheries with hammers;



- (iii) application of protective fused metal coats;

- (c) Ferrous metal foundries;
- (d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.);
- (e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines;
- (g) Shipyards;
- (h) Installations for the construction and repair of aircraft;
- (i) Manufacture of railway equipment;
- (j) Swaging by explosives;
- (k) Installations for the roasting and sintering of metallic ores.

5. Mineral industry

- (a) Coke ovens (dry coal distillation);
- (b) Installations for the manufacture of cement;
- (c) Installations for the production of asbestos and the manufacture of asbestos-products (projects not included in Annex I);
- (d) Installations for the manufacture of glass including glass fibre;
- (e) Installations for smelting mineral substances including the production of mineral fibres;
- (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.

6. Chemical industry (Projects not included in Annex I)

- (a) Treatment of intermediate products and production of chemicals;
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;
- (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry

- (a) Manufacture of vegetable and animal oils and fats;
- (b) Packing and canning of animal and vegetable products;
- (c) Manufacture of dairy products;
- (d) Brewing and malting;
- (e) Confectionery and syrup manufacture;
- (f) Installations for the slaughter of animals;
- (g) Industrial starch manufacturing installations;
- (h) Fish-meal and fish-oil factories;
- (i) Sugar factories.

8. Textile, leather, wood and paper industries



- (a) Industrial plants for the production of paper and board (projects not included in Annex I);
- (b) Plants for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles;

- (c) Plants for the tanning of hides and skins;
- (d) Cellulose-processing and production installations.

9. Rubber industry

Manufacture and treatment of elastomer-based products.

10. Infrastructure projects

- (a) Industrial estate development projects;
- (b) Urban development projects, including the construction of shopping centres and car parks;
- (c) Construction of railways and intermodal transshipment facilities, and of intermodal terminals (projects not included in Annex I);
- (d) Construction of airfields (projects not included in Annex I);
- (e) Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I);
- (f) Inland-waterway construction not included in Annex I, canalization and flood-relief works;
- (g) Dams and other installations designed to hold water or store it on a long-term basis (projects not included in Annex I);
- (h) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;
- (i) Oil and gas pipeline installations (projects not included in Annex I);
- (j) Installations of long-distance aqueducts;
- (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;
- (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Annex I;
- (m) Works for the transfer of water resources between river basins not included in Annex I.

11. Other projects

- (a) Permanent racing and test tracks for motorized vehicles;
- (b) Installations for the disposal of waste (projects not included in Annex I);
- (c) Waste-water treatment plants (projects not included in Annex I);
- (d) Sludge-deposition sites;
- (e) Storage of scrap iron, including scrap vehicles;
- (f) Test benches for engines, turbines or reactors;
- (g) Installations for the manufacture of artificial mineral fibres;
- (h) Installations for the recovery or destruction of explosive substances;



(i) Knackers' yards.

12. Tourism and leisure

(a) Ski-runs, ski-lifts and cable-cars and associated

developments;

(b) Marinas;

(c) Holiday villages and hotel complexes outside urban areas and associated developments;

(d) Permanent camp sites and caravan sites;

(e) Theme parks.

13. - Any change or extension of projects listed in Annex I or Annex II, already authorized, executed or in the process of being executed, which may have significant adverse effects on the environment;

- Projects in Annex I, undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years.