The implementation of the Environmental Impact Assessment on the basis of precise examples

Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network’s objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at:

www.impel.eu
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<td>2012/09</td>
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<tr>
<th><strong>Project manager:</strong></th>
<th><strong>Report adopted at IMPEL General Assembly:</strong></th>
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<tbody>
<tr>
<td>Dr. Markus Graggaber</td>
<td>Nicosia, Cyprus. December 2012</td>
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<tr>
<th><strong>Authors:</strong></th>
<th><strong>Number of pages:</strong></th>
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<tr>
<td>Dr. Markus Graggaber, DI Wilfried Pistecky</td>
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<tr>
<th><strong>Project team</strong></th>
<th><strong>Report:</strong></th>
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<tr>
<td>Markus Graggaber, Susanna Eberhartinger-Tafill, Gisela Holzgraefe, Pamela McDonnell Martino Michieletti, Wilfried Pistecky</td>
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<tr>
<th><strong>Executive summary:</strong></th>
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<td>[see chapter 1 – Executive summary]</td>
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<th><strong>Disclaimer:</strong></th>
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<td>This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the European Commission.</td>
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</table>

**General remarks:**

- All conclusions in this report arise from the responses made to a questionnaire distributed as part of this study and therefore cover answers from Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, Ireland, Italy, Lithuania, Malta, Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and United Kingdom.
- The aim of the project is not to determine compliance with the EIA Directive but is merely to compare EIA practice across Member States.
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1 EXECUTIVE SUMMARY

The Environmental Impact Assessment (EIA) Directive (2011/92/EU) was adopted in 1985, amended in 1997, 2003 and 2009 and codified in 2011. The EIA procedure ensures that the environmental consequences of projects are identified and assessed before development consent is issued. The public can give its opinion and the results of the consultations are taken into consideration in the development consent procedure of the project. The public has to be informed on the decision. The EIA Directive outlines the project categories which should be made subject to an EIA, the procedure that shall be followed and the content of the assessment.

This IMPEL project compares the screening and permitting procedures for projects which require EIA. The project highlighted some specific issues in EIA procedure like criteria used in each Member State to determine whether an EIA needs to be carried out, approaches used to address screening, scoping, cumulation of projects and effects, "salami slicing", no impacts, accident risk, interaction between factors etc. Further on the project tried to identify good practice and to support the exchange of information on existing guidance material.

Conclusions

Approximately 50 % of the 20 participating countries integrated the EIA procedure in existing procedures, 50 % have implemented separate procedures. The minority of the surveyed countries undertakes EIA within a single permit procedure ("one-stop-shop").

Screening procedures

Within this IMPEL project four different types of projects were chosen for a comparison of the EIA screening procedures in Member States of the European Union and Croatia: Thermal power plants, landfills, shopping centers and road construction projects.

Main findings:

- **Guidelines** for screening exist in several countries.
- As already stated in the EC report 2009 the screening procedure pursuant to Article 4 (2) of the EIA Directive allows for a *couple of approaches*. Some countries require a screening procedure for all projects of a certain type while others have introduced threshold for screening and/or obligatory EIA.
- **Thresholds** for obligatory EIA for Annex II projects exist:
  - with regard to thermal power stations: in 9 countries (below the Annex I threshold of 300 MW)
  - with regard to landfill for non-hazardous waste: in 3 countries
  - with regard to shopping centres: in 9 countries
  - with regard to roads: in 7 countries
- As to the parameters used in thresholds it can be concluded that the majority of countries uses
  - for power stations: capacity in MW
  - for landfill for non-hazardous waste: total volume (m³) or volume/day, tons/day or total capacity in tons
  - for shopping centres: area in ha or m² (area of development, gross floor space)
  - for roads: length of road (in km)
- **A case-by-case examination** has to be carried out for
- all power stations: in 5 countries
- all landfills for non-hazardous waste: in 8 countries
- all shopping centres: in 4 countries
- all roads: in 4 countries

Additionally, some countries have determined site-related criteria (e.g. location in sensitive area, distance to sensitive area or receptor).

- Countries are well aware of the issues of cumulation with other projects and salami-slicing. With regard to possible cumulation of projects most countries just referred to the screening criteria laid down in their national EIA law which mirror the Annex III criteria of the Directive.

Examples for effective addressing of cumulation of several projects and their effects are are:

- The description of the project includes the relation of the project to other existing / planned projects (Bulgaria, Lithuania).
- The submitted information describes the accumulation of the project's impacts with the impacts of other existing or planned/known projects.
- Adjacent projects (projects with the same or similar activities) meet or exceed together with the current project the defined thresholds (Hungary).
- If a project is spatially related to other projects of the same type and, together with them, reach the relevant threshold value, the authority shall examine on a case-by-case basis whether due to a cumulation of effects an EIA is required (Austria).
- The obligation to perform an environmental impact assessment shall also exist if several projects of the same type which are to be executed simultaneously by the same developer or more than one developer and which are closely related (cumulative effects) together reach or exceed the relevant thresholds. (Germany).
- Cumulative effects are taken into account by assuming a "compulsory" application of the cumulating projects (Denmark).

Half of the countries mentioned no specific provisions against salami slicing; some responded that the screening criteria also apply to the screening of modifications and extensions implying that a possible splitting of projects will be identified during the screening exercise in due course. Strategies to prevent salami slicing include e.g.:

- Wide definition of the term “project” (inclusion of associated/ancillary works, different developers etc.)
- In order to avoid circumventions of EIA by cutting modifications in several pieces, the sum total of the capacity-expanding modifications approved in the past five years has to be added to the capacity increase applied for (Austria).
- Projects are considered together if
  1. they are situated on the same operating or construction site and are connected with common operating or constructional facilities or
  2. as other measures encroaching on nature and landscape there is a close spatial connection between them
  3. and if they serve a comparable purpose (Germany).
- If alteration or extension of a project not previously subject to EIA requirements results in the relevant size or capacity figure being reached or exceeded for the first time, an EIA shall be carried out for the alteration or extension and shall take account of the environmental impacts of the existing project not previously subject to EIA requirements (Germany).
- Projects which are connected technologically shall be qualified as one project, also if they are implemented by different entities (Poland).
In most countries information on all of the areas of expertise mentioned in Annex IV, if relevant, is submitted for screening procedures; the main issues being (independently of the project type) air quality, nature protection and water management. The level of detail of the submitted screening documents is general to medium, whereupon the volume of these documents rarely exceeds 50 pages.

The authorities (national/federal, regional, local, statutory body) responsible for the screening procedure vary across the countries and sometimes differ according to the size of the project;

The character of the screening decision is a legal document in the majority of the countries.

In almost all countries the screening decision can be appealed (exception: Czech Republic).

**EIA procedures**

The IMPEL project had a closer look on the EIA procedures for landfills and shopping centers for the purposes of comparison. The conclusions are as follows:

In approximately 50 % of the countries scoping for the environmental report is carried out on a mandatory basis.

Guidelines for scoping and the EIA process exist in several countries.

Apart from competent authorities a large number of countries involves the public and / or other relevant organisations in the EIA process; participation of the public in mandatory scoping exists in 7 countries.

In most of the countries the developer can freely choose who compiles the information required to be submitted to the competent authority for the EIA.

In response to the question whether countries have imposed to consider the do-nothing alternative 12 countries answered affirmative. Apart from this most of the countries seem to have transposed the requirement of the Directive ("main alternatives studied by the developer") without further specification.

Regarding the content of the EIA documentation submitted by the developer, it can be said that most countries deem all of the topics referred to in Annex IV as potentially relevant, depending on the site of the project.

Competent authorities give greater focus to air quality and water management for both project types, as well as traffic and noise for shopping centers and on waste management, nature protection, hydrogeology, landscape and human health for landfills.

In almost all countries investigations on the environmental impacts of the construction phase have to be carried out, in approximately 75 % of the countries the environmental impacts of accidents / incidents have to be investigated.

In about 2/3 of the surveyed countries the submitted information has a detailed level; the range of the average size spans from "5 to 200 pages" to "over 1000 pages".

The authorities responsible for EIA procedures can be either on national/federal, regional or local level as well as statutory bodies; a slight majority for the regional level can be observed.

Basically, the evaluation process of the submitted documents is performed by the competent authority which consults other authorities or bodies if needed. This involves sometimes special appointed committees (Croatia, Cyprus, Romania) or independent experts (Netherlands, Slovenia).
• The result of the EIA is mostly documented in a technical report and leads to binding conditions in the development consent in the majority of the countries.

• In the majority of the countries development consent for landfills consists in an environmental permit, in the case of shopping centers it often is a planning permission only.

• The development consent can be appealed in all countries by almost everybody.

• Public participation is a cornerstone in the EIA process; information to the public in most of the cases is provided by the competent authority (by public advertisements, on the EIA-authority´s website and also during public hearing), in a few countries it is solely the task of the developer.

• In most countries the EIA entails recommendations on monitoring which are at least in about 2/3 of the countries subsequently included into the development consent as obligations or conditions.

• Compliance of monitoring results with development consent conditions is checked in most cases during final inspection, environmental inspections or/and by periodical reporting by the developer.

• The consequences of non-compliance with EIA related conditions / obligations of the development consent involve the whole range of adequate measures such as imposition of fines, concrete enforcement actions and sanctions, withdrawal/suspension of the permit.

• With regard to the information of the public about the results of the monitoring 2/3 of the surveyed countries (Bulgaria, Cyprus, Denmark, Germany, Hungary, Lithuania, Malta, Netherlands, Slovakia, Slovenia and United Kingdom) do not undertake such an activity whereas the other countries referred to passive public access to monitoring data.

Recommendations

As the project framework did not provide for a workshop in 2012 it was not possible to discuss the answers with those who completed the questionnaires. This could lead to the possibility that the questions were not understood by each participant in the same way, which in some cases affected the clarity of the answers provided and the ability to fully compare the approaches used across all countries.

Issues which would merit further discussion:

• approaches how to deal with cumulation and salami slicing

• comparison of the level of detail of the information submitted during screening phase and during the EIA procedure (both for the information which has to be provided according to EIA Directive and the information about topics with greater focus) and methods of dealing with the huge amount of information which is provided during an EIA procedure

• experience concerning the scoping phase as about half of the participating countries have a mandatory scoping phase (including the experience with the public during scoping phase)

• closer look on quality issues with regard to the authors of the EIA documentation (free choice developer or accredited consultants)

• level of detail of the studied alternatives, the construction phase and the description of impacts of accidents
• merits of conditions or recommendations in the development consent decision which are based on the results of the EIA planning
• Closer look on public participation

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2 INTRODUCTION

The Environmental Impact Assessment (EIA) Directive (2011/92/EU) was adopted in 1985, substantively amended in 1997 and codified in 2011. The EIA procedure ensures that the environmental consequences of projects are identified and assessed before development consent is issued. The public can give its opinion and the results of the consultations are taken into consideration in the development consent procedure of the project. The public has to be informed of the decision.

The EIA Directive outlines the project categories which should be made subject to an EIA, the procedure that shall be followed and the content of the assessment.

**KEY STAGES**

- **Project Preparation**
  - The developer prepares the proposals for the project.

- **Notification to Competent Authority**
  - In some MS there is a requirement for the developer to notify the Competent Authority (CA) in advance of the application for development consent. The developer may also do this voluntarily and informally.

- **Screening**
  - The CA makes a decision on whether EIA is required. This may happen when the CA receives notification of the intention to make a development consent application, or the developer may make an application for a screening opinion. The screening decision must be recorded and made public (Article 4).

- **Scoping**
  - The Directive provides that developers may request a scoping opinion from the CA. The scoping opinion will identify the matters to be covered in the environmental information. It may also cover other aspects of the EIA process. In preparing the opinion the CA must consult the environmental authorities (Article 5 para. 2).

- **Environmental Studies**
  - The developer carries out studies to collect and prepare the environmental information required by Article 5 of the Directive.

- **Submission of Environmental Information to Competent Authority**
  - The developer submits the environmental information to the CA together with the application for development consent.
In some MS there is a formal requirement for independent review of the adequacy of the environmental information before it is considered by the CA. In other MS the CA is responsible for determining whether the information is adequate. The developer may be required to provide further information if the submitted information is deemed to be inadequate.

The environmental information must be made available to authorities with environmental responsibilities and to other interested organisations and the general public for review. They must be given an opportunity to comment on the project and its environmental effects before a decision is made on development consent. If transboundary effects are likely to be significant other affected MS must be consulted (Articles 6 and 7).

The environmental information and the results of consultations must be considered by the CA in reaching its decision on the application for development consent (Article 8).

The decision must be made available to the public including the reasons for it and a description of the measures that will be required to mitigate adverse environmental effects (Article 9).

There may be a requirement to monitor the effects of the project once it is implemented.

The steps in bold must be followed under Directive 2011/92/EU. The steps which are not highlighted form part of good practice in EIA and have been formalised in some Member States.

Source: Guidance on EIA: Scoping, European Commission, 2001

Figure 1: The Environmental Impact Assessment (EIA) Process

A number of “problematic areas” in the application of the EIA Directive were highlighted in the "Report from the Commission on the application and effectiveness of the EIA Directive (European Commission, 2009)". These included inter alia:

- Screening - the use of thresholds and criteria for Annex II projects;
- Quality control of the information for the Environmental Impact Assessment according to Art. 5 para. 1 and Annex IV of the EIA Directive;
- Monitoring.

Therefore, this IMPEL project was set up to explore these areas further across all Member States, with particular emphasis on screening including the use of thresholds, scoping, cumulation of projects, “salami slicing”, quality control and the consideration of EIA results.
In 2010 the European Commission has launched a review process of the EIA Directive which is still ongoing. A Commission proposal for a policy option (i.e. technical adaptation, amendment, new Directive or Regulation etc.) is foreseen for 2012. This IMPEL project can assist the legislative process by providing concrete practical findings.

### 3 Objectives

The main objectives of the project are to

- Compare the thresholds and criteria used in each Member State to determine if an EIA needs to be carried out;
- compare the approaches used to address particular EIA issues (e.g. screening, scoping, cumulation, "salami slicing", risk of accidents);
- identify Good Practice with regard to the above mentioned issues;
- exchange information on existing guidance material.

Therefore this IMPEL project has compared both screening procedures and permitting procedures for projects which require EIA. As a first step, the project will analyse the present situation in the Member States.

### 4 Methodology

The first step of the project was to form a project core team that comprised the following members:

<table>
<thead>
<tr>
<th>Function in project</th>
<th>Name</th>
<th>Country</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Team Leader</td>
<td>Markus Graggaber</td>
<td>Austria</td>
<td>Department of Environmental Protection of the Provincial Government of Salzburg</td>
</tr>
<tr>
<td>EIA Expert</td>
<td>Susanna Eberhartinger-Tafill</td>
<td>Austria</td>
<td>Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management</td>
</tr>
<tr>
<td></td>
<td>(assisting: Verena Gubesch)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EIA Expert</td>
<td>Gisela Holzgraefe</td>
<td>Germany</td>
<td>Ministry of Agriculture, Environment and Rural Areas of Land Schleswig-Holstein</td>
</tr>
<tr>
<td>EIA Expert</td>
<td>Pamela McDonnell</td>
<td>Ireland</td>
<td>Environmental Protection Agency</td>
</tr>
<tr>
<td>EIA Expert</td>
<td>Martino Michieletti</td>
<td>Italy</td>
<td>ARPA Lombardia</td>
</tr>
<tr>
<td>Consultant</td>
<td>Wilfried Pistecky</td>
<td>Austria</td>
<td>Wilfried Pistecky Consulting Engineering</td>
</tr>
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Table 1: Members of the project core team

To investigate the differences between EIA legislation and practice in EU Member States, the project core team developed a questionnaire to collect basic information on the following issues:

- Screening;
- Scoping;
- Quality control;
- Consideration of specific environmental issues in EIA processes;
- Consideration of EIA results during and after project implementation;
- Monitoring.
The questionnaire comprised three main sections:

1. Information on the participant

2. General information on EIA screening procedures for the following 4 project types:
   - Thermal power station;
   - Landfill;
   - Shopping center;
   - Road construction.

3. Detailed information on EIA procedures for 2 of the above project types, namely:
   - Landfill;
   - Shopping center.

The questions within sections 2 and 3 were identical for each project type (see chapter 12.1 Appendix 1 - Questionnaire).

The questionnaire was distributed by the team leader on 24.02.2012 to the IMPEL network and EIA experts in all EU Member States. To obtain a representative sample, those contacted were also asked to forward the questionnaire to other persons in their countries dealing with EIA procedures.

The deadline for the submission of completed questionnaires was scheduled for the 23.03.2012. Responses were received from the following EU Member States (in alphabetical order):

- Austria;
- Bulgaria;
- Cyprus;
- Czech Republic;
- Denmark;
- France;
- Germany;
- Hungary;
- Ireland;
- Italy;
- Lithuania;
- Malta;
- Netherlands;
- Poland;
- Romania;
- Slovakia;
- Slovenia;
- Spain;
- United Kingdom.

Additionally, Croatia took part in this survey.
Figure 2: Map of countries participating in the study (resource: http://geo.dianacht.de)

The list of participants can be found in chapter 12.2 Appendix 2.

Subsequently, the completed questionnaires were evaluated. Based on this evaluation conclusions (see chapter 7) and recommendations (see chapter 8) were formulated by the core team.

If two or more questionnaires from the same country were received the answers were merged by the team leader and the consultant. If varying answers to the same question were given, the answer that seemed most appropriate in the context of other information provided by that country was selected.

The information, results and conclusions in this document are based on the completed questionnaires and discussions in the core team. The core team met once and reviewed the draft version of the report by E-mail. Additional the draft version of the report was distributed to all participants of the project to recommend especially the results regarding their country.

As the project framework - for financial reasons - did not provide for a workshop it was not possible to discuss the answers with those who completed the questionnaires. Therefore it is possible that the questions were not understood by each participant in the same way, which in some cases affected the clarity of the answers provided, and the ability to fully compare the approaches used across all Member States.
5 COMPARISON OF EIA SCREENING PROCEDURES

5.1 General remarks

Four different types of projects were chosen for a comparison of EIA screening procedures in the Member States of the European Union and Croatia:

• Thermal power station;
• Landfill;
• Shopping center;
• Road construction.

The rationale behind this choice was: The project types should be existent in most of the countries. One industrial project type (coverage of Directive on Industrial Emissions 2010/75/EU), one infrastructure project type and one transport infrastructure project type should be chosen.

The following chapters of this section give an overview of the relevant answers provided by the participating countries (details are provided in Appendix 3 – Evaluation of general information on EIA screening procedures in chapter 12.3).
5.2 EIA implementation

According to Art. 2 para. 2 of the EIA Directive the EIA may be integrated into the existing procedures for development consent in the Member States, or failing this, into other procedure or into procedures to be established to comply with the aims of the Directive. The table below shows which countries have integrated the EIA into their existing systems, and which ones have chosen a separate system with respect to the scrutinized project types:

<table>
<thead>
<tr>
<th>Country</th>
<th>Integrated into existing procedures</th>
<th>Separate procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Bulgaria</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Croatia</td>
<td>✓ Environmental permit</td>
<td>✓ (except thermal power stations and landfills when IPPC installations)</td>
</tr>
<tr>
<td>Cyprus</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓ for certain shopping center projects: integrated in IPPC licensing procedure</td>
<td>✓</td>
</tr>
<tr>
<td>Denmark</td>
<td>✓ for shopping center: integrated in spatial planning procedure</td>
<td>✓ IPPC installations: IPPC permission substitutes part of the EIA permission</td>
</tr>
<tr>
<td>France</td>
<td>✓ thermal power stations and landfills: administrative authorisation according to the legislation on Classified Facilities (except road construction) Shopping centers: planning permission</td>
<td>✓ (for road construction)</td>
</tr>
<tr>
<td>Germany</td>
<td>✓ thermal power stations: licensing procedure under Federal for Immission Control Act, shopping center: land use plan and building permission, landfills and road construction: plan approval</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Ireland</td>
<td>✓ Thermal power stations: integrated into the planning permission procedure and also the IPPC licensing procedure( if the if the plant has a thermal input of &gt;50MW) (dual decision). Landfills: integrated into the planning permission procedure and also the waste licensing procedure (dual decision).</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓ (integrated in environmental permitting)</td>
<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓ (integrated in development consent)</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓ (integrated in environmental permitting for thermal power station and landfill; spatial planning for shopping center and road construction; for highway roads there is a special Act in place, in Dutch the 'Tracéwet' - EIA can be integrated in this procedure as well)</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
Table 2: Integration of the EIA into procedures for development consent

From the above table it is apparent that Czech Republic, Denmark, France, Germany, Ireland, Lithuania, Malta, the Netherlands, Romania, and the United Kingdom integrate EIA into existing procedures (Czech Republic and Denmark have exemptions for shopping centers). In all other participating countries EIA is undertaken in a separate procedure.

**Single permit procedure ("one stop shop")**

The following table provides an overview in which countries EIA is incorporated in a single permit procedure in which all necessary permits are granted jointly ("one stop shop").

<table>
<thead>
<tr>
<th>Country</th>
<th>Thermal power station</th>
<th>Landfill</th>
<th>Shopping center</th>
<th>Road construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes (except federal roads)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Croatia</td>
<td>no</td>
<td>(not answered)</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Cyprus</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Denmark</td>
<td>no</td>
<td>no</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>France</td>
<td>(not answered)</td>
<td>(not answered)</td>
<td>(not answered)</td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td>no</td>
<td>yes</td>
<td>no</td>
<td>yes</td>
</tr>
<tr>
<td>Hungary</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Ireland</td>
<td>no</td>
<td>no</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Italy</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Lithuania</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Malta</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Netherlands</td>
<td>yes</td>
<td>yes</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Poland</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Romania</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Slovakia</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Slovenia</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>Spain</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>United Kingdom¹</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>(not answered)</td>
</tr>
</tbody>
</table>

Table 3: Comparison of one stop shop procedures including the EIA

¹ The planning permission process allows other consents to be gained alongside it. However the detail of which permits can be gained varies (possibility of devolution).
Bulgaria, Romania and Cyprus provide for a one stop shop permit procedure for all 4 project types, Austria for all except projects concerning federal roads, Denmark and Ireland for shopping center and road construction projects, Germany for landfill and road construction projects, the Netherlands for thermal power station and landfill projects and Romania only for thermal power station projects. The majority of participating countries do not integrate the EIA in a single permit procedure. However, in some countries some of the necessary permits are granted jointly: This is the case for Croatia, Malta, Denmark, Germany, Netherlands and United Kingdom1 (see Table 3 above).

5.3 Screening

5.3.1 Guidance

The following table provides an overview of the availability of official guidance for screening in the countries listed in chapter 5.2.

<table>
<thead>
<tr>
<th>Availability Level</th>
<th>Availability of official guidance for screening for project types</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Thermal power station</td>
</tr>
<tr>
<td>National</td>
<td>Austria</td>
</tr>
<tr>
<td></td>
<td>Denmark</td>
</tr>
<tr>
<td></td>
<td>Germany</td>
</tr>
<tr>
<td></td>
<td>Ireland</td>
</tr>
<tr>
<td></td>
<td>Lithuania</td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
</tr>
<tr>
<td></td>
<td>Poland</td>
</tr>
<tr>
<td></td>
<td>Romania</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
</tr>
<tr>
<td></td>
<td>United Kingdom</td>
</tr>
<tr>
<td>Regional</td>
<td>Austria</td>
</tr>
<tr>
<td></td>
<td>Germany</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
</tr>
<tr>
<td></td>
<td>United Kingdom</td>
</tr>
<tr>
<td>No guidance available</td>
<td>Bulgaria</td>
</tr>
<tr>
<td></td>
<td>Cyprus</td>
</tr>
<tr>
<td></td>
<td>Czech Republic</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hungary</td>
</tr>
<tr>
<td></td>
<td>Italy</td>
</tr>
<tr>
<td></td>
<td>Slovakia</td>
</tr>
<tr>
<td></td>
<td>Slovenia</td>
</tr>
</tbody>
</table>

Table 4: Availability of official guidance for screening in the participating countries

Eight countries have issued screening guidance on national level, in four of these countries regional guidance is available as well. For the website links to official guidance for screening see chapter 12.5, Appendix 5 – Guidance.

5.3.2 Screening Thresholds

The conditions that define the obligation for an EIA are based on the EIA Directive and the implementation in the Member States. For the project types defined in Annex I of
the EIA Directive the Member States have to ensure an EIA is carried out. For projects listed in Annex II of the EIA Directive Member States shall make the determination whether an EIA has to be carried out through a case-by-case examination or thresholds or criteria set by the Member State. Member States may also decide to apply both procedures.

The responses of the survey with regard to the screening of Annex II projects are provided in the following tables below. Further details can be found in Appendix 3 (Evaluation of general information on EIA screening procedures) in chapter 12.3).
Thermal power stations

The EIA Directive defines in Annex II 3 a): "Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);

Annex I 2 a): Thermal power stations and other combustion installations with a heat output of 300 megawatts or more

The following table outlines the thresholds at which each of the participating countries carries out EIA and the thresholds at which screening for EIA is initiated.

<table>
<thead>
<tr>
<th>Country</th>
<th>Thresholds for obligatory EIA (without screening)</th>
<th>Thresholds for screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>200 MW (rated thermal input)</td>
<td>• 100 MW (in areas subject to air pollution)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• 50 MW for cumulation with other spatially related thermal power stations if 200 MW is reached together with them</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• 25 MW (in areas subject to air pollution and cumulation) for cumulation with other spatially related thermal power stations if 100 MW is reached together with them</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>50 MW (heat capacity)</td>
<td>case-by-case examination for all projects below Annex I threshold</td>
</tr>
<tr>
<td>Croatia</td>
<td>100 MW (electricity)</td>
<td>1 MW (electricity)</td>
</tr>
<tr>
<td>Cyprus</td>
<td>50 MW</td>
<td>Case-by-case examination for all projects not included in Annex 1 (below 50MW) based on prelim EIA Report</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>200 MW (electricity)</td>
<td>50 MW (electricity)</td>
</tr>
<tr>
<td>Denmark</td>
<td>120 MW (heat output)</td>
<td>case-by-case examination for all projects below 120 MW (not answered)</td>
</tr>
<tr>
<td>France</td>
<td>20 MW, 500 tons of coal/day</td>
<td>50 MW to less than 200 MW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20 to less than 50 MW when using light heating oil, methanol, ethanol, untreated vegetable oils or vegetable oil methyl esters, untreated natural gas, liquefied gas, gas from public gas supplies or hydrogen</td>
</tr>
<tr>
<td>Germany</td>
<td>200 MW (rated thermal input)</td>
<td>10 to less than 50 MW (when using gaseous fuels, (especially coke furnace gas, mine gas, steel gas, refinery gas, synthesis gas, biogas)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 to less than 50 MW when using coal, coke including petroleum coke, coal briquettes, turf briquettes, fuel turf, untreated wood, emulsified natural bitumen, heating oils excluding light heating oil site related screening:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 to less than 50 MW when using solid or liquid fuels other than listed above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 kW to less than 1 MW when using solid or liquid fuels other than listed above</td>
</tr>
<tr>
<td>Country</td>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Thresholds for screening</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Hungary</td>
<td>300 MW (heat output, other than incineration plant) 20 MW (electricity)</td>
<td>50 MW (output performance)</td>
</tr>
<tr>
<td>Ireland</td>
<td>300 MW (heat output)</td>
<td>case-by-case examination for all projects below 300 MW. Project is assessed against the criteria referred to in Annex III of the Directive.</td>
</tr>
<tr>
<td>Italy</td>
<td>300 MW</td>
<td>50 MW</td>
</tr>
<tr>
<td>Lithuania</td>
<td>300 MW</td>
<td>50 MW</td>
</tr>
<tr>
<td>Malta</td>
<td>50 MW</td>
<td>screening required for all projects of this type below the EIA-threshold (50 MW)</td>
</tr>
<tr>
<td>Netherlands</td>
<td>300 MW (thermal) 500 tons of coal/day and/or 100 tons of non-hazardous waste per day</td>
<td>200 MW (thermal) and/or capacity increase of 20 % or more(extra power and/or or new fuel mix) 250 tons of coal/day and/or 50 tons of non-hazardous waste per day All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory.</td>
</tr>
<tr>
<td>Poland</td>
<td>300 MW (heat input)</td>
<td>25 MW (heat input for fuels) 10 MW (heat input for solid fuel)</td>
</tr>
<tr>
<td>Romania</td>
<td>300 MW</td>
<td>case-by-case examination for all projects below 300 MW</td>
</tr>
<tr>
<td>Slovenia</td>
<td>300 MW (heat output)</td>
<td>50 MW (heat output)</td>
</tr>
<tr>
<td>Spain</td>
<td>300 MW 50 MW (located in air quality management areas) (not answered) (not answered)</td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>300 MW (heat output)</td>
<td>Case-by-case examination • 0.5 hectares area of development or • for all projects within a 'sensitive area'.The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty etc.</td>
</tr>
</tbody>
</table>

Table 5: Thermal power station projects: Thresholds for obligatory EIA and for screening
Landfill for non-hazardous waste

The EIA Directive defines in Annex II: "Installations for the disposal of waste (projects not included in Annex I);"  
Annex I: landfills for hazardous waste: mandatory EIA for all projects; landfills for non-hazardous waste: not included in Annex I

The following table outlines the thresholds at which each of the participating countries carries out EIA and the thresholds at which screening for EIA is initiated.

<table>
<thead>
<tr>
<th>Country</th>
<th>Thresholds for obligatory EIA (without screening)</th>
<th>Thresholds for screening</th>
</tr>
</thead>
</table>
| **Austria** | Landfills for mass waste or residual materials: 500,000 m³ (total volume) | Landfills for mass waste or residual materials (in total volume):  
• 250,000 m³ (in special protection areas)  
• 375,000 m³ (in areas subjected to air pollution)  
• 125,000 m³ for cumulation with other spatially related landfills if 500,000 m³ is reached together with them  
• 62,500 m³ for cumulation with other spatially related landfills in special protection areas if 250,000 m³ is reached together with them  
• 93,750 m³ for cumulation with other spatially related landfills in areas subject to air pollution if 375,000 m³ is reached together with them |
| | Landfills for demolition waste or inert materials: 1,000,000 m³ (total volume) | Landfills for demolition waste or inert materials (in total volume):  
• 500,000 m³ (in special protection areas)  
• 750,000 m³ (in areas subjected to air pollution)  
• 250,000 m³ for cumulation with other spatially related landfills if 1,000,000 m³ is reached together with them  
• 250,000 m³ for cumulation with other spatially related landfills if 1,000,000 m³ is reached together with them  
• 125,000 m³ for cumulation with other spatially related landfills in special protection areas if 500,000 m³ is reached together with them  
• 187,500 m³ for cumulation with other spatially related landfills in areas subject to air pollution if 750,000 m³ is reached together with them |
<p>| <strong>Bulgaria</strong> | Non-hazardous waste landfills receiving more than 10 tons waste per day or with a total capacity exceeding 25,000 tons, with excluding landfills of inert waste | Installations for the disposal of waste (not included in Annex № 1) |
| <strong>Croatia</strong> | 100 tons per day | case-by-case examination for all projects below 100 tons per day |
| <strong>Cyprus</strong> | none | case-by-case examination for projects under Annex 2 based on Preliminary EIA Report |</p>
<table>
<thead>
<tr>
<th>Country</th>
<th>Thresholds for obligatory EIA (without screening)</th>
<th>Thresholds for screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Czech Republic</td>
<td>30,000 tons total capacity</td>
<td>1,000 to 3,000 tons per year and All waste disposal activities in natural or artificial geological structures and spaces case-by-case examination for all projects</td>
</tr>
<tr>
<td>Denmark</td>
<td>none</td>
<td>no threshold</td>
</tr>
<tr>
<td>France</td>
<td>3,500 m² facility size for bulky waste</td>
<td>case-by-case examination for all projects below 10 tons per day excluding landfills for inert waste or less than 25,000 tons total capacity excluding landfills for inert waste site related</td>
</tr>
<tr>
<td>Germany</td>
<td>10 tons or more per day excluding landfills for inert waste or 25,000 tons total capacity or more excluding landfills for inert waste</td>
<td>10 tons per day 25,000 tons total capacity screening required for all projects of this type below 25,000 tons per year</td>
</tr>
<tr>
<td>Hungary</td>
<td>200 tons per day 500,000 tons total capacity</td>
<td>screening required for all projects of this type below 100,000 m³ none</td>
</tr>
<tr>
<td>Ireland</td>
<td>25,000 tons per year</td>
<td>screening required for all projects of this type below the threshold</td>
</tr>
<tr>
<td>Italy</td>
<td>100,000 m³</td>
<td>250,000 m³ of ‘class B’ sediment and/or 100 tons per day of sediment, sludge or non-hazardous waste and/or 5,000 tons per year dry weight of waste water disposal sludge and/or 50 tons per day of other non-hazardous wastes</td>
</tr>
<tr>
<td>Lithuania</td>
<td>100 tons per day</td>
<td>screening required for all projects of this type (municipal waste)</td>
</tr>
<tr>
<td>Malta</td>
<td>100,000 m³ municipal waste disposal installation 25,000 m³ if more than 300 dwellings within 200m from the boundaries of the site &lt; 200 m of distance to aquifer protection zone boundary &lt; 500 m of distance to water abstraction points</td>
<td>15.000 m³ screening required for all projects of this type below the threshold</td>
</tr>
<tr>
<td>Netherlands</td>
<td>No threshold</td>
<td>screening required for all projects of this type below the threshold</td>
</tr>
<tr>
<td>Poland</td>
<td>10 tons per day total capacity (intake capacity) 25,000 tons total capacity</td>
<td>screening required for all projects of this type</td>
</tr>
<tr>
<td>Romania</td>
<td>none</td>
<td>screening required for all projects of this type below the threshold</td>
</tr>
<tr>
<td>Slovakia</td>
<td>250,000 m³</td>
<td>screening required for all projects of this type below the threshold</td>
</tr>
<tr>
<td>Slovenia</td>
<td>EIA required for all projects of this type without thresholds (municipal waste)</td>
<td>none</td>
</tr>
<tr>
<td>Country</td>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Thresholds for screening</td>
</tr>
<tr>
<td>-----------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Spain</td>
<td>(not answered)</td>
<td>none</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>none</td>
<td>Case-by-case examination</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- for all projects within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty etc.
- if the area of development exceeds 0.5 hectares
- if the installation is to be sited within 100 metres of any controlled waters

Table 6: Landfills for non-hazardous waste: Thresholds for obligatory EIA and for screening
Shopping Centers

The EIA Directive defines in Annex II 10 b): “Urban development projects, including the construction of shopping centres and car parks”

Annex I: this project type is not included

The following table outlines the thresholds at which each of the participating countries carries out EIA and the thresholds at which screening for EIA is initiated.

<table>
<thead>
<tr>
<th>Country</th>
<th>Thresholds for obligatory EIA (without screening)</th>
<th>Thresholds for screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>10 ha area of development or 1,000 vehicles parking space</td>
<td>• 5 ha area of development or 500 vehicles parking space (in special protection area or areas subject to air pollution)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• 2.5 ha area of development or 250 vehicles parking space (for cumulation with other spatially related shopping centers if 10 ha or 1,000 vehicles parking space is reached together with them)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• 1.25 ha area of development or 125 vehicles parking space (in special protection area or areas subject to air pollution; for cumulation with other spatially related shopping centers if 5 ha or 500 vehicles parking space is reached together with them)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>none</td>
<td>screening required for all projects of this type</td>
</tr>
<tr>
<td>Croatia</td>
<td>none</td>
<td>50,000 m² gross construction area</td>
</tr>
<tr>
<td>Cyprus</td>
<td>none</td>
<td>2,500 m²</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>none</td>
<td>3,000 m² total area of enclosed space 100 vehicles parking space (total in aggregate for the entire building)</td>
</tr>
<tr>
<td></td>
<td>Shopping centers of regional significance</td>
<td>screening required for all projects of this type without thresholds</td>
</tr>
<tr>
<td>Denmark</td>
<td>Shopping centers of regional significance</td>
<td>10,000 m² area of development</td>
</tr>
<tr>
<td>Germany</td>
<td>5,000 m² gross floor space</td>
<td>1,200 m²</td>
</tr>
<tr>
<td>Country</td>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Thresholds for screening</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td>mentioned projects in external areas and within Built-up Areas [Innenbereich acc. to Article 34 Building Code], according to screening: without mentioning the preparation of the land use plan</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>none</td>
<td>10,000 m² shopping facility area</td>
</tr>
<tr>
<td>Ireland</td>
<td>10,000 m² gross floor space</td>
<td>300 vehicles parking space</td>
</tr>
<tr>
<td>Italy</td>
<td>15,000 m² sales area (e.g. for Lombardy; dependent on Regional laws)</td>
<td>screening required for all projects of this type below the 10,000 m² gross floor space thresholds.</td>
</tr>
<tr>
<td>Lithuania</td>
<td>none</td>
<td>150 m²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(in towns with population &lt; 10,000 inhabitants)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>250 m²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(in towns with population &gt; 10,000 inhabitants)</td>
</tr>
<tr>
<td>Malta</td>
<td>10,000 m² gross floor area</td>
<td>5,000 m² area of development</td>
</tr>
<tr>
<td>Netherlands</td>
<td>none</td>
<td>1,000,000 m² area of development or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>200,000 m² (total floor coverage of the entire project - including other commercial and/or industrial activities)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory</td>
</tr>
<tr>
<td>Poland</td>
<td>none</td>
<td>5,000 m² (in areas of conservation of nature)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20,000 m² (in other areas)</td>
</tr>
<tr>
<td>Romania</td>
<td>none</td>
<td>screening required for all projects of this type without thresholds</td>
</tr>
<tr>
<td>Slovakia</td>
<td>300 vehicles parking space</td>
<td>2,000 m² floor area</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 vehicles parking space</td>
</tr>
<tr>
<td>Slovenia</td>
<td>30,000 m² gross floor space</td>
<td>none</td>
</tr>
<tr>
<td></td>
<td>1,000 vehicles parking space or 5 ha parking lot or accessible for commercial vehicles of 7.5 tons</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>(not answered)</td>
<td>none</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>none</td>
<td>Case-by-case examination</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• for all projects within a ‘sensitive area’. The definition of ‘sensitive area’ varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty etc.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• if the area of development exceeds 0.5 hectares</td>
</tr>
</tbody>
</table>

Table 7: Shopping center projects: Thresholds for obligatory EIA and for screening
Road construction:

The EIA Directive defines in Annex II 10 e): "Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I)

Annex I 7 b) and c): Construction of motorways and express roads; 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

The following table outlines the thresholds at which each of the participating countries carries out EIA and the thresholds at which screening for EIA is initiated. For the most part, thresholds implementing Annex I (see above) are not displayed.

<table>
<thead>
<tr>
<th>Country</th>
<th>Thresholds for obligatory EIA (without screening)</th>
<th>Thresholds for screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Additonally to Annex I projects (10 km); thresholds for federal roads are not shown: New roads or extensions: 5 km and average daily traffic volume of 15,000 motorised vehicles within a forecasting period of 5 years (new or extension)</td>
<td>new roads or extensions (thresholds for federal roads are not shown):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• roads of 500 m length with average daily traffic volume of 2,000 motorised vehicles number of cars (in alpine region or areas subject to air pollution)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• roads with average daily traffic volume of 2,000 motorised within a forecasting period of 5 years (in special protection areas and water protection and conservation areas)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Roads with average daily traffic volume of 15,000 motorised within a forecasting period of 5 (in or near settlement areas)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>none</td>
<td>screening required for all projects of this type which are not included in Annex I</td>
</tr>
<tr>
<td>Croatia</td>
<td>2 km</td>
<td>none</td>
</tr>
<tr>
<td>Cyprus</td>
<td>new roads with four or more lanes, movement or alignment or widening to four lanes or more for continuous stretch of 4000m</td>
<td>1,000 m (in mountainous areas where coverage of the surrounding natural vegetation is in excess of 50% in length of continuous street) screening required for all projects (roads with four lanes) of this type without thresholds</td>
</tr>
<tr>
<td>Czech Republic</td>
<td></td>
<td>500 m (new construction or reconstruction of highways with a width greater than 10m (not included in Annex I of EIA Directive) or local roads with four and more lanes) screening required for all projects of this type below thresholds</td>
</tr>
<tr>
<td>Denmark</td>
<td>2 km and in areas of special potential/actual interests in nature protection and ecological corridors</td>
<td>screening required for all projects of this type below thresholds</td>
</tr>
<tr>
<td>France</td>
<td>3 km 3,000 m² land consumption (roundabout)</td>
<td>screening required for all projects of this type below thresholds</td>
</tr>
<tr>
<td>Germany</td>
<td>none</td>
<td>Construction of any other Federal Highway not mentioned in</td>
</tr>
<tr>
<td>Country</td>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Thresholds for screening</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td>ANNEX 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 km</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(construction or alteration of any other road of Land Schleswig-Holstein, of an administrative district excluding cycle tracks and pavement belonging to it in special areas (e.g. zone III of a water reserve area, in a biosphere reserve, in a landscape conservation area or in a nature park, registered areas according to environmental quality standards laid down in European Community legislation, in densely populated area acc. to the spatial planning of Land Schleswig-Holstein or in middle-order-centres (medium sized cities) or high-order-centres (large cities))</td>
<td></td>
</tr>
<tr>
<td></td>
<td>500 m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Construction or alteration of any other road of Land Schleswig-Holstein, of an administrative district or a municipality including cycle tracks and pavement belonging to it in protected areas (including Habitats Directive, national park water protection area, registered biotopes, may affect a historical monument) or a road in forests acc. to Forests Act of Land Schleswig Holstein)</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>none</td>
<td>1 km</td>
</tr>
<tr>
<td></td>
<td>(public roads)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All national &amp; public roads (non Annex I) in Natura 2000 sites</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>8 km of 4-lane road in a rural area and 500 m of 4-lane road in an urban area 100 m new bridge/tunnel</td>
<td>screening required for all projects of this type below the obligatory thresholds</td>
</tr>
<tr>
<td>Italy</td>
<td>none</td>
<td>1,5 km</td>
</tr>
<tr>
<td>Lithuania</td>
<td>10 km</td>
<td>2 km</td>
</tr>
<tr>
<td>Malta</td>
<td>2 km (road with min 7.5m carriageway, &gt;300 dwellings within 100 m from the centre line, passage of 100 m protected site) 1 km (tunnel length, passage beneath or within 100m protected area or passage through or within 100 m of aquifer protection zone)</td>
<td>1 km (road with min 3.5m carriageway, passage of 100 m protected site)</td>
</tr>
<tr>
<td>Netherlands</td>
<td>10 km (existing non-highway roads with in the new situation at least 4 lanes which will be altered or expanded)</td>
<td>5 km (of existing non-highway roads with in the new situation at least 4 lanes which will be altered or expanded) 5 km (of existing highway roads which will be altered or expanded) All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory</td>
</tr>
<tr>
<td>Country</td>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Thresholds for screening</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Poland</td>
<td>none</td>
<td>&gt;1km hard-surfaced roads (not included in Annex 1) and bridge-like structures accompanying a hard-surfaced road (not included in Annex 1)</td>
</tr>
<tr>
<td>Romania</td>
<td>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</td>
<td>screening required for all projects of this type below threshold</td>
</tr>
<tr>
<td>Slovakia</td>
<td>10 km (Annex I and II (EIA Directive) roads and reconstruction or expansion of existing Annex I and II (EIA Directive) roads, including objects)</td>
<td>5 km (Annex I &amp; II (EIA Directive) roads and reconstruction or expansion of existing Annex I and II (EIA Directive) roads, including objects)</td>
</tr>
<tr>
<td>Slovenia</td>
<td>10 km (Main roads order I &amp; II &amp; policy/regional road order I, II, III &amp; local roads (except in relocation/ extensions where axis of roads are not moved by more than 200 m and the road is not built new lane) 5 km (main roads order I &amp; II &amp; policy/regional road order I, II, III &amp; local roads in protected area (nature, cultural heritage &amp; water)</td>
<td>none</td>
</tr>
<tr>
<td>Spain</td>
<td>(not answered)</td>
<td>(not answered)</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>none</td>
<td>1 ha of area of works  Any development listed in Schedule 2 in any of the UK’s EIA Regulations, related to planning permissions, will require screening (based on a significance survey) if any part of the proposal is within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty, etc</td>
</tr>
</tbody>
</table>

Table 8: Road construction projects: Thresholds for obligatory EIA and for screening
The survey illustrates that - as the Directive allows - different approaches have been adopted by the countries: While some countries apply case-by-case examinations for all projects within a certain type, others have set (mandatory) screening thresholds. Some countries have established thresholds for mandatory EIA of Annex II projects. If for a project type a certain threshold is set by the EIA directive itself (i.e. in Annex I) most countries have used this parameter for the purpose of implementation of the corresponding Annex II project type (e.g. MW thermal output for thermal power stations) by lowering the threshold value.

The **main findings** in detail:

**Thermal power stations**
Parameters/criteria used: capacity in Megawatt (heat output, electricity, rated thermal input), coal fired (tons coal/day), area of development in hectare, location in sensitive areas

A case-by-case examination for all thermal power stations included on Annex II of the EIA directive is applied in 6 out of 20 countries (Bulgaria, Cyprus, Denmark, Ireland, Malta, Romania). Thresholds for obligatory EIA below the Annex I threshold (300 MW) have been introduced in 9 countries (Austria, Bulgaria, Croatia, Czech Republic, Denmark, France, Germany, Hungary, Malta, Slovenia). 5 countries have determined the screening threshold at 50 MW which is the threshold for installations covered by the Directive on Industrial Emissions - IED (Czech Republic, Hungary, Italy, Lithuania, Slovakia). An obligatory EIA for power stations exceeding 50 MW (IED threshold) is carried out in 4 countries (France, Malta, Cyprus, Bulgaria).

**Landfills for non-hazardous waste**
IED threshold: 10 tons or more per day excluding landfills for inert waste or 25.000 tons total capacity or more excluding landfills for inert waste

Parameters/criteria used: total volume (m³), tons/day or total capacity in tons, area of development in hectare, distance to any controlled water or aquifer protection zone boundary or water abstraction points, distance to dwellings, location in sensitive areas

A case-by-case examination for all landfills for non-hazardous waste (if applicable, below a threshold for mandatory EIA) is applied in 8 out of 20 countries (Cyprus, Croatia, Bulgaria, Slovenia, Poland, Italy, Ireland, Denmark). An obligatory EIA for landfills exceeding the IED threshold is carried out in 3 countries (Germany, Poland, Bulgaria). 1 country (Hungary) uses the IED threshold as a screening threshold.

**Shopping centers**
Parameters/criteria used: area of development or gross floor space in square metres or hectare, number of vehicles in parking space, location in sensitive areas

A case-by-case examination for all shopping centres is applied in 4 (Romania, Ireland, Bulgaria, Denmark) out of 20 countries. Thresholds for obligatory EIA have been introduced in nine countries (Austria, Denmark, France, Germany, Ireland, Italy, Malta, Slovakia, Slovenia).

**Road construction**
Parameters/criteria used: length of road, average daily traffic volume, area of works in square metres or hectare, location in sensitive areas

A case-by-case examination for all roads is applied in 4 out of 20 countries (Romania, Ireland, Bulgaria, Denmark). Apart from transposition of Annex I threshold (10 km)

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2 Most countries only reported the requirements for new projects
thresholds for obligatory EIA have been introduced in 7 countries (Austria, Denmark, Cyprus, France, Ireland, Malta, Slovenia).

5.3.3 Provisions regarding cumulation and salami slicing

The issue of cumulative effects can inter alia arise when two or more (similar) projects are planned or exist in proximity and when taken together they cause significant effects on the environment.

The term salami slicing describes the practice of dividing projects up into two or more separate entities so that each individual element does not require an EIA and thus the project as a whole is not assessed; or the practice of obtaining permission for a project that is below a threshold (and thus not subject to EIA) and at a later date extending that project or its capacity above the threshold limits.

**Cumulation**

The Report from the Commission on the application and effectiveness of the EIA Directive (2009) stressed that there are still several cases in Member States in which cumulative effects are not taken into account or where salami slicing is not counteracted with appropriate actions.

Pursuant to Article 4 para. 3 of the Directive the relevant selection criteria set out in Annex II shall be taken into account when a case-by-case examination is carried out or thresholds or criteria are set. One explicit selection criteria referred to in this Article is the cumulation with other projects. To gain information on these issues countries have been asked how cumulation with other projects and the danger of salami slicing is taken into account in the screening procedure.

Most countries (Bulgaria, Cyprus, Malta, Croatia, Czech Republic, Hungary, Slovakia, Poland, Lithuania, United Kingdom, Ireland, Italy, Romania, Denmark) just referred to the screening criteria laid down in their national EIA law which mirror the Annex III criteria of the Directive. Specific provisions were mentioned by Austria and Germany.

Along with the thresholds reported by the countries the following conclusions can be drawn: Where countries have introduced screening procedures for all projects (irrespective of size) or have set very low screening thresholds the consideration of cumulative effects will be done on a case-by-case basis for each project. For countries which subject projects to EIA through determination of (higher) thresholds this could be regarded as a potential barrier to the proper consideration of cumulative effects. Therefore, some countries have enacted specific provisions.

Examples:

**Austria**: If projects under Annex 1 of the Austria EIA Act that fall below the threshold values or do not fulfill the criteria defined therein are spatially related to other projects and, together with them, reach the relevant threshold value or fulfill the criterion, the authority shall examine on a case-by-case basis whether significant harmful, disturbing or adverse effects on the environment are to be expected due to a cumulation of effects and whether, as a result, an environmental impact assessment shall be performed for the project planned. A case-by-case examination shall not be carried out if the capacity of the project submitted is less than 25% of the threshold value. When taking a decision on a specific case, the criteria of para. 4 no. 1 to 3 (which mirror the Annex III criteria of the Directive) shall be taken into consideration.

**Germany**: EIA obligation due to type, scale and capacity of project

The obligation to perform an environmental impact assessment shall also exist if several projects of the same type which are to be executed simultaneously by the same developer or more than one developer and which are closely related
(cumulative projects) together reach or exceed the relevant size or capacity figures. Such projects shall be deemed to be closely related if

1. they are situated as technical or other installations on the same operating or construction site and are connected with common operating or constructional facilities or

2. as other measures encroaching on nature and landscape there is a close spatial connection between them, and if they serve a comparable purpose.

The sentences 1 and 2 shall apply only to projects which, taken on their own, reach or exceed the figures for the site-related screening or, if no such examination is required, the figures for the general screening in Annex 1 column 2 of the German EIA Act³.

Salami slicing

Half of the countries mentioned no specific provisions against salami slicing; some responded that the screening criteria also apply to the screening of modifications and extensions implying that a possible splitting of projects will be identified during the screening exercise in due course. As the jurisprudence of the European Court of Justice provides a broad interpretation of the concept of “project” it can be assumed that obvious cases of splitting of projects are dealt with accordingly. A few countries indicated how salami slicing was avoided in practice:

Austria: In order to avoid circumventions of EIA by cutting modifications in several pieces, the sum total of the capacity-expanding modifications approved in the past five years has to be added to the capacity increase applied for (provided the current capacity increase amounts to at least 25% of the threshold value, except for shopping centers). If a new project is split between several applicants they may have to undergo an EIA according to the provision on cumulation. Furthermore, the definition of project in the EIA Act is a wide one (including also associated/ancillary works spatially related to the project) and can cover projects with different developers as well.

Poland explains that projects which are connected technologically shall be qualified as one project, also where they are implemented by different entities.

Denmark reports a similar approach treating the projects in question as a single project.

Germany: Article 3 b para. 3 EIA Act: If alteration or extension of a project not previously subject to EIA requirements results in the relevant size or capacity figure being reached or exceeded for the first time, an EIA shall be carried out for the alteration or extension and shall take account of the environmental impacts of the existing project not previously subject to EIA requirements. Existing projects shall also include cumulative projects within the meaning of para. 2, sentence 1.

5.3.4 Information submitted for the screening stage

According to the survey the information provided by the developer to the competent authority during the screening stage addresses the following areas of expertise for the chosen project types⁴:

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³ Federal Law: According to Article 3 b par. 2 Environmental Impact Assessment Act; Schleswig-Holstein: additional guidance document on “Application and Interpretation of the new EIA-provisions” (24.03.2004)

⁴ Based upon the factors mentioned in Annex IV of the Directive (i.e. population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors) and rearranged as common areas of expertise
Traffic, noise, air quality, vibrations, climate, shading, waste management, regional development planning, nature protection, water management, geotechnical engineering, hydrogeology, landscape engineering, cultural heritage, human health

Summing up, it can be said that in most countries information on all of these topics is submitted, if relevant.

Furthermore, the consideration of the following aspects was highlighted by some countries:
Material assets, archaeology, architectural heritage, radiation, biodiversity, socio-economy, energy sources, heat, odours

Examples for how national regulations have implemented provisions for the submission of information for the screening phase are described by United Kingdom and Malta:

Examples:

**United Kingdom**

Where a developer wishes to request a screening opinion prior to submitting their application they are required to submit various pieces of information as below:

1. A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion.

2. A request for a screening opinion in relation to an application for planning permission shall be accompanied by
   (a) a plan sufficient to identify the land;
   (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
   (c) such other information or representations as the person making the request may wish to provide or make.

3. A request for a screening opinion in relation to a subsequent application shall be accompanied by
   (a) a plan sufficient to identify the land;
   (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;
   (c) an explanation of the likely effects on the environment which were not identified at the time that the planning permission was granted; and
   (d) such other information or representations as the person making the request may wish to provide or make.

A similar procedure is described by **Malta**:

Prior to detailed screening, the developer submits a **Project Description Statement** which contains the following information:

(a) details of the person wishing to carry out the development,
(b) a brief description of the project and its general objectives,
(c) an indication of the proposed timing of the project and why this timing was preferred,
(d) the location of the proposed development with site boundaries clearly shown on a map,
(e) a concise but reasonably comprehensive indication of the alternative uses, alternative technologies and suitable alternative locations and sites for the proposed development and alternative arrangement of land.

---

5 With the exception of the topic „shading“
uses, on the proposed site,

(f) a description of the physical characteristics including size, scale, design and phasing of the development using models, photographs, diagrams, plans and maps where appropriate,

(g) a description of present land uses and environmental characteristics of the site,

(h) a brief description of surrounding land uses, their nature, their extent and their environmental characteristics,

(i) a description of the services, water, foul water sewers, surface water drainage, including storm water drainage, and energy sources available on site,

(j) estimates of the number of persons to be employed with estimates for each phase of the development,

(k) the nature and quantities of raw materials and energy to be used, and wastes generated during construction and operation, the proposed method of storage or handling of materials and wastes, and machinery needed during both the construction and the operational phases,

(l) access arrangements and general parking requirements on and off the site, during both construction and operation,

(m) list of the major environmental impacts likely to be generated by the project, including reference to cumulative impacts, proposals for mitigating the negative effects of the development.

**Level of detail of documents submitted in screening**

Additionally, the questionnaire asked for the **level of detail** that is required in the **documents submitted for the screening** phase in order to get an impression of the work load. The options provided were:

- general level (rough estimations)
- medium level (modelling for a few selected topics, estimations for the rest)
- detailed level (deep level of detail in all topics)

A corresponding question queried the average volume of the documents submitted for the screening phase.
<table>
<thead>
<tr>
<th>Country</th>
<th>Thermal Power Station</th>
<th>Landfill</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General level</td>
<td>Medium level</td>
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<tr>
<td>Austria</td>
<td>✓</td>
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<tr>
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<td>✓</td>
</tr>
<tr>
<td>Czech Republic</td>
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<td>✓</td>
</tr>
<tr>
<td>Denmark</td>
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<td>✓</td>
</tr>
<tr>
<td>France</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
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<tr>
<td>Hungary</td>
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<td>Ireland</td>
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<td>Italy</td>
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</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Table 9: Level of detail that is required in the documents submitted for the screening phase for thermal power station and landfill projects
Most countries reported a general or medium level of detail in the EIA screening procedure with an average volume of the documents up to 50 pages.

### 5.3.5 Authorities

The **responsible authorities for the screening decision** in the participating countries differ within each country. The responsibility of an authority depends in some cases on the size of the project.
<table>
<thead>
<tr>
<th>Project type</th>
<th>Thermal power plant</th>
<th>Landfill</th>
<th>Shopping center</th>
<th>Road construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
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<td>(not answered)</td>
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</tbody>
</table>

Table 11: Responsible authorities for the screening decision

Note: the question was not specified with regard to possible appeal procedure

The screening procedure is carried out

- by a national/federal authority only in: Cyprus, Hungary, Malta, Slovenia
- by a regional authority only in: Austria (except for federal roads), Czech Republic, Spain (excl. roads), Italy (excl. shopping center)
- with mixed responsibility in: Bulgaria, Denmark, Germany, Ireland, Lithuania, Netherlands, Poland, Romania, Slovakia, United Kingdom
- by Statutory bodies in: Denmark, Ireland, Germany (state company for road construction), United Kingdom
Screening decision

The character of the screening decision in the countries is shown in the following table:

<table>
<thead>
<tr>
<th></th>
<th>Legal document</th>
<th>Internal decision</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td></td>
<td></td>
<td>opinion of the MANRE to the planning authority</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>France</td>
<td></td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td></td>
<td></td>
<td>recorded in the Inspector’s report which accompanies the decision on the development/activity</td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 12: Character of the screening decision

In all of the participating countries, except Croatia, Cyprus, Hungary and Ireland, the result of the EIA screening procedure is a legal document.

The screening decision can be appealed in most of the countries surveyed, as detailed below.
### Appeals

<table>
<thead>
<tr>
<th>Appeals provided for</th>
<th>Appeals can be lodged by</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Everybody</td>
</tr>
<tr>
<td>no</td>
<td>✓</td>
</tr>
<tr>
<td>yes</td>
<td></td>
</tr>
</tbody>
</table>

- **Remarks**
  1. Developer; co-operating authority(s), in case the screening procedure was performed upon its/their request.
  2. Environmental organisations have been recognised by agreement with the Federal Minister for Economic Affairs, may request for a review of a screening decision which determines that the project isn’t subject to an EIA (= negative screening decision).
  3. Ombudsman for the environment.

**co-operating authorities** are the authorities which, on the basis of administrative provisions, would be responsible for granting development consent or inspecting the project if the project did not require an EIA.

**Note**: In case of federal roads, the system of remedies is different.

- **Austria**
- **Bulgaria** ✓ ✓
- **Croatia** ✓
- **Cyprus** (not answered)
- **Czech Republic** ✓

Except for road construction, the Ombudsman for the environment of the municipality may file a complaint against the Federal Minister for Transport.

Environmental organisations may file a complaint to the Administrative Court against negative screening decision.

*Note: The existing second administrative instance for appeals concerning federal roads (the Federal Court) will be changed by 1.1.2014 because of the establishment of the Federal Environmental Court. The project applicant, the cooperating authorities, the municipality may file a complaint against the Federal Minister for Transport.*
<table>
<thead>
<tr>
<th>Appeals provided for</th>
<th>Appeals can be lodged by</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>no</td>
<td>Everybody (a)</td>
<td>a. provided they have a legal interest in the matter</td>
</tr>
<tr>
<td></td>
<td>Neighbours (a)</td>
<td>b. provided it has spatial issues as a purpose, is governed by bye-laws and has more than 100 members</td>
</tr>
<tr>
<td></td>
<td>Municipalities (a)</td>
<td>The developer may lodge an appeal, if the screening decision determines that the project is covered by Annex I of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA. Apart from procedural complaints others, e.g. neighbours, environmental groups, cannot lodge an appeal, because they will later on have the opportunity to lodge an appeal, when the final project assessment has been passed. Apart from procedural complaints the developer cannot lodge an appeal, if the screening decision determines that the project isn't subject to an environmental assessment. Others, e.g. neighbours, environmental groups, may lodge an appeal.</td>
</tr>
<tr>
<td></td>
<td>Citizen’s groups (b)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Environn. organ. (b)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NGOs (b)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Statut. bodies (a)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minister of environment, NPF</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(not answered)</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td>Negatively affected parties (c)</td>
</tr>
<tr>
<td></td>
<td>✓</td>
<td>c. except of shopping centers Not independently. Appeal can be submitted after the permit is granted, generally: those who are affected negatively by the project NGOs: no appeal possible at shopping center projects</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td>Against the Screening decision &quot;an appeal shall not be permitted but an administrative dispute may be initiated&quot;.</td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td>d. Appeals for statutory bodies only at thermal power station projects</td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td>Developer</td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td>Parties to admin. procedure</td>
</tr>
<tr>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
### Table 13: Comparison of the possibilities for appealing the screening decision

<table>
<thead>
<tr>
<th>Appeals</th>
<th>Appeals provided for</th>
<th>Everybody</th>
<th>Neighbours</th>
<th>Citizen’s groups</th>
<th>Environm. organ.</th>
<th>NGOs</th>
<th>Statut. bodies</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>no</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Companies, citizens, mass-media at road construction projects</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td>Different regulations in each country of the UK</td>
</tr>
</tbody>
</table>
6 COMPARISON OF EIA PROCEDURES

6.1 General remarks

Out of the 4 project types used in the section to compare screening procedures two types of projects, namely landfills and shopping centers, were chosen for the purposes of comparing the EIA procedures in the countries surveyed. This section provides an overview of the relevant answers of the participating countries (see also chapter 12.4 Appendix 4 – Evaluation of detailed information on EIA procedures).

6.2 Scoping

Scoping is the process of determining the content and extent of the matters which should be covered in the environmental information to be submitted to a competent authority for projects which are subject to EIA. Scoping is not mandatory under the directive but Member States which do not have scoping in their EIA procedure are required to introduce, as a minimum, a voluntary scoping stage (according to Art. 5 para.2 of the EIA Directive). The minimum requirement is that competent authorities must provide a scoping opinion if requested by a developer. The scoping opinion should identify the content and extent of the information to be elaborated and supplied by the developer to the competent authority.

Table 14 presents the information received.

<table>
<thead>
<tr>
<th>Scoping</th>
<th>Landfill</th>
<th>Shopping Center</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mandatory</td>
<td>Voluntary</td>
</tr>
<tr>
<td>Austria</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Croatia</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Cyprus</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Denmark</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>France</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Germany</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Hungary</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Ireland</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Italy</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Lithuania</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

⁶ The EIA authority may support the project developers upon their request by providing information that is available to the authority and that is needed by the project developer for preparing the documents for the EIA development consent procedure. The topics and issues that are likely to be significant in the EIA development consent procedure may be communicated within the framework of these investor services for project preparation.
Table 14: Scoping procedures

<table>
<thead>
<tr>
<th>Scoping</th>
<th>Mandatory</th>
<th>Voluntary</th>
<th>Mandatory</th>
<th>Voluntary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

In Bulgaria, Czech Republic, France, Hungary, Malta, Poland, Romania, Slovakia and Spain scoping is carried out on mandatory basis for both project types, in Germany for shopping centers only. In all other of the participating countries scoping procedures are voluntary.

6.2.1 Guidance

An official guidance for scoping is available on different levels in some of the participating countries (see table below). For the link list see chapter 12.5, Appendix 5 - Guidance.

<table>
<thead>
<tr>
<th>Availability Level</th>
<th>Availability of official guidance for scoping for project types</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Landfill</td>
</tr>
<tr>
<td>National</td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>Austria</td>
</tr>
<tr>
<td>Denmark</td>
<td>Denmark</td>
</tr>
<tr>
<td>Ireland</td>
<td>Ireland</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Lithuania</td>
</tr>
<tr>
<td>Poland</td>
<td>Poland</td>
</tr>
<tr>
<td>Romania</td>
<td>Romania</td>
</tr>
<tr>
<td>Spain</td>
<td>Spain</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>Regional</td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>Austria</td>
</tr>
<tr>
<td>Germany</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>Spain</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>No guidance available</td>
<td>Bulgaria</td>
</tr>
<tr>
<td>Croatia</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>Cyprus</td>
</tr>
<tr>
<td>Availability Level</td>
<td>Availability of official guidance for scoping for project types</td>
</tr>
<tr>
<td>--------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>Landfill</strong></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Czech Republic</td>
</tr>
<tr>
<td>Germany</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>Hungary</td>
</tr>
<tr>
<td>Italy</td>
<td>Italy</td>
</tr>
<tr>
<td>Malta</td>
<td>Malta</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Netherlands</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Slovakia</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Slovenia</td>
</tr>
<tr>
<td>(not answered)</td>
<td>France</td>
</tr>
</tbody>
</table>

Table 15: Availability of official guidance for scoping

### 6.2.2 Participants in the scoping process

The participation of authorities and the public in the scoping process is presented in the following table.

<table>
<thead>
<tr>
<th>Authorities</th>
<th>Specification</th>
<th>Public</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓ co-operating authorities e.g. authorities responsible for granting the development consent if the project would not require an EIA</td>
<td>✓ Within the voluntary scoping procedure, the EIA authority may also, where appropriate, consult third parties such as the public or the ombudsman for the environment etc. The EIA authority may also choose the form of such a consultation.</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓ competent bodies for taking decision on EIA or officials authorised by them with other specialised departments</td>
<td>✓ affected public</td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td>✓ bodies and/or persons designed by special regulations and the LRSGU</td>
<td>✓ public and public concerned</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓ Environmental authority</td>
<td>✓ right to participate is given to anyone</td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓ The competent authority engages in discussions with the developer and relevant agencies.</td>
<td>✓ The public is consulted as early as possible in order to determine the scope of an EIA</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓ Ministry of Environment</td>
<td>✓ For LANDFILL: Registered organisations working in the field of nature protection and citizens’ groups; AND others experts, if necessary</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>✓ For LANDFILL: Other authorities and statutory bodies affected by the project, for SHOPPING CENTERS also Environmental organisations Citizens’ Groups</td>
<td>✓ For LANDFILL: Registered organisations working in the field of nature protection and citizens’ groups; AND others experts, if necessary</td>
<td></td>
</tr>
<tr>
<td>Authorities</td>
<td>Specification</td>
<td>Public</td>
<td>Specification</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------</td>
<td>--------</td>
<td>---------------</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td>✓</td>
<td>the public concerned</td>
</tr>
<tr>
<td>Ireland</td>
<td>✓ The applicant asks the planning authorities what to include in the EIS and the planning authorities must consult the relevant prescribed bodies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓ Regional and local authorities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓ MEPA and other authorities according to the decision of Director of Environmental Protection; Local Councils, Government entities, eNGOs</td>
<td>✓ General public; notices in media; public invited to express opinions</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓ All relevant authorities are invited to submit a formal advice</td>
<td>✓ the authorities choose the form of participation, for example participation by a small group or for all the stakeholders (public, NGO's, private parties etc.) or none; for LANDFILL: if Natura2000 is involved in the permitting, a participation option/form is obligatory, otherwise voluntary</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓ Regional Director for Environmental Protection, The authority of the State Sanitary Inspectorate</td>
<td>✓ Parties to the procedure (including NGOs if granted rights of a Party)</td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓ Municipalities, public health authority, water national administration; County Environmental Agency, Environmental Guard County Authority, Fire Brigade (Emergency Situations Inspectorate), Water Protection Authority, Mayors office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓ If public submits important comments to preliminary environmental study, the competent authority invites members of the public to the consultation on the scoping proposal</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td>✓ Environmental organizations and interested public</td>
<td></td>
</tr>
</tbody>
</table>
In all surveyed countries (various) authorities take part in the scoping phase (if there is any). In all participating countries except Cyprus, France, Ireland, Italy, Lithuania, Romania and Slovenia also the (affected) public participates in the scoping phase. Participation of the public in mandatory scoping exists in Bulgaria, Czech Republic, Hungary, Malta, Poland, Slovakia and Spain.

6.3 Development consent procedure

The sub-chapters 6.3.1, 6.3.2 and 6.3.4 try to get a grasp on approaches for quality control of the EIA documentation.

Ways of ensuring proper quality control of EIA documentation are for instance a thorough and efficient scoping phase, the use of independent external review or expert assistance, use of guidelines on specific issues to be taken into account for certain types of projects or, keep the data used up to date..

6.3.1 EIA documentation

The information for the Environmental Impact Assessment in accordance with Art. 5 Para. 1 and Annex IV of the EIA Directive (“environmental report”, “environmental impact study”, “environmental impact statement”, “EIA documentation”) is compiled as follows:

<table>
<thead>
<tr>
<th>Authorities</th>
<th>Specification</th>
<th>Public</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>✓ Within the Regulations where a developer seeks a voluntary scoping opinion the consenting authority is then required to consult with statutory environmental bodies</td>
<td>✓ There is nothing to restrict the public being engaged in scoping the EIA by the developer. However, this is a voluntary undertaking. In the majority (&gt;50%) of UK practice some level of wider ‘public' engagement, beyond statutory organisations occurs as part of standard EIA practice.</td>
<td></td>
</tr>
</tbody>
</table>

Table 16: Participation of authorities and the public in the scoping process.

<table>
<thead>
<tr>
<th></th>
<th>Free choice of developer</th>
<th>Accredited consultant</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td></td>
<td>✓ A team of experts with a team leader - may be Bulgarian and foreign natural persons, having educational and qualification Master degree</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>Free choice of developer</td>
<td>Accredited consultant</td>
<td>Other</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------</td>
<td>-----------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td></td>
<td>The competent authority</td>
</tr>
<tr>
<td>France</td>
<td>✓</td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 17: Compilation of the EIA documentation

4 countries (Croatia, Cyprus, Malta and Romania) require that the information for EIA is compiled by an accredited consultant.

### 6.3.2 Manuals or guidance on Environmental Impact Assessment

Manuals or guidance on EIA are available for both project types (landfill and shopping center) to support the developer in the following participating countries:

- Austria;
- Czech Republic;
- Cyprus
- Denmark;
- Germany;
- Ireland;
- Italy;
- Lithuania;
- Poland;
- Romania;
- Slovenia;
- Spain;
- United Kingdom.
6.3.3 Alternatives

The EIA Directive states that the EIA documentation shall include an outline of the main alternatives studied by the developer and an indication of the main reasons for his choice.

In response to the question whether countries have imposed to consider the do-nothing alternative Austria, Bulgaria, Denmark, Italy, Malta, Slovakia, Poland, Lithuania, Spain, Romania, Netherlands, United Kingdom answered in the affirmative.

United Kingdom observed accurately that whilst an assessment of a do-nothing alternative is not explicitly required by the regulations it is implicit in order to meet the wider requirements of assessing the significance of the project’s effects (i.e. description of baseline environment).

Apart from this most of the countries seem to have transposed the above cited requirement of the Directive ("main alternatives studied by the developer") without further specification.

Slovakia reports that at least two variants have to be considered by the developer. Denmark indicates that the competent authority may impose certain alternatives to be considered by the developer, but the nature of the alternatives will depend on the information and preliminary studies provided by the developer. In the Netherlands in all cases more environmentally friendly alternatives have to be researched, if relevant.

6.3.4 Content of EIA documentation /Submitted Information

According to Annex IV of the Directive the description of the aspects of the environment likely to be significantly affected by the proposed project have to include population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.

The questionnaire asked which of the following areas of expertise were considered relevant for the two project types:

Traffic, noise, air quality, vibrations, climate, shading, waste management, regional development planning, nature protection, water management, geotechnical engineering, hydrogeology, landscape engineering, cultural heritage, human health

Summing up, it can be said that most countries deem all of the topics potentially relevant\(^7\), depending on the site of the project.

\(^7\) Naming of factors was adjusted according to common areas of expertise

\(^8\) With the exception of the topic „shading”
The following topics receive greater focus during the EIA process (see tables below).

<table>
<thead>
<tr>
<th>Landfill projects: Topic</th>
<th>Percentage of indication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air quality</td>
<td>92 %</td>
</tr>
<tr>
<td>Nature protection</td>
<td>75 %</td>
</tr>
<tr>
<td>Hydrogeology</td>
<td>58 %</td>
</tr>
<tr>
<td>Waste management</td>
<td>50 %</td>
</tr>
<tr>
<td>Water management</td>
<td>50 %</td>
</tr>
<tr>
<td>Landscape engineering</td>
<td>50 %</td>
</tr>
<tr>
<td>Human health</td>
<td>50 %</td>
</tr>
<tr>
<td>Traffic</td>
<td>42 %</td>
</tr>
<tr>
<td>Geotechnical engineering</td>
<td>33 %</td>
</tr>
<tr>
<td>Noise</td>
<td>25 %</td>
</tr>
<tr>
<td>Cultural heritage</td>
<td>17 %</td>
</tr>
<tr>
<td>Vibrations</td>
<td>8 %</td>
</tr>
<tr>
<td>Climate</td>
<td>8 %</td>
</tr>
<tr>
<td>Shading</td>
<td>0 %</td>
</tr>
<tr>
<td>Regional development planning</td>
<td>0 %</td>
</tr>
</tbody>
</table>

Table 18: Topics that receive greater focus during the EIA process of landfill projects (in percent of indication by countries)

<table>
<thead>
<tr>
<th>Shopping center projects: Topic</th>
<th>Percentage of indication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic</td>
<td>92 %</td>
</tr>
<tr>
<td>Air quality</td>
<td>58 %</td>
</tr>
<tr>
<td>Noise</td>
<td>50 %</td>
</tr>
<tr>
<td>Water management</td>
<td>50 %</td>
</tr>
<tr>
<td>Landscape engineering</td>
<td>42 %</td>
</tr>
<tr>
<td>Nature protection</td>
<td>33 %</td>
</tr>
<tr>
<td>Geotechnical engineering</td>
<td>33 %</td>
</tr>
<tr>
<td>Vibrations</td>
<td>25 %</td>
</tr>
<tr>
<td>Human health</td>
<td>25 %</td>
</tr>
<tr>
<td>Waste management</td>
<td>17 %</td>
</tr>
<tr>
<td>Cultural heritage</td>
<td>17 %</td>
</tr>
<tr>
<td>Climate</td>
<td>8 %</td>
</tr>
<tr>
<td>Hydrogeology</td>
<td>12 %</td>
</tr>
<tr>
<td>Shading</td>
<td>0 %</td>
</tr>
<tr>
<td>Regional development planning</td>
<td>0 %</td>
</tr>
</tbody>
</table>

Table 19: Topics that receive greater focus during the EIA process of shopping center projects (in percent of indication by countries)

The issue of the provision of information on the environmental impact of the construction phase and information on the environmental impact of accidents/incidents is dealt with as follows:

All countries responded that the EIA documentation has to contain information on the environmental impact of the construction phase of the project, with regard to information on the impacts of accidents/incidents about 75 % of the surveyed countries demand such explanations (exceptions are Germany, Ireland, Slovakia, Slovenia and United Kingdom).
To get a rough idea how labour-intensive the EIA is, the participants were asked to indicate the level of detail that is required in the EIA documentation. Respondents could choose between:

- general level (rough estimations);
- medium level (modelling for a few selected topics, estimations for the rest);
- detailed level (deep level of detail in all topics).

A corresponding question focused on the average volume of the EIA documentation.

<table>
<thead>
<tr>
<th></th>
<th>Landfill</th>
<th></th>
<th>Shopping Center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General level</td>
<td>Medium level</td>
<td>Detailed level</td>
<td>General level</td>
</tr>
<tr>
<td>Austria</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Croatia</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Cyprus</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Denmark</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>France</td>
<td></td>
<td></td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Germany</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Hungary</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Ireland</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Italy</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Lithuania</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Malta</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Netherlands</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Poland</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Romania</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Slovenia</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Spain</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

Table 20: Level of detail and volume required in the EIA documentation

In about 2/3 of the surveyed countries the submitted information has a detailed level, the others medium level.

6.3.5 Authorities and decision on development consent

The responsible authorities for carrying out an EIA in the participating countries differ across the countries, sometimes depending on the size and the location of the project:
<table>
<thead>
<tr>
<th>Project type</th>
<th>Landfill</th>
<th>Shopping center</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td>Regional government</td>
<td>✓</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td>Regional inspectorates for Environment and Waters</td>
<td>✓</td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>France</td>
<td>✓</td>
<td>Ministry of Environment</td>
<td>✓</td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td>Environmental inspectorate</td>
<td>✓</td>
</tr>
<tr>
<td>Ireland</td>
<td>✓ ✓</td>
<td>The local planning authorities or ABP (the Irish Planning Board) along with the Environmental Protection Agency</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td>Ministry</td>
<td>✓</td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓ ✓</td>
<td>Ministry of Environment Environmental Agency or regional Environmental Agency</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td>Malta Environment and Planning Authority</td>
<td>✓</td>
</tr>
<tr>
<td>Project type</td>
<td>Landfill</td>
<td>Shopping center</td>
<td>Specification</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>-----------------</td>
<td>---------------</td>
</tr>
<tr>
<td><strong>Netherlands</strong></td>
<td>✓ ✓ ✓</td>
<td></td>
<td>Landfills in the area of large rivers or coastal waters: Ministry</td>
</tr>
<tr>
<td><strong>Poland</strong></td>
<td>✓ ✓</td>
<td>Regional Director for Environmental Protection or municipal authority</td>
<td>✓ ✓ Regional Director for Environmental Protection or municipal authority</td>
</tr>
<tr>
<td><strong>Romania</strong></td>
<td>✓ ✓</td>
<td>Project covers 2 or more regions: Regional Environmental Agency</td>
<td>✓ EPA</td>
</tr>
<tr>
<td><strong>Slovakia</strong></td>
<td>✓ ✓</td>
<td>Slovak Environmental Inspectorate (part of ministry) or designated powers to the Regional Environmental Office and the District Environmental Office</td>
<td>✓ ✓ Slovak Environmental Inspectorate (part of ministry) or designated powers to the Regional Environmental Office and the District Environmental Office</td>
</tr>
<tr>
<td><strong>Slovenia</strong></td>
<td>✓</td>
<td>Ministry</td>
<td></td>
</tr>
<tr>
<td><strong>Spain</strong></td>
<td>✓</td>
<td></td>
<td>Shop. center: dep. on spatial consumption, regional: &gt; 2500 m², local: 1000 m² or 50 kW</td>
</tr>
<tr>
<td><strong>United Kingdom</strong></td>
<td>✓ ✓</td>
<td>Local planning authority</td>
<td>✓ Local planning authority</td>
</tr>
</tbody>
</table>

Table 21: Responsible authorities for carrying out the EIA
Review of Adequacy of the Environmental Information

The paragraphs below present how the countries ensure sufficient quality of the EIA documentation submitted by the developer:

**Austria**
The authority shall commission internal or external experts of the subjects in question to prepare an environmental impact expertise or summary assessment of the environmental impacts. These experts have to assess inter alia the completeness, correctness and the meaningfulness of the applicant’s data in accordance with the state of the art and other relevant scientific knowledge and, if necessary, complement the environmental impact statement. Moreover, the environmental impact expertise shall make proposals for mitigation and prevention measures.

**Bulgaria**
The competent authority shall assess the quality of the EIA report in 14 days following its deposition, on the basis of the following criteria:

1. completeness and accuracy of the information by sections of the report, in compliance with the Terms of reference approved by the competent authority;
2. consideration of the results of the consultations held;
3. equalized description, analysis and comparison of the alternatives;
4. significance of impacts; significance of unavoidable/permanent impacts on the environment;
5. proposed measures for prevention or reduction of substantial harmful impacts, intended to ensure compliance with the environmental normative acts, and plan elaborated for their implementation;
6. availability of graphic materials – maps, schemes, sketches, diagrams, etc.;
7. the non-technical summary should not contain technical terms.

**Croatia**
In the course of (public) sessions of the advisory expert committee the method of operation of the committee and the criteria for evaluating the environmental impact study may be elaborated in detail. The decision on evaluation is made on appointment of the committee.

**Cyprus**
Within the committee for EIA formed by various authorities (MANRE, Planning and Housing Dept., Ministry of Labour and Social Security, Ministry of Commerce, Ministry of Works, Federation of Environmental and Ecological Organisations, ETSC).

**Czech Republic**
The information is first reviewed by the "Reviewer" (who provides an opinion on the Environmental Impact Statement). This is then reviewed in a public consultation process and the competent authority issues the final statement.

**Denmark**
The competent authority is responsible for the quality of the information.

**Germany**
For landfill projects: Involvement of other departments of LLUR and other authorities affected by the project, involvement of the public and public discussion.
For shopping center projects: Local development plan: The information is checked by the authority, it becomes subject of the weighting procedure and the decision is made by the local council or the municipal council.
Development consent: The information is checked by the authority.

**Ireland**
The information is reviewed by the responsible authority, submissions by prescribed bodies and third parties are taken into account. Additional
information may be sought from the applicant as required. A discretionary public hearing may be held.

**Italy**  
A documental screening phase is expected before the beginning of EIA.

**Lithuania**  
It is assessed during the procedure, but not mentioned in the EIA decision.

**Malta**  
On a case-by-case basis as the information submitted to the Competent Authority is reviewed and detailed comments are sent to the EIA Consultant for any amendments/revisions.

**Netherlands**  
By the authorities itself, sometimes by the NCEA; if the NCEA reviews an EIA, this review is always public available in a written report.

**Poland**  
Both the authority and the RDOS (independently) assess the contents. There is no specific binding guidance and the assessment may be either very formal or in-depth, on a case-by-case basis.

**Romania**  
During the meeting of the Technical Committee, based on guideline and checklist provided in the legislation -MO 863/2002.

In most cases the quality of information provided by the developer are very good. If the quality requirements are not met than the competent authority could claim to revise those pieces of information.

**Slovakia**  
Elaborative expert review (expert appointed by ministry).

**Slovenia**  
An independent environmental expert from the ministries expert ‘database’ (once a year the ministry publishes a public tender and invites candidates for environmental experts to submit their tenders).

**Spain**  
If not detailed enough, correction required.

**United Kingdom**  
Reviewed by planning officer and relevant colleagues. There are no formal (mandatory criteria for this). A number of local authorities contract consultants in to review environmental statements to assess the quality of the information submitted.

In most countries the EIA documentation provided by the developer is reviewed by the competent authority which consults other authorities or bodies if needed. This involves sometimes special appointed committees (Croatia, Cyprus, Romania) or independent experts (Netherlands, Slovenia).

**Decision making - Consideration of the Environmental Information before making Development Consent Decision**

Pursuant to Article 8 of the Directive the results of the consultation and the information gathered in the EIA procedure shall be taken into consideration in the development consent procedure. The questionnaire asked how this is done in practice indicating binding conditions or obligations, recommendations or other measures as possible means of enforcement.
## Development consent comprises

<table>
<thead>
<tr>
<th>Specification</th>
<th>Landfill</th>
<th>Shopping center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td>✓ The EIA Decision is attached to the development consent</td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td>✓ For LANDFILL: Committee issues an opinion on the accept. of the project contains in particular: expl. on the (non)accept. of the project’s most accept. alternative, descr. of the project’s most accept. alternative for the env. with an expl., proposal of env. protection measures with an impl. plan, proposal of env. monitoring programme with an impl. plan. For SHOPPING CENTER: EIA results are taken into account in the location permit for project impl.</td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td>✓ For LANDFILL: The EIA is an integral part of the plan approval procedure. If conditions, obligations and recommendations result from the EIA they are integrated into the plan approval. There they are not separated from other sector specific obligations. For SHOPPING CENTER: Local development plan: environmental report is one issue taken into account in the decision making process and becomes part of the charter. Development consent (§ 145 BauGB) authority checks whether there are results that have to be taken into the permit as conditions or obligations.</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓ ✓</td>
<td>EIA recommendations are binding, and they have to be observed in the project design. The Development consent approves the final project design, which assumes that the EIA recommendations have been fully observed and integrated in it.</td>
</tr>
<tr>
<td>Malta</td>
<td>✓ ✓</td>
<td>The possibility of a negative recommendation if there are unacceptable residual impacts should also be considered.</td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓ ✓ ✓ ✓ ✓</td>
<td>If the EIA states ‘necessary measures’ to conform to regulation or similar.</td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓ ✓</td>
<td>✓ Binding conditions are applied by the development consent; however, they do not include everything recommended by the ES. Research in the East of England in 2005 indicated that up to 50% of EIA recommendations were not conditioned by local planning authorities. The reasons behind this are multiple.</td>
</tr>
</tbody>
</table>

Table 22: Consideration of the results of the EIA in the development consent
Most of the surveyed countries (exceptions: Bulgaria, Croatia, Germany, United Kingdom and Lithuania in case of landfill projects) define binding conditions or obligations in the development consent based on EIA for both project types.

### Documentation of the results of the EIA

The **results of the EIA** are documented in the following way:

<table>
<thead>
<tr>
<th>Landfill</th>
<th>Shopping center</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>France</td>
<td>(not answered)</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Malta</td>
<td>✓ ✓ ✓ ✓</td>
<td>Environmental Statement (Environmental Impact Statement or Environmental Planning Statement)</td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓ ✓ ✓ ✓</td>
<td>Depends for example on the decision(s) involved and phasing in the decision making, usually tailor-made</td>
</tr>
<tr>
<td>Poland</td>
<td>✓ ✓</td>
<td>the EIA ends in a separate administrative decision (decision on environmental conditions of the development) which is binding for all subsequent administrative decisions issued</td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Table 23: Comparison of the documentation of the results of the EIA
The results of the EIA are documented in 2/3 of the surveyed countries in a separate technical report for both project types. The other countries associate the result to the development consent (Austria, Cyprus, Germany, Ireland, Italy and Malta) or conduct the documentation of the results of the EIA in another way.

**Character of the development consent**

The character of the development consent for landfill projects has the following specifications in the participating countries:

<table>
<thead>
<tr>
<th>Character of development consent</th>
<th>Environmental permit</th>
<th>Planning permission</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project type: Landfill</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>Single permit covering all necessary permits (one-stop-shop)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td></td>
<td>✓</td>
<td></td>
<td>Construction permit</td>
</tr>
<tr>
<td>Croatia</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>✓</td>
<td></td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td></td>
<td></td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Multistage procedure, including, apart from the environmental decision, planning/location permit, construction and exploitation permit. The general interpretation is that the development consent is made up of all the permits including the construction permit.</td>
</tr>
<tr>
<td>Romania</td>
<td></td>
<td></td>
<td>✓</td>
<td>Building permit</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Building permit</td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td></td>
<td>✓</td>
<td></td>
<td>Mandatory, binding, independent of the authorization procedure</td>
</tr>
<tr>
<td>United Kingdom</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

Table 24: Character of development consent for landfill projects

The character of the development consent for shopping center projects has the following specifications in the participating countries:
### Table 25: Character of development consent for shopping center projects

<table>
<thead>
<tr>
<th>Project type: Shopping center</th>
<th>Environmental permit</th>
<th>Planning permission</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>Single permit covering all necessary permits (one-stop-shop)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td></td>
<td></td>
<td></td>
<td>Construction permit</td>
</tr>
<tr>
<td>Croatia</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>France</td>
<td></td>
<td></td>
<td></td>
<td>Development consent (building licence)</td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td></td>
<td></td>
<td></td>
<td>Construction permit</td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td></td>
<td>✓</td>
<td></td>
<td>Construction permit</td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Construction permit; multistage procedure, including, apart from the environmental decision, planning/location permit, construction and exploitation permit. The general interpretation is that the development consent is made up of all the permits including the construction permit.</td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td></td>
<td></td>
<td>Building permit</td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>Building permit</td>
</tr>
<tr>
<td>Slovenia</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>Both building permit &amp; environmental permit are needed if EIA undertaken.</td>
</tr>
<tr>
<td>Spain</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Access to review procedures

The development consent can be appealed in every country (for Ireland the decision on landfills can be appealed except in the case of Strategic Infrastructure Development or Local Authority Development). For a comparison of the appeal procedures for the selected project types see the following tables.
<table>
<thead>
<tr>
<th>Appeals against development consent</th>
<th>Appeals provided for</th>
<th>Appeals can be lodged by</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>no</td>
<td>Everybody</td>
<td>Neighbours</td>
</tr>
<tr>
<td>Austria</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>yes</td>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>Croatia</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>yes</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Hungary</td>
<td>yes</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>yes</td>
<td>yes</td>
<td></td>
</tr>
</tbody>
</table>
### Appeals against development consent

**Project type:** Landfill and Shopping Center

<table>
<thead>
<tr>
<th>Appeals provided for</th>
<th>Everybody</th>
<th>Neighbours</th>
<th>Municipalities</th>
<th>Citizen’s groups</th>
<th>Environm. organ.</th>
<th>NGOs</th>
<th>Statut. bodies</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>no</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Lithuania**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shopping center: part of construction law, not environmental and administrative law</td>
</tr>
</tbody>
</table>

**Malta**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Netherlands**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Poland**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Romania**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Slovakia**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Slovenia**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Spain**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**United Kingdom**

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Table 26: Access to review procedures for landfill and shopping center projects
6.4 Public participation

Information to the public on the project and the EIA is provided in the following way (see next 2 tables):
### Project type: Landfill and Shopping Center

#### Informing public about project and EIA

<table>
<thead>
<tr>
<th>Country</th>
<th>Mandatory by developer</th>
<th>Mandatory by EIA-authority</th>
<th>Other</th>
<th>Public advertisement</th>
<th>EIA-authority’s website</th>
<th>During public hearings</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Austria offers an EIA database which is accessible for the public at the Austrian Federal Environment Agency. Some relevant documents of the database are also accessible via Internet, for example the EIA permit (see <a href="http://www.umweltbundesamt.at/umweltsituation/uvpsup/uvpoesterreich1/uvpdatenbank/uvpgenehmigung/">http://www.umweltbundesamt.at/umweltsituation/uvpsup/uvpoesterreich1/uvpdatenbank/uvpgenehmigung/</a>)</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
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<td>✓</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>(not answered)</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>✓ ✓ ✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓ ✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
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<tr>
<td>Italy</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓ ✓ ✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓ ✓ ✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td></td>
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<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

#### Provision of mandatory information

<table>
<thead>
<tr>
<th>Country</th>
<th>Public advertisement</th>
<th>EIA-authority’s website</th>
<th>During public hearings</th>
<th>Other</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Croatia</td>
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<tr>
<td>Cyprus</td>
<td>✓</td>
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<tr>
<td>Czech Republic</td>
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<td>France</td>
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<td>Hungary</td>
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</tr>
<tr>
<td>Ireland</td>
<td>✓ ✓</td>
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<tr>
<td>Lithuania</td>
<td>✓ ✓ ✓</td>
<td>✓</td>
<td>✓</td>
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</tr>
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<td>Malta</td>
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</tr>
<tr>
<td>Netherlands</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Remarks

- Austria offers an EIA database which is accessible for the public at the Austrian Federal Environment Agency. Some relevant documents of the database are also accessible via Internet, for example the EIA permit (see http://www.umweltbundesamt.at/umweltsituation/uvpsup/uvpoesterreich1/uvpdatenbank/uvpgenehmigung/)
- EIA/SEA information system
- Site notice, website in case of EPA (for landfill) and certain local planning authorities. Information is also available at the planning authority or ABP (the Irish Planning Board) offices.
- for shopping centers
- 4 for shopping centers: inspectorate
- 5 for shopping centers
- 6 for landfill
<table>
<thead>
<tr>
<th>Project type: Landfill and Shopping Center</th>
<th>Informing public about project and EIA</th>
<th>Provision of mandatory information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mandatory by developer</td>
<td>Mandatory by EIA-authority</td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 27: Comparison of information of the public and of the manner of provision of mandatory information for landfill and shopping center projects
In most of the participating countries the information of the public has to be carried out by the competent authority, in Cyprus, Italy this is solely the task of the developer. In some countries both authority and developer are responsible for informing the public.

The information is in general provided by public advertisement, on the EIA-authority’s website and also during public hearing.

A more general question addressed the **extent of public participation in the entire EIA process**. The following table shows a summary on this issue given by each country:

<table>
<thead>
<tr>
<th>Country</th>
<th>Landfill</th>
<th>Shopping center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Voluntary: Preliminary procedure with optional consultation of public; optional by developer</td>
<td>Voluntary: Preliminary procedure with optional consultation of public; optional by developer</td>
</tr>
<tr>
<td></td>
<td>Mandatory: public inspection of EIA documentation/submission of written comments, public inspection of the Environmental Impact Expertise, hearing of parties; public inspection of development consent order (single permit)</td>
<td>Mandatory: public inspection of EIA documentation/submission of written comments, hearing of parties; public inspection of single permit</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>Croatia</td>
<td>The public is involved in scoping and EIA review (through the public debate / debates).</td>
<td>The public is involved in scoping and EIA review (through the public debate / debates).</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>The public has the possibility to review the first “notification of conception”. Furthermore a public hearing is to be scheduled to review the environmental impact statement.</td>
<td>The public has the possibility to review the first “notification of conception”. Furthermore a public hearing is to be scheduled to review the environmental impact statement.</td>
</tr>
<tr>
<td>Denmark</td>
<td>The public may participate in the scoping process.</td>
<td>The public may participate in the scoping process.</td>
</tr>
<tr>
<td>France</td>
<td>(not answered)</td>
<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
<td>Interested neighbours, citizens’ groups, NGOs etc. participate in the procedure.</td>
<td>Comments, statements and objections are taken into account during the weighting procedure.</td>
</tr>
<tr>
<td>Hungary</td>
<td>Possibility for review of the documentation.</td>
<td>Possibility to comment on preliminary and final assessment.</td>
</tr>
<tr>
<td>Ireland</td>
<td>PLANNING: (a) Third party right to make submissions at planning permission stage (to the local planning authority) or directly to ABP (the Irish Planning Board) in the case of local authority development or Strategic Infrastructure Development (b) third party right of appeal to ABP (the Irish Planning Board) against decision of local planning authority provided they have made a submission to the planning authority in the first instance. Third parties can also apply for leave to appeal directly to ABP (the Irish Planning Board) in exceptional circumstances.</td>
<td>(a) Third party right to make submissions at planning permission stage (to local planning authority) (b) third party right of appeal ABP (the Irish Planning Board) against decision of local planning authority provided they have made a submission to the planning authority in the first instance. Third parties can also apply for leave to appeal directly to ABP in exceptional circumstances.</td>
</tr>
<tr>
<td></td>
<td>WASTE LICENCE: The public has access to the licence application documentation (including the EIS), in hardcopy format and electronic format on the EPA website. The licensing process allows for written submissions by anyone. Everyone who makes a submission is notified of the EPA’s proposed decision on the application. Subsequently, anyone may make an objection to a proposed decision by the EPA on an application, within 28 days of notification of the proposed decision. Submissions are available for public inspection on the EPA’s website and are considered by the EPA in deciding on the application.</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>Landfill</td>
<td>Shopping center</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Italy</td>
<td>The public can provide comments within 60 days from the beginning of the procedure.</td>
<td>(not answered)</td>
</tr>
<tr>
<td>Lithuania</td>
<td>(not answered)</td>
<td>(not answered)</td>
</tr>
<tr>
<td>Malta</td>
<td>Public participation is carried out during some of the major steps in the EIA process: (1) during scoping and the drafting of the Terms of Reference for the EIA; (2) following finalisation of the Environmental Statement which is issued for public consultation; and (3) during the EIA-related public hearing.</td>
<td>Public participation is carried out during some of the major steps in the EIA process: (1) during scoping and the drafting of the Terms of Reference for the EIA; (2) following finalisation of the Environmental Statement which is issued for public consultation; and (3) during the EIA-related public hearing.</td>
</tr>
<tr>
<td>Netherlands</td>
<td>In the Netherlands there are few EIA's for landfill. The extent seems limited. Depending on the controversy of the project the participation can be wider.</td>
<td>In the Netherlands there are few EIA's for shopping centers. Mostly these centers are combined in EIA's for large urban developments. The extent seems limited. Depending on the procedure for example the controversy of the project the participation can be wider.</td>
</tr>
<tr>
<td>Poland</td>
<td>Every person has the right to take part in EIA procedure and the right to submit comments and suggestions in the course of a procedure; The administration authorities competent to issue decision on the environmental conditions require that the possibility of public participation should be ensured prior to the issue and modification of decision; the administration authority competent to issue such decisions shall provide the public without an undue delay with information concerning: the possibilities of becoming acquainted with the necessary documentation of the case and the place where it is available for review. The administration authority in the justification of the decision, irrespective of the requirements under the Administrative Procedure Code, shall provide information on public participation in the procedure and the manner in which the comments and suggestions submitted in relation to public participation have been considered and the extent to which they have been used. Formal scope of public involvement does not differ according to project type. In practice waste installations tend to generate more public participation/opposition.</td>
<td>Every person has the right to take part in EIA procedure and the right to submit comments and suggestions in the course of a procedure; The administration authorities competent to issue decision on the environmental conditions require that the possibility of public participation should be ensured prior to the issue and modification of decision; the administration authority competent to issue such decisions shall provide the public without an undue delay with information concerning: the possibilities of becoming acquainted with the necessary documentation of the case and the place where it is available for review. The administration authority in the justification of the decision, irrespective of the requirements under the Administrative Procedure Code, shall provide information on public participation in the procedure and the manner in which the comments and suggestions submitted in relation to public participation have been considered and the extent to which they have been used. Mostly relatively little public interest.</td>
</tr>
<tr>
<td>Romania</td>
<td>Throughout all the EIA procedural stages: notification, screening, scoping, and reviewing, including public debate, EIA decision issuance. Anyone interested can read the documentations and can provide written objections to competent authorities.</td>
<td>Throughout all the EIA procedural stages: notification, screening, scoping, and reviewing, including public debate, EIA decision issuance. Anyone interested can read the documentations and can provide written objections to competent authorities.</td>
</tr>
<tr>
<td>Slovakia</td>
<td>If public submits important comments to preliminary environmental study, the competent authority invites members of the public to the consultation at later stages.</td>
<td>If public submits important comments to preliminary environmental study, the competent authority invites members of the public to the consultation at later stages.</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Every person shall have right of access to environmental information. Time line: public has 30 days of the public announcement the right of access and an opportunity of opinions and comments (Article 58).</td>
<td>Time-line: public has 30 days of the public announcement the right of access and an opportunity of opinions and comments (Article 58).</td>
</tr>
<tr>
<td>Spain</td>
<td>Such projects often have high opposition.</td>
<td>Low public interest.</td>
</tr>
</tbody>
</table>
In the majority of cases for such development public engagement would occur during the EIA process, prior to submission to understand the views of NGO’s local groups, etc. This may involve information provision, public scoping, workshops, public exhibitions, neighbourhood meetings / Q&A’s, direct meetings with specific groups. All such activity is voluntary and will vary between different projects, but a degree of this action is standard practice across UK EIA practice.

Formal consultation with the public occurs at submission of application of consent. This consultation is both on application and ES findings. The responses from the public can lead to further assessment being required before the consent is determined. The public are able to attend local authority consent procedures and make representations directly to the elected decision-makers.

<table>
<thead>
<tr>
<th>Country</th>
<th>Landfill</th>
<th>Shopping center</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>In the majority of cases for such development public engagement would occur during the EIA process, prior to submission to understand the views of NGO’s local groups, etc. This may involve information provision, public scoping, workshops, public exhibitions, neighbourhood meetings / Q&amp;A’s, direct meetings with specific groups. All such activity is voluntary and will vary between different projects, but a degree of this action is standard practice across UK EIA practice.</td>
<td>In the majority of cases for such development public engagement would occur during the EIA process, prior to submission to understand the views of NGO’s local groups, etc. This may involve information provision, public scoping, workshops, public exhibitions, neighbourhood meetings / Q&amp;A’s, direct meetings with specific groups. All such activity is voluntary and will vary between different projects, but a degree of this action is standard practice across UK EIA practice.</td>
</tr>
</tbody>
</table>

Table 28: Public participation in the entire EIA process in the participating countries for landfill and shopping center projects
6.5 Monitoring

The EIA Directive lacks - in contrast to the SEA Directive - a specific paragraph on the monitoring of significant environmental effects of a project. Therefore, the questionnaire tried to get more information on concrete monitoring requirements in the development consent which are based on the findings of the EIA process.

In most countries (Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Germany, Hungary, Ireland, Italy, Malta, Poland, Romania, Slovakia, Slovenia, Spain) the EIA entails recommendations on monitoring which are at least in about 2/3 of the countries (Austria, Bulgaria, Croatia, Germany, Ireland, Italy, Malta, Poland, Romania, Slovenia and Spain) subsequently included into the development consent as obligations or conditions. An overview is given in the following tables.
<table>
<thead>
<tr>
<th>Country</th>
<th>Development comprise conditions/obligations/recommendation on monitoring based on EIA</th>
<th>Recommendation of monitoring of environmental impacts by EIA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>no</td>
<td>yes</td>
</tr>
<tr>
<td>Austria</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>✓</td>
<td></td>
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<tr>
<td>Malta</td>
<td>✓</td>
<td></td>
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<tr>
<td>Netherlands</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Slovakia</td>
<td>✓ ✓</td>
<td>Specified by person carrying out the programme</td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
### Project type: Landfill

**Recommendation of monitoring of environmental impacts by EIA**

<table>
<thead>
<tr>
<th>Country</th>
<th>no</th>
<th>yes</th>
<th>Other</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td></td>
<td>✓</td>
<td></td>
<td>Depends on the impacts identified. In general monitoring is limited as it is difficult to require monitoring via the conditions that can be imposed on UK planning permissions. However, monitoring of landfill gas levels and signs of leachate pollution / leakage would be expected for landfill projects. Also specifically recommending dust / litter monitoring (operation) and archaeological watching brief during construction would be expected.</td>
</tr>
</tbody>
</table>

**Note:** In the UK Environmental Management Plans are becoming common practice to carry EIA recommendations from an Environmental Statement through the consent and into construction (and in some cases operation). Where such a document is included in an environmental statement there tends to be better coverage of monitoring.

Table 29: Comparison of monitoring recommendations by EIA for landfill projects

---

### Project type: Shopping center

**Recommendation of monitoring of environmental impacts by EIA**

<table>
<thead>
<tr>
<th>Country</th>
<th>no</th>
<th>yes</th>
<th>Other</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>(not answered)</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 29: Comparison of monitoring recommendations by EIA for shopping centers
### Recommendation of monitoring of environmental impacts by EIA

<table>
<thead>
<tr>
<th>Country</th>
<th>no</th>
<th>yes</th>
<th>Other</th>
<th>specification</th>
<th>Development comprise recommendations on monitoring based on EIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>✓</td>
<td></td>
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<td></td>
<td>✓</td>
</tr>
<tr>
<td>Hungary</td>
<td>✓</td>
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</tr>
<tr>
<td>Ireland</td>
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<td>Italy</td>
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<td>Malta</td>
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<tr>
<td>Netherlands</td>
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<tr>
<td>Poland</td>
<td>✓</td>
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<tr>
<td>Romania</td>
<td>✓</td>
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</tr>
<tr>
<td>Slovakia</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Specified by person carrying out the programme</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td>✓</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Spain</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>Depends on the impacts identified. In general monitoring is limited as it is difficult to require monitoring via the conditions that can be imposed on UK planning permissions. However, monitoring of landfill gas levels and signs of leachate pollution / leakage would be expected for landfill projects. Also specifically recommending dust / litter monitoring (operation) and archaeological watching brief during construction would be expected. Note: In the UK Environmental Management Plans are becoming common practice to carry EIA recommendations from an Environmental Statement through the consent and into construction (and in some cases operation). Where such a document is included in an environmental statement there tends to be better coverage of monitoring. However, a shopping center would not require formal environmental monitoring under wider legislation so in many cases monitoring would not be undertaken.</td>
<td>✓</td>
</tr>
</tbody>
</table>

Table 30: Comparison of monitoring recommendations by EIA for shopping center projects
The development consent usually provides for the following monitoring programs in the participating countries:

<table>
<thead>
<tr>
<th>Monitoring programs in development consent</th>
<th>Traffic</th>
<th>Noise</th>
<th>Air quality</th>
<th>Vibrations</th>
<th>Waste management</th>
<th>Nature protection</th>
<th>Water</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project type: Landfill</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Bulgaria</td>
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<td>✓</td>
<td>✓</td>
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<td>Croatia</td>
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<td>✓</td>
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<tr>
<td>Remarks</td>
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<tr>
<td>Austria</td>
<td>✓</td>
<td>✓</td>
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<td>Cyprus</td>
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<td>(not answered)</td>
</tr>
<tr>
<td>Czech Republic</td>
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<td>(not answered)</td>
</tr>
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<td>Denmark</td>
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<td></td>
<td>(not answered)</td>
</tr>
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<td>France</td>
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<td></td>
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<td>(not answered)</td>
</tr>
<tr>
<td>Germany</td>
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</tr>
<tr>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Italy</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td>Lithuania</td>
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<td></td>
</tr>
<tr>
<td>Malta</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td></td>
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<tr>
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<td></td>
</tr>
</tbody>
</table>
Table 31: Monitoring programs provided for by the development consent for landfill projects

<table>
<thead>
<tr>
<th>Monitoring programs in development consent</th>
<th>Traffic</th>
<th>Noise</th>
<th>Air quality</th>
<th>Vibrations</th>
<th>Waste management</th>
<th>Nature protection</th>
<th>Remarks</th>
</tr>
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<tbody>
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<td>Project type: Landfill</td>
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<td>✔️</td>
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</tr>
<tr>
<td>United Kingdom</td>
<td>✔️</td>
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<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>Depends on the specific project and its predicted environmental effects. However, monitoring can prove difficult to condition due to restrictions placed on rules concerning the phrasing of conditions, which must: Conditions should be clear and specific • Compliance must be possible • Inclusion of a requirement to report on the completion of mitigation works or on monitoring can encourage self-policing by project proponents • Any conditions concerning monitoring should be clear on what is to be monitored, how it is to be achieved, who is responsible for carrying it out and how the results will be used to effect necessary action • Planning authorities should consider how they will monitor and enforce such conditions and also how the results of monitoring and mitigation will be communicated to third parties Further guidance on the tests for planning conditions can be found in DoE circular 11/95 and in the Scottish Government's Circular 4/1998 and addendum, and on planning obligations in ODPM circular 05/2005.</td>
</tr>
</tbody>
</table>

Table 31: Monitoring programs provided for by the development consent for landfill projects

<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>
### Monitoring programs in development consent

**Project type:** Shopping center

<table>
<thead>
<tr>
<th>Remarks</th>
<th>Traffic</th>
<th>Noise</th>
<th>Air quality</th>
<th>Vibrations</th>
<th>Waste management</th>
<th>Nature protection</th>
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<td>United Kingdom</td>
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</tbody>
</table>

- Depending on the case and the items that were most important in the EIA.
- This is carried out on a case-by-case basis, depending on the significant impacts identified in the Environmental Statement.
- a monitoring program seems not applicable in this case in the Netherlands
- Depending on local environmental conditions
- Depending on impacts
- State of environment, monitoring with purpose of reducing risk to environment, monitoring natural phenomena.
- (not answered)

**Table 32:** Monitoring programs provided for by the development consent for shopping center projects
A more general question asked how compliance with the conditions in the development consent is being checked.

In the majority of countries this is done during the final inspections after completion of construction, during an environmental inspection or/and by periodical reporting by the developer (see Table 33 and Table 34).
<table>
<thead>
<tr>
<th>Compliance check</th>
<th>Check of compliance with monitoring conditions</th>
<th>Check of compliance with all other conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project type:</strong> Landfill</td>
<td><strong>Remarks</strong></td>
<td><strong>Remarks</strong></td>
</tr>
<tr>
<td>No checks</td>
<td>During final inspection after completion of construction</td>
<td>During environmental inspections</td>
</tr>
<tr>
<td>Austria</td>
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<tr>
<td>Bulgaria</td>
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<td>✓</td>
</tr>
<tr>
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</tr>
</tbody>
</table>

Remarks: Controls and test runs.
### Table 33: Check of compliance with monitoring conditions and all other conditions for landfill projects

<table>
<thead>
<tr>
<th>Compliance check</th>
<th>Check of compliance with monitoring conditions</th>
<th>Check of compliance with all other conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project type:</strong> Landfill</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>No checks</td>
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<tr>
<td>Malta</td>
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<td>Poland</td>
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<td>Slovakia</td>
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<tr>
<td>Spain</td>
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<td>✓</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.

Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.
<table>
<thead>
<tr>
<th>Compliance check</th>
<th>Check of compliance with monitoring conditions</th>
<th>Check of compliance with all other conditions</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td></td>
<td>No checks</td>
<td>During final inspection after completion of construction</td>
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<tr>
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<td></td>
</tr>
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<td>Austria</td>
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<tr>
<td>Cyprus</td>
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<tr>
<td>France</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compliance check</td>
<td>Check of compliance with monitoring conditions</td>
<td>Check of compliance with all other conditions</td>
</tr>
<tr>
<td>------------------</td>
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<td>---------------------------------------------</td>
</tr>
<tr>
<td>Project type: Shopping center</td>
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<tr>
<td></td>
<td>No checks</td>
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</tr>
<tr>
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<tr>
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<tr>
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</tbody>
</table>

Table 34: Check of compliance with monitoring conditions and all other conditions for shopping center projects
Non-compliance

The consequences of non-compliance with EIA related conditions / obligations of the development consent involve the whole range of adequate measures such as imposition of fines, concrete enforcement actions and sanctions, withdrawal/suspension of the permit.

Public access to monitoring results

With regard to the information of the public about the results of the monitoring, 2/3 of the surveyed countries (Bulgaria, Cyprus, Denmark, Germany, Hungary, Lithuania, Malta, Netherlands, Slovakia, Slovenia and United Kingdom) do not undertake such an activity whereas the other countries referred to passive public access to monitoring data.

<table>
<thead>
<tr>
<th>Specification</th>
<th>Public informed</th>
<th>Public not informed</th>
</tr>
</thead>
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<tr>
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</tr>
<tr>
<td>Bulgaria</td>
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<tr>
<td>Cyprus</td>
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<tr>
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<td>France</td>
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<td>Poland</td>
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</tr>
<tr>
<td>Romania</td>
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<td>The public access to the result of monitoring is guaranteed. Every person interested can receive those results on request. Also monthly reports regarding environmental conditions published by competent authority consist of those information among others.</td>
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<tr>
<td>Slovakia</td>
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</table>

Table 35: Comparison of public information on monitoring
7 Conclusions

The Environmental Impact Assessment (EIA) Directive was adopted in 1985 and was amended in 1997, 2003 and 2009 and codified in 2011. The EIA Directive allows for EIA to be integrated into existing procedures or on the other hand to implement a separate EIA procedure.

Approximately 50% of the 20 participating countries integrated the EIA procedure in existing procedures, 50% have implemented separate procedures. The minority of the surveyed countries undertakes EIA within a single permit procedure (“one-stop-shop”).

Screening Procedures

Within this IMPEL project four different types of projects were chosen for a comparison of the EIA screening procedures in Member States of the European Union and Croatia: Thermal power plants, landfills, shopping centers and road construction projects.

Main findings:

• Guidelines for screening exist in several countries.

• As already stated in the EC report 2009 the screening procedure pursuant to Article 4 (2) of the EIA Directive allows for a couple of approaches. Some countries require a screening procedure for all projects of a certain type while others have introduced threshold for screening and/or obligatory EIA.

• Thresholds for obligatory EIA for Annex II projects exist:
  - with regard to thermal power stations: in 9 countries (below the Annex I threshold of 300 MW)
  - with regard to landfills for non-hazardous waste: in 3 countries
  - with regard to shopping centres: in 9 countries
  - with regard to roads: in 7 countries

• As to the parameters used in thresholds it can be concluded that the majority of countries uses
  - for power stations: capacity in MW
  - for landfills for non-hazardous waste: total volume (m³) or volume/day, tons/day or total capacity in tons
  - for shopping centres: area in ha or m² (area of development, gross floor space)
  - for roads: length of road (in km)

• A case-by-case examination has to be carried out for
  - all power stations: in 5 countries
  - all landfills for non-hazardous waste: in 8 countries
  - all shopping centres: in 4 countries
  - all roads: in 4 countries

  Additionally, some countries have determined site-related criteria (e.g. location in sensitive area, distance to sensitive area or receptor).

• Countries are well aware of the issues of cumulation with other projects and salami-slicing. With regard to possible cumulation of projects most countries just referred to the screening criteria laid down in their national EIA law which mirror the Annex III criteria of the Directive.

Examples for effective addressing of cumulation of several projects and their effects are: 
- The description of the project includes the relation of the project to other existing/planned projects (Bulgaria, Lithuania).
- The submitted information describes the accumulation of the project’s impacts with the impacts of other existing or planned/known projects.
- Adjacent projects (projects with the same or similar activities) meet or exceed together with the current project the defined thresholds (Hungary).
- If a project is spatially related to other projects of the same type and, together with them, reach the relevant threshold value, the authority shall examine on a case-by-case basis whether due to a cumulation of effects an EIA is required (Austria).
- The obligation to perform an environmental impact assessment shall also exist if several projects of the same type which are to be executed simultaneously by the same developer or more than one developer and which are closely related (cumulative effects) together reach or exceed the relevant thresholds. (Germany).
- Cumulative effects are taken into account by assuming a “compulsory” application of the cumulating projects (Denmark).

Half of the countries mentioned no specific provisions against salami slicing; some responded that the screening criteria also apply to the screening of modifications and extensions implying that a possible splitting of projects will be identified during the screening exercise in due course. Strategies to prevent salami slicing include e.g.:

- Wide definition of the term “project” (inclusion of associated/ancillary works, different developers etc.)
- In order to avoid circumventions of EIA by cutting modifications in several pieces, the sum total of the capacity-expanding modifications approved in the past five years has to be added to the capacity increase applied for (Austria).
- Projects are considered together if
  1. they are situated on the same operating or construction site and are connected with common operating or constructional facilities or
  2. as other measures encroaching on nature and landscape there is a close spatial connection between them
  3. and if they serve a comparable purpose (Germany).
- If alteration or extension of a project not previously subject to EIA requirements results in the relevant size or capacity figure being reached or exceeded for the first time, an EIA shall be carried out for the alteration or extension and shall take account of the environmental impacts of the existing project not previously subject to EIA requirements (Germany).
- Projects which are connected technologically shall be qualified as one project, also if they are implemented by different entities (Poland).

- In most countries information on all of the areas of expertise mentioned in Annex IV, if relevant, is submitted for screening procedures; the main issues being (independently of the project type) air quality, nature protection and water management. The level of detail of the submitted screening documents is general to medium, whereupon the volume of these documents rarely exceeds 50 pages.
- The authorities (national/federal, regional, local, statutory body) responsible for the screening procedure vary across the countries and sometimes differ according to the size of the project;
- The character of the screening decision is a legal document in the majority of the countries.
- In almost all countries the screening decision can be appealed (exception: Czech Republic).

**EIA procedures**

The IMPEL project had a closer look on the EIA procedures for landfills and shopping centers for the purposes of comparison. The conclusions are as follows:
In approximately 50% of the countries scoping for the environmental report is carried out on a mandatory basis.

Guidelines for scoping and the EIA process exist in several countries.

Apart from competent authorities a large number of countries involves the public and/or other relevant organisations in the EIA process; participation of the public in mandatory scoping exists in 7 countries.

In most of the countries the developer can freely choose who compiles the information required to be submitted to the competent authority for the EIA.

In response to the question whether countries have imposed to consider the do-nothing alternative 12 countries answered affirmative. Apart from this most of the countries seem to have transposed the requirement of the Directive ("main alternatives studied by the developer") without further specification.

Regarding the content of the EIA documentation submitted by the developer, it can be said that most countries deem all of the topics referred to in Annex IV as potentially relevant, depending on the site of the project.

Competent authorities give greater focus to air quality and water management for both project types, as well as traffic and noise for shopping centers and on waste management, nature protection, hydrogeology, landscape and human health for landfills.

In almost all countries investigations on the environmental impacts of the construction phase have to be carried out, in approximately 75% of the countries the environmental impacts of accidents/incidents have to be investigated.

In about 2/3 of the surveyed countries the submitted information has a detailed level; the range of the average size spans from "5 to 200 pages" to "over 1000 pages".

The authorities responsible for EIA procedures can be either on national/federal, regional or local level as well as statutory bodies; a slight majority for the regional level can be observed.

Basically, the evaluation process of the submitted documents is performed by the competent authority which consults other authorities or bodies if needed. This involves sometimes special appointed committees (Croatia, Cyprus, Romania) or independent experts (Netherlands, Slovenia).

The result of the EIA is mostly documented in a technical report and leads to binding conditions in the development consent in the majority of the countries.

In the majority of the countries development consent for landfills consists in an environmental permit, in the case of shopping centers it often is a planning permission only.

The development consent can be appealed in all countries by almost everybody.

Public participation is a cornerstone in the EIA process; information to the public in most of the cases is provided by the competent authority (by public advertisements, on the EIA-authority’s website and also during public hearing), in a few countries it is solely the task of the developer.

In most countries the EIA entails recommendations on monitoring which are at least in about 2/3 of the countries subsequently included into the development consent as obligations or conditions.

Compliance of monitoring results with development consent conditions is checked in most cases during final inspection, environmental inspections or/and by periodical reporting by the developer.

The consequences of non-compliance with EIA related conditions / obligations of the development consent involve the whole range of adequate measures such as imposition of fines, concrete enforcement actions and sanctions, withdrawal/suspension of the permit.
• With regard to the information of the public about the results of the monitoring 2/3 of the surveyed countries (Bulgaria, Cyprus, Denmark, Germany, Hungary, Lithuania, Malta, Netherlands, Slovakia, Slovenia and United Kingdom) do not undertake such an activity whereas the other countries referred to passive public access to monitoring data.
8 Recommendations

As the project framework did not provide for a workshop in 2012 it was not possible to discuss the answers with those who completed the questionnaires. This could lead to the possibility that the questions were not understood by each participant in the same way, which in some cases affected the clarity of the answers provided and the ability to fully compare the approaches used across all countries.

Issues which would merit further discussion:

- approaches how to deal with cumulation and salami slicing
- comparison of the level of detail of the information submitted during screening phase and during the EIA procedure (both for the information which has to be provided according to EIA Directive and the information about topics with greater focus) and methods of dealing with the huge amount of information which is provided during an EIA procedure
- experience concerning the scoping phase as about half of the participating countries have a mandatory scoping phase (including the experience with the public during scoping phase)
- closer look on quality issues with regard to the authors of the EIA documentation (free choice developer or accredited consultants)
- level of detail of the studied alternatives, the construction phase and the description of impacts of accidents
- merits of conditions or recommendations in the development consent decision which are based on the results of the EIA planning
- Closer look on public participation
## 9 Register of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABP</td>
<td>An Bord Pleanala (The Irish Planning Board of Ireland)</td>
</tr>
<tr>
<td>CA</td>
<td>Competent Authority</td>
</tr>
<tr>
<td>EBRD</td>
<td>European Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>EC</td>
<td>European Commission</td>
</tr>
<tr>
<td>EEA</td>
<td>European Economic Area</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
</tr>
<tr>
<td>EIB</td>
<td>European Investment Bank</td>
</tr>
<tr>
<td>EIS</td>
<td>Environmental Impact Study</td>
</tr>
<tr>
<td>EPA</td>
<td>Environmental Protection Agency</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>IED</td>
<td>Directive (2010/75/EU) on Industrial Emissions</td>
</tr>
<tr>
<td>IEMA</td>
<td>Institute for Environmental Management and Assessment (UK)</td>
</tr>
<tr>
<td>IMPEL</td>
<td>European Union Network for the Implementation and Enforcement of Environmental Law</td>
</tr>
<tr>
<td>INECE</td>
<td>International Network for Environmental Compliance and Enforcement</td>
</tr>
<tr>
<td>JASPERS</td>
<td>Joint Assistance to Support Projects in the European Regions</td>
</tr>
<tr>
<td>LLUR</td>
<td>Landesamt für Landwirtschaft, Umwelt und ländliche Räume (Schleswig-Holstein, Germany)</td>
</tr>
<tr>
<td>MANRE</td>
<td>Ministry of Agriculture, Natural Resources and Environment (Cyprus)</td>
</tr>
<tr>
<td>NCEA</td>
<td>Netherlands Commission for Environmental Assessment</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
</tr>
<tr>
<td>NPF</td>
<td>National Park Fund (Denmark)</td>
</tr>
<tr>
<td>RDOS</td>
<td>not specified (Poland)</td>
</tr>
<tr>
<td>SEA</td>
<td>Strategic Environmental Assessment</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>
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# 12 APPENDICES

## 12.1 Appendix 1: Questionnaire

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<thead>
<tr>
<th>IMPEL-Project</th>
<th>The Implementation of Environmental Impact Assessment on the Basis of Precise Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>QUESTIONNAIRE</strong></td>
<td></td>
</tr>
</tbody>
</table>

Dear colleague,

We kindly ask you to complete this questionnaire on the implementation of Environmental Impact Assessment (EIA) in your country.

You are asked to provide information on the various legal and practical issues associated with your EIA process.

The questionnaire comprises **three main sections**:

1. Information on the participant
2. General information on EIA screening procedures for the following 4 project types:
   - Thermal power station;
   - Landfill;
   - Shopping center;
   - Road construction.
3. Detailed information on EIA procedures for 2 of the above project types, namely:
   - Landfill;
   - Shopping center.

Please note that the **questions** within sections 2 and 3 are **identical for each project type**.

The **main aim** of the evaluation of the questionnaires is to outline the differences between EIA legislation and practice in EU Member States with regard to:

- Screening;
- Scoping;
- Quality control;
- Consideration of specific environmental issues in EIA processes;
- Consideration of EIA results during and after project implementation;
- Monitoring.
The project core team - represented by members from Germany, Italy, Ireland and Austria - has developed this questionnaire to collect basic information on the above issues from the participants. We kindly ask you to fill in the questionnaire and return it before March 23rd, 2012 to the following address:

Land Salzburg, Umweltschutz
Attn. Dipl.-Ing. Dr. Markus GRAGGABER
P.O. Box 527
A-5010 Salzburg
Austria

or by E-mail to: markus.graggaber@salzburg.gv.at

The completed questionnaires will be evaluated. We will discuss the results within the core team. The final project report will be published subsequently.

BACKGROUND

The Environmental Impact Assessment (EIA) Directive was adopted in 1985 and was substantively amended in 1997 and codified in 2011 (see http://eur-lex.europa.eu/OJHtml.do?uri=OJ:L:2012:026:SOM:EN:HTML). The EIA procedure ensures that the environmental consequences of projects are identified and assessed before a development consent is given. The public can give its opinion and the results of the consultations are taken into consideration in the development consent procedure of the project. The public has to be informed of the decision afterwards.

The EIA Directive outlines the project categories which should be made subject to an EIA, the procedure that shall be followed and the content of the assessment.

A number of “problematic areas” in the application of the EIA Directive were highlighted in the “Report from the Commission on the application and effectiveness of the EIA Directive (both: European Commission, 2009)”. These included:

• Screening - inter alia, the use of thresholds;
• Quality control of the information for the Environmental Impact Assessment according to Art. 5 Par. 1 and Annex IV of the EIA Directive;
• Monitoring.

Therefore, this IMPEL project looks to explore some of these areas further across all Member States, with particular emphasis on screening, scoping, cumulation of projects, “salami slicing”, quality control, EIA thresholds and the consideration of EIA results.

In 2010 the European Commission has launched a review process of the EIA Directive which is still ongoing. A Commission proposal for a policy option (i.e. technical adaptation, amendment, new Directive or Regulation etc.) is foreseen for 2012. This IMPEL project can assist the legislative process by providing concrete practical findings and recommendations for improvements.
### 1. INFORMATION ON THE PARTICIPANT

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.1.</strong></td>
<td>Family name</td>
</tr>
<tr>
<td><strong>1.2.</strong></td>
<td>First name(s)</td>
</tr>
<tr>
<td><strong>1.3.</strong></td>
<td>Organisation</td>
</tr>
<tr>
<td><strong>1.4.</strong></td>
<td>Address</td>
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<tr>
<td></td>
<td>Street:</td>
</tr>
<tr>
<td></td>
<td>Number:</td>
</tr>
<tr>
<td></td>
<td>Zip-Code:</td>
</tr>
<tr>
<td></td>
<td>Town/Municipality:</td>
</tr>
<tr>
<td></td>
<td>Country:</td>
</tr>
<tr>
<td><strong>1.5.</strong></td>
<td>Telephone number</td>
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<td></td>
<td>Country code:</td>
</tr>
<tr>
<td></td>
<td>Area code:</td>
</tr>
<tr>
<td></td>
<td>Number:</td>
</tr>
<tr>
<td><strong>1.6.</strong></td>
<td>Telefax number</td>
</tr>
<tr>
<td></td>
<td>Country code:</td>
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<tr>
<td></td>
<td>Area code:</td>
</tr>
<tr>
<td></td>
<td>Number:</td>
</tr>
<tr>
<td><strong>1.7.</strong></td>
<td>E-mail-address</td>
</tr>
<tr>
<td><strong>1.8.</strong></td>
<td>Status of organisation (please mark where applicable)</td>
</tr>
<tr>
<td></td>
<td>Federal authority</td>
</tr>
<tr>
<td></td>
<td>Regional authority</td>
</tr>
<tr>
<td></td>
<td>Local authority</td>
</tr>
<tr>
<td></td>
<td>Statutory body (e.g. Environmental Protection Agency)</td>
</tr>
<tr>
<td></td>
<td>Consultancy</td>
</tr>
<tr>
<td></td>
<td>University</td>
</tr>
<tr>
<td></td>
<td>Other (please specify):</td>
</tr>
<tr>
<td><strong>1.9.</strong></td>
<td>Geographical territory covered by organisation</td>
</tr>
</tbody>
</table>


### 2. GENERAL INFORMATION ON EIA SCREENING PROCEDURES

#### 2.1. Project Type 1: Thermal Power Station Project

Which thermal power station projects are subject to EIA? Please provide the project definitions and thresholds given in the EIA law of your country by filling in section 2.1. of this questionnaire.

#### 2.1.1. EIA Implementation

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Other (please specify)</th>
</tr>
</thead>
<tbody>
<tr>
<td>In which procedure for consent is the EIA integrated for this project type in your country? (see Art. 2 (2) EIA-Directive)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does a single permit procedure exist in which all necessary permits are granted jointly (“one stop shop”)?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Does a joint permit procedure exist in which some necessary permits are granted?</td>
<td>No</td>
<td>Yes (please specify jointly granted permits):</td>
<td></td>
</tr>
</tbody>
</table>

#### 2.1.2. Screening

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes, on national level (please indicate web-link):</th>
<th>Yes, on regional level (please indicate web-link):</th>
<th>No guidance available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is an official guidance for screening available in your country?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question</th>
<th>Thresholds for obligatory EIA (without screening) (please answer question 2.1.2.3.)</th>
<th>Thresholds for screening (please answer question 2.1.2.4.)</th>
<th>Screening (significance survey) is required for all projects of this type without thresholds (continue to 2.1.2.5.)</th>
<th>Other (please specify and continue with 2.1.2.5.):</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are the conditions that define the obligation for an EIA for this project type? (multiple answers possible)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.2.3.</td>
<td>Which are the thresholds to be reached or exceeded for an obligatory EIA?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
|  | ○ Threshold No. 1:  
  | Unit:  
  | Value:  |
|  | ○ Threshold No. 2 (if applicable):  
  | Unit:  
  | Value:  |
|  | ○ Threshold No. 3 (if applicable):  
  | Unit:  
  | Value:  |
|  | If more thresholds are applicable, please specify units and values:  |

<table>
<thead>
<tr>
<th>2.1.2.4.</th>
<th>Which are the screening thresholds that initiate a screening procedure?</th>
</tr>
</thead>
</table>
|  | ○ Threshold No. 1:  
  | Unit:  
  | Value:  |
|  | ○ Threshold No. 2 (if applicable):  
  | Unit:  
  | Value:  |
|  | ○ Threshold No. 3 (if applicable):  
  | Unit:  
  | Value:  |
|  | If more thresholds are applicable, please specify units and values (e.g. lower thresholds for specific areas):  |
|  | Please provide further information if relevant:  |

<table>
<thead>
<tr>
<th>2.1.2.5.</th>
<th>How is the cumulation with other projects taken into account in the screening phase?</th>
</tr>
</thead>
</table>
|  | ○ No  
  | ○ Yes (please specify):  |

<table>
<thead>
<tr>
<th>2.1.2.6.</th>
<th>Do you have specific provisions against salami slicing?</th>
</tr>
</thead>
</table>
|  | ○ No  
<p>| ○ Yes (please specify):  |</p>
<table>
<thead>
<tr>
<th>2.1.2.7.</th>
<th>What information is submitted by the developer to the competent authority during the screening stage for this type of project? (multiple answers possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information on</td>
<td></td>
</tr>
</tbody>
</table>
- Traffic
- Noise
- Air quality
- Vibrations
- Climate
- Shading
- Waste management
- Regional development planning
- Nature protection
- Water management
- Geotechnical engineering
- Hydrogeology
- Landscape engineering
- Cultural heritage
- Human health
- Other (please specify): |

<table>
<thead>
<tr>
<th>2.1.2.8.</th>
<th>What level of detail is required in the documents submitted for the screening phase?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- General level (rough estimations)
- Medium level (modeling for a few selected topics, estimations for the rest)
- Detailed level (deep level of detail in all topics) |

<table>
<thead>
<tr>
<th>2.1.2.9.</th>
<th>What is the average volume of the documents submitted for the screening phase?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- 5 to 20 pages
- 21 to 50 pages
- 51 to 100 pages
- over 100 pages |

<table>
<thead>
<tr>
<th>2.1.2.10.</th>
<th>Which authority is responsible for the screening decision?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- Federal authority (please specify):
- Regional authority (please specify):
- Local authority (please specify):
- Statutory body (please specify):
- Other (please specify): |

<table>
<thead>
<tr>
<th>2.1.2.11.</th>
<th>Please specify the character of the screening decision:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- Legal document
- Internal decision by the authority
- Other (please specify): |

<table>
<thead>
<tr>
<th>2.1.2.12.</th>
<th>Can the screening decision be appealed?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- No (continue with 2.2.)
- Yes (please provide further information, if relevant):
- Other (please specify): |
### 2.2.1. EIA Implementation

<table>
<thead>
<tr>
<th>Question</th>
<th>Option 1</th>
<th>Option 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.1.1.</td>
<td>In which procedure for consent is the EIA integrated for this project type in your country? (see Art. 2 (2) EIA-Directive)</td>
<td>Integrated into existing procedures, e.g. environmental permitting (please specify):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Separate procedure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other (please specify):</td>
</tr>
<tr>
<td>2.2.1.2.</td>
<td>Does a single permit procedure exist in which all necessary permits are granted jointly (“one stop shop”)?</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>2.2.1.3.</td>
<td>Does a joint permit procedure exist in which some necessary permits are granted?</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes (please specify jointly granted permits):</td>
</tr>
</tbody>
</table>

### 2.2.2. Screening

<table>
<thead>
<tr>
<th>Question</th>
<th>Option 1</th>
<th>Option 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.2.1.</td>
<td>Is an official guidance for screening available in your country?</td>
<td>Yes, on national level (please indicate web-link):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes, on regional level (please indicate web-link):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No guidance available</td>
</tr>
<tr>
<td>2.2.2.2.</td>
<td>What are the conditions that define the obligation for an EIA for this project type? (multiple answers possible)</td>
<td>Thresholds for obligatory EIA (without screening) (please answer question 2.2.2.3.):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thresholds for screening (please answer question 2.2.2.4.):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Screening (significance survey) is required for all projects of this type without thresholds (continue to 2.2.2.5.):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other (please specify and continue with 2.2.2.5.):</td>
</tr>
<tr>
<td>2.2.2.3.</td>
<td>Which are the thresholds to be reached or exceeded for an obligatory EIA?</td>
<td></td>
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<tr>
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</tr>
<tr>
<td></td>
<td>Threshold No 1:</td>
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<td>Threshold No 3 (if applicable):</td>
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<td>Unit:</td>
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<td></td>
<td>Value:</td>
<td></td>
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<tr>
<td>If more thresholds are applicable, please specify units and values:</td>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>2.2.2.4.</th>
<th>Which are the screening thresholds that initiate a screening procedure?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Threshold No 1:</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
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<tr>
<td></td>
<td>Value:</td>
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<tr>
<td></td>
<td>Threshold No 2 (if applicable):</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
</tr>
<tr>
<td></td>
<td>Value:</td>
</tr>
<tr>
<td></td>
<td>Threshold No 3 (if applicable):</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
</tr>
<tr>
<td></td>
<td>Value:</td>
</tr>
<tr>
<td>If more thresholds are applicable, please specify units and values (e.g. lower thresholds for specific areas):</td>
<td></td>
</tr>
<tr>
<td>Please provide further information if relevant:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.2.5.</th>
<th>How is the cumulation with other projects taken into account in the screening phase?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.2.6.</th>
<th>Do you have specific provisions against salami slicing?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.2.7.</th>
<th>What information is submitted by the developer to the competent authority during the screening stage for this type of project? (multiple answers possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information on</td>
<td></td>
</tr>
<tr>
<td>Traffic</td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td></td>
</tr>
<tr>
<td>Air quality</td>
<td></td>
</tr>
<tr>
<td>Vibrations</td>
<td></td>
</tr>
<tr>
<td>Climate</td>
<td></td>
</tr>
<tr>
<td>Shading</td>
<td></td>
</tr>
<tr>
<td>Waste management</td>
<td></td>
</tr>
<tr>
<td>Regional development planning</td>
<td></td>
</tr>
<tr>
<td>Nature protection</td>
<td></td>
</tr>
<tr>
<td>Water management</td>
<td></td>
</tr>
<tr>
<td>Geotechnical engineering</td>
<td></td>
</tr>
<tr>
<td>Hydrogeology</td>
<td></td>
</tr>
<tr>
<td>Landscape engineering</td>
<td></td>
</tr>
<tr>
<td>Cultural heritage</td>
<td></td>
</tr>
<tr>
<td>Human health</td>
<td></td>
</tr>
<tr>
<td>Other (please specify):</td>
<td></td>
</tr>
<tr>
<td>2.2.2.8.</td>
<td>What level of detail is required in the documents submitted for the screening phase?</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>☐ General level (rough estimations)</td>
<td></td>
</tr>
<tr>
<td>☐ Medium level (modeling for a few selected topics, estimations for the rest)</td>
<td></td>
</tr>
<tr>
<td>☐ Detailed level (deep level of detail in all topics)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.2.9.</th>
<th>What is the average volume of the documents submitted for the screening phase?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ 5 to 20 pages</td>
<td></td>
</tr>
<tr>
<td>☐ 21 to 50 pages</td>
<td></td>
</tr>
<tr>
<td>☐ 51 to 100 pages</td>
<td></td>
</tr>
<tr>
<td>☐ over 100 pages</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.10.</th>
<th>Which authority is responsible for the screening decision?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Federal authority (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ Regional authority (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ Local authority (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ Statutory body (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.11.</th>
<th>Please specify the character of the screening decision:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Legal document</td>
<td></td>
</tr>
<tr>
<td>☐ Internal decision by the authority</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.12.</th>
<th>Can the screening decision be appealed?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ No (continue with 2.3.)</td>
<td></td>
</tr>
<tr>
<td>☐ Yes (please provide further information, if relevant):</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2.13.</th>
<th>Who can lodge an appeal?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Everybody</td>
<td></td>
</tr>
<tr>
<td>☐ Neighbours</td>
<td></td>
</tr>
<tr>
<td>☐ Municipalities</td>
<td></td>
</tr>
<tr>
<td>☐ Citizens’ group</td>
<td></td>
</tr>
<tr>
<td>☐ Environmental organisations</td>
<td></td>
</tr>
<tr>
<td>☐ NGOs</td>
<td></td>
</tr>
<tr>
<td>☐ Statutory bodies / agencies</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>
### 2.3. Project Type 3: Shopping Center Project

Which Shopping center projects are subject to EIA? Please provide the project definitions and thresholds given in the EIA law of your country by filling in section 2.3. of this questionnaire.

#### 2.3.1. EIA Implementation

<table>
<thead>
<tr>
<th>2.3.1.1.</th>
<th>In which procedure for consent is the EIA integrated for this project type in your country? (see Art. 2 (2) EIA-Directive)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ Integrated into existing procedures, e.g. environmental permitting (please specify):</td>
</tr>
<tr>
<td></td>
<td>☐ Separate procedure</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.1.2.</th>
<th>Does a single permit procedure exist in which all necessary permits are granted jointly (“one stop shop”)?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ Yes</td>
</tr>
<tr>
<td></td>
<td>☐ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.1.3.</th>
<th>Does a joint permit procedure exist in which some necessary permits are granted?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ No</td>
</tr>
<tr>
<td></td>
<td>☐ Yes (please specify jointly granted permits):</td>
</tr>
</tbody>
</table>

#### 2.3.2. Screening

<table>
<thead>
<tr>
<th>2.3.2.1.</th>
<th>Is an official guidance for screening available in your country?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ Yes, on national level (please indicate web-link):</td>
</tr>
<tr>
<td></td>
<td>☐ Yes, on regional level (please indicate web-link):</td>
</tr>
<tr>
<td></td>
<td>☐ No guidance available</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.2.2.</th>
<th>What are the conditions that define the obligation for an EIA for this project type? (multiple answers possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ Thresholds for obligatory EIA (without screening) (please answer question 2.3.2.3.)</td>
</tr>
<tr>
<td></td>
<td>☐ Thresholds for screening (please answer question 2.3.2.4.)</td>
</tr>
<tr>
<td></td>
<td>☐ Screening (significance survey) is required for all projects of this type without thresholds (continue to 2.3.2.5.)</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify and continue with 2.3.2.5.):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.2.3.</th>
<th>Which are the thresholds to be reached or exceeded for an obligatory EIA?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ Threshold N°1:</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
</tr>
<tr>
<td></td>
<td>Value:</td>
</tr>
<tr>
<td></td>
<td>☐ Threshold N°2 (if applicable):</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
</tr>
<tr>
<td></td>
<td>Value:</td>
</tr>
<tr>
<td></td>
<td>☐ Threshold N°3 (if applicable):</td>
</tr>
<tr>
<td></td>
<td>Unit:</td>
</tr>
<tr>
<td></td>
<td>Value:</td>
</tr>
</tbody>
</table>

If more thresholds are applicable, please specify units and values:
<table>
<thead>
<tr>
<th>2.3.2.4.</th>
<th>Which are the screening thresholds that initiate a screening procedure?</th>
</tr>
</thead>
</table>
|  | □ Threshold N° 1:  
  Unit:  
  Value:  |
|  | □ Threshold N° 2 (if applicable):  
  Unit:  
  Value:  |
|  | □ Threshold N° 3 (if applicable):  
  Unit:  
  Value:  |
|  | If more thresholds are applicable, please specify units and values (e.g. lower thresholds for specific areas):  |
|  | Please provide further information if relevant:  |

<table>
<thead>
<tr>
<th>2.3.2.5.</th>
<th>How is the cumulation with other projects taken into account in the screening phase?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ No</td>
</tr>
<tr>
<td></td>
<td>□ Yes (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.2.6.</th>
<th>Do you have specific provisions against salami slicing?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ No</td>
</tr>
<tr>
<td></td>
<td>□ Yes (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3.2.7.</th>
<th>What information is submitted by the developer to the competent authority during the screening stage for this type of project? (multiple answers possible)</th>
</tr>
</thead>
</table>
|  | Information on  
  □ Traffic  
  □ Noise  
  □ Air quality  
  □ Vibrations  
  □ Climate  
  □ Shading  
  □ Waste management  
  □ Regional development planning  
  □ Nature protection  
  □ Water management  
  □ Geotechnical engineering  
  □ Hydrogeology  
  □ Landscape engineering  
  □ Cultural heritage  
  □ Human health  
  □ Other (please specify):  |

<table>
<thead>
<tr>
<th>2.3.2.8.</th>
<th>What level of detail is required in the documents submitted for the screening phase?</th>
</tr>
</thead>
</table>
|  | □ General level (rough estimations)  
  □ Medium level (modeling for a few selected topics, estimations for the rest)  
  □ Detailed level (deep level of detail in all topics)  |

<table>
<thead>
<tr>
<th>2.3.2.9.</th>
<th>What is the average volume of the documents submitted for the screening phase?</th>
</tr>
</thead>
</table>
|  | □ 5 to 20 pages  
  □ 21 to 50 pages  
  □ 51 to 100 pages  
  □ over 100 pages  |
<table>
<thead>
<tr>
<th>Question</th>
<th>Option 1</th>
<th>Option 2</th>
<th>Option 3</th>
<th>Option 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3.2.10. Which authority is responsible for the screening decision?</td>
<td>[ ] Federal authority (please specify):</td>
<td>[ ] Regional authority (please specify):</td>
<td>[ ] Local authority (please specify):</td>
<td>[ ] Statutory body (please specify):</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3.2.11. Please specify the character of the screening decision:</td>
<td>[ ] Legal document</td>
<td>[ ] Internal decision by the authority</td>
<td>[ ] Other (please specify):</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3.2.12. Can the screening decision be appealed?</td>
<td>[ ] No (continue with 2.4.)</td>
<td>[ ] Yes (please provide further information, if relevant):</td>
<td>[ ] Other (please specify):</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3.2.13. Who can lodge an appeal?</td>
<td>[ ] Everybody</td>
<td>[ ] Neighbours</td>
<td>[ ] Municipalities</td>
<td>[ ] Citizens’ group</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.4. Project Type 4: Road Construction Project

Which Road Construction projects are subject to EIA? Please provide the project definitions and thresholds given in the EIA law of your country by filling in section 2.3. of this questionnaire.

### 2.4.1. EIA Implementation

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Other (please specify):</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4.1.1. In which procedure for consent is the EIA integrated for this project type in your country? (see Art. 2 (2) EIA-Directive)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4.1.2. Does a single permit procedure exist in which all necessary permits are granted jointly (“one stop shop”)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4.1.3. Does a joint permit procedure exist in which some necessary permits are granted?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 2.4.2. Screening

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes, on national level (please indicate web-link):</th>
<th>Yes, on regional level (please indicate web-link):</th>
<th>No guidance available</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4.2.1. Is an official guidance for screening available in your country?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4.2.2. What are the conditions that define the obligation for an EIA for this project type? (multiple answers possible)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4.2.3. Which are the thresholds to be reached or exceeded for an obligatory EIA?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Threshold N°1:
  - Unit:
  - Value:

- Threshold N°2 (if applicable):
  - Unit:
  - Value:

- Threshold N°3 (if applicable):
  - Unit:
  - Value:

If more thresholds are applicable, please specify units and values:
| 2.4.2.4. | Which are the screening thresholds that initiate a screening procedure? | □ Threshold N°1:  
  Unit:  
  Value:  
□ Threshold N°2 (if applicable):  
  Unit:  
  Value:  
□ Threshold N°3 (if applicable):  
  Unit:  
  Value:  
If more thresholds are applicable, please specify units and values (e.g. lower thresholds for specific areas):  
Please provide further information if relevant: |
| 2.4.2.5. | How is the cumulation with other projects taken into account in the screening phase? | □ No  
□ Yes (please specify): |
| 2.4.2.6. | Do you have specific provisions against salami slicing? | Information on  
□ Traffic  
□ Noise  
□ Air quality  
□ Vibrations  
□ Climate  
□ Shading  
□ Waste management  
□ Regional development planning  
□ Nature protection  
□ Water management  
□ Geotechnical engineering  
□ Hydrogeology  
□ Landscape engineering  
□ Cultural heritage  
□ Human health  
□ Other (please specify): |
| 2.4.2.7. | What information is submitted by the developer to the competent authority during the screening stage for this type of project? (multiple answers possible) | □ General level (rough estimations)  
□ Medium level (modeling for a few selected topics, estimations for the rest)  
□ Detailed level (deep level of detail in all topics) |
| 2.4.2.8. | What level of detail is required in the documents submitted for the screening phase? | □ 5 to 20 pages  
□ 21 to 50 pages  
□ 51 to 100 pages  
□ over 100 pages |
| 2.4.2.9. | What is the average volume of the documents submitted for the screening phase? |
### 2.4.2.10. Which authority is responsible for the screening decision?
- [ ] Federal authority (please specify):
- [ ] Regional authority (please specify):
- [ ] Local authority (please specify):
- [ ] Statutory body (please specify):
- [ ] Other (please specify):

### 2.4.2.11. Please specify the character of the screening decision:
- [ ] Legal document
- [ ] Internal decision by the authority
- [ ] Other (please specify):

### 2.4.2.12. Can the screening decision be appealed?
- [ ] No (continue with 3.)
- [ ] Yes (please provide further information, if relevant):
- [ ] Other (please specify):

### 2.4.2.13. Who can lodge an appeal?
- [ ] Everybody
- [ ] Neighbours
- [ ] Municipalities
- [ ] Citizens’ group
- [ ] Environmental organisations
- [ ] NGOs
- [ ] Statutory bodies / agencies
- [ ] Other (please specify):
3. DETAILED INFORMATION ON EIA PROCEDURES

3.1. Project Type 1: Landfill Project

For landfill projects which require an EIA, please provide the following information on the EIA procedures of your country.

3.1.1. Scoping

<table>
<thead>
<tr>
<th>3.1.1.1.</th>
<th>On what basis is scoping carried out before information is submitted for the Environmental Impact Assessment (according to Art. 5 Par. 1 and Annex IV of the EIA Directive)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ On mandatory basis</td>
<td></td>
</tr>
<tr>
<td>☐ On voluntary basis</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.1.2.</th>
<th>Is an official guidance for scoping available in your country?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes, on national level (please indicate web-link):</td>
<td></td>
</tr>
<tr>
<td>☐ Yes, on regional level (please indicate web-link):</td>
<td></td>
</tr>
<tr>
<td>☐ No guidance available</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.1.3.</th>
<th>Who can participate in the scoping process? (multiple answers possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Authorities (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ Public (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

3.1.2. Development Consent Procedure

<table>
<thead>
<tr>
<th>3.1.2.1.</th>
<th>Who compiles the information for the Environmental Impact Assessment in accordance with Art. 5 Par. 1 and Annex IV of the EIA Directive (Environmental Impact Study/Statement)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Free choice of developer</td>
<td></td>
</tr>
<tr>
<td>☐ Accredited consultants</td>
<td></td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.2.2.</th>
<th>Do manuals or guidance on EIA exist to support the developer?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ No</td>
<td></td>
</tr>
<tr>
<td>☐ Yes (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.2.3.</th>
<th>Is the developer obliged in national legislation to consider specified alternatives to this type of development?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ No</td>
<td></td>
</tr>
<tr>
<td>☐ Yes (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.2.4.</th>
<th>Is the developer obliged in national legislation to consider the do-nothing alternative (zero-alternative; non-realisation of the project)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ No</td>
<td></td>
</tr>
<tr>
<td>☐ Yes</td>
<td></td>
</tr>
</tbody>
</table>
### 3.1.2.5.

**What information is submitted by the developer to the competent authority for the purposes of EIA for this type of project (Art. 5 and Annex IV of the EIA Directive)? (multiple answers possible)**

<table>
<thead>
<tr>
<th>Information on</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic</td>
<td></td>
</tr>
<tr>
<td>☐ in all cases</td>
<td></td>
</tr>
<tr>
<td>☐ depending on the site</td>
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</tr>
<tr>
<td>Noise</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
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<tr>
<td>☐ depending on the site</td>
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</tr>
<tr>
<td>Air quality</td>
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<tr>
<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Vibrations</td>
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<tr>
<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Climate</td>
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<tr>
<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Shading</td>
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<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Waste management</td>
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<tr>
<td>☐ in all cases</td>
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<td>☐ depending on the site</td>
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<tr>
<td>Regional development planning</td>
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<tr>
<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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</tr>
<tr>
<td>Nature protection</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Water management</td>
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<tr>
<td>☐ in all cases</td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Geotechnical engineering</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
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<tr>
<td>☐ depending on the site</td>
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<tr>
<td>Hydrogeology</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
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<tr>
<td>☐ depending on the site</td>
<td></td>
</tr>
<tr>
<td>Landscape engineering</td>
<td></td>
</tr>
<tr>
<td>☐ in all cases</td>
<td></td>
</tr>
<tr>
<td>☐ depending on the site</td>
<td></td>
</tr>
<tr>
<td>Cultural heritage</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
</tr>
<tr>
<td>☐ depending on the site</td>
<td></td>
</tr>
<tr>
<td>Human health</td>
<td></td>
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<tr>
<td>☐ in all cases</td>
<td></td>
</tr>
<tr>
<td>☐ depending on the site</td>
<td></td>
</tr>
<tr>
<td>Other (please specify):</td>
<td></td>
</tr>
<tr>
<td>☐ in all cases:</td>
<td></td>
</tr>
<tr>
<td>☐ depending on the site</td>
<td></td>
</tr>
<tr>
<td>3.1.2.6.</td>
<td>Which of the above mentioned topics receive greater focus for this project type (landfill project)?</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
| 3.1.2.7. | Is it mandatory to include information on the environmental impact of the construction phase of the project? | ☐ Yes  
☐ No |
| 3.1.2.8. | Is it mandatory to include information on the environmental impact of accidents / incidents of the project? | ☐ Yes  
☐ No |
| 3.1.2.9. | In general, what level of detail is required in the documents that the developer has to provide for the EIA? | ☐ General level (rough estimations)  
☐ Medium level (modeling for a few selected topics, estimations for the rest)  
☐ Detailed level (on all topics) |
| 3.1.2.10. | What is the average volume of the documents that the developer has to provide for the EIA? | ☐ 50 to 200 pages  
☐ 201 to 500 pages  
☐ 501 to 1,000 pages  
☐ over 1,000 pages |
| 3.1.2.11. | Which competent authority / authorities is / are responsible for carrying out the EIA? | ☐ Federal authority (please specify):  
☐ Regional authority (please specify):  
☐ Local authority (please specify):  
☐ Statutory body (please specify):  
☐ Other (please specify): |
| 3.1.2.12. | How is the quality of the information submitted by the developer evaluated by the competent authority / authorities? | Please specify: |
| 3.1.2.13. | How is the result of the EIA taken into account in the development consent? | ☐ The development consent comprises binding conditions / obligations based on the recommendations from the EIA process  
☐ The development consent comprises recommendations proposed in the EIA process  
☐ Other (please specify): |
| 3.1.2.14. | How are the results of the EIA documented? | ☐ Technical report produced prior to the development consent  
☐ As part of the document associated with the final development consent:  
☐ Other (please specify): |
| 3.1.2.15. | What is the character of the development consent for this project type (landfill project)? | ☐ Environmental permit  
☐ Planning permission  
☐ Other (please specify): |
| 3.1.2.16. | Does the development consent provide for appeals? | ☐ No (continue to 3.1.3.)  
☐ Yes |
### 3.1.3. Public Participation

<table>
<thead>
<tr>
<th>3.1.3.1.</th>
<th>How are the public informed about the project and the EIA?</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1.3.2.</td>
<td>The mandatory information on the project and the EIA is provided in the following way: (multiple answers possible)</td>
</tr>
<tr>
<td>3.1.3.3.</td>
<td>Please outline the extent of public participation in the entire EIA process for this project type (landfill project):</td>
</tr>
</tbody>
</table>

### 3.1.4. Monitoring

<p>| 3.1.4.1. | In general, does an EIA recommend monitoring of environmental impacts? |
| 3.1.4.2. | Does the development consent comprise conditions / recommendations on monitoring based on the EIA? |
| 3.1.4.3. | Which type of monitoring programs (as recommended by the EIA) does the development consent for this type of project usually provide for? |
| 3.1.4.4. | In general, how is compliance with the monitoring conditions being checked? (multiple answers possible) |</p>
<table>
<thead>
<tr>
<th>3.1.4.5.</th>
<th>How is compliance with all other conditions being checked?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>During final inspection after completion of construction</td>
</tr>
<tr>
<td></td>
<td>During environmental inspections</td>
</tr>
<tr>
<td></td>
<td>By periodical reporting by the developer</td>
</tr>
<tr>
<td></td>
<td>No checks on consent conditions are carried out by authorities</td>
</tr>
<tr>
<td></td>
<td>Other (please specify):</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.4.6.</th>
<th>What are the consequences, if the project does not comply with EIA related conditions / obligations of the development consent?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Please specify:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.4.7.</th>
<th>Is the public informed about the results of monitoring?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No, the public is not being informed about the results of monitoring</td>
</tr>
<tr>
<td></td>
<td>Yes (please specify):</td>
</tr>
</tbody>
</table>

### 3.2. Project Type 2: Shopping Center Project

For Shopping Center projects which require an EIA, please provide the following information on the EIA procedures of your country.

#### 3.2.1. Scoping

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.1.1. On what basis is scoping carried out before information is submitted for the Environmental Impact Assessment (according to Art. 5 Par. 1 and Annex IV of the EIA Directive)?</td>
<td>On mandatory basis, On voluntary basis, Other (please specify):</td>
</tr>
<tr>
<td>3.2.1.2. Is an official guidance for scoping available in your country?</td>
<td>Yes, on national level (please indicate web-link):</td>
</tr>
<tr>
<td>3.2.1.3. Who can participate in the scoping process?</td>
<td>Authorities (please specify):</td>
</tr>
<tr>
<td>(multiple answers possible)</td>
<td>Public (please specify):</td>
</tr>
</tbody>
</table>

#### 3.2.2. Development Consent Procedure

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.2.1. Who compiles the information for the Environmental Impact Assessment in accordance with Art. 5 Par. 1 and Annex IV of the EIA Directive (Environmental Impact Study/Statement)?</td>
<td>Free choice of developer, Accredited consultants, Other (please specify):</td>
</tr>
<tr>
<td>3.2.2.2. Do manuals or guidance on EIA exist to support the developer?</td>
<td>No, Yes (please specify):</td>
</tr>
<tr>
<td>3.2.2.3. Is the developer obliged in national legislation to consider specified alternatives to this type of development?</td>
<td>No, Yes (please specify):</td>
</tr>
<tr>
<td>3.2.2.4. Is the developer obliged in national legislation to consider the do-nothing alternative (zero-alternative; non-realisation of the project)?</td>
<td>No, Yes</td>
</tr>
</tbody>
</table>
3.2.2.5.

What information is submitted by the developer to the competent authority for the purposes of EIA for this type of project (Art. 5 and Annex IV of the EIA Directive)? (multiple answers possible)

<table>
<thead>
<tr>
<th>Information on</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic</td>
<td></td>
</tr>
<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td></td>
</tr>
<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Air quality</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Vibrations</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Climate</td>
<td></td>
</tr>
<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Shading</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Waste management</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
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<tr>
<td>Regional development planning</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Nature protection</td>
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<tr>
<td>- in all cases</td>
<td></td>
</tr>
<tr>
<td>- depending on the site</td>
<td></td>
</tr>
<tr>
<td>Water management</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
<td></td>
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<tr>
<td>Geotechnical engineering</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
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<tr>
<td>Hydrogeology</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
<td></td>
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<tr>
<td>Landscape engineering</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
<td></td>
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<tr>
<td>Cultural heritage</td>
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<tr>
<td>- in all cases</td>
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<tr>
<td>- depending on the site</td>
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<tr>
<td>Human health</td>
<td></td>
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<tr>
<td>- in all cases</td>
<td></td>
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<tr>
<td>- depending on the site</td>
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<tr>
<td>Other (please specify):</td>
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<tr>
<td>- in all cases:</td>
<td></td>
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<tr>
<td>- depending on the site:</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Response Options</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>3.2.2.6. Which of the above mentioned topics receive greater focus for</td>
<td>Please specify:</td>
</tr>
<tr>
<td>this project type (shopping center project)?</td>
<td></td>
</tr>
<tr>
<td>3.2.2.7. Is it mandatory to include information on the environmental</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>impact of the construction phase of the project?</td>
<td>☐ No</td>
</tr>
<tr>
<td>3.2.2.8. Is it mandatory to include information on the environmental</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>impact of accidents / incidents of the project?</td>
<td>☐ No</td>
</tr>
<tr>
<td>3.2.2.9. In general, what level of detail is required in the documents</td>
<td>☐ General level (rough estimations)</td>
</tr>
<tr>
<td>that the developer has to provide for the EIA?</td>
<td>☐ Medium level (modeling for a few selected topics, estimations for the rest)</td>
</tr>
<tr>
<td></td>
<td>☐ Detailed level (on all topics)</td>
</tr>
<tr>
<td>3.2.2.10. What is the average volume of the documents that the developer</td>
<td>☐ 50 to 200 pages</td>
</tr>
<tr>
<td>has to provide for the EIA?</td>
<td>☐ 201 to 500 pages</td>
</tr>
<tr>
<td></td>
<td>☐ 501 to 1,000 pages</td>
</tr>
<tr>
<td></td>
<td>☐ over 1,000 pages</td>
</tr>
<tr>
<td>3.2.2.11. Which competent authority / authorities is / are responsible</td>
<td>☐ Federal authority (please specify):</td>
</tr>
<tr>
<td>for carrying out the EIA?</td>
<td>☐ Regional authority (please specify):</td>
</tr>
<tr>
<td></td>
<td>☐ Local authority (please specify):</td>
</tr>
<tr>
<td></td>
<td>☐ Statutory body (please specify):</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify):</td>
</tr>
<tr>
<td>3.2.2.12. How is the quality of the information submitted by the developer</td>
<td>Please specify:</td>
</tr>
<tr>
<td>evaluated by the competent authority / authorities?</td>
<td></td>
</tr>
<tr>
<td>3.2.2.13. How is the result of the EIA taken into account in the</td>
<td>☐ The development consent comprises binding conditions / obligations based on the recommendations from the EIA process</td>
</tr>
<tr>
<td>development consent?</td>
<td>☐ The development consent comprises recommendations proposed in the EIA process</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify):</td>
</tr>
<tr>
<td>3.2.2.14. How are the results of the EIA documented?</td>
<td>☐ Technical report produced prior to the development consent</td>
</tr>
<tr>
<td></td>
<td>☐ As part of the document associated with the final development consent:</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify):</td>
</tr>
<tr>
<td>3.2.2.15. What is the character of the development consent for this</td>
<td>☐ Environmental permit</td>
</tr>
<tr>
<td>project type (landfill project)?</td>
<td>☐ Planning permission</td>
</tr>
<tr>
<td></td>
<td>☐ Other (please specify):</td>
</tr>
</tbody>
</table>
### 3.2.16. Does the development consent provide for appeals?
- [ ] No (continue to 3.2.3.)
- [x] Yes

### 3.2.17. Who can lodge an appeal?
(Please mark applicable parties)
- [ ] Everybody
- [ ] Neighbours
- [ ] Municipalities
- [ ] Citizens’ groups
- [ ] Environmental organisations
- [ ] NGOs
- [ ] Statutory bodies / agencies
- [ ] Other (please specify):

### 3.2.3. Public Participation

#### 3.2.3.1. How are the public informed about the project and the EIA?
- [x] Mandatory by the developer
- [x] Mandatory by the EIA-authority
- [ ] Other (please specify):

#### 3.2.3.2. The mandatory information on the project and the EIA is provided in the following way:
(multiple answers possible)
- [ ] Public advertisement
- [ ] On the EIA-authority’s website
- [ ] During public hearings
- [ ] Other (please specify):

#### 3.2.3.3. Please outline the extent of public participation in the entire EIA process for this project type (shopping center project):

### 3.2.4. Monitoring

#### 3.2.4.1. In general, does an EIA recommend monitoring of environmental impacts?
- [ ] No
- [ ] Yes
- [ ] Other (please specify):

#### 3.2.4.2. Does the development consent comprise conditions / recommendations on monitoring based on the EIA?
- [ ] No (continue with 3.2.4.4.)
- [x] Yes

#### 3.2.4.3. Which type of monitoring programs (as recommended by the EIA) does the development consent for this type of project usually provide for?
- [ ] Traffic
- [ ] Noise
- [ ] Air quality
- [ ] Vibrations
- [ ] Waste management
- [ ] Nature protection
- [ ] Water
- [ ] Other (please specify):
3.2.4.4. In general, how is compliance with the monitoring conditions being checked? (multiple answers possible)

- During final inspection after completion of construction
- During environmental inspections
- By periodical reporting by the developer
- No checks on consent conditions are carried out by authorities
- Other (please specify):

3.2.4.5. How is compliance with all other conditions being checked?

- During final inspection after completion of construction
- During environmental inspections
- By periodical reporting by the developer
- No checks on consent conditions are carried out by authorities
- Other (please specify):

3.2.4.6. What are the consequences, if the project does not comply with EIA related conditions / obligations of the development consent?

Please specify:

3.2.4.7. Is the public informed about the results of monitoring?

- No, the public is not being informed about the results of monitoring
- Yes (please specify):

Thank you very much for your cooperation!
We hope to welcome you at our workshop in Salzburg.
### 12.2 Appendix 2: List of persons sending in completed questionnaires

<table>
<thead>
<tr>
<th>Country</th>
<th>Name</th>
<th>Organisation</th>
<th>Status of organisation</th>
<th>Geographical territory covered by organisation</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Markus Graggaber</td>
<td>Umweltschutz Land Salzburg</td>
<td>Regional Authority</td>
<td>Land Salzburg</td>
<td><a href="mailto:Markus.graggaber@salzburg.gv.at">Markus.graggaber@salzburg.gv.at</a></td>
</tr>
<tr>
<td>Austria</td>
<td>Susanne Püls-Schlesinger</td>
<td>Oesterreichs Energie</td>
<td>Independent advocacy group for the Austrian electricity industry</td>
<td>Austria (Thermal Power Station)</td>
<td><a href="mailto:s.puels@oesterreichsenergie.at">s.puels@oesterreichsenergie.at</a></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Birgit Reininger</td>
<td>JASPERS¹</td>
<td></td>
<td>Bulgaria</td>
<td><a href="mailto:b.reininger@eib.org">b.reininger@eib.org</a></td>
</tr>
<tr>
<td>Croatia</td>
<td>Sarah Duff</td>
<td>JASPERS¹</td>
<td></td>
<td>Croatia</td>
<td><a href="mailto:duff@eib.org">duff@eib.org</a></td>
</tr>
<tr>
<td>Cyprus</td>
<td>Delia Gorgos</td>
<td>JASPERS¹</td>
<td></td>
<td>Cyprus</td>
<td><a href="mailto:gorgos@eib.org">gorgos@eib.org</a></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Sarah Duff</td>
<td>JASPERS¹</td>
<td></td>
<td>Czech Republic</td>
<td><a href="mailto:duff@eib.org">duff@eib.org</a></td>
</tr>
<tr>
<td>Denmark</td>
<td>Helle Ina Elmer</td>
<td>Danish Nature Agency</td>
<td>Statutory Body</td>
<td>Denmark</td>
<td><a href="mailto:nst@nst.dk">nst@nst.dk</a>, <a href="mailto:hinel@nst.dk">hinel@nst.dk</a></td>
</tr>
<tr>
<td>France</td>
<td>Edith Collavizza</td>
<td>France Nature Environnement</td>
<td></td>
<td></td>
<td><a href="mailto:edith.collavizza@fne.asso.fr">edith.collavizza@fne.asso.fr</a></td>
</tr>
<tr>
<td>Germany</td>
<td>Gisela Holzgraefe</td>
<td>Ministry for Agriculture, the Environment and Rural Areas of Land Schleswig-Holstein</td>
<td>Ministry of Land Schleswig-Holstein (Thermal Power Stations)</td>
<td><a href="mailto:Gisela.Holzgraefe@mlur.landsh.de">Gisela.Holzgraefe@mlur.landsh.de</a></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>Martin Rüter</td>
<td>Agency for Agriculture, the Environment and Rural Areas of Land Schleswig-Holstein</td>
<td>Regional Authority, Statutory Body</td>
<td>Land Schleswig-Holstein (Landfill)</td>
<td><a href="mailto:martin.rueter@ilur.landsh.de">martin.rueter@ilur.landsh.de</a></td>
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<td>Janine Geisler</td>
<td>State Company for Road Construction and Transport of Schleswig-Holstein</td>
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<td>Bezirksregierung Köln</td>
<td>Local Authority</td>
<td>Cologne (Landfill)</td>
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<tr>
<td>Hungary</td>
<td>Sarah Duff</td>
<td>JASPERS¹</td>
<td></td>
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<td><a href="mailto:duff@eib.org">duff@eib.org</a></td>
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<tr>
<td>Ireland</td>
<td>Anne Marie O’Conner</td>
<td>An Bord Pleanala</td>
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<td><a href="mailto:a.m.oconnor@pleanala.ie">a.m.oconnor@pleanala.ie</a></td>
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<td>Environmental Protection Agency</td>
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<td>ARPA Lombardia</td>
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<td><a href="mailto:m.micheletti@arpalombardia.it">m.micheletti@arpalombardia.it</a></td>
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<td>Ausra Jurkeviciute</td>
<td>JASPERS¹</td>
<td>JASPERS /EIB²</td>
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<td><a href="mailto:eiamalta@mepa.org.mt">eiamalta@mepa.org.mt</a>; <a href="mailto:charlene.smith@mepa.org.mt">charlene.smith@mepa.org.mt</a></td>
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<td>Netherlands</td>
<td>Sjoerd Harkema</td>
<td>Netherlands Commission for Environmental Assessment (NCEA)</td>
<td>The NCEA is an independent body (Foundation)</td>
<td>Netherlands</td>
<td><a href="mailto:sharkema@eia.nl">sharkema@eia.nl</a></td>
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<td>General Directorate for Environmental Protection</td>
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<td>Urszula Rzeszot</td>
<td>JASPERS¹</td>
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<td>Angela Filipas</td>
<td>JASPERS¹</td>
<td>JASPERS /EIB²</td>
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<td>Lucian Popa</td>
<td>National Environmental Guard Local Authority County Arad</td>
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<td><a href="mailto:popaluc53@yahoo.com">popaluc53@yahoo.com</a></td>
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<td>Marius Popa</td>
<td>Olt County Environmental Protection Agency</td>
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<td>Olt County</td>
<td><a href="mailto:office@apmot.anpm.ro">office@apmot.anpm.ro</a></td>
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<td>Regional authority</td>
<td>Galicia</td>
<td><a href="mailto:manual.diaz.cano@xunta.es">manual.diaz.cano@xunta.es</a></td>
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<tr>
<td>United Kingdom</td>
<td>Josh Fothergill</td>
<td>IEMA - Institute for Environmental Management and Assessment</td>
<td>Professional Body</td>
<td>United Kingdom</td>
<td><a href="mailto:j.fothergill@iema.net">j.fothergill@iema.net</a></td>
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</table>

1 Joint Assistance to Support Projects in the European Regions) managed by the European Investment Bank; Vienna Regional office covering: Czech Republic, Slovakia, Hungary, Slovenia and Croatia; Warsaw Regional office covering: Lithuania, Latvia, Estonia; Bucharest Regional office covering: Romania, Bulgaria, Malta, Cyprus

2 The JASPERS Initiative is a joint venture amongst the EC DG REGIO, the EIB, the EBRD and the German Bank KfW (Kreditanstalt für Wiederaufbau) to assist the Beneficiaries of the projects to be financed under the EU Structural Funds to prepare good-quality proposals with higher chances of funding, compared to the same work the Beneficiaries would undertake by themselves

3 If specified: project type covered by organisation
### 12.3 Appendix 3: Evaluation of general information on EIA screening procedures

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<td>1. 1</td>
<td>Integration of EIA into procedure of consent</td>
<td>Integrated into existing procedures, e.g. environmental permitting</td>
<td>France: Administrative authorisation according to the Classified Facilities for the Protection of the Environment legislation</td>
<td>France: Administrative authorisation according to the Classified Facilities for the Protection of the Environment legislation</td>
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<td>Germany: The EIA is an integral part of the plan approval procedure</td>
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<td>German: The EIA is an integral part of the licencing procedure under the Federal Immission Control Act</td>
<td>Germany: The EIA is an integral part of the plan approval (Planfeststellung)</td>
<td>Denmark: The EIA procedure is an integrated part of the spatial planning procedure, which is assumed in the Danish Planning Act.</td>
<td>Ireland: Planning Permission (competent authority is An Board Pleanala where EIA required)</td>
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<td>Ireland: EIA part of two consent procedures - Dual Decision - (1) Planning Permission procedure (An Bord Pleanala (ABP) are the competent authority under Strategic Infrastructure Development for an installation with a total energy output of 300 megawatts or more, otherwise the local Planning Authority is the competent authority). (2) IPPC Licence procedure, if the plant has a thermal input of &gt;50MW (EPA are the competent authority in this instance).</td>
<td>Ireland: Dual decision: Planning Permission (from ABP under Strategic Infrastructure Development if exceeds 100,000 tonnes per annum, other wise planning authority) and Waste Licence (from the EPA)</td>
<td>France: planning permission</td>
<td>Lithuania: EIA procedure</td>
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<td>Lithuania:</td>
<td>Standard EIA procedure</td>
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<td>EIA procedure</td>
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<td>Germany:</td>
<td>Preparation of a land use plan and additional building permit acc. Article 17 Federal EIA Act: If local development plans are prepared, amended or supplemented, particularly for certain projects including shopping centers the EIA including the screening shall be performed in the planning procedure as an EIA pursuant to the provisions of the Building Code [Baugesetzbuch]. (rather strategic environmental assessment acc. to Directive 2001/42/EC) If the EIA is performed in a planning procedure for a development plan and in a subsequent approval procedure, the EIA in the subsequent approval procedure should be restricted to additional or different significant environmental impacts of the project. (EIA-part). If a long period of time lies between the planning procedure and the approval, a project related EIA or at least for smaller projects a screening has to be carried out. In the case that the kind of the project (size, nature etc.) was only roughly know</td>
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<td>Country</td>
<td>Environmental Permitting</td>
<td>Environmental Permit for Project (Order 135/2010)</td>
<td>The EIA is integrated into permitting procedures for certain public and private projects</td>
<td>In Romania the EIA is integrated into permitting procedures for certain public and separate procedure</td>
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<td>Netherlands</td>
<td>Environmental permitting</td>
<td>Environmental permitting</td>
<td>EIA procedure</td>
<td>Application for planning permission. However, in England &amp; Wales a new procedure has been developed for Nationally Significant Infrastructure Projects, which include thermal power stations &gt;50MW, in this case the EIA is undertaken alongside the NSIP development consent process.</td>
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<td>Environmental Permit for Project (Order 135/2010)</td>
<td>Environmental Permit for Project (Order 135/2010)</td>
<td>The EIA is integrated into permitting procedures for certain public and private projects</td>
<td>United Kingdom: As Thermal power station response - road schemes (highways) in England and Wales can be classed as nationally significant infrastructure projects. Further some aspects of road projects may require planning consent however, others are approved via a different consent process.</td>
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<td>United Kingdom</td>
<td>In the UK a thermal power station would generally require an EIA alongside its application for planning permission. However, in England &amp; Wales a new procedure has been developed for Nationally Significant Infrastructure Projects, which include thermal power stations &gt;50MW, in this case the EIA is undertaken alongside the NSIP development consent process.</td>
<td>Consented via planning permission in each of the UK's administrations</td>
<td>Consented via Planning Permission process in each of UK's administrations</td>
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**Other: specification**

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<td>Denmark:</td>
<td>Section 9 of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA states that the IPPC-permission substitutes part of the EIA-permission.</td>
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<td>Poland:</td>
<td>in individual cases conduct of EIA can be repeated within the framework of the procedure to issue the construction permit</td>
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**Poland:**

in individual cases conduct of EIA can be repeated within the framework of the procedure to issue the construction permit and decision on the permit for the implementation of a road investment project

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<td>Austria</td>
<td>Yes () EIA is imbedded in a single permit procedure in which all necessary permits are granted jointly (&quot;one stop shop&quot;)</td>
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**United Kingdom:**

The NSIP process is designed to provide all development consent related permits in a single application; however, operational permitting (that would allow the development to begin operating is clearly not included within this)

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1. EIA is imbedded in permit procedures in which some necessary permits are granted

3. Planning Permit process does not cover every permit in a single process.
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**Yes: specification**

**Croatia:**
Art. 70 of Croatian Environmental Protection Act/2007 reads: "(1) ...a decision on the request for environmental impact assessment and the request for determining integrated environmental protection requirements shall be made within a single procedure......(3) In the procedure referred to in paragraph 1 of this Article a decision on integrated environmental protection requirements shall be issued." The EIA Regulation/ 2008 as amended in 2009 details the procedure in Art. 24 (The environmental impact assessment procedure shall be conducted as a single integrated procedure together with the procedure for establishing integrated environmental protection requirements based on the conclusion adopted pursuant to the provisions of the regulation on establishing integrated environmental protection requirements for an installation) and 25.

**Malta:**
Development permitting; EIA related assessment

**Denmark:**
Section 9 of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA states that the IPPC-permission substitutes part of the EIA permission.

**Malta:**
Development permitting; EIA related assessment

**Netherlands:**
E.g. SEA and EIA of the spatial plan and following permits are combined

**United Kingdom:**
The Planning Permission process allows other consents to be gained alongside it; however, devolution in the UK makes this question difficult to answer directly. The various Governments - UK Parliament (for England), Scottish Parliament, Welsh Assembly and Northern Ireland Assembly have all made changes
Germany: Apart from the permit procedures acc. to Art. 7 and 8 under the Water Management Act other decisions are integrated part of the licence.

Netherlands: e.g. SEA-procedures for spatial plans and EIA for different permit-procedures can be combined

United Kingdom: The Planning Permission process allows other consents to be gained alongside it; however, devolution in the UK makes this question difficult to answer directly. The various Governments - UK Parliament (for England), Scottish Parliament, Welsh Assembly and Northern Ireland Assembly have all made changes to the planning systems recently to allow more permits to be gained via a joint procedure. However, the detail of which permits can be gained at once varies.

Malta: Development permitting; EIA related assessment

United Kingdom: The Planning Permission process allows other consents to be gained alongside it; however, devolution in the UK makes this question difficult to answer directly. The various Governments - UK Parliament (for England), Scottish Parliament, Welsh Assembly and Northern Ireland Assembly have all made changes to the planning systems recently to allow more permits to be gained via a joint procedure. However, the detail of which permits can be gained at once varies.

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<td></td>
<td>Germany:</td>
<td>Germany</td>
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<tr>
<td></td>
<td>General Administrative Regulation on the Execution of the Environmental Impact Assessment is under revision, The Federal Environmental Agency announced that screening principles and proceedings as well as screening criteria should become part of the current administrative regulation.</td>
<td>Guidance on the determination of the EIA obligation in the individual case of projects (final version 2003) <a href="http://www.bmu.de/files/pdfs/allgemein/application.pdf">www.bmu.de/files/pdfs/allgemein/application.pdf</a></td>
</tr>
<tr>
<td></td>
<td>Germany:</td>
<td>Lithuania:</td>
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<td>Malta:</td>
<td>Netherlands:</td>
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<tr>
<td></td>
<td>Legal Notice 114/2007</td>
<td><a href="http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/">http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/</a></td>
</tr>
<tr>
<td>Country</td>
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<tr>
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<td>Netherlands</td>
<td><a href="http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/">http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/</a></td>
<td>- It is available via the General Directorate for Environmental Protection (Generalna Dyrekcja Ochrony Środowiska - GDOS): <a href="http://www.gdos.gov.pl">www.gdos.gov.pl</a>. This includes formal regulations (Regulation of the Council of Ministers of 9 November 2010 on types of projects likely to have significant effects on the environment (Journal of Laws No. 213; item 1397), which covers Polish interpretation of Annex I and Annex II projects, including national threshold levels <a href="http://www.gdos.gov.pl/files/Materia%C5%82y-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf">http://www.gdos.gov.pl/files/Materiały-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf</a>, as well as not legally binding guidance documents providing advice to administrative bodies. Shopping centres are explicitly mentioned under paragraph 3 point 54.</td>
</tr>
<tr>
<td>Poland</td>
<td><a href="http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/">http://www.informil.nl/onderwerpen/ruimte/mer/mer-scan/</a></td>
<td>- It is available via the General Directorate for Environmental Protection (Generalna Dyrekcja Ochrony Środowiska - GDOS): <a href="http://www.gdos.gov.pl">www.gdos.gov.pl</a>. This includes formal regulations (Regulation of the Council of Ministers of 9 November 2010 on types of projects likely to have significant effects on the environment (Journal of Laws No. 213; item 1397), which covers Polish interpretation of Annex I and Annex II projects, including national threshold levels <a href="http://www.gdos.gov.pl/files/Materia%C5%82y-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf">http://www.gdos.gov.pl/files/Materiały-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf</a>, as well as not legally binding guidance documents providing advice to administrative bodies. Shopping centres are explicitly mentioned under paragraph 3 point 54.</td>
</tr>
<tr>
<td>Romania</td>
<td><a href="http://apmar.anpm.ro/legislations/view/624">http://apmar.anpm.ro/legislations/view/624</a></td>
<td>It is available via the General Directorate for Environmental Protection (Generalna Dyrekcja Ochrony Środowiska - GDOS): <a href="http://www.gdos.gov.pl">www.gdos.gov.pl</a>. This includes formal regulations (Regulation of the Council of Ministers of 9 November 2010 on types of projects likely to have significant effects on the environment (Journal of Laws No. 213; item 1397), which covers Polish interpretation of Annex I and Annex II projects, including national threshold levels <a href="http://www.gdos.gov.pl/files/Materia%C5%82y-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf">http://www.gdos.gov.pl/files/Materiały-i-publikacje/rozporzadzenie_rady_ministrow_pol-ang.pdf</a>, as well as not legally binding guidance documents providing advice to administrative bodies. Shopping centres are explicitly mentioned under paragraph 3 point 54.</td>
</tr>
</tbody>
</table>

123
<table>
<thead>
<tr>
<th>Country</th>
<th>Administrative Bodies</th>
<th>United Kingdom:</th>
</tr>
</thead>
</table>
| Romania | [Link](http://apmar.anpm.ro/legislations/view/624) [PDF](http://www.anpm.ro/upload/58674_2010_DESULFURARE.pdf) | There are official guides to the EIA Regulations in each administration and the organisation in charge of NSIP applications has produced advice on screening. Links below:

- England & Wales (General EIA Circular and Guidance, that covers screening):

- Scotland EIA documents related to screening:
  - PAN58 = [Link](http://www.scotland.gov.uk/Publications/1999/10/pan58-root/pan58.pdf) |
| Spain: | Advisory page on screening with resources: |
| - | http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/environmental/ |

| Spain: |

| Spain: |

<p>| Spain: |</p>
<table>
<thead>
<tr>
<th>Country</th>
<th>Details</th>
</tr>
</thead>
</table>
| United Kingdom: | There are official guides to the EIA Regulations in each administration and the organisation in charge of NSIP applications has produced advice on screening, links below:  
England & Wales (General EIA Circular and Guidance, that covers screening):  
- England & Wales (NSIP screening advice document):  
Scotland EIA documents related to screening:  
  - Advisory page on screening with resources: http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/environmentalimpactassessment  
 England & Wales (NSIP screening advice document):  
Austria: | http://www.salzburg.gv.at/pdfs-leitfaden-uvp-2.pdf |

Yes, on regional level: indication of web-link

Austria: | http://www.salzburg.gv.at/pdfs-leitfaden-uvp-2.pdf |

Austria: | http://www.salzburg.gv.at/pdfs-leitfaden-uvp-2.pdf |

Austria: | http://www.salzburg.gv.at/pdfs-leitfaden-uvp-2.pdf |
<table>
<thead>
<tr>
<th>Country</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Municipalities use a checklist for screening and exploring whether there are cumulating projects. The origin is unknown.</td>
</tr>
<tr>
<td>Spain</td>
<td><a href="http://www.cmati.xunta.es/portal/cidadan/lang/gl/pid/2567">http://www.cmati.xunta.es/portal/cidadan/lang/gl/pid/2567</a></td>
</tr>
</tbody>
</table>
| United Kingdom | There are official guides to the EIA Regulations in each administration and the organisation in charge of NSIP applications has produced advice on screening, links below:  
  - England & Wales (General EIA Circular and Guidance, that covers screening):  
  - Scotland EIA documents related to screening:  
    - Advisory page on screening with resources: http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/envis |
<p>| Bulgaria    | No                                                                            |
| Czech Republic | No                                                                            |
| Hungary     | Germany: Municipalities use a checklist for screening and exploring whether there are cumulating projects. The origin is unknown. |
| Italy       | No                                                                            |
| Slovakia    | No                                                                            |</p>
<table>
<thead>
<tr>
<th>2. Conditions that define the obligation for an EIA</th>
<th>Austria</th>
<th>Austria</th>
<th>Austria</th>
<th>Austria (different procedure for federal roads)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thresholds for obligatory EIA (without screening)</td>
<td>Bulgaria</td>
<td>Bulgaria</td>
<td>Denmark</td>
<td>Bulgaria</td>
</tr>
<tr>
<td>Croatia: in case of waste treatment facilities for non-hazardous waste</td>
<td>France</td>
<td>Croatia: in case of express roads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>Czech Republic</td>
<td>Germany</td>
<td>Cyprus</td>
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<tr>
<td>Czech Republic</td>
<td>Denmark: hazardous waste</td>
<td>Ireland</td>
<td>Czech Republic: new construction, reconstruction &amp; rerouting of highways / expressways</td>
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<tr>
<td>Denmark</td>
<td>France</td>
<td>Italy</td>
<td>Denmark</td>
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<td>France</td>
<td>Germany</td>
<td>Malta</td>
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<td>Ireland</td>
<td>Slovenia</td>
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<tr>
<td>Ireland</td>
<td>Italy</td>
<td>Spain</td>
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<td>Netherlands</td>
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<td>Netherlands</td>
<td>Slovakia</td>
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<td>Slovenia</td>
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<td>Romania</td>
<td>Spain</td>
<td>United Kingdom</td>
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<td>Spain</td>
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<td>United Kingdom</td>
<td>Slovenia</td>
<td>United Kingdom</td>
<td>United Kingdom</td>
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<tr>
<td>Thresholds for screening</td>
<td>Austria</td>
<td>Austria</td>
<td>Austria</td>
<td>Austria</td>
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<td>Croatia</td>
<td>Czech Republic</td>
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<td>Czech Republic</td>
<td>Germany</td>
<td>Cyprus</td>
<td>France</td>
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<td>Germany</td>
<td>Hungary</td>
<td>Czech Republic</td>
<td>Germany</td>
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<tr>
<td>Country 1</td>
<td>Country 2</td>
<td>Country 3</td>
<td>Country 4</td>
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<td>Slovakia</td>
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<td>Spain</td>
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<tr>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td></td>
</tr>
</tbody>
</table>

**Screening required for all projects of this type without thresholds**

<table>
<thead>
<tr>
<th>Denmark</th>
<th>Croatia: Waste disposal facilities; Remediation and reconstruction of landfills</th>
<th>Bulgaria</th>
<th>Cyprus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denmark</td>
<td>non hazardous waste</td>
<td>Denmark</td>
<td>Denmark</td>
</tr>
<tr>
<td>Germany</td>
<td>Screening generally required for: construction and operation of a landfill site for deposition of inert waste within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz)</td>
<td>Romania</td>
<td></td>
</tr>
</tbody>
</table>

**Other:**

<table>
<thead>
<tr>
<th>Bulgaria: screening is required for all projects below the mentioned threshold</th>
<th>Bulgaria: screening for all installations for depositing of waste not included in the threshold</th>
<th>Hungary: size, risk, sensitivity, cumulation with other activities (thresholds for preliminary assessment)</th>
<th>Bulgaria: 1) Mandatory EIA for all projects &quot;Construction of all highways and Class I roads&quot; 2) Screening decision for all other roads but 1), and which are not included in the threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
<td>Conditions and Requirements</td>
<td></td>
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<tr>
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<tr>
<td>Cyprus:</td>
<td>- case-by-case for projects under Annex II - Prelim EIA Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Croatia:</td>
<td>- no threshold required for 1) landfill for hazardous waste; 2) landfill in a county or regional waste mgm. center</td>
<td></td>
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</tr>
<tr>
<td>Ireland:</td>
<td>- Criteria for determining whether sub threshold development would be likely to have significant effects on the environment, hence necessitating EIA, is set out in Schedule 5 of the Planning and Development Regs 2001. Where ABP considers that a proposed development would be likely to have significant effects on the environment it shall direct the applicant to prepare an EIS.</td>
<td></td>
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</tr>
<tr>
<td>Cyprus:</td>
<td>- Criteria for determining whether sub threshold development would be likely to have significant effects on the environment, hence necessitating EIA, is set out in Schedule 5 of the Planning and Development Regs 2001. Where ABP considers that a proposed development would be likely to have significant effects on the environment it shall direct the applicant to prepare an EIS.</td>
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<tr>
<td>Malta:</td>
<td>- others than those included in Category 1 projects</td>
<td></td>
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</tr>
<tr>
<td>Germany:</td>
<td>- Without threshold: Obligatory EIA for landfill sites for hazardous waste subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Kingdom:</td>
<td>- Any development listed in Schedule 2 in any of the UK's EIA Regulations, related to planning permissions, will require screening (based on a significance survey) if any part of the proposal is within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands:</td>
<td>- All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Netherlands:</td>
<td>- 1) All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romania:</td>
<td>- obligatory for projects on construction of highways and express roads; screening for projects included in Annex 2 (all other projects not included in Annex 1)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Netherlands:  
1) All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory  
2) all new (thermal power) installations which burn 'hazardous' waste require an EIA |  
Ireland:  
Criteria for determining whether sub threshold development would be likely to have significant effects on the environment, hence necessitating EIA, is set out in Schedule 5 of the Planning and Development Regs 2001. Where ABP considers that a proposed development would be likely to have significant effects on the environment it shall direct the applicant to prepare an EIS. |  
United Kingdom:  
Any development listed in Schedule 2 in any of the UK’s EIA Regulations, related to planning permissions, will require screening (based on a significance survey) if any part of the proposal is within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty, etc |
| --- | --- | --- |
| United Kingdom:  
Any development listed in Schedule 2 in any of the UK’s EIA Regulations, related to planning permissions, will require screening (based on a significance survey) if any part of the proposal is within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to Internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty, etc |  
Netherlands:  
1) All thresholds for screening only serve as an indicator, below the thresholds a screening decision without procedural requirements is obligatory  
2) all new installations which store 'hazardous' waste in a landfill require an EIA |  
Romania:  
obligatory for installations included in Annex I - hazardous waste landfills; HG445/2009, Criteria included in annex III for installations included in Annex I |
United Kingdom:
Any development listed in Schedule 2 in any of the UK's EIA Regulations, related to planning permissions, will require screening (based on a significance survey) if any part of the proposal is within a 'sensitive area'. The definition of 'sensitive area' varies between the different regulations; however, it mainly relates to internationally or nationally designated environmental sites, SAC, SPA, Ramsar, SSSI, Area of Outstanding Natural Beauty, etc.

2.3 From 2.2.a: Thresholds to be reached or exceeded for an obligatory EIA

<table>
<thead>
<tr>
<th>Country</th>
<th>Threshold N°1:</th>
<th>Unit:</th>
<th>Value:</th>
<th>Country</th>
<th>Threshold N°1:</th>
<th>Unit:</th>
<th>Value:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria:</td>
<td>MW thermal capacity</td>
<td>200</td>
<td></td>
<td>Austria:</td>
<td>m³</td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>Bulgaria:</td>
<td>MW heat capacity</td>
<td>50</td>
<td></td>
<td>Bulgaria:</td>
<td>tons of hazardous waste per cay</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Croatia:</td>
<td>Mwel</td>
<td>100</td>
<td></td>
<td>Croatia:</td>
<td>t/day</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Cyprus:</td>
<td>MW</td>
<td>50</td>
<td></td>
<td>Cyprus:</td>
<td>category of waste on of disposal / recovery; hazardous waste disposal / recovery</td>
<td>Note: disposal installations not included in Annex 1</td>
<td></td>
</tr>
<tr>
<td>Germany:</td>
<td>5,000 m² or more</td>
<td>Federal EIA Act: Construction of a shopping centre, large-scale retail outlet or other large-scale trade establishment within the meaning of Art. 11 para. 3 sentence 1 of the Building Uses Ordinance [Bauzwecktrechtverordnung], for which a land use plan /development plan is prepared in the existing external area within the meaning of Article 35 of the Building Code [Außenbereich gem. Baugesetzbuch], Schleswig-Holstein: for the construction of the above mentioned projects in</td>
<td>note: case by case analysis of plants not included in Annex 1 (below 50MW) based on preliminary EIA Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Cyprus: km 4
<table>
<thead>
<tr>
<th>Country</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Czech Republic</td>
<td>Mwe (Megawatt electricity) 50 to 200 (installations for combustion of fuel with a thermal output of)</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Tonnes (capacity) 1,000 - 3,000 (installations for the management of hazardous waste)</td>
</tr>
<tr>
<td>Ireland</td>
<td>Construction of a shopping centre with a gross floor space exceeding 10,000m²</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>New construction, reconstruction &amp; rerouting of highways / expressways</td>
</tr>
<tr>
<td>Denmark</td>
<td>120 MW Heat Output</td>
</tr>
<tr>
<td>Denmark</td>
<td>0</td>
</tr>
<tr>
<td>Italy</td>
<td>Thresholds for obligatory EIA are defined only in some Regional laws (for example in Lombardy the threshold is 15000 mq)</td>
</tr>
<tr>
<td>Denmark</td>
<td>2 km in a continuous length</td>
</tr>
<tr>
<td>France</td>
<td>Tons of coal 500</td>
</tr>
<tr>
<td>France</td>
<td>M² facility size for bulky waste 3,500</td>
</tr>
<tr>
<td>Malta</td>
<td>10,000 m²</td>
</tr>
<tr>
<td>France</td>
<td>Construction, expansion, extension and adaption of highways and expressways including interchanges: any</td>
</tr>
<tr>
<td>Germany</td>
<td>&gt; 200 MW (combustion heat performance, thermal firing rate)</td>
</tr>
<tr>
<td>Germany</td>
<td>10 tons per day (non-hazardous waste, not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste) OR 25 000 t or more non-hazardous waste (total capacity), not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Spaces/lots 300 parking lots with mor then 300 lots</td>
</tr>
<tr>
<td>Germany</td>
<td>Construction of a Federal motorway or other Federal highway if the latter is an express road within the meaning of the European Agreement of 15 November 1975 on Main International Traffic Arteries (AGR)</td>
</tr>
<tr>
<td>Country</td>
<td>Condition Details</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hungary</td>
<td>MW 20 Thermal Power Plants Performance - Electricity Production</td>
</tr>
<tr>
<td>Slovenia</td>
<td>m2 30,000</td>
</tr>
<tr>
<td>Ireland</td>
<td>Heat output of 300 megawatts or more</td>
</tr>
<tr>
<td>Slovenia</td>
<td>ton / day &gt;100</td>
</tr>
<tr>
<td>Ireland</td>
<td>Installations for the disposal of waste with an annual intake greater than 25,000 tonnes</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Hazardous waste landfills all</td>
</tr>
<tr>
<td>Lithuania</td>
<td>km &gt;10</td>
</tr>
<tr>
<td>Malta</td>
<td>number of lanes on highway 4</td>
</tr>
<tr>
<td>Malta</td>
<td>50 MW (if this value is exceeded, proposal would qualify for an obligatory EIA - Annex I of the EIA directive)</td>
</tr>
<tr>
<td>Lithuania</td>
<td>1,000 / 5 / 7.5</td>
</tr>
<tr>
<td>Poland</td>
<td>MW 101</td>
</tr>
<tr>
<td>Poland</td>
<td>10 t</td>
</tr>
<tr>
<td>Slovakia</td>
<td>no limit hazardous waste Landfills</td>
</tr>
<tr>
<td>Romania</td>
<td>lanes 4</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Hazardous waste landfills all</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Highways and expressways, including objects</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Landfill of Hazardous Waste</td>
</tr>
<tr>
<td>Slovenia</td>
<td>highways and expressways all</td>
</tr>
<tr>
<td>Italy</td>
<td>Heat output of 300 megawatts or more</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Installations for the disposal of waste with an annual intake greater than 25,000 tonnes</td>
</tr>
<tr>
<td>Malta</td>
<td>number of lanes on highway 4</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Installations for the disposal of waste with an annual intake greater than 25,000 tonnes</td>
</tr>
<tr>
<td>Poland</td>
<td>10 t</td>
</tr>
<tr>
<td>Slovakia</td>
<td>no limit hazardous waste Landfills</td>
</tr>
<tr>
<td>Romania</td>
<td>lanes 4</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Hazardous waste landfills all</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Landfill of Hazardous Waste</td>
</tr>
<tr>
<td>Slovenia</td>
<td>highways and expressways all</td>
</tr>
<tr>
<td>Country</td>
<td>Threshold N°2:</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Slovenia:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MW 300</td>
</tr>
<tr>
<td>United Kingdom:</td>
<td>MW (heat output) 300</td>
</tr>
<tr>
<td>Threshold N°2:</td>
<td>France: m3/h flow rate of flammable liquids</td>
</tr>
<tr>
<td></td>
<td>Hungary: MW 300 Heat output other than incineration plant</td>
</tr>
<tr>
<td></td>
<td>Czech Republic: tonnes (capacity) over 30,000 (installations for the management of other waste)</td>
</tr>
<tr>
<td></td>
<td>Slovenia: (located in an air quality management area): MW 50</td>
</tr>
<tr>
<td></td>
<td>Hungary: Total capacity 500,000 tonnes nonhazardous waste</td>
</tr>
<tr>
<td></td>
<td>Malta: &gt;300 dwellings within 200m from the boundaries of the site, m3: 25,000</td>
</tr>
<tr>
<td></td>
<td>Poland: tonnes (total capacity) 25,000</td>
</tr>
<tr>
<td></td>
<td>Hungary: km 10 new construction 4 or more lane roads (not under express roads)</td>
</tr>
<tr>
<td>Country</td>
<td>Description</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Slovakia</td>
<td><strong>m³</strong> 250,000 non-hazardous waste landfills with a capacity over 250,000 m³</td>
</tr>
<tr>
<td>Malta</td>
<td>km of length of a road with min 7.5m carriageway, &gt;300 dwellings within 100m from the centre line, passage of 100m protected site: 2</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Municipal landfills all</td>
</tr>
<tr>
<td>Poland</td>
<td>roads other than motorways and express roads with four or more lanes and total continuos length of not less than 10 km</td>
</tr>
<tr>
<td>Romania</td>
<td>km 10</td>
</tr>
<tr>
<td>Slovakia</td>
<td>km 10 I. &amp; II. class roads and reconstruction or expansion of existing I. and II. Class roads, including objects</td>
</tr>
<tr>
<td>Slovenia</td>
<td>roads (4 lanes or more) or lanes on a new classification of existing roads and / or expansion of existing road:</td>
</tr>
<tr>
<td>Slovakia</td>
<td>km 10</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Lanes of traffic Construction of a new road of 4 or more lanes</td>
</tr>
<tr>
<td>France</td>
<td>kW 200</td>
</tr>
<tr>
<td>France</td>
<td>m² of space for processing vehicle waste</td>
</tr>
<tr>
<td>Netherlands</td>
<td>tons of non-hazardous waste per day 100</td>
</tr>
<tr>
<td>Hungary</td>
<td>all sizes Hazardous waste landfills</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>km longer than 1 new construction, reconstruction, rerouting of highways with four / more lanes</td>
</tr>
<tr>
<td>Malta</td>
<td>m of distance to aquifer protection zone boundary:</td>
</tr>
<tr>
<td>France</td>
<td>km of road length</td>
</tr>
<tr>
<td>Germany:</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>---</td>
</tr>
<tr>
<td>10 or more km construction of a Federal Highway having four or more lanes by rerouting and/or developing an existing Federal Highway, if such altered Federal highway section has a continuous length of 10 km or more</td>
<td>200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hungary:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>km 10 expansion of existing roads to 4 or more lanes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Malta:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>re-alignment and/or widening of an existing road of 2 lanes or less to provide 4 or more lanes: km of length of a road with min 7.5m carriageway, &gt;300 dwellings within 100m from the centre line, passage of 100m protected site: 2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slovenia:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Main roads order I &amp; II &amp; policy/regional road order I, II, III &amp; local roads (except in relocation/extensions where axis of roads are not moved by more than 200 m and the road is not built new lane): km 10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United Kingdom:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lanes of traffic 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 kilometres or more in a continuous length.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threshold N°4:</td>
<td>France:</td>
<td>France:</td>
</tr>
<tr>
<td>--------------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>Unit:</td>
<td>Value:</td>
<td>m³ of non hazardous meat!</td>
</tr>
<tr>
<td>Value:</td>
<td>20</td>
<td>1,000</td>
</tr>
<tr>
<td>Malta:</td>
<td>m of distance to water abstraction points</td>
<td>500</td>
</tr>
<tr>
<td>Germany - Schleswig Holstein:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10 km</td>
<td>construction of a road</td>
</tr>
<tr>
<td></td>
<td>of an administrative district or a municipality</td>
<td>of Land Schleswig-Holstein</td>
</tr>
<tr>
<td></td>
<td>or a municipality having four or more lanes</td>
<td>if such road has a continuous length of 10 km or more</td>
</tr>
<tr>
<td>Germany - Schleswig Holstein:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10 or more km</td>
<td>construction of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a new road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of Land Schleswig-Holstein</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of an administrative district</td>
</tr>
<tr>
<td>Germany - Schleswig Holstein:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Malta: The following thresholds are applicable to Category I (Annex I) projects: (1) Construction of a four-land highway; (2) Construction of a road with a carriageway width of 7.5m or more and not being a road for which the design is approved in a development plan, if the road is (i) 2 km or more in length; or (ii) more than 300 dwellings or an area designated for more than 300 dwellings are within 100m of the centre line of the proposed road; or, (iii) where the road passes through or within 100m of a protected site; and (3) 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: (i) 2km or more in length; (ii) more than 300 dwellings or an area designated for more than 300 dwellings are within 100m of the centre line of the proposed road; or (iii) where the road passes through or within 100m of a protected site.

| Malta: | km of tunnel length, passage beneath or within 100m protected area or passage through or within 100 m of aquifer protection zone: 1 |

Slovenia: Main roads order I & II & policy/regional road order I, II, III & local roads in protected area (nature, cultural heritage & water): km 5
From 2.2.b: Screening thresholds that indicate a screening procedure

<table>
<thead>
<tr>
<th>Country</th>
<th>Threshold N°1: Unit: Value:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>MW 100 In areas subject to air pollution</td>
</tr>
<tr>
<td></td>
<td>ha 5 (or threshold N°2) In special protection areas</td>
</tr>
<tr>
<td></td>
<td>DTV (average daily traffic frequency) 2,000 In special protection areas or water protection and conservation areas</td>
</tr>
<tr>
<td>Coratia</td>
<td>inst. for electricity, steam and hot water (fossil and solid fuels, renewable energy sources apart from water and wind)</td>
</tr>
<tr>
<td></td>
<td>1.000 - 3.000 fact finding activity; installations for managing other wastes</td>
</tr>
<tr>
<td></td>
<td>Mwel 1</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>tonnes p.a for landfill sites for inert waste site related screening OR less than 25 000 tons total capacity non-hazardous waste, not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste site related screening OR less than 25 000 tons total capacity non-hazardous waste, not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste site related screening</td>
</tr>
<tr>
<td></td>
<td>m² of gross construction area 50,000</td>
</tr>
<tr>
<td>Germany</td>
<td>less than 10 tons per day non-hazardous waste, not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste site related screening OR less than 25 000 tons total capacity non-hazardous waste, not subject to special monitoring within the meaning of the Product Recycling and Waste Management Act (Kreislaufwirtschafts- und Abfallgesetz) with the exception of landfill sites for inert waste site related screening</td>
</tr>
<tr>
<td></td>
<td>2,500</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Mwe (Megawatt electricity) 50 to 200</td>
</tr>
<tr>
<td>Denmark</td>
<td>less than 120 MW Heat Output 10 nonhazardous waste (not under annex I)</td>
</tr>
<tr>
<td>Hungary</td>
<td>tonnes per day 10 nonhazardous waste (not under annex I)</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>m² (total area of enclosed space) over 3,000 projects requiring fact-finding procedure</td>
</tr>
<tr>
<td>Germany</td>
<td>50-200 MW (combustion heat performance, thermal firing rate)</td>
</tr>
<tr>
<td>Italy</td>
<td>&gt;= 100,000 m³</td>
</tr>
<tr>
<td>France</td>
<td>m² of land consumption 10,000</td>
</tr>
<tr>
<td>Germany</td>
<td>without threshold: Construction of any other Federal Highway than mentioned under 2.4.2.3</td>
</tr>
<tr>
<td>Hungary:</td>
<td>Malta:</td>
</tr>
<tr>
<td>----------</td>
<td>--------</td>
</tr>
<tr>
<td>MW (output performance) 50 Thermal energy production facilities (steam and hot water production, if it is not included in Annex No. 1)</td>
<td>m3 15,000</td>
</tr>
<tr>
<td>Italy: 50 MW</td>
<td>Netherlands: tons per day 50</td>
</tr>
<tr>
<td>Lithuania: MW &lt;300</td>
<td>Poland: recycling or waste disposal installations other than above (except agricultural use)</td>
</tr>
<tr>
<td>Country</td>
<td>Threshold N°2: Value</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Austria:</td>
<td><strong>MW</strong></td>
</tr>
<tr>
<td></td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>For cumulation with other spatially related thermal power stations if 200 MW is reached together with them</td>
</tr>
<tr>
<td></td>
<td><strong>m³</strong> (mass waste or residual materials)</td>
</tr>
<tr>
<td></td>
<td>375,000</td>
</tr>
<tr>
<td></td>
<td>In areas subject to air pollution</td>
</tr>
<tr>
<td>Germany:</td>
<td><strong>t</strong> p.a.</td>
</tr>
<tr>
<td></td>
<td>100 - 1,000</td>
</tr>
<tr>
<td></td>
<td>Fact finding activity; management of hazardous waste</td>
</tr>
<tr>
<td>Czech Republic:</td>
<td><strong>Number of lots (total in aggregate for the entire building)</strong></td>
</tr>
<tr>
<td></td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>parking spaces</strong></td>
</tr>
<tr>
<td>France:</td>
<td><strong>Non-substantial changes or extensions of highways and expressways (including interchanges)</strong></td>
</tr>
<tr>
<td></td>
<td>any</td>
</tr>
<tr>
<td>Netherlands:</td>
<td><strong>Hectares</strong></td>
</tr>
<tr>
<td></td>
<td>The area of development &gt;0.5</td>
</tr>
<tr>
<td>Lithuania:</td>
<td><strong>ha</strong></td>
</tr>
<tr>
<td></td>
<td>&gt;0.5</td>
</tr>
<tr>
<td>Malta:</td>
<td><strong>km of length of road with min 3.5m carriageway, passage of 100m protected site</strong></td>
</tr>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Poland:</td>
<td><strong>ha</strong> (surface)</td>
</tr>
<tr>
<td></td>
<td>0,5 in areas of conservation referred to in Article 6 section 1 items 1-6, 8 and 9 of the Environmental Protection Act of 16 April 2004</td>
</tr>
<tr>
<td>Slovakia:</td>
<td><strong>km</strong></td>
</tr>
<tr>
<td></td>
<td>5-10</td>
</tr>
<tr>
<td></td>
<td>I. &amp; II. Class roads and reconstruction or expansion of existing I. and II. Class roads, including objects</td>
</tr>
<tr>
<td>United Kingdom:</td>
<td><strong>km</strong></td>
</tr>
<tr>
<td></td>
<td>The area of development &gt;0.5</td>
</tr>
<tr>
<td>Austria:</td>
<td><strong>Hectares</strong></td>
</tr>
<tr>
<td></td>
<td>The area of development &gt;0.5</td>
</tr>
<tr>
<td>Czech Republic:</td>
<td><strong>Number of lots (total in aggregate for the entire building)</strong></td>
</tr>
<tr>
<td></td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>parking spaces</strong></td>
</tr>
<tr>
<td>France:</td>
<td><strong>Non-substantial changes or extensions of highways and expressways (including interchanges)</strong></td>
</tr>
<tr>
<td></td>
<td>any</td>
</tr>
<tr>
<td>Lithuania: MW &gt;50</td>
<td>Hungary: Total capacity 25,000 tonnes nonhazardous waste (not under annex I)</td>
</tr>
<tr>
<td>Netherlands: tons per day of non-hazardous waste 50</td>
<td>Netherlands: 1) class B sediment or non-hazardous waste: 250,000 m³ and/or 2) dryweight of waste water disposal sludge: 5,000 t/a 3) 100 t/d</td>
</tr>
<tr>
<td>Poland: heat input</td>
<td>United Kingdom: Metres</td>
</tr>
<tr>
<td>Threshold N°3: Unit: Value:</td>
<td>Austria:</td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>MW</td>
</tr>
<tr>
<td></td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>In areas subject to air pollution and cumulation with other spatially related thermal power stations if 100 MW is reached together with them</td>
</tr>
<tr>
<td></td>
<td>In special protection areas</td>
</tr>
<tr>
<td>Germany:</td>
<td>10 to less than 50 MW (combustion heat performance, thermal firing rate) when using gaseous fuels, (especially coke furnace gas, mine gas, steel gas, refinery gas, synthesis gas, biogas) * site related screening</td>
</tr>
<tr>
<td>Czech Republic:</td>
<td>all waste disposal by depositing in natural or artificial geological structures and spaces</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>Threshold N° 4:</td>
<td>Unit:</td>
</tr>
<tr>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>Germany:</td>
<td>1 to less than 50 MW (combustion heat performance, thermal firing rate) When using coal, coke including petroleum coke, coal briquettes, turf briquettes, fuel turf, untreated wood, emulsified natural bitumen, heating oils excluding light heating oil</td>
</tr>
<tr>
<td>Austria:</td>
<td>m³ for cumulation in area subject to air pollution</td>
</tr>
<tr>
<td>Germany:</td>
<td>1 to less than 50 MW (combustion heat performance, thermal firing rate) when using solid or liquid fuels other than listed above</td>
</tr>
<tr>
<td>Germany:</td>
<td>100 kW to less than 1 MW (combustion heat performance, thermal firing rate) when using solid or liquid fuels other than listed above</td>
</tr>
<tr>
<td>Netherlands:</td>
<td>tons of coal per day</td>
</tr>
<tr>
<td>Netherlands:</td>
<td>change or expansion of an existing installation for burning of hazardous waste</td>
</tr>
<tr>
<td>Hungary:</td>
<td>all Natura 2000 sites</td>
</tr>
</tbody>
</table>

- Belgium:
  - Change or expansion of an existing installation for burning of hazardous waste

- Germany:
  - Change or expansion of an existing installation for storing hazardous waste in a landfill
  - 62,500 m³ for cumulation in special protection area resp. 93,750 m³ for cumulation in area subject to air pollution
  - 1 to less than 50 MW (combustion heat performance, thermal firing rate) when using solid or liquid fuels other than listed above
  - 100 kW to less than 1 MW (combustion heat performance, thermal firing rate) when using solid or liquid fuels other than listed above
  - 250 tons of coal per day

- Ireland:
  - All sub-threshold development.
  - All sub-threshold development.
  - Construction of new road of four or more lanes movement or alignment or widening of existing roads with two or fewer lanes to four lanes created or more (if not included in the Annex 1); Construction, widening and upgrading of roads in general, (I) in mountainous areas where

- Luxembourg:
  - Change or expansion of an existing installation for burning of hazardous waste
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Sweden:
  - Change or expansion of an existing installation for burning of hazardous waste
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Switzerland:
  - Change or expansion of an existing installation for burning of hazardous waste
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Austria:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Denmark:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Czech Republic:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Hungary:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Ireland:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Italy:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Latvia:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Lithuania:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Luxembourg:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Malta:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- The Netherlands:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Portugal:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Slovenia:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Spain:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Sweden:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Switzerland:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Turkey:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- United Kingdom:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Ukraine:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- United States:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Vietnam:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Venezuela:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- World:
  - Change or expansion of an existing installation for burning of hazardous waste in a landfill
  - Change or expansion of an existing installation for storing hazardous waste in a landfill

- Cyprus:
  - Construction of new road of four or more lanes movement or alignment or widening of existing roads with two or fewer lanes to four lanes created or more (if not included in the Annex 1); Construction, widening and upgrading of roads in general, (I) in mountainous areas where
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<tr>
<th>Country</th>
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<tbody>
<tr>
<td>Ireland:</td>
<td>All sub-threshold development.</td>
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<tr>
<td>Poland:</td>
<td>The Council of Ministers Regulation mentions waste treatment installations, industrial waste treatment, sewage systems, installations related to waste recovery or waste treatment, and waste collection or handling points.</td>
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</table>

2. Cumulation with other projects is taken into account in the screening phase in the following way:

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<tr>
<th>Country</th>
<th>Description</th>
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<tr>
<td>Austria</td>
<td>Lower thresholds for projects spatially related to other projects of the same category (together the projects taken into consideration have to exceed the thresholds 200 MW respectively 100 MW in areas subject to air pollution) Lower thresholds for projects spatially related to other projects of the same category: mass waste or residual materials: • 125,000 m³ for cumulation with other spatially related landfills if 500,000 m³ is reached together with them • 62,500 m³ for cumulation with other spatially related landfills if 250,000 m³ is reached together with them • 93,750 m³ for cumulation with other spatially related landfills in areas subject to air pollution if 375,000 m³ is reached together with them; demolition waste or inert material: • 250,000 m³ for cumulation with other spatially related landfills if 1,000,000 m³ is reached together with them • 125,000 m³ for cumulation with other spatially related landfills in special protection areas if 500,000 m³ is reached together with them • 187,500 m³ for cumulation with other spatially related landfills in areas subject to air pollution if 750,000 m³ is reached together with them</td>
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<tr>
<td>Bulgaria</td>
<td>For the purposes of assessing the need for making EIA the investor has to submit information amongst</td>
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<td>Country</td>
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<td>Croatia</td>
<td>The selection criteria referred to in article 4 (3) of the EIA Directive which include the characteristics of projects having regard, in particular, to “the cumulation with other projects” are mandatory to be applied in the screening procedure.</td>
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<tr>
<td>Cyprus</td>
<td>Law 140/2005, criterion in Annex 4, 1b</td>
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<tr>
<td>Czech Republic</td>
<td>Included in the “fact-finding” criteria: accumulation of its impacts with the impacts of other known plans.</td>
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<tr>
<td>Denmark</td>
<td>By assuming a compulsory application from the developer, cf. Section 2, subsection 1 and 4, and by observing the compulsory criteria of the screening procedure laid down in Annex III, all statutes in Ministerial Order no. 1510, dated 2010-12-15, concerning EIA.</td>
</tr>
<tr>
<td>Germany</td>
<td>Federal Law: According to Article 3 b par. 2 Environmental Impact Assessment Act EIA obligation due to type, scale and capacity of project. The obligation to perform an environmental impact assessment shall also exist if several projects of the same type which are to be executed simultaneously by the same developer or more than one developer and which are closely related (cumulative projects) together reach or exceed the relevant size or capacity figures. Such projects shall be deemed to be closely related if: 1. They are situated as technical or other installations on the same operating or construction site and are connected with common.</td>
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<td>Country</td>
<td>Information Provided</td>
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<tr>
<td>Hungary</td>
<td>Included in screening criteria: the cumulation with other activities, bearing in mind that if the operation of the installation site or adjacent property with the same or similar activities designed to meet or exceed the activity with the first Appendix threshold.</td>
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<tr>
<td>Ireland</td>
<td>In accordance with the criteria for determining whether or not the development is likely to have significant effects on the environment</td>
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<tr>
<td>Italy</td>
<td>The cumulation with other projects is taken into account into the documents which describe the project and its environmental impacts (environmental study)</td>
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<tr>
<td>Lithuania</td>
<td>Among the environmental aspects of the project there is a requirement to provide information on cumulative effects with other projects</td>
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<tr>
<td>Malta</td>
<td>Cumulation with other projects is taken into consideration as one of the criteria assessed in the screening matrix as per European Commission Guidance on Screening (2001) ; Legal Notice 114/2007, criterion</td>
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<tr>
<td>Netherlands</td>
<td>Tailor-made by the competent authority, if advice from NCEA</td>
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<tr>
<td>Poland</td>
<td>Article 63 of the EIA Law requires to consider the project's cumulation with other projects, but additional thresholds are not set. There is a formal requirement that installations be assessed together.</td>
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<tr>
<td>Romania</td>
<td>GD445/2009, criterion included in Annex III, p. 1b During EIA the projects in the neighbourhood are also taken into consideration; during the EIA studies synergic effects are evaluated and also a risk assessment is performed and a safety report has to be presented</td>
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<tr>
<td>Slovakia</td>
<td>Included in screening criteria: links with other activities (existing or planned)</td>
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<td>Slovenia</td>
<td>No specific guidance</td>
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<tr>
<td>Spain</td>
<td>Overcoming thresholds or condition directly or indirectly protected areas</td>
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<tr>
<td>United Kingdom</td>
<td>The Regulations set out issues to be taken into consideration when screening in Schedule 3, which includes cumulative effects. However, the responsibility to do this is down to the specific consenting authority, of which there are &gt;350 across the UK. IEMA's 2011 research into the state of EIA practice in the UK highlighted evidence that indicated that the quality of screening consideration varied considerably across these different local authorities. see: Chapter 4 of <a href="http://www.iema.net/eiareport">www.iema.net/eiareport</a></td>
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<td>Yes: specification</td>
<td>Austria:</td>
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<td>For modifications the activities during the last 5 years have to be taken into account; clear jurisdiction with regard to project splitting; wide definition of project (including spatially related associated/ancillary works)</td>
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<td>Please refer to the answer given above (2.1.2.5.)</td>
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<td>Germany:</td>
<td>See above 2.1.2.5 and concerning extension: Article 3 b par 3 EIA Act: If alteration or extension of a project not previously subject to EIA requirements results in the relevant size or capacity figure being reached or exceeded for the first time, an EIA shall be carried out for the alteration or extension and shall take account of the environmental impacts of the existing project not previously subject to EIA requirements. Existing projects shall also include cumulative projects within the meaning of para. 2, sentence 1.</td>
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<td>Hungary</td>
<td>only in basic provisions in screening criteria as described above</td>
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<td>Italy</td>
<td>the screening procedure is applied also on changes on existing projects</td>
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<td>Poland</td>
<td>Article 3 section 1 item 13 Act OOS: projects which are connected technologically shall be qualified as one project, also where they are implemented by different entities; Art. 72 section 5 Act OOS: one decision on the environmental conditions shall be issued for a given project Art. 3 section 2 item 3 Regulation RM (summation of the project parameters)</td>
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Other: Bulgaria
- Material assets

Other: Denmark
- Important landscapes from a historical, cultural, archaeological, aesthetic or geological viewpoint. The Wadden Sea Area.
- Storage of hazardous substances necessary for the project? Are other installations e.g. energy supply, water supply, waste treatment devices etc. necessary for the project? Soil sealing or earth wall of 1 ha, 2 ha soil consolidation Further information about the site....

Other: Germany

Other: Ireland
- Archeology, architectural heritage

Other: Lithuania
- Radiation, biodiversity, Natura 2000, socio-economic, many other
Other: Malta

Other (please specify): Prior to detailed screening, the developer submits a Project Description Statement which contains the following information: (a) details of the person wishing to carry out the development, (b) a brief description of the project and its general objectives, (c) an indication of the proposed timing of the project and why this timing was preferred, (d) the location of the proposed development with site boundaries clearly shown on a map, (e) a concise but reasonably comprehensive indication of the alternative uses, alternative technologies and suitable alternative locations and sites for the proposed development and alternative arrangement of land uses, on the proposed site, (f) a description of the physical characteristics including size, scale, design and phasing of the development using models, photographs, diagrams, plans and maps where appropriate, (g) a description of present land uses and environmental characteristics of the site, (h) a brief description of surrounding land uses, their nature, their extent and their environmental characteristics, (i) a description of the services, water, foul water sewers, surface water drainage, including storm water drainage, and energy sources available on site, (j) estimates of the number of persons to be employed with estimates for each phase of the development, (k) the nature and quantities of raw materials and energy to be used, and wastes generated during construction and operation, the proposed method of storage or

Other: Malta

(h) a brief description of surrounding land uses, their nature, their extent and their environmental characteristics, (i) a description of the services, water, foul water sewers, surface water drainage, including storm water drainage, and energy sources available on site, (j) estimates of the number of persons to be employed with estimates for each phase of the development, (k) the nature and quantities of raw materials and energy to be used, and wastes generated during construction and operation, the proposed method of storage or

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| Other: Poland | the type, scale and localisation of the project, the type of technology, the possible options of the project, the possible transboundary impact on the environment, the measures to protect the environment. The developer submits the "Project Information Card", reporting the project main data. The required formal content in Polish law follows the requirements stated in the Directive. | handling of materials and wastes, and machinery needed during both the construction and the operational phases, (l) access arrangements and general parking requirements on and off the site, during both construction and operation, (m) list of the major environmental impacts likely to be generated by the project, including reference to cumulative impacts, proposals for mitigating the negative effects of the development. | handling of materials and wastes, and machinery needed during both the construction and the operational phases, (l) access arrangements and general parking requirements on and off the site, during both construction and operation, (m) list of the major environmental impacts likely to be generated by the project, including reference to cumulative impacts, proposals for mitigating the negative effects of the development. | handling of materials and wastes, and machinery needed during both the construction and the operational phases, (l) access arrangements and general parking requirements on and off the site, during both construction and operation, (m) list of the major environmental impacts likely to be generated by the project, including reference to cumulative impacts, proposals for mitigating the negative effects of the development. |
| Other: Slovakia | environment, radiation, heat, odors | Project description | environment, radiation, heat, odors | environment, radiation, heat, odors |
| Other: Slovenia | Project description | Project description | Project description | Project description |
| Other: United Kingdom | Where a developer wishes to request a screening opinion prior to submitting their application they are required to submit various pieces of information as below: 5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion. (2) A request for a screening opinion in relation to an application for planning permission shall be accompanied by— (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make. (3) A request for a screening opinion in relation to a subsequent application shall be accompanied by— (a) a plan sufficient to identify the land; (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made; Where a developer wishes to request a screening opinion prior to submitting their application they are required to submit various pieces of information as below: 5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion. (2) A request for a screening opinion in relation to an application for planning permission shall be accompanied by— (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make. (3) A request for a screening opinion in relation to a subsequent application shall be accompanied by— (a) a plan sufficient to identify the land; (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made; Where a developer wishes to request a screening opinion prior to submitting their application they are required to submit various pieces of information as below: 5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion. (2) A request for a screening opinion in relation to an application for planning permission shall be accompanied by— (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make. (3) A request for a screening opinion in relation to a subsequent application shall be accompanied by— (a) a plan sufficient to identify the land; (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made; Where a developer wishes to request a screening opinion prior to submitting their application they are required to submit various pieces of information as below: 5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion. (2) A request for a screening opinion in relation to an application for planning permission shall be accompanied by— (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make. (3) A request for a screening opinion in relation to a subsequent application shall be accompanied by— (a) a plan sufficient to identify the land; (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made; |

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<td>Slovak Environmental Inspectorate (part of the Slovak Ministry of the Environment)</td>
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<td>The Environmental Agency of the Republic of Slovenia</td>
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<tr>
<td>United Kingdom</td>
<td>If problems occur with the initial screening opinion offered by either the IPC or Local Authority (see answers below) the Government Department responsible for the consent</td>
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process has the power to step in and provide a definitive screening decision that would over-ride the lower tier authorities decision.

United Kingdom:
If problems occur with the initial screening opinion offered by either the IPC or Local Authority (see answers below) the Government Department responsible for the consent process has the power to step in and provide a definitive screening decision that would over-ride the lower tier authorities decision.

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<thead>
<tr>
<th>Regional authority: specification</th>
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<td>Regional inspectorates for environment and waters (RIEW)</td>
<td>Regional inspectorates for environment and waters (RIEW)</td>
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<td>Germany:</td>
<td>Agency for Agriculture, the Environment and Rural Areas of Land Schleswig-Holstein</td>
<td>Competent authority for permitting and inspection of industrial installations</td>
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<td>Environmental agency or Regional environmental agency</td>
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Spain
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<thead>
<tr>
<th>Environmental Protection</th>
<th>Protection Agency, if the project covers more than one county</th>
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<tbody>
<tr>
<td>Romania: for IED installations (IPPC), capacity &gt;50MW EPA</td>
<td>Romania: Regional Environmental Protection Agency, if the project covers more than one county and projects of IPPC installations</td>
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<tr>
<td>Slovakia: Or designated powers to the Regional Environmental Office and the district Environmental Office</td>
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**Local authority: specification**

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<tr>
<th>Denmark: Municipalities, cf. Section 2, subsection 1 and 4, of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA.</th>
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<tr>
<td>Ireland: Planning Authority</td>
<td>Germany: Building authority of city, rural district or municipality</td>
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<td>Netherlands: Municipality</td>
<td>Poland: municipal authority</td>
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<td>Poland: municipal authority</td>
<td>Romania: County Environmental Protection Agency</td>
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<tr>
<td>Romania: All installations with capacity &lt;50MW county EPA</td>
<td>United Kingdom: The UK has over 350 Local Authorities it is not practical to name them within this survey.</td>
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<tr>
<td>United Kingdom: The UK has over 350 Local Authorities it is not practical to name them within this survey.</td>
<td>Romania: Environmental Protection Agency</td>
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**Statutory body: specification**

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<thead>
<tr>
<th>Denmark: Danish Nature Agency/Environmental Protection Agency (independent administrative divisions of the Ministry of Environment), cf. Section 2, subsection</th>
<th>Germany: Agency for Agriculture, the Environment and Rural Areas of Land Schleswig-Holstein</th>
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<tr>
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<tr>
<td>Ireland: ABP on appeal or in cases of Strategic Infrastructure Development</td>
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<td>Lithuania: Ministry of the Environment</td>
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<tr>
<td>United Kingdom: Overseeing organisation undertakes the screening process</td>
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<tr>
<td>Other: specification</td>
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<tr>
<td>United Kingdom: For Nationally Significant Infrastructure Projects the authority is currently called the Infrastructure Planning Commission; however, from April 2011 it will be transformed into the National Infrastructure Directorate within the Planning Inspectorate</td>
<td>Germany: State Company for Road Construction and Transport of Schleswig-Holstein as responsible authority for plan approval</td>
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<td>2.1 Character of screening decision</td>
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<td>Internal decision by authority</td>
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<td>Other: specification</td>
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<td>Cyprus: opinion by the MANRE to the planning authority</td>
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<tr>
<td>Ireland: de facto part of planning decision</td>
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<th>2. Screening decision provides for appeals</th>
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<td>No</td>
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<td>Ireland: The decision of the planning authority in respect of the planning application can be appealed to ABP, not exclusively the screening element, although the third party may raise the matter of EIA and ABP has the opportunity to screen for EIA and require the submission of an EIS.</td>
<td>Ireland: The decision of the planning authority in respect of the planning application can be appealed to ABP, not exclusively the screening element, although the third party may raise the matter of EIA and ABP has the opportunity to screen for EIA and require the submission of an EIS.</td>
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<td>Malta</td>
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<td>Malta Screening decisions (and all other decisions taken by the authority or its officers at any stage) can be appealed, even though currently there is no explicit provision in favour or against this.</td>
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<td>Netherlands: spatial planning decision and/or the Trajectory Act decision can be appealed</td>
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<tr>
<td>Netherlands: the proponent/applicant can appeal</td>
<td>Netherlands: the proponent/applicant can appeal</td>
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<td>Poland</td>
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<tr>
<td>Country</td>
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<td>Challenges</td>
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<tr>
<td>Poland</td>
<td>Appeal against the screening decision at the regional authority.</td>
<td>The screening decision is made public available by publishing it into a local or regional newspaper; the decision could be appealed within 5 days after the publication.</td>
<td></td>
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</tr>
<tr>
<td>Romania</td>
<td>Appeal against the screening decision at the higher forum (e.g., regional authority in case of competence of the local authority or national authority in case of regional projects). The screening decision is made public available by publishing it into a local or regional newspaper; the decision could be appealed within 5 days after the publication.</td>
<td>Romania: it can be appealed at regional authority. The screening decision is made public available by publishing it into a local or regional newspaper; the decision could be appealed within 5 days after the publication.</td>
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<tr>
<td>Slovakia</td>
<td>Appeal against the screening decision at the stage of public information.</td>
<td>Slovakia: at the stage of public information.</td>
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<td>Slovenia</td>
<td>Appeal against the screening decision at the stage of public information.</td>
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<tr>
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<td>Spain: at the stage of public information.</td>
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<tr>
<td>United Kingdom</td>
<td>As indicated in 2.1.2.10 if there are issues with the first screening decision by the consenting authority the Government can step in to make a definitive decision. In England the EIA Regulations specifically indicate that either the developer or any interested party can approach the Government to request they reconsider the lower authorities screening decision. In Scotland, Wales and Northern Ireland the Regulations only specify the developer can take such action.</td>
<td>United Kingdom: Screening decisions, or a lack of a screening decision, can be challenged through the UK Courts and there have been a number of.</td>
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FURTHER: Screening decisions, or a lack of a screening decision, can be challenged through the UK Courts and there have been a number of.
**Cases where challenges have proved successful.**

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**FURTHER:** Screening decisions, or a lack of a screening decision, can be challenged through the UK Courts and there have been a number of cases where challenges have proved successful.

<table>
<thead>
<tr>
<th>Croatia: specification</th>
<th>Croatia:</th>
<th>Croatia:</th>
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<tbody>
<tr>
<td>Acc. to the national EIA Regulation: the Screening decision is made available to the public. Acc. to art. 81 of the Environmental Protection Act: Against the Screening decision &quot;an appeal shall not be permitted but an administrative dispute may be initiated&quot;.</td>
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<th>Denmark:</th>
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<tr>
<td>The developer may lodge an appeal, if the screening decision determines that the project is covered by Annex I of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA. Apart from procedural complaints others, eg neighbours, environmental groups, cannot lodge an appeal, because they will later on have cases where challenges have proved successful.</td>
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<tr>
<td>Country</td>
<td>Appeal Process</td>
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<tr>
<td>Germany</td>
<td>Not separately, only after the plan approval or the plan authorization is granted.</td>
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<tr>
<th>Country</th>
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<tr>
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<th>2. 13</th>
<th>An appeal can be lodged by Everybody</th>
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<td>Germany</td>
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<table>
<thead>
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<th>NGOs</th>
<th>Denmark:</th>
<th>Denmark:</th>
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<tbody>
<tr>
<td>(provided it has spatial issues as a purpose, is governed by bye-laws)</td>
<td>(provided it has spatial issues as a purpose, is governed by bye-laws)</td>
<td>(provided it has spatial issues as a purpose, is governed by bye-laws)</td>
<td>(provided it has spatial issues as a purpose, is governed by bye-laws)</td>
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</tr>
<tr>
<td>Statutory bodies/agencies</td>
<td>Poland</td>
<td>Austria: Environmental barrister</td>
<td>Austria: Environmental barrister</td>
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<tr>
<td>Lithuania</td>
<td>Denmark: (provided they have a legal interest in the matter).</td>
<td>Denmark: (provided they have a legal interest in the matter).</td>
<td>Denmark: (provided they have a legal interest in the matter).</td>
<td>Lithuania</td>
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<td>Denmark: (provided they have a legal interest in the decision).</td>
<td>Poland</td>
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<td>Slovakia</td>
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<tr>
<td>Austria: Environmental barrister</td>
<td>Other: specification</td>
<td>Project developer; ombudsman for the environment; co-operating authorities(s), in case the screening procedure was performed upon its/their request; environmental organisations (including also environmental NGOs) only against a screening decision which determines that the project isn't subject to an EIA (= negative screening decision)</td>
<td>Project developer; ombudsman for the environment; co-operating authorities(s), in case the screening procedure was performed upon its/their request; environmental organisations (including also environmental NGOs) only against negative screening decisions</td>
<td>Austria: Project developer; ombudsman for the environment; co-operating authorities(s), in case the screening procedure was performed upon its/their request; environmental organisations (including also environmental NGOs) only against negative screening decisions</td>
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<tr>
<td>Denmark: Minister of the Environment, National Park Fund</td>
<td>Denmark: Minister of the Environment, National Park Fund</td>
<td>Denmark: Minister of the Environment, National Park Fund</td>
<td>Denmark: Minister of the Environment, National Park Fund</td>
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<td>Germany: generally: those who are affected negatively by the project</td>
<td>Malta: Applicant</td>
<td>Malta: Applicant</td>
<td>Malta: Applicant</td>
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<td>Malta: Applicant</td>
<td>Poland: parties to the administrative procedure</td>
<td>Poland: parties to the administrative procedure</td>
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<td>Poland: parties to the administrative procedure</td>
<td>United Kingdom: As indicated above the English EIA Regulations were amended in 2011 to clearly indicate anyone could ‘lodge an appeal’. Whilst the Scottish, Welsh and Northern Irish EIA Regulations are unclear on who, other than the developer, has such a right. These regulations do not prevent anyone from approaching the Government to request a lower authorities screening decision be re-examined, but they do not indicate this option is open to anyone other than the developer. In terms of a legal challenge everybody has the right to bring a challenge, but costs can often be an issue that prevent such action.</td>
<td>United Kingdom: As indicated above the English EIA Regulations were amended in 2011 to clearly indicate anyone could ‘lodge an appeal’. Whilst the Scottish, Welsh and Northern Irish EIA Regulations are unclear on who, other than the developer, has such a right. These regulations do not prevent anyone from approaching the Government to request a lower authorities screening decision be re-examined, but they do not indicate this option is open to anyone other than the developer. In terms of a legal challenge everybody has the right to bring a challenge, but costs can often be an issue that prevent such action.</td>
<td>Romania: Companies, citizens, mass-media</td>
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<tr>
<td>United Kingdom: As indicated above the English EIA Regulations were amended in 2011 to clearly indicate anyone could ‘lodge an appeal’. Whilst the Scottish, Welsh and Northern Irish EIA Regulations are unclear on who, other than the developer, has such a right. These regulations do not prevent anyone from approaching the Government to request a lower authorities screening decision be re-examined, but they do not indicate this option is open to anyone other than the developer. In terms of a legal challenge everybody has the right to bring a challenge, but costs can often be an issue that prevent such action.</td>
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In terms of a legal challenge, everybody has the right to bring a challenge, but costs can often be an issue that prevent such action.
### 12.4 Appendix 4: Evaluation of detailed information on EIA procedures

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<td>If the project has dedicated parking areas</td>
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<td>Scoping is carried out</td>
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<td>United Kingdom:</td>
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<td>United Kingdom:</td>
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<td></td>
<td>Note: Whilst the Regulations do not require (mandate) scoping in practice virtually all EIA’s will undergo some level of informal scoping with the consenting authority and statutory consultees as a matter of standard practice - see Chapter 5 of IEMA’s 2011 report into the State of EIA Practice in the UK <a href="http://www.iema.net/eiareport">www.iema.net/eiareport</a></td>
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<td>Note: Whilst the Regulations do not require (mandate) scoping in practice virtually all EIA’s will undergo some level of informal scoping with the consenting authority and statutory consultees as a matter of standard practice - see Chapter 5 of IEMA’s 2011 report into the State of EIA Practice in the UK <a href="http://www.iema.net/eiareport">www.iema.net/eiareport</a></td>
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<td>Other: specification</td>
<td>Austria</td>
<td>Austria</td>
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<td>Apart from the voluntary scoping procedure Austria offers an investor service: The EIA authority may support the project applicants upon their request by providing information that is available to the authority and that is needed by the project applicant for preparing the documents for the EIA development consent procedure. The topics and</td>
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issues that are likely to be significant in the EIA development consent procedure may be communicated within the framework of these investor services for project preparation.

Ireland: Applicants can apply to the planning authority or ABP for scoping. This is not commonly availed of.

Poland: voluntary for annex I projects, mandatory (together with screening) for annex II projects

1. Official guidance for scoping is available on national level (web-link)

Austria: http://www.umweltbundesamt.at/fileadmin/site/publikationen/DP085.pdf

Denmark: https://www.retsinformation.dk/Forms/R0710.aspx?id=125635

Lithuania: http://www.am.lt/VI/files/0.519685001249378224.pdf

Germany: “Recommendation concerning the EIA in Urban Planning” (Muster-Einführungserlass zur UVP in der Bebauungsplanung) and “Recommendation concerning the amendments of the Federal Building Code” (Muster-Einführungserlass zum Gesetz zur Anpassung des Baugesetzbuches an EU-Richtlinien) of the Expert Commission for Urban Development (Members of the Commission = experts from Federal and Länder ministries of Urban Development

Poland: see general guidance at www.gdos.gov.pl

Lithuania: http://www.am.lt/VI/files/0.519685001249378224.pdf


Poland: see general guidance at www.gdos.gov.pl

<table>
<thead>
<tr>
<th><strong>United Kingdom:</strong></th>
<th><strong>Spain</strong></th>
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</thead>
<tbody>
<tr>
<td>There are official guides to the EIA Regulations in each administration and the organisation in charge of NSIP applications has produced advice on screening, links below:</td>
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<tr>
<td>England &amp; Wales (General EIA Circular and Guidance, that covers screening):</td>
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<tr>
<td>England &amp; Wales (NSIP screening advice document):</td>
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<tr>
<td>Scotland EIA documents related to screening:</td>
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<td>Spain</td>
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<tr>
<td>Spain</td>
<td>Germany: Several states (Länder) have implemented the above mentioned recommendations on state level.</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Spain</td>
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<td>United Kingdom</td>
<td>Spain</td>
<td>Spain</td>
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</table>

<table>
<thead>
<tr>
<th>1. Participants in the scoping process</th>
<th>authorities: specification</th>
<th>Austria: Co-operating authorities e.g. authorities responsible for granting the development consent if the project would not require an EIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>Bulgaria: competent bodies for taking decision on EIA or officials authorised by them with other specialised departments</td>
<td></td>
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<tr>
<td>Croatia</td>
<td>Croatia: bodies and/or persons designated by special regulations and the LRSGU</td>
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<tr>
<td>Cyprus</td>
<td>Cyprus: Environmental authority</td>
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<td>Czech Republic</td>
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<td>Denmark</td>
<td>Denmark</td>
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<tr>
<td>France</td>
<td>France: Ministry of Environment</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>Germany: Other authorities and statutory bodies affected by the project, Environmental organisations Citizens’ Groups</td>
<td></td>
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<tr>
<td>Hungary</td>
<td>Hungary</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>Ireland: The planning authority/ ABP must consult the relevant planning authority(s)/ ABP and prescribed bodies.</td>
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<tr>
<td>Italy</td>
<td>Italy: Regional and local authorities</td>
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<tr>
<td>Lithuania</td>
<td>Lithuania</td>
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</tr>
<tr>
<td>Country</td>
<td>Relevant Authorities</td>
<td></td>
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</tr>
<tr>
<td>Malta</td>
<td>MEPA and other authorities according to the decision of Director of Environmental Protection; Local Councils, Government entities, eNGOs</td>
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<tr>
<td>Netherlands</td>
<td>All relevant authorities are invited to submit a formal advice</td>
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<tr>
<td>Poland</td>
<td>Regional Director for Environmental Protection, The authority of the State Sanitary Inspectorate</td>
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<tr>
<td>Romania</td>
<td>Municipalities, public health authority, water national administration; County Environmental Agency, Environmental Guard County Authority, Fire Brigade (Emergency Situations Inspectorate), Water Protection Authority, Mayors office</td>
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<td>Slovakia</td>
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<td>Slovenia</td>
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<tr>
<td>Spain</td>
<td>Competent</td>
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<tr>
<td>United Kingdom</td>
<td>Within the Regulations where a developer seeks a voluntary scoping opinion the consenting authority is then required to consult with statutory environmental bodies</td>
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</tr>
<tr>
<td>Austria</td>
<td>Within the voluntary scoping procedure, the EIA authority may also, where appropriate, consult third parties such as the public or the ombudsman for the environment etc. The EIA authority may also choose the form of such a consultation.</td>
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</tr>
<tr>
<td>Bulgaria</td>
<td>affected public</td>
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<tr>
<td>Croatia</td>
<td>public and public concerned</td>
<td></td>
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<tr>
<td>Czech Republic</td>
<td>right to participate is given to anyone</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>The public is consulted as early as possible in order to determine the scope of an EIA</td>
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<tr>
<td>Germany</td>
<td>Registered organisations working in the field of nature protection and citizens’ groups; AND others experts, if necessary</td>
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<tr>
<td>Hungary</td>
<td>the public concerned</td>
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<tr>
<td>Malta</td>
<td>General public</td>
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<tr>
<td>Malta</td>
<td>notices in media; public invited to express opinions</td>
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</tr>
<tr>
<td>Austria</td>
<td>Within the voluntary scoping procedure, the EIA authority may also, where appropriate, consult third parties such as the public or the ombudsman for the environment etc. The EIA authority may also choose the form of such a consultation.</td>
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<td>Bulgaria</td>
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<td>Croatia</td>
<td>public and public concerned</td>
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<tr>
<td>Czech Republic</td>
<td>right to participate is given to anyone</td>
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<td>Denmark</td>
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<td>the public concerned</td>
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<td>Malta</td>
<td>notices in media; public invited to express opinions</td>
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<tr>
<td><strong>Malta:</strong></td>
<td>notices in the media; public invited to express opinions</td>
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<tr>
<td><strong>Netherlands:</strong></td>
<td>the authorities choose the form of participation, for example participation by a small group or for all the stakeholders (public, NGO's, private parties etc.) or none, if Natura2000 is involved in the permitting, a participation option/form is obligated otherwise voluntary</td>
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<tr>
<td><strong>Poland:</strong></td>
<td>Parties to the procedure (including NGOs if granted rights of a Party)</td>
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<tr>
<td><strong>Slovakia:</strong></td>
<td>If public submits important comments to preliminary environmental study, the competent authority invites members of the public to the consultation on the scoping proposal</td>
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<tr>
<td><strong>Spain:</strong></td>
<td>Environmental organizations and interested public</td>
<td></td>
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<tr>
<td><strong>United Kingdom:</strong></td>
<td>There is nothing to restrict the public being engaged in scoping the EIA by the developer, However, this is a voluntary undertaking. In the majority (&gt;50%) of UK practice some level of wider ‘public’ engagement, beyond statutory organisations occurs as part of standard EIA practice.</td>
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### 2. Development Consent Procedure

<table>
<thead>
<tr>
<th>N°</th>
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<th>Answer</th>
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<td>United Kingdom:</td>
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<td>Note: Over 1/3rd of UK Environmental Statements are produced by consultancies that have voluntarily signed up to the UK's EIA Quality Mark operated by IEMA. This is a voluntary accreditation system that checks EIA standards and drives improvement in practice. See: <a href="http://www.iema.net/qmark">www.iema.net/qmark</a></td>
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2. Obligation in national legislation to consider specified alternatives to this type of development

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<td>Ireland: Outline of main alternatives only</td>
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<td>Yes: specification</td>
<td>Austria: Zero alternative, alternatives studied by developer</td>
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<tr>
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<td>Austria: Zero alternative, alternatives studied by developer</td>
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<td>Yes: specification</td>
<td>Bulgaria: alternatives yes - but not specified ones</td>
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<tr>
<td>Yes: specification</td>
<td>Bulgaria: alternatives yes - but not specified ones</td>
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<tr>
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<td>Croatia: In cases when the project improves the status of the env. Or decreases the existing negative trends in the env.</td>
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<tr>
<td>Yes: specification</td>
<td>Croatia: summary descr. of considered projects alternatives taking into account their env. Impacts, expl. Of the reasons for selecting a particular alternative</td>
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<td>Yes: specification</td>
<td>Cyprus: Law 140/2005, Annex 3</td>
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<td>Yes: specification</td>
<td>Cyprus: Law 140/2005, Annex 3</td>
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<tr>
<td>Yes: specification</td>
<td>Denmark: The competent authority may impose certain alternatives to be considered by the developer, but the nature of the alternatives will dependent on the information and preliminary studies provided by the developer.</td>
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<tr>
<td>Yes: specification</td>
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<td>Germany:</td>
<td>Federal EIA Act: The documents must contain an overview of the principal alternative options investigated by the developer and details of the main reasons for selecting the present project with regard to the environmental impacts of the project</td>
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<tr>
<td>Italy:</td>
<td>the study of alternatives is required in the environmental impact study</td>
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<tr>
<td>Malta:</td>
<td>this depends on the specific case merits</td>
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<tr>
<td>Lithuania:</td>
<td>zero alternative and other alternatives</td>
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| Germany: | in the planning procedure according to annex 1 and 2 d) Federal Building Code |
| Italy: |  |
| Malta: |  |
| Netherlands: | if relevant more environmental friendly alternatives for the landfill exits, they should be researched |
| Poland: | Art. 66 section 1 item 5 Act OOS alternatives habe to be considere, but are not specified |
| Romania: | MO863/2002 |
| Slovakia: | at least 2 variants |
| Slovenia: | Article 54 (2) 5: An environmental impact assessment shall comprise the identification, description and assessment of long-term, short-term, direct or indirect impacts of the planned activity on humans, land, water, air, biological diversity and valuable natural features, climate and landscape, and on the human immovable property and cultural heritage, and their interrelationships |
| Spain: |  |
| Sweden: |  |
| Switzerland: |  |

| Netherlands: | if relevant more environmental friendly alternatives exits, they should be researched |
| Poland: | Art. 66 section 1 item 5 Act OOS |
| Slovakia: | at least 2 variants |
| Slovenia: |  |
| Spain: |  |
| Sweden: |  |
| Switzerland: |  |

2. Obligation in national legislation to consider the do-nothing alternative

<p>| No | Czech Republic | Czech Republic |
| Germany | Hungary |  |</p>
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<td>United Kingdom: No-debatable as the EIA process will require an assessment of significant effects of the development, which must be based on something. This something is the baseline environment (either now or as predicted in the future). As such whilst an assessment of a do nothing alternative is not explicitly required by the Regulations it is implicit in order to meet the wider requirements of assessing significance of the proposal's effects.</td>
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| United Kingdom: Yes - debatable as the EIA process will require an assessment of significant effects of the development, which must be based on something. This something is the baseline environment (either now or as predicted in the future). As such whilst an assessment of a do nothing alternative is not explicitly required by the Regulations it is implicit in order to meet the wider requirements of assessing significance of the proposal's effects. |
|---|---|
| Yes | Austria |
| Austria | Austria |
| Bulgaria | Bulgaria |
| Denmark | Denmark |
| Italy | Germany |
| Lithuania | Italy |
| Malta | Lithuania |
| Netherlands | Malta |
| Poland | Netherlands |
| Romania | Poland |
| Slovakia | Romania: without EIA in case of shopping malls with own parking place, the project cannot be carried out |
| Spain | Slovakia |

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<tr>
<th>Spain</th>
<th>United Kingdom: No-debatable as the EIA process will require an assessment of significant effects of the development, which must be based on something. This something is the baseline environment (either now or as predicted in the future). As such whilst an assessment of a do nothing alternative is not explicitly required by the Regulations it is implicit in order to meet the wider requirements of assessing significance of the proposal's effects.</th>
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United Kingdom:
Yes - debatable as the EIA process will require an assessment of significant effects of the development, which must be based on something. This something is the baseline environment (either now or as predicted in the future). As such whilst an assessment of a do nothing alternative is not explicitly required by the Regulations it is implicit in order to meet the wider requirements of assessing significance of the proposal's effects.

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**Shading (in all cases)**

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**Shading (depending on the site)**

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**Waste management (in all cases)**

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**Waste management (depending on the site)**

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**Regional development planning (in all cases)**

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<tr>
<td>Denmark: Transport, material goods, the public's access to the countryside, socioeconomic assessment of the environmental impact</td>
<td>Denmark: Transport, material goods, the public's access to the countryside, socioeconomic assessment of the environmental impact</td>
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<td>Ireland: Archaeological Heritage and Architectural Heritage</td>
<td>Ireland: Archaeological Heritage and Architectural Heritage</td>
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<tr>
<td>Slovakia: Environment, odor, radiation, heat</td>
<td>Lithuania: the guidance are very broad, include radiation etc.</td>
</tr>
<tr>
<td>United Kingdom: Under the EIA Regulations the following information is required to be submitted if a developer voluntarily seeks a scoping opinion: In relation to an application for planning permission— . (i)a plan sufficient to identify the land; . (ii)a brief description of the nature and purpose of the development and of its possible effects on the environment; and . (iii)such other information or representations as the person making the request may wish to provide or make; . In relation to a subsequent application— . (i)a plan sufficient to identify the land; . (ii)sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made; . (iii)an explanation of the possible effects on the environment which were not identified at the time planning permission was granted; and . (iv)such other information or representations as the person making the request may wish to provide or make. Note1:</td>
<td>Slovakia: Environment, odor, radiation, heat</td>
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<td>Spain: Energy efficiency and lighting</td>
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</table>
United Kingdom:  
Under the EIA Regulations the following information is required to be submitted if a developer voluntarily seeks a scoping opinion:  
In relation to an application for planning permission—
(i) a plan sufficient to identify the land;  
(ii) a brief description of the nature and purpose of the development and of its possible effects on the environment; and  
(iii) such other information or representations as the person making the request may wish to provide or make;  

In relation to a subsequent application—
(i) a plan sufficient to identify the land;  
(ii) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;  
(iii) an explanation of the possible effects on the environment which were not identified at the time planning permission was granted; and  
(iv) such other information or representations as the person making the request may wish to provide or make.

Note 1:

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<tr>
<th>Other (depending on the site): specification</th>
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<th>Czech Republic: Soil / Geology</th>
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2. Topics that receive greater focus for the particular project type

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<thead>
<tr>
<th>Austria</th>
<th>air quality, waste management, water protection, traffic</th>
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<tbody>
<tr>
<td>Bulgaria</td>
<td>air quality, waste, geotechnical engineering, water, health, nature protection</td>
</tr>
<tr>
<td>Cyprus</td>
<td>waste management, geotechnical engineering, landscape, nature protection, air quality, health</td>
</tr>
<tr>
<td>Denmark</td>
<td>none</td>
</tr>
<tr>
<td>Germany</td>
<td>Traffic, nature protection, hydrogeology, landscape engineering</td>
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<tr>
<td>Hungary</td>
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<tr>
<td>Ireland</td>
<td>Traffic/ Transport, Noise, Air Quality, Landscape, flora &amp; fauna, Hydro-geology, Hydrology, Archaeology</td>
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<tr>
<td>Italy</td>
<td>ground and groundwater, air quality</td>
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<tr>
<td>Lithuania</td>
<td>Depending on the screening advice If scoping asks then there are is special focus on those topics</td>
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<tr>
<td>Country</td>
<td>Issues and Aspects</td>
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<tr>
<td>Malta</td>
<td>waste management, geotechnical engineering, landscape, nature protection, air quality, health/impacts on human population</td>
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<tr>
<td>Netherlands</td>
<td>hydrology/air quality, it is important to try to reach a zero-emission terminal as much as possible. So emissions to the groundwater and air should be avoided and if not possible minimized, the design of the landfill, management of the site and monitoring are important aspects</td>
</tr>
<tr>
<td>Poland</td>
<td>traffic, waste management, nature protection, hydrogeology; Please specify: varies, but generally would expect to see more on: waste management, hydrogeology, air pollution, noise, human health</td>
</tr>
<tr>
<td>Romania</td>
<td>waste management, air quality, geotechnical engineering, nature protection, water, soil, human health</td>
</tr>
<tr>
<td>Slovakia</td>
<td>not specified</td>
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<tr>
<td>Slovenia</td>
<td>humans, land, water, air, biological diversity and valuable natural features, climate and landscape, and the human immovable property and cultural heritage, and their interrelationships</td>
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<tr>
<td>Spain</td>
<td>Hydrogeology and air quality</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Depends on site location. In general Traffic/transport, Noise / vibration, Ecology, water, landscape, soil &amp; land quality, and air appear in ~80% of UK Environmental Statements. This figure is based on a review of 100 ES (of different development types) submitted to UK consenting authorities during 2010. See Box 5.2 in the report @ <a href="http://www.iema.net/ieareport">www.iema.net/ieareport</a></td>
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2.7 Obligation to include information on the environmental impact of the construction phase of the project: Yes

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<table>
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<th>2.8</th>
<th>Obligation to include information on the environmental impact of accidents / incidents of the project</th>
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<td>No, not mandatory acc. to the Federal EIA Act or the EIA Act of Land Schleswig-Holstein, but in practice operators are asked to include this information</td>
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<td>Ireland: Not specifically. Requirement to provide a description of the likely significant effects of the proposed development on the environment.</td>
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<td>Spain:</td>
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<td>2.9</td>
<td>Level of detail required in the documents that the developer has to provide for the EIA</td>
<td>General level (rough estimations)</td>
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### Detailed level (on all topics)

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### Average volume of the documents that the developer has to provide for the EIA

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<td>Poland</td>
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<tr>
<td>501 to 1,000 pages</td>
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### Responsible competent authority / authorities for carrying out the EIA

#### Federal authority: specification

<table>
<thead>
<tr>
<th>Country 1</th>
<th>Specification</th>
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<tbody>
<tr>
<td>Cyprus:</td>
<td>Ministry of Agriculture, Natural resources and Environment (MANRE)</td>
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<tr>
<td>Cyprus:</td>
<td>Ministry of Agriculture, Natural resources and Environment (MANRE)</td>
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<td>France:</td>
<td>Ministry of Environment</td>
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<td>France:</td>
<td>Ministry of Environment</td>
</tr>
<tr>
<td>Malta:</td>
<td>Malta Environment and Planning Authority</td>
</tr>
<tr>
<td>Malta:</td>
<td>Malta Environment and Planning Authority</td>
</tr>
<tr>
<td>Netherlands:</td>
<td>In case of fills in the area of large rivers or coastal waters the ministry of infrastructure and environment is the Slovak Environmental Inspectorate (part of the Slovak Ministry of the Environment)</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Regional authority: specification</th>
<th>Local authority: specification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Slovakia:</strong> Slovak Environmental Inspectorate (part of the Slovak Ministry of the Environment)</td>
<td><strong>Denmark:</strong> Municipalities, cf. Section 2, subsection 1 and 4, of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA.</td>
</tr>
<tr>
<td><strong>Slovenia:</strong> Ministry</td>
<td><strong>Denmark:</strong> Municipalities, cf. Section 2, subsection 1 and 4, of Ministerial Order no. 1510, dated 2010-12-15, concerning EIA.</td>
</tr>
<tr>
<td><strong>Austria:</strong> Regional governments</td>
<td><strong>Ireland</strong></td>
</tr>
<tr>
<td><strong>Bulgaria:</strong> Regional inspectorates for Environment and Waters (RIEW)</td>
<td><strong>Germany:</strong> Building authority</td>
</tr>
<tr>
<td><strong>Czech Republic</strong></td>
<td><strong>Netherlands:</strong> Ireland</td>
</tr>
<tr>
<td><strong>Germany:</strong> Agency for Agriculture, the Environment and Rural Areas of Land Schleswig-Holstein (LLUR)</td>
<td><strong>Spain:</strong> +2,500 m²</td>
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<tr>
<td><strong>Hungary:</strong> environmental inspectorate</td>
<td><strong>Poland:</strong> Regional Director for Environmental Protection</td>
</tr>
<tr>
<td><strong>Italy</strong></td>
<td><strong>Slovakia:</strong> Or designated powers to the Regional Environmental Office and the District Environmental Office</td>
</tr>
<tr>
<td><strong>Lithuania:</strong> Environmental agency or regional environmental agency</td>
<td><strong>Romania:</strong> Regional Environmental Agency for EIA of project covering more than one region; REPA (if classified under IED)</td>
</tr>
<tr>
<td><strong>Netherlands:</strong> in case the decisions involved are taken on a regional level, the proponent (relevant authorities or private parties) carries out the EIA</td>
<td><strong>Slovakia:</strong> Or designated powers to the Regional Environmental Office and the District Environmental Office</td>
</tr>
<tr>
<td><strong>Poland:</strong> Regional Director for Environmental Protection</td>
<td><strong>Spain:</strong> +2,500 m²</td>
</tr>
<tr>
<td><strong>Romania:</strong> Regional Environmental Agency for EIA of project covering more than one region; REPA (if classified under IED)</td>
<td><strong>Slovakia:</strong> Or designated powers to the Regional Environmental Office and the District Environmental Office</td>
</tr>
<tr>
<td><strong>Spain:</strong></td>
<td><strong>Slovakia:</strong> Or designated powers to the Regional Environmental Office and the District Environmental Office</td>
</tr>
<tr>
<td><strong>Local authority:</strong> municipal authority</td>
<td><strong>Netherlands:</strong> municipality in local spatial plans</td>
</tr>
<tr>
<td>Statutory body</td>
<td>Romania: Regional Environmental Protection Agency for EIA of project covering more than one county; EPA</td>
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<tr>
<td>United Kingdom:</td>
<td>Local planning authority - either a district authority or a County Council</td>
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<tr>
<td>Spain:</td>
<td>-1.000 m² or -50 Kw</td>
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<tr>
<td>United Kingdom:</td>
<td>Local planning authority - either a district authority or a County Council</td>
</tr>
<tr>
<td>Statutory body:</td>
<td>Croatia: Ministry</td>
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<tr>
<td>specification</td>
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<tr>
<td>Ireland:</td>
<td>Planning: ABP on appeal, or directly in the case of development by or on behalf of a local authority, or Strategic Infrastructure Development. Where a Waste Licence is required, the EPA assess the EIS while carrying out the licence application assessment. Both the ABP assessment and EPA assessment form the overall EIA.</td>
</tr>
<tr>
<td>Lithuania:</td>
<td>Ministry of environment</td>
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<tr>
<td>Other: specification</td>
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<table>
<thead>
<tr>
<th>2. Evaluation of the quality of the information submitted by the developer by the competent authority / authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
</tr>
<tr>
<td>Experts of the authority and if need be external experts review the information submitted and check the project against the state of the art (and according to traceability, completeness and plausibility) in the respective topic, the expert team prepares a (written) environmental impact expertise or a summary assessment.</td>
</tr>
<tr>
<td>Bulgaria</td>
</tr>
<tr>
<td>The competent authority shall assess the quality of the EIA report in 14 days following its deposition, on the basis of the following criteria: 1. completeness and accuracy of the information by sections of the report, in compliance with the Terms of reference approved by the competent authority; 2. consideration of the results of the consultations held; 3. equalized description, analysis and comparison of the alternatives; 4. significance of impacts; significance of unavoidable/permanent impacts on the environment; 5. proposed measures for prevention or reduction of</td>
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<td>Country</td>
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<td>Spain</td>
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2. Consideration of the result of the EIA in the development consent
3. Development consent comprises binding conditions / obligations based on the recommendations from the EIA process

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<td>Slovakia</td>
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<td>Country</td>
<td>Description</td>
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<tr>
<td>Spain</td>
<td>Development consent comprises recommendations proposed in the EIA process</td>
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<tr>
<td>Croatia</td>
<td>Bulgaria: the EIA Decision is attached to the development consent</td>
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<tr>
<td>Bulgaria</td>
<td>Croatia: Committee issues an opinion on the accept. of the project contains in particular, expl. on the (non)accept. of the project’s most accept. alternative, descr. of the project’s most accept. alternative for the env. with an expl., proposal of env. protection measures with an impl. plan, proposal of env. monitoring programme with an impl. plan.</td>
</tr>
<tr>
<td>Germany</td>
<td>Germany: The EIA is an integral part of the plan approval procedure. If conditions, obligations and recommendations result from the EIA they are integrated into the plan approval. There they are not separated from other sector specific obligations</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Lithuania: EIA recommendations are binding, and they have to be observed in the project design. The Development consent approves the final project design, which assumes that the EIA recommendations have been fully observed and integrated in it</td>
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<tr>
<td>Malta</td>
<td>Malta: The possibility of a negative recommendation if there are unacceptable residual impacts should also be considered.</td>
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<tr>
<td>Netherlands</td>
<td>Netherlands: if the EIA states ‘necessary measures’ to conform to regulation or similar</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>United Kingdom: Binding conditions are applied by the development consent; however, they do not include everything recommended by the ES. Research in the East of England in 2005 indicated that up to 50% of EIA recommendations were not conditioned by local planning authorities. The reasons behind this are multiple.</td>
</tr>
</tbody>
</table>
United Kingdom:
Binding conditions are applied by the development consent; however, they do not include everything recommended by the ES. Research in the East of England in 2005 indicated that up to 50% of EIA recommendations were not conditioned by local planning authorities. The reasons behind this are multiple.

<table>
<thead>
<tr>
<th>Documentation of the results of the EIA</th>
<th>Technical report produced prior to the development consent</th>
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<table>
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<table>
<thead>
<tr>
<th>Other: specification</th>
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<tbody>
<tr>
<td>Bulgaria: EIA report + EIA Decision</td>
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<tr>
<td>crochet: Environmental Planning Statement</td>
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<tr>
<td>Malta: Environmental Planning Statement</td>
</tr>
<tr>
<td>Croatia: Committee issues an opinion on the accept. of the project contains in particular: expl. on the (non)accept. of the project’s most accept. alternative, descr. of the project’s most accept. alternative for the env. with an expl., proposal of env. protection measures with an impl. plan, proposal of env. monitoring programme with an impl. plan.</td>
</tr>
<tr>
<td>Netherlands: depends for example on the decision(s) involved and phasing in the decision making, usually tailor-made</td>
</tr>
<tr>
<td>Germany: Environmental report (§ 2 Abs. 4 BauGB) becomes part of the documents of the charter</td>
</tr>
<tr>
<td>Poland: the EIA ends in a separate administrative decision (decision on environmental conditions of the development) which is binding for all subsequent administrative decisions issued</td>
</tr>
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<td>Malta: Environmental Planning Statement</td>
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</table>
2. Character of the development consent for the respective project type

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<table>
<thead>
<tr>
<th>Other: specification</th>
<th>Bulgaria: Construction permit</th>
<th>Bulgaria: Construction permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croatia:</td>
<td>See the General note in the beginning of the Questionnaire</td>
<td>See the General note in the beginning of the Questionnaire</td>
</tr>
<tr>
<td>Poland:</td>
<td>multistage procedure, including, apart from the environmental decision, planning/location permit, construction and exploitation permit. The general interpretation is that the development consent is made up of all the permits including the construction permit.</td>
<td>Germany: Development consent (building licence)</td>
</tr>
<tr>
<td>Slovakia:</td>
<td>Building Permit</td>
<td>Poland: construction permit; multistage procedure, including, apart from the environmental decision, planning/location permit, construction and exploitation permit. The general interpretation is that the development consent is made up of all the permits including the construction permit.</td>
</tr>
</tbody>
</table>
Spain: One hand, mandatory, binding, independent of the authorization procedure.

Slovakia: Building Permit

Slovenia: Both building permit & environmental permit are needed if EIA undertaken; If project meets thresholds.

Spain: Let's continue with the processing of authorization.

### Development consent provides for appeals

<table>
<thead>
<tr>
<th>Country</th>
<th>Development consent provides for appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>Germany: If “appeal” means “to submit objections against the project to the authority”, it is not the case. People/parties can directly file suit or take action against the project bearer.</td>
</tr>
<tr>
<td>Yes</td>
<td>Austria Austria</td>
</tr>
<tr>
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<td>Germany:</td>
<td>If “appeal” means “file suit” or “take action against s.o.”.</td>
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<td>Hungary</td>
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<td>Ireland:</td>
<td>Except in the case of Strategic Infrastructure Development or Local Authority Development</td>
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### An appeal can be lodged by

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<td>Denmark:</td>
<td>(provided they have a legal interest in the matter). Denmark:</td>
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<td>(provided they have a legal interest in the matter).</td>
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<tr>
<td>Other: specification</td>
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<tr>
<td>Other: specification</td>
<td>Project applicant; parties stipulated by the applicable administrative provisions for example land owners; ombudsman of the environment, water management planning body; Note: Environmental organisations (including also environmental NGOs), which</td>
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have been recognised by the Federal Minister of Environment in agreement with the Federal Minister for Economic Affairs

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<td>Denmark:</td>
<td>Minister of the Environment, National Park Fund</td>
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<td>Generally: those who are affected by the project</td>
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<td>It is a part of the construction law, not environmental law and administrative law</td>
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<td>In the case of a Waste Licence (issued by EPA) only those who made a submission during the licence application assessment stage can make an objection to a decision.</td>
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<td>Recently amended in legislation</td>
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3. Public Participation

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France:
- Optional

Ireland:
With regard to developments requiring a Waste Licence, all information pertaining to the licence application and the EIS are available on the EPA website.

Romania:
- Mandatory by the developer under close coordination of competent authority for EIA

United Kingdom:
As indicated previously the majority of UK EIA now involve public engagement activities prior to submission of the Environmental Statement and application for consent. This is not mandatory, but has been found to be of such value that developers have taken it up voluntarily and it is now seen as standard EIA practice. The scale of such activity will vary per project.
<table>
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<tr>
<th>Ireland: in the case of EPA</th>
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<tbody>
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During public hearings

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<td>Poland: if held - decision at the discretion of authority</td>
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<td>United Kingdom</td>
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Other: specification

| Austria: Austrian EIA database (open to public). Crucial information included in this database is also accessible via Internet. | Austria: Austrian EIA database (open to public). Crucial information included in this database is also accessible via Internet. |
| Czech Republic: EIA/SEA information system | Czech Republic: EIA/SEA information system |
| Ireland: Site notice | Ireland: Site notice |
| Spain: In the official bulletin of the regional authority in the web of substantive body and the municipal authority | Spain: In the official bulletin of the regional authority in the web of substantive body and the municipal authority |

3. Extent of public participation in the entire EIA process for the respective project type

<p>| Austria | The environmental impact statement of the developer is available for public inspection for at least 6 weeks; for certain projects the environmental impact expertise by the EIA authority is available for public inspection for at least 4 weeks; optional public hearing; the development consent documents are available for public inspection for at least 8 weeks (right to appeal see above). |
| Bulgaria | high |
| Croatia | For all type of projects: the public is involved in scoping and EIA review (through the public debate/ debates). JASPERS is not aware of a specific public participation for |
| Spain: | In the official bulletin of the regional authority in the web of substantive body and the municipal authority |</p>
<table>
<thead>
<tr>
<th>Country</th>
<th>Process Description</th>
<th>Process Description</th>
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<tbody>
<tr>
<td>Cyprus</td>
<td>Scoping and review (public debate)</td>
<td>Scoping and review (public debate)</td>
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<tr>
<td>Czech Republic</td>
<td>The public has the possibility to review the first &quot;notification of conception&quot;. Furthermore a public hearing is to be scheduled to review the &quot;environmental impact statement&quot;. The public has the possibility to review the first &quot;notification of conception&quot;. Furthermore a public hearing is to be scheduled to review the &quot;environmental impact statement&quot;.</td>
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<tr>
<td>Denmark</td>
<td>The public may participate in the scoping process. The public may participate in the scoping process.</td>
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<tr>
<td>Germany</td>
<td>Interested neighbours, citizens groups, NGOs, … participate in the procedure Comments, statements and objections are taken into account during the weighting procedure</td>
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<tr>
<td>Hungary</td>
<td>Possibility for review of the documentation Possibility to comment on preliminary assessment as well as final.</td>
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<tr>
<td>Ireland</td>
<td>PLANNING: (a) Third party right to make submissions at planning permission stage (Local Authority) or directly to ABP in the case of local authority development or Strategic Infrastructure Development (b) third party right of appeal to ABP against decision of local planning authority provided they have made a submission to the planning authority in the first instance. Third parties can also apply for leave to appeal directly to ABP in exceptional circumstances. WASTE LICENCE: The public has access to the licence application documentation (including the EIS), in hardcopy format and electronic format on the EPA website. The licensing process allows for written submissions by anyone. Everyone who makes a submission is notified of the EPA's proposed decision on the application. Subsequently, anyone may make an objection, to a proposed decision by the EPA on an application, within 28 days of notification of the proposed decision. Submissions are available for public inspection on the EPA's website and are con</td>
<td>(a) Third party right to make submissions at planning permission stage (Local Authority) (b) third party right of appeal to ABP against decision of local planning authority provided they have made a submission to the planning authority in the first instance. Third parties can also apply for leave to appeal directly to ABP in exceptional circumstances. WASTE LICENCE: The public has access to the licence application documentation (including the EIS), in hardcopy format and electronic format on the EPA website. The licensing process allows for written submissions by anyone. Everyone who makes a submission is notified of the EPA's proposed decision on the application. Subsequently, anyone may make an objection, to a proposed decision by the EPA on an application, within 28 days of notification of the proposed decision. Submissions are available for public inspection on the EPA's website and are con</td>
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<tr>
<td>Italy</td>
<td>The public can provide comments within 60 days from the beginning of the procedure</td>
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<tr>
<td>Malta</td>
<td>At stages: notification, screening, scoping, review, including public hearing, EPS issuance; Public participation is carried out during some of the major steps in the EIA process: (1) during scoping and the drafting of the Terms of Reference for the EIA; (2) following finalisation of the Environmental Statement which is issued for public consultation; and (3) during the EIA-related public hearing.</td>
<td>At stages: notification, screening, scoping, review, including public hearing, EPS issuance; Public participation is carried out during some of the major steps in the EIA process: (1) during scoping and the drafting of the Terms of Reference for the EIA; (2) following finalisation of the Environmental Statement which is issued for public consultation; and (3) during the EIA-related public hearing.</td>
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<tr>
<td>Netherlands</td>
<td>In the Netherlands there are few EIA’s for landfill. The extent seems limited. Depending on the controversy of the project the participation can be wider.</td>
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<tr>
<td>Poland</td>
<td>Every person has the right to take part in EIA procedure and the right to submit comments and suggestions in the course of a procedure. The administration authorities competent to issue decision on the environmental conditions require that the possibility of public participation should be ensured prior to the issue and modification of decision; the administration authority competent to issue such decisions shall provide the public without an undue delay with information concerning; the possibilities of becoming acquainted with the necessary documentation of the case and the place where it is available for review. The administration authority in the justification of the decision, irrespective of the requirements under the Administrative Procedure Code, shall provide information on public participation in the procedure and the manner in which the comments and suggestions submitted in relation to public participation have been considered and the extent to which they have been used. Mostly relatively little public involvement.</td>
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<tr>
<td>Romania</td>
<td>Throughout all the EIA procedural stages: notification, screening, scoping, reviewing, including public debate, EIA decision issuance; Anyone interested can read the documentations and can provide written objections to competent authorities. Mostly relatively little public involvement.</td>
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<td>Slovakia</td>
<td>If public submits important comments to preliminary environmental study, the competent authority invites members of the public to the consultation at later stages.</td>
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<tr>
<td>Slovenia</td>
<td>Every person shall have right of access to environmental information. Time line: public has 30 days of the public announcement the right of access and an opportunity of giving opinions and comments (Article 58).</td>
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<tr>
<td>Spain</td>
<td>Such projects, often have high opposition. Such projects often have no answer.</td>
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</table>
In the majority of cases for such development public engagement would occur during the EIA process, prior to submission to understand the views of NGO's local groups, etc. This may involve information provision, public scoping, workshops, public exhibitions, neighbourhood meetings / Q&A’s, direct meetings with specific groups. All such activity is voluntary and will vary between different projects, but a degree of this action is standard practice across UK EIA practice.

Formal consultation with the public occurs at submission of application of consent. This consultation is both on application and ES findings. The responses from the public can lead to further assessment being required before the consent is determined. The public are able to attend local authority consent procedures and make representations directly to the elected decision-makers.

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### 4. Monitoring

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<td>Other: specification</td>
<td>Austria:</td>
<td>Slovakia:</td>
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<td>e.g. as measures proposed in the environmental impact expertise or the summary assessment of the authorities</td>
<td>Specified by person carrying out the programme</td>
</tr>
<tr>
<td>Country</td>
<td>Development consent comprises conditions / recommendations on monitoring based on EIA</td>
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<tr>
<td>Germany:</td>
<td>Answer to 3.1.4.1 to 3.1.4.3: There is no extra chapter of conditions, obligations, recommendations deriving from the EIA in the final decision. Whether a condition, obligation or recommendation is based on the EIA, an objection against the project or the expertise of an authority affected by the project makes no difference. A recommendation for a permit obligation may result in an obligation in the permit and become part of the inspection later on. This is not regulated by law.</td>
<td>No</td>
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<tr>
<td>United Kingdom:</td>
<td>Depends on the impacts identified. In general monitoring is limited as it is difficult to require monitoring via the conditions that can be imposed on UK planning permissions. However, monitoring of landfill gas levels and signs of leachate pollution / leakage would be expected for landfill projects. Also specifically recommending dust / litter monitoring (operation) and archaeological watching brief during construction would be expected. Note: In the UK Environmental Management Plans are becoming common practice to carry EIA recommendations from an Environmental Statement through the consent and into construction (and in some cases operation). Where such a document is included in an environmental statement there tends to be better coverage of monitoring. However, a shopping centre would not require formal environmental monitoring under wider legislation so in many cases monitoring would not be undertaken.</td>
<td>No</td>
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<td>Slovakia:</td>
<td>Specified by person carrying out the programme</td>
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<td>Czech Republic</td>
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<td>Denmark</td>
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<td>Hungary</td>
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### Type of monitoring programs (as recommended by the EIA) provided for by the development consent

<table>
<thead>
<tr>
<th>Traffic</th>
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<td>Air quality</td>
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<td>Vibrations</td>
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<td>Waste management</td>
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<td>Nature protection</td>
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<td>Other: specification</td>
<td>Croatia</td>
<td>Germany:</td>
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<td></td>
<td>measuring meteorological parameters, landfill gas emissions, leachate and precipitation discharges from the landfill surface, the hazardous substance pollution parameters of groundwater, if located in the landfill impact area; control of landfill body stability.</td>
<td>Depending on the case and the items that were most important in the EIA</td>
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<td></td>
<td>Germany:</td>
<td>see answer to 3.1.4.1</td>
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<td>Malta:</td>
<td>This is carried out on a case-by-case basis, depending on the significant impacts identified in the Environmental Statement.</td>
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<td>Poland:</td>
<td>depending on local environmental conditions</td>
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<td>Netherlands:</td>
<td>Slovakia:</td>
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<td>ground water, nature values</td>
<td>Dependant on impacts</td>
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<td>Slovakia:</td>
<td>Slovenia:</td>
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<td></td>
<td>Dependant on impacts</td>
<td>state of environment, monitoring with purpose of reducing risk to environment, monitoring natural phenomena</td>
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<tr>
<td></td>
<td>Slovenia:</td>
<td>state of environment, monitoring with purpose of reducing risk</td>
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</table>
United Kingdom:
Depends on the specific project and its predicted environmental effects. However, monitoring can prove difficult to condition due to restrictions placed on rules concerning the phrasing of conditions, which must:

- Conditions should be clear and specific
- Compliance must be possible
- Inclusion of a requirement to report on the completion of mitigation works or on monitoring can encourage self-policing by project proponents
- Any conditions concerning monitoring should be clear on what is to be monitored, how it is to be achieved, who is responsible for carrying it out and how the results will be used to effect necessary action
- Planning authorities should consider how they will monitor and enforce such conditions and also how the results of monitoring and mitigation will be communicated to third parties

Further guidance on the tests for planning conditions can be found in DoE circular 11/95 and in the Scottish Government’s Circular 4/1998 and addendum, and on planning obligations in ODPM ci 4.

<table>
<thead>
<tr>
<th>4. Check of compliance with the monitoring conditions</th>
<th>During final inspection after completion of construction</th>
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<th>Austria</th>
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|                                                        | During environmental inspections                      | Bulgaria |
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|                                                        |                                                      | Croatia |
|                                                        |                                                      | Cyprus  |
|                                                        |                                                      | Germany |
|                                                        |                                                      | Ireland |
|                                                        |                                                      | Italy   |
|                                                        |                                                      | Malta   |
|                                                        |                                                      | Poland  |
|                                                        |                                                      | Romania |
|                                                        |                                                      | Slovenia |
|                                                        |                                                      | Spain   |

|                                                        | By periodical reporting by the developer              | Austria |
|                                                        |                                                      | Austria |
|                                                        |                                                      | Croatia |
|                                                        |                                                      | Germany |
|                                                        |                                                      | Ireland |
|                                                        |                                                      | Italy   |
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|                                                        |                                                      | Slovenia |
|                                                        |                                                      | Spain   |
|                                                        |                                                      | United Kingdom |

Austria

Bulgaria

Croatia

Cyprus

Germany

Italy

Lithuania

Malta

Poland

Romania

Spain

United Kingdom
<table>
<thead>
<tr>
<th>No checks on consent conditions are carried out by authorities</th>
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<tr>
<td><strong>Poland</strong></td>
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<td><strong>Spain</strong></td>
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<tr>
<th>Countries</th>
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<td>Slovakia</td>
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<tr>
<th>Other: specification</th>
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<td><strong>Czech Republic</strong></td>
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<tr>
<th>Denmark:</th>
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<tr>
<td>Compliance with the monitoring conditions are subject to the general regulatory supervision.</td>
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<th>Hungary:</th>
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<td>Controls and test runs</td>
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<tr>
<th>Ireland:</th>
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<tr>
<td>For planning conditions, complaints to local authority</td>
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<th>Slovakia:</th>
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<td>Specified by person carrying out the programme</td>
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<th>United Kingdom:</th>
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<tr>
<td>Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.</td>
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<th>United Kingdom:</th>
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<td>Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.</td>
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<th>4. 5 Check of compliance with all other conditions</th>
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<td>United Kingdom</td>
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<tr>
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<td>Poland</td>
<td>United Kingdom</td>
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<td>Spain</td>
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<thead>
<tr>
<th>Country (Column 1)</th>
<th>No checks on consent conditions are carried out by authorities</th>
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<tbody>
<tr>
<td>Slovakia</td>
<td>Netherlands</td>
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<td>Slovakia</td>
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<thead>
<tr>
<th>Country (Column 1)</th>
<th>Other: specification</th>
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<tbody>
<tr>
<td>Bulgaria</td>
<td>1) The competent authorities shall exercise control over implementation of the conditions set forth in the decision on EIA: in the process of approval and coordination of investment projects; in the process of construction; in the process of issue of permit for use of the construction; in the process of operation of the facilities. 2) The control shall include verification, by documents and by on-site visits, of the results from implementation of the plan for measures for prevention, reduction or liquidation of substantial harmful impacts on the environment, and assessment of their efficiency. 3) Where the decision on EIA has been issued by the MEW, the control over implementation of the conditions may be assigned to the respective RIEW, basin directorate or directorate of national park.</td>
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<tr>
<td>Country</td>
<td>Description</td>
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<tr>
<td>Czech Republic</td>
<td>not specified</td>
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<tr>
<td>Ireland</td>
<td>for planning conditions, case by case checks by local authority department</td>
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<tr>
<td>Slovakia</td>
<td>Specified by person carrying out the programme</td>
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<tr>
<td>Germany</td>
<td>during inspections</td>
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<tr>
<td>Ireland</td>
<td>case by case checks by local authority department</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Specified by person carrying out the programme</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.</td>
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<tr>
<td>United Kingdom</td>
<td>Some conditions relate to environmental monitoring that relates to checks that will be undertaken by statutory bodies, this form of monitoring will occur regularly and be complied with. Other development control / management by local authorities is designed to check that conditions are delivered; however, this process is not effectively delivered in all cases. As such, conditions may not be delivered or delivered in a less effective manner than imposed.</td>
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4. Consequences, if the project does not comply with EIA related conditions / obligations of the development consent

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<th>Country</th>
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<th>Cyprus</th>
<th>Czech Republic</th>
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<tr>
<td></td>
<td>usually subsequent improvement, penal provisions in the EIA Act set down fines for non-compliance</td>
<td>not known</td>
<td>imprisonment not exceeding six months or a fine not exceeding fifteen thousand pounds or with both penalties; in addition to any penalty imposed, the court has the power to order that the works be demolished or removed or configured properly as to comply with any conditions from the environmental approval, and fix the time within which the offender must comply</td>
<td>not specified</td>
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<tr>
<td></td>
<td>usually subsequent improvement, penal provisions in the EIA Act set down fines for non-compliance</td>
<td>not known</td>
<td>imprisonment not exceeding six months or a fine not exceeding fifteen thousand pounds or with both penalties; in addition to any penalty imposed, the court has the power to order that the works be demolished or removed or configured properly as to comply with any conditions from the environmental approval, and fix the time within which the offender must comply</td>
<td>not specified</td>
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<tr>
<td>Country</td>
<td>Legal Consequences</td>
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<td>Denmark</td>
<td>The legal consequence is that the project is non-compliant and the developer will be</td>
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<td>refrained from carrying out the project.</td>
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<td>Germany</td>
<td>Subsequent orders acc. to Article 32 par. 4 Product Recycling and Waste Management Act</td>
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<td></td>
<td>Discussion of offences with the investor, subsequent orders, if necessary fines</td>
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<td>Hungary</td>
<td>fines, sanctions, revoking permit</td>
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<td></td>
<td>fines, sanctions &amp; possible to revoke permit</td>
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<td>Ireland</td>
<td>PLANNING: The Planning Authority has statutory powers in respect of a breach of a planning condition and other enforcement powers. WASTE LICENCE: EPA have enforcement powers relating to conditions of Waste Licence.</td>
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<td></td>
<td>The Planning Authority has statutory powers in respect of a breach of a planning condition and other enforcement powers</td>
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<td>Italy</td>
<td>The developer is subjected to various fines</td>
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<td>the developer is subjected to various fines</td>
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<td>Malta</td>
<td>a guarantee is presented by the applicant and penalties are applied in case of any breach of any condition imposed by the DC; enforcement action may be carried out</td>
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<td></td>
<td>a guarantee is presented by the applicant and penalties are applied in case of any breach of any condition imposed by the DC; enforcement action may be carried out</td>
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<tr>
<td>Netherlands</td>
<td>court cases</td>
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<td>court cases</td>
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<td>Poland</td>
<td>suspension of the works carried out in a way that significantly deviated from the terms and conditions specified in the permit for construction or in the rules - Art. 50 section 1 of the Construction law; formally all conditions are binding - so a breach results in breaking the law; there is a possibility of modifications and derogations, subject to screening /assessment.</td>
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<td>suspension of the works carried out in a way that significantly deviated from the terms and conditions specified in the permit for construction or in the rules - Art. 50 section 1 of the Construction law; formally all conditions are binding - so a breach results in breaking the law; there is a possibility of modifications and derogations, subject to screening /assessment.</td>
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<tr>
<td>Romania</td>
<td>The developer which is not complying with the environmental permit may be penalized fined with a fine between 5,000 euro and 10,000 euro. Also the permit may be suspended after a prior notice by the competent authority.</td>
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<tr>
<td>Slovakia</td>
<td>fines</td>
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<td>fines</td>
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<tr>
<td>Slovenia</td>
<td>inspector establishes regulations have been breached, he can temporarily or permanently prohibit the operation of a plant/installation, performance of activity, etc.; propose withdrawal of environmental protection permit; can propose measures; request repetition of operational monitoring - possibility of a fine if violation of permit</td>
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<tr>
<td>Spain</td>
<td>Punishment and correction or closure</td>
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<td></td>
<td>Punishment and correction or closure</td>
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</tbody>
</table>

4. Information of the public about the results of monitoring

No, the public is not informed about the results of monitoring

<table>
<thead>
<tr>
<th>Country</th>
<th>Bulgaria</th>
<th>Austria</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cyprus</td>
<td>Bulgaria</td>
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<td>Denmark</td>
<td>Cyprus</td>
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<tr>
<td></td>
<td>Germany</td>
<td>Denmark</td>
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<tr>
<td>Country</td>
<td>Remarks</td>
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<tr>
<td>Hungary</td>
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<td>Slovakia</td>
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<td>Slovenia</td>
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<tr>
<td>United Kingdom</td>
<td>United Kingdom</td>
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</tbody>
</table>

**Yes: specification**

<table>
<thead>
<tr>
<th>Country</th>
<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td>Austria</td>
<td>For certain projects, a post-project analysis has to be carried out (at the latest five years after notification of completion). The Austrian EIA database (open to public) includes the results of the post-project analysis.</td>
</tr>
<tr>
<td>Ireland</td>
<td>Planning files are open to the public</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ireland</td>
<td>PLANNING: Planning files are open to the public</td>
</tr>
<tr>
<td>WASTE LICENCE</td>
<td>Enforcement files are open to the public at regional EPA offices.</td>
</tr>
<tr>
<td>Italy</td>
<td>on the authority website</td>
</tr>
<tr>
<td>Poland</td>
<td>It may be released under access to information on the environment. The competent authority shall inform the public by putting on a publicly accessible list of information such as the follow-up analysis - Art. 21 section 2, item 17 17 Act OOS; information is publicly available, however rarely publicly advertised (i.e. only informed members of the public would obtain access)</td>
</tr>
<tr>
<td>Spain</td>
<td>The records are public</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>passive if a request is made usually the information is provided</td>
</tr>
<tr>
<td>Romania</td>
<td>The public access to the result of monitoring is guaranteed. Every person interested can receive those results on request. Also monthly reports regarding environmental conditions published by competent authority consist of those information among others.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
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</tbody>
</table>
Spain:
The records are public
12.5 Appendix 5: Links to Guidance

Austria:
http://www.umweltbundesamt.at/fileadmin/site/publikationen/DP085.pdf
http://www.umweltbundesamt.at/fileadmin/site/umweltthemen/UVP_SUP_EMAS/uvp-leitfaeden/EFP_LF.pdf

Cyprus:

Denmark:
https://www.retsinformation.dk/Forms/R0710.aspx?id=125636
https://www.retsinformation.dk/Forms/R0710.aspx?id=125637
https://www.retsinformation.dk/Forms/R0710.aspx?id=125638

Germany:
www.bmu.de/umweltvertraeglichkeitspruefung/doc/6379.php
www.bmu.de/files/pdfs/allgemein/application/pdf
www.fgsv-verlag.de, www.schleswig-holstein.de/UmweltLandwirtschaft/DE/ImmissionKlima/03_Luftreinhaltung/02_Genehmigungsverfahren/3_Eckpunkte/03_3_PDF/

Ireland:

Lithuania:
http://www.am.lt/VI/files/0.519685001249378224.pdf

Netherlands:
http://www.infomil.nl/onderwerpen/ruimte/mer/mer-scan/

Poland:
www.gdos.gov.pl
Romania:
http://apmar.anpm.ro/legislations/view/624,
http://apmar.anpm.ro/legislations/view/624,
http://www.anpm.ro/upload/58673_2010_DESEURI.pdf
http://apmar.anpm.ro/Mediu/reglementari-16
www.mmediu.ro
http://www.anpm.ro/upload/58671_2010_AUTOSTRAZI_si_DRUMURI.pdf
http://apmar.anpm.ro/legislations/view/624

Spain:
http://www.cmati.xunta.es/portal/cidadan/lang/gl/pid/2567

United Kingdom:
http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/enviro-assessment/eia/Screening
12.6 Term of References

TERMS OF REFERENCE FOR IMPEL PROJECT

<table>
<thead>
<tr>
<th>No</th>
<th>Name of project</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/09</td>
<td>The implementation of the Environmental Impact Assessment on the basis of precise examples</td>
</tr>
</tbody>
</table>

1. Scope

1.1. Background

The Environmental Impact Assessment or EIA Directive was adopted in 1985 and was first amended in 1997\(^9\). The EIA procedure ensures that the environmental consequences of projects are identified and assessed before authorisation is given. The public can give its opinion and all results are taken into account in the authorisation procedure of the project. The public is informed of the decision afterwards.

The EIA Directive outlines the project categories which should be made subject to an EIA, the procedure that shall be followed and the content of the assessment.

The purpose of an environmental impact assessment (EIA) is to increase the consideration for environmental matters and management of resources in the decision-making through a regulated process of consultation.

The "Study concerning the report on the application and effectiveness of the EIA Directive (2009)" highlighted a number of "problematic areas" in the application of the EIA Directive, namely:

- Screening - inter alias, the use of thresholds
- Transboundary consultations - different procedures applied in the various Member States
- Quality control
- Monitoring

In addition the Study pointed out other means of ensuring effectiveness in application like

- Guidance on the assessment of the impacts on human health
- Guidance on how to address the issue of "salami-slicing"
- Guidance on how to address the issue of cumulative effects of projects
- Guidance and/or assessment tools on the integration of climate change issues, focusing inter alia on projects for which these issues are particularly relevant

The recommendations in this Study and the experience with the application of EIA lead to this IMPEL project, where the following issues should be addressed:

- How do MS deal with aspects like screening, scoping cumulation, "salami slicing"?
- How are the results of the EIA taken into consideration? (both by using precise examples)

Which thresholds lead to the application of EIA regime?

---

### 1.2. Link to MAWP and IMPEL’s role and scope

This project is in line with the following IMPEL strategic goals outlined in the Multi annual work program:

**Strategic goal II: Improving methodologies**

by exchange of different experiences and the documentation

**Strategic goal III: Development of good practices**

By learning from each other and showing results of different approaches to EIA issues, different permitting processes and procedure through a questionnaire and a workshop

**Strategic goal V: Providing feedback to policy makers**

The results will also help to improve the knowledge of the commission and EU Institutions

### 1.3. Objective (s)

The main objectives are to

- Compare what kind of information is required to determine if an EIA has to be carried out
- Exchange experience which approaches are used for special EIA issues (screening, scoping, cumulation, "salami slicing", no impacts, accident risk, interaction between factors, traffic)
- Identify Good Practice
- Exchange of information on existing guidance material

### 1.4. Definition

The IMPEL project will compare the screening and permitting procedure of projects with EIA. As a first step the project will analyse the present situation in the MS and the current needs in permitting procedure. Therefore a questionnaire will be send out, covering two main thematic complexes:

**Complex 1: Screening**

Possible topics:

- Verifying the obligation for an EIA with the help of precise examples (e.g. for land reclamation for the purposes of conversion to another type of land use; urban development projects, ski-lifts and cable cars; holiday villages and hotel complexes, golf-courses; parking areas)
- Compare thresholds for screening
- Are there regulations for cumulation or dealing with "salami slicing" and how are they designed respectively what happens, if the limits for EIA were not exceeded
- How is the screening phase at the beginning of an EIA designed (in terms of complexity, extension, operating expense, level of detail)
- Reasons for exclusion of an EIA

The questionnaire will be developed with help of the IMPEL-NEPA "Better Regulation Checklist".

**Complex 2 - Comparison of the EIA procedure and the level of detail**

Possible topics:

- Scoping (consideration of climate, climate protection, energy efficiency, traffic, accident risk, no impact statements, interaction between factors)
- Information to be provided by the developer / frame of the content
- Quality control
- Consideration of the results of the EIA
- Monitoring (are there final inspections or controlling instruments after the realization of a project within the EIA –procedure and how are they designed)

The project will be carried out on the basis of one or two precise examples.
The examples will be defined by the core team.

After the analysis of the questionnaire and the consolidation of the results a workshop will be held with max. 25 participants from IMPEL Member States (max. 2 of each country). The participants exhibit EIA experience in permitting procedure. A consultant will support and assist the group.

The project participants will meet once in 2012 to discuss the evaluation of the questionnaire, exchange experiences and enhance the knowledge for the most urgent needs.

A final report will be written which will cover the findings and recommendations for improvements.

| 1.5. Product(s) | Final IMPEL paper with findings, outcomes and recommendations for further development of the EIA and the application in Member States |

### 2. Structure of the project

#### 2.1. Participants

Representatives from competent authorities from IMPEL Member States with EIA experience and involved in EIA permit procedures.

IMPEL secretariat and EU-Commission are invited to participate.

#### 2.2. Project team

Core team: representatives of Austria and four other Member States (geographical diversity is desired):

- Department of environmental protection of the Provincial Government of Salzburg, Markus Graggaber, Austria
- Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management, Susanna Eberhartinger-Tafill, Austria
- Germany
- Italy
- one or two further MS (eg. from eastern or western Europe)

A representative of a consulting agency, who will

- prepare the questionnaire
- prepare the evaluation of the questionnaire
- prepare the meeting of the working group
- document the results of the presentations and the discussions during the meeting of the working group
- incorporate participant's recommendations and draft the final paper

#### 2.3. Manager

Executor

Department of environmental protection of Salzburg and the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management

#### 2.4. Reporting arrangements

Draft report will be submitted and presented at the Cluster meeting in autumn 2012.

Final report will be submitted to the IMPEL Plenary Meeting in autumn 2012 for approval.

#### 2.5 Dissemination of results/main target groups

The final report will be put on the IMPEL website. Report will also be disseminated to the competent authorities, environmental agencies a.o. in IMPEL Member States.

The result of this project will be sent as an IMPEL information to the competent EU institutions.
### 3. Resources required

#### 3.1. Project costs and budget plan

<table>
<thead>
<tr>
<th>Project meeting costs (€)</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Overhead (organisation) cost (€)</td>
<td>500</td>
</tr>
<tr>
<td>2. Project meeting costs (€)</td>
<td></td>
</tr>
</tbody>
</table>

**Meeting 1**
- No of Participants: 5
- Travel: 1.000
- Accommodation: 360
- Catering: 200
- Meeting venue: 0

**Meeting 2**
- No of Participants: 5
- Travel: 1.440
- Accommodation: 360
- Catering: 200
- Meeting venue: 0

**Workshop (Salzburg)**
- No of Participants: 18
- Travel: 6.120
- Accommodation: 2.380
- Catering: 900
- Meeting venue: 900

**Meeting 4**
- No of Participants: 5
- Travel: 1.440
- Accommodation: 360
- Catering: 200
- Meeting venue: 0

**3. Other costs (€):**
- Consultant: 19.500
- Translation: 0
- Dissemination: 0

**TOTAL cost per year €** 35.860
**TOTAL project cost €** 35.860

#### 3.2. Fin. from IMPEL budget

- Project meeting costs (€): 15.860
- Other costs (consultant) (€): 10.000

#### 3.3. Co-financing by MS (and any other)

1. Overhead costs (€): as co-financing contribution, committed by Lead Country (name of institution)
2. Project meeting costs (workshop accommodation)
3. Other costs (€): consultant, as co-financing contribution (Lebensministerium Vienna)

**Meeting preparation and participation**

#### 3.4. Human from MS

#### 4. Quality review mechanisms

The quality of the final product will be reviewed by the project participants and appraised by the Cluster "Improving permitting, inspection and enforcement". It will then be submitted to the IMPEL General Assembly for appraisal and adoption.
5. Legal base

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<tbody>
<tr>
<td>5.2. Article and description</td>
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<tr>
<td>5.3 Link to the 6th EAP</td>
<td></td>
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</table>

6. Project planning

<table>
<thead>
<tr>
<th>6.1. Approval</th>
<th>A document with input material for the project was presented at the Cluster 1 meeting in Vienna 11/12 March 2010. After that a ToR was developed and presented and supported by Cluster &quot;Improving permitting, inspection and enforcement&quot;. The ToR 2010 was accepted by the IMPEL General Assembly, had to be moved on behalf of personal circumstances.</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.2. Fin. Contributions</td>
<td>The project is supported by IMPEL, Austria</td>
</tr>
<tr>
<td>6.3. Start</td>
<td>January 2012</td>
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</table>
| 6.4 Milestones                     | January 2012: Project start, request for input to the first draft of the questionnaire  
February 2012: dissemination of the questionnaire to participants and experts with EIA experience and involved in EIA permit procedures  
April 2012: Workshop  
May 2012: preparation draft version of the final report  
June 2012: adjustment of the draft report with all participants  
July 2012: Meeting 3 of the Core Team, discussion of the draft version of the final report  
August 2012: submitting draft version of the final report to IMPEL Cluster 1  
Autumn 2012: Final report |
| 6.5 Product                        | Final project report                                                                                                                                                                                                                                          |
| 6.6 Adoption                       | Presentation and discussion of the final report to the IMPEL Plenary is planned for winter 2012                                                                                                                                                                   |