

## **APPENDIX III**

### **Outline of the Bulgarian EIA process**

# **Ordinance on the terms and procedure for making environmental impact assessment of investment proposals for construction, activities and technologies**

## **Chapter One General Provisions**

### **Article 1**

This Ordinance shall set forth the terms and procedure for making environmental impact assessment (EIA) of investment proposals under Article 81, paragraph (1), item 2, of the Environment Protection Act (EPA), and Article 31, paragraph (2), of the Biological Diversity Act.

### **Article 2**

- (1) EIA shall be made in the following order:
  1. Notification to the competent authorities and the public affected;
  2. Assessment of the need for EIA;
  3. Holding of consultations; identification of the scope, the contents and the form of the EIA report;
  4. Assessment of the quality of the EIA report;
  5. Organization of public discussion on the EIA report;
  6. Taking decision on the EIA;
  7. Exercising control over implementation of the conditions set forth in the decision on EIA.
- (2) For investment proposals with transboundary impact the requirements of Chapter Eight shall apply.

### **Article 3**

- (1) The Minister of Environment and Water shall establish, by Order, a public register pursuant to Article 102 of the Environment Protection Act (EPA), and shall set forth the rules for keeping the register.
- (2) The Register shall contain data about conducting EIA procedures and shall be kept as a uniform database where for each EIA procedure a separate file shall be opened, which shall contain at least the information under Annex No. 1.
- (3) Access for review of information entered in the register shall be provided via the MEW page on the Internet.
- (4) A list of documents for the EIA procedure shall be kept with the register.
- (5) Access to the available documents under paragraph (4) shall be provided pursuant to the EPA.
- (6) The Order under paragraph (1) shall set forth:
  1. Persons in charge of keeping the register;
  2. Procedure for update of the data in the register;
  3. Procedure for exchange of information between the MEW and the Regional Inspectorates of Environment and Water (RIEW).

## **Chapter Two**

### **Assessment of the need for making an EIA**

#### **Article 4**

- (1) In the course of pre-investment inquiries the investor shall be obliged to notify in writing the competent authority MOEW/RIEW about his investment intention.
- (2) Concurrently with the notification to the competent authority under paragraph (1) the investor shall notify in writing the Mayor of the relevant municipality/ies and region/s, local administration and the affected population through the mass media and/or in another way.

#### **Article 5**

- (1) On the grounds of the notification under Article 4 the competent authority shall determine whether the investment proposal falls within the scope of Annex No. 1 or Annex No. 2 to Article 81 paragraph 1 item 2 of the EPA, or whether it is beyond their scope, but may have impact on protected areas of the National Environmental Network. The competent authority shall notify within 14 days the investor in writing about the necessary actions that should be undertaken.
- (2) In case the investor submits together with the notification pursuant to Article 4, documents proving that the investment proposal is linked to the National Defense, the Competent authority shall confirm within 14 days in writing that no EIA shall be made on the grounds of Article 81 paragraph 5 of the EPA

#### **Article 6**

For the purposes of assessing the need for making EIA for proposals under Article 93, paragraph (1) of the EPA, the investor shall submit a request together with the information under Annex No. 2. The request shall be submitted in writing to the competent authority under Article 93 paragraph 2 or 3 of the EPA.

#### **Article 7**

- (1) The competent authority under Article 6 shall assess the need for making EIA by determining the degree of significance of the environmental impact on the grounds of:
  1. the information submitted by the investor pursuant to Article 6;
  2. the criteria under Article 93, paragraph (4) of the EPA.
- (2) Where necessary, the competent authority shall:
  - organize an on-site visit for verification of the information under Article 6;
  - conduct consultations with the specialized competent authorities of the Ministry of Health in order to determine the degree of significance of the impact and the risk to human health.

#### **Article 8**

- (1) Within 1 month following the submission of the request under Article 6 the competent authority shall rule by decision on the need for making an EIA, which shall contain:
  1. Title of the issuing body;
  2. Name of investor, place of residence / seat;
  3. Brief description of the investment proposal;
  4. Legal and factual grounds for issue of decision;
  5. Detailed reasons, based on the assessment under Article 7;

6. Dispositional part;
  7. Date of issue, signature.
- (2) Within 3 days following the issue of the decision under paragraph (1) the competent authority shall:
1. Deliver the decision to the investor;
  2. Declare the reasons for its judgement with announcement at an accessible location in the building of the MOEW and/or RIEW;
  3. Notify in writing the respective municipal administration on which territory the investment proposal is going to be implemented about the decision with the request for its announcement at an accessible location..

### **Chapter Three**

#### **Terms and procedure for consultations. Determination of the scope, the contents and the form of the EIA report**

##### **Article 9**

- (1) For the purposes of holding consultations pursuant to Article 95, paragraph (2) of the EPA, the investor shall determine the organization and persons to participate on the basis of the characteristics of the investment proposal.
- (2) In case of an interest in the EIA procedure declared in writing by the persons or organizations falling out of the scope of paragraph 1, the investor shall hold consultations with the interested parties
- (3) The consultations may be organized in one of the following manners:
  1. Announcement in the mass media;
  2. Sending notifications to the local authorities;
  3. Preparation and distribution of prospectus or brochure with brief information about the investment proposal;
  4. Distribution of letters or questionnaires to organizations or persons concerned, living in the immediate vicinity, with request for information and comments on the investment proposal;
  5. Setting up information boards, posters;
  6. Organization of expert or public groups on the scope of assessment;
  7. Organization of meetings with the affected population.
- (4) In the course of consultations the investor shall provide sufficient information and time for elucidation of his intentions and for presentation of opinion by the specialized departments and the affected public.
- (5) The investor shall prepare reference about the consultations held and the reasons for accepted and unaccepted notes and recommendations.

##### **Article 10**

- (1) An investor of proposal included in the scope of Annex No. 1 to Article 81 paragraph 1 item 2 of the EPA or an investor who has received decision under Article 8, stating it is necessary to make EIA, should commission the elaboration of a Terms of Reference for the scope of the EIA pursuant to Article 95, paragraph (1) of the EPA.
- (2) The information received in the course of consultations under Article 9 shall be used for the purpose of elaboration of the ToR for the scope pursuant to paragraph 1.

- (3) The Terms of reference under paragraph (1) shall contain:
1. Characteristics of the investment proposal, including:
    - a) Description of the physical characteristics of the investment proposal and the necessary sites (such as used terrains, agricultural land, forestry land, etc.) during the construction and operation phase;
    - b) Description of the basic characteristics of the production process, for example: type and quality of the used raw and other materials;
    - c) Determination of the type and quality of the expected residue and emissions (water pollution, air and soil pollution, noise, vibrations, radiation – light, thermal, nuclear, etc.) as a result of the investment proposal's operation.
  2. Alternatives for implementation of the investment proposal;
  3. Characteristics of the environment where the investment proposal is to be implemented and forecast of the impact;
  4. significance of the impacts on the environment, describing direct and indirect, cumulative, short-, medium- and long-term, regular and temporary, positive and negative impact of the investment proposal;
  5. Structure of the EIA report with description of expected contents of the items included therein;
  6. List of required attachments, lists, etc.;
  7. Stages, phases and deadlines for elaboration of the EIA report;
  8. Other terms or requirements.
- (4) For investment proposals that require issue of integrated permit for prevention and control of pollution, the Terms of reference under paragraph (2) shall include requirement for review of an alternative with use of the best available techniques.
- (5) When necessary, the investor holds consultations with the specialized competent authorities of the Ministry of Health pursuant to paragraph 3, item 5 on the scope and contents of the evaluation of the health and hygiene aspects of the environment and on the human health risk.

#### **Article 11**

- (1) The investor shall assign the elaboration of EIA report in compliance with the approved Terms of reference under Article 10 paragraph 3 and the requirements of Article 96, paragraph (1) of the EPA and by using the updated data, recent knowledge and methods of assessment..
- (2) The EIA report shall be elaborated by a team of experts with head of the team, who:
1. have certificate of registration in the public register under Article 83, paragraph (4) of the EPA;
  2. have no personal interest in the implementation and application of the investment proposals.
- (3) The experts shall be considered to have no personal interest where:
1. they are not owner, manager or member of managing or control body of the legal entity - investor;
  2. they are not related persons within the meaning of the Commerce Act and have no employment relations with the investor;

3. they have no employment relations with the Competent authorities under Article 10 of the EPA;
  4. they are not members of the expert environmental boards under Article 12 paragraph 1, item 1 and paragraph 2 of the EPA;
  5. they have not taken part in the elaboration and the approval of the relevant investment proposal.
- (4) The head of the team of experts shall be responsible for:
1. identification of the team of experts required for making of the EIA, taking in consideration the specific nature of the subject of assessment and the environmental conditions;
  2. completeness and authenticity of the information presented in the EIA report;
  3. consideration of the standpoints and opinion of the affected public;
  4. objectivity of the conclusion under Article 96, paragraph 1, item 8 of EPA.
- (5) The registered experts shall be responsible for the completeness, authenticity and objectivity of the relevant sections of the EIA report elaborated by them pursuant to Article 12, paragraph (1), item 4 and the conclusion they submit pursuant to Article 83, paragraph 3 of EPA.
- (6) In case of not carrying out of the obligations under paragraphs (4) and (5) damages occur, the registered experts shall be held liable to the full amount thereof.

#### **Article 12**

- (1) The report shall be elaborated as a uniform document comprising:
1. body of the report in compliance with Article 11, paragraph (1);
  2. list of sources of information used by the authors in the EIA report;
  3. The reference pursuant to Article 9 paragraph 5;
  4. list of the registered experts and the head of the team that have elaborated the EIA report, where each of them shall put his/her signature opposite to the report sections elaborated by him/her;
  5. declarations in writing of the experts under Article 11, paragraph (3);
  6. copies of the certificates for registration in the register of the MEW.
- (2) The non-technical summary of the EIA report under Article 96, paragraph (1), item 9 of the EPA, shall be a separate Annex to the EIA report.

### **Chapter Four**

#### **Assessment of the quality of the EIA report**

#### **Article 13**

For the purposes of assessment of the quality of the EIA report the investor shall submit to the competent authority one copy of the report under Article 12, on paper and on electronic media, and one copy of the terms of reference under Article 10 and copy of document for charges paid.

#### **Article 14**

- (1) 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;
- (2) The competent authority shall apply the following system of grades to assess the quality of the report:
1. grade A – full information has been provided, without omissions and weaknesses;
  2. grade B – the information provided has minor omissions, which are not important to decision making;
  3. grade C - the information provided has omissions, which are not of substantial importance to decision making;
  4. grade D – the information provided is not sufficient for decision making, but requires relatively small amount of additional work;
  5. grade E – extremely insufficient information with many omissions and weaknesses, which do not allow to make a decision.
- (3) The assessments under paragraph 2, items 1, 2 and 3 shall be considered positive.

#### **Article 15**

- (1) In case of a positive assessment under Article 14, paragraph (3), the competent authority shall notify the investor by letter and shall request in addition not less than 3 copies of the report for the MEW and not less than 2 copies for the RIEW.
- (2) In case of assessment pursuant to Article 14, paragraph (2), item 4, the competent authority shall return the report for supplementation with specific instructions therefore, informing the investor in writing about it.
- (3) In case of assessment pursuant to Article 14, paragraph (2), item 5, the competent authority shall inform the investor and return the report for revision.
- (4) In the cases of paragraphs 2 and 3 the competent authority shall specify a deadline for submission of the supplemented/revised report.

### **Chapter Five**

#### **Organization of public discussion on the EIA report**

#### **Article 16**

- (1) In the letter to the investor pursuant to Article 15 paragraph 1, the competent authority shall also specify the affected municipalities, mayoralities and/or

regions, with which the investor should organize public discussion on the EIA report.

#### **Article 17**

- (1) The public discussion on the EIA report shall be conducted in the following order:
  1. The investor shall deliver one copy of the EIA report to each of the bodies specified under Article 16;
  2. The affected municipalities, mayoralities and/or regions under Article 16, shall determine together with the investor the place, date and time for holding of the public discussion, as well as the place and time for public access to the EIA report and the place and time for submission of written statements of opinion. The investor shall announce the above in the mass media and/or in another appropriate manner at least 30 days prior to the meeting for the public discussion. The announcement shall be made as per specimen provided in Annex No. 3 to the Ordinance;
  3. The investor shall notify in writing the competent authority about the place, date and time for holding the public discussion/discussions under paragraph 2;
  4. In his own opinion, the investor may inform in writing also another persons, authorities and organizations about the public discussion/s.
  5. The meeting for the public discussion shall be chaired by the investor or a person authorized thereby;
  6. The investor shall ensure the attendance of the head of the team of independent experts and its representatives at the meeting, where they shall introduce the attending persons to a summary of the investment proposal and to the results of the EIA, respectively.
- (2) Minutes shall be kept of the public discussion by a representative of the municipality, on which territory the meeting is held. The minutes shall be signed by the investor and the person drafting it and attached to it shall be the statements of opinion in writing voiced at the discussion, as well as any opinion deposited in writing in advance.
- (3) The municipality representative under paragraph (2) shall submit to the investor a copy of the materials with results of the public discussion not later than 3 days following the date of the public discussion.
- (4) Within 7 days after the discussion the investor shall submit to the competent authority the minutes of the discussion and the deposited statements of opinion in writing.
- (5) Within 14 days following the discussion/last discussion the investor shall submit to the competent authority a statement of opinion on the proposals, recommendations, objections resulting from the public discussion.
- (6) Where as result of the public discussion other possible options for implementation of the investment proposal are proposed in writing, the investor shall assign further supplementation of the report and shall organize new public discussion pursuant to the procedure set forth under paragraph (1).
- (7) In cases of report's supplementation under paragraph (6) the investor shall inform in writing the competent authority specifying the deadline for submission of the supplementation of the EIA report.

## Chapter Six

### Taking decision on the EIA

#### Article 18

- (1) The competent authority shall take decision on the grounds of:
  1. the EIA report as a basic document;
  2. the documents presented in the course of the procedure, including supplementation under Article 17 paragraph 6;
  3. the results of the public discussion, inclusive of the statement of opinion of the investor.
  4. the decision of the Supreme Environmental Expert Council (SEEC) with the MOEW or the Regional Environmental Expert Council (REEC) with the relevant RIEW.
- (2) The expert environmental councils under paragraph 1 item 4 take decision in accordance with the Statute pursuant to Article 12 paragraph 3 of EPA.

#### Article 19

- (1) With the decision under paragraph (1) the competent authority shall approve the implementation of the investment proposal under circumstances where:
  1. the plan for implementation of measures for prevention, reduction or liquidation of substantial negative impacts ensures compliance with the norms for quality of the environment;
  2. there are no justified objections against the implementation of the investment proposal.
- (2) With the decision under Article 18 paragraph (1) the competent authority shall not approve the implementation of the investment proposal under circumstances where:
  1. the plan for implementation of measures for prevention, reduction or liquidation of substantial negative impacts does not guarantee compliance with the norms for quality of the environment;
  2. no other possible options for implementation of the investment proposal which guarantee the compliance with the norms for quality of the environment have not been proposed or accepted by the investor or such do not exist;
  3. justified objections against the implementation of the investment proposal have been deposited.
- (3) The decision shall be elaborated in compliance with the requirements of Article 99, paragraph (3) of the EPA as per specimen provided in Annex No. 4.
- (4) The conditions in the decision shall be based on:
  1. the plan for implementation of the measures in the EIA report;
  2. the feasible proposals under Article 17, paragraph (4), 5 and 6.

#### Article 20

- (1) The competent authority shall take decision on the EIA within the term under Article 99, paragraph (2) of the EPA, in accordance with the specific nature and the complexity of the investment proposal.
- (2) The term under paragraph (1) shall not include the time for supplementation of the report under Article 17, paragraph (5).

### **Article 21**

The decision on the EIA under Article 19, paragraph (1) shall be an element of the contents of the procedure for issue of visa for design.

## **Chapter Seven**

### **Exercise of control over implementation of the conditions set forth in the decision on EIA**

### **Article 22**

- (1) The Competent authorities shall exercise control over implementation of the conditions set forth in the decision on EIA:
  1. in the process of approval and coordination of investment projects;
  2. in the process of construction;
  3. in the process of issue of permit for use of the construction;
  4. 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 and shall be done in accordance with Chapter nine of the EPA.
- (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.

## **Chapter Eight**

### **EIA procedure in a transboundary context**

### **Article 23**

The environmental impact assessment for investment proposals with transboundary impact shall be made in compliance with the requirements of the Environment Protection Act, this Ordinance and the Convention on Environmental Impact Assessment in a Transboundary Context (ratified SG 28/1995, in force from 10.09.97, published SG 86/1999, amended SG 89/1999), unless otherwise provided by international agreement between the republic of Bulgaria and the affected party or parties.

### **Article 24**

Competent authority for EIA procedure in a transboundary context shall be the Ministry of Environment and Water. The other bodies under Article 10 of the EPA shall be obliged to provide in a timely manner the information received about ongoing procedures and to render the necessary assistance to the MEW and the investors.

### **Article 25**

The environmental impact assessment for investment proposals with transboundary impact, for which the Republic of Bulgaria is party of origin, shall be made in the following order:

1. Notification to the Competent authorities and the affected public pursuant to Chapter Two of the Ordinance.

2. In the event of decision for need of EIA for proposal with potential transboundary impact the Minister of Environment and Water shall notify the affected party or parties about his/her decision, and shall specify a period of time for reply whether the respective (affected) party shall take part in the procedure. Attached to the notification shall be a description of the investment proposal and the available (other than the restrictions under the Classified Information Act) information about eventual transboundary impact on the environment, as well as information about the nature of the decision which supposedly shall be taken.
  - a) In the event of negative reply on behalf of the affected party, the procedure further on shall follow completely the order set forth under Article 2, paragraph (1).
  - b) In the event of positive reply on behalf of the affected party and statement of its desire to take part in the procedure, further on the order of the procedure under Article 2 shall be modified and adjusted in consideration of the transboundary aspects.
3. Consultations between the two parties on: whether the decision shall follow the procedure set forth by the national legislation; if the proposal does not fall within the scope of Annex I to the Convention, but within the scope of Annex No. 2 to the EPA; provision of information about the major requirements of the legislation. The time for consultations shall be determined by the parties on a case-by-case basis.
4. Determination of the scope of information which the investor should include in the EIA report, with special attention paid to the aspects with transboundary impact and the measures for their prevention and limitation.
5. Elaboration of EIA report. The investor shall be obliged to submit to the competent authority an additional copy of the report, translation of the whole report or part thereof, where that has been agreed between the competent authorities of the two parties, as well as translation of the non-technical summary.
6. Assessment of the quality of the EIA report. In the assessment of the EIA report, apart from all requirements under Chapter Six, the competent authority shall pay special attention to the transboundary impacts and the measures for their prevention and limitation.
7. Forwarding of the EIA report (the translation thereof, if agreed) and the translation of the non-technical summary to the competent authority of the affected party and providing an opportunity for holding consultations on: potential transboundary impacts and measures for prevention or limitation of the impact; possible proposed alternatives to the investment proposal; other issues of mutual interest.
8. Delivery to the investor of documents received from the consultations.
9. Public discussion on the EIA report with opportunity for direct participation of representative of the competent authority of the affected party and its public.
10. Taking decision on EIA with consideration of the notes and proposals made by the affected party, which takes part in the EIA procedure.
11. Announcement of the EIA decision and notification of the decision to the affected party.
12. Control over implementation of the decision. Where explicit preliminary agreement exists, the competent authority of the party of origin shall notify the

competent authority of the affected party about the implemented measures for control and the conclusions made.

#### **Article 26**

The environmental impact assessment for investment proposals with transboundary impact that will be implemented on the territory of other states, in respect of which the Republic of Bulgaria is the affected party, shall be made in the following order:

1. Upon receipt of notification for the investment proposal that will be implemented on the territory of another state and which may be expected to have substantial impact on the territory of the Republic of Bulgaria, within the period of time specified in the notification the Ministry of Environment and Water shall notify the party of origin about its decision to participate or not to participate in the EIA procedure.
  - a) In the event of stated desire for participation, the national procedure of the party of origin shall be followed, unless otherwise provided in an international agreement;
  - b) The Minister of Environment and Water shall ensure access of the public to the information provided about the EIA and shall forward in a timely manner all statements of opinion on the documents to the competent authority of the other party before the decision making by the competent authority of the other state.
2. Where no notification has been received from the party of origin, about investment proposal under Annex I to the Convention, such that may have substantial impact on the territory of the Republic of Bulgaria, the Ministry of Environment and Water shall approach as necessary the competent authority of the party of origin for holding consultations for participation in the procedure.

#### **Additional provision**

**§ 1.** For the purposes of this Ordinance:

1. “Party of origin” shall be a contracting party or party to the Convention on EIA in a transboundary context, as well as any other state under whose jurisdiction a proposed investment intention is envisaged to take place, the construction and implementation of which supposedly shall have transboundary impact.
2. “Affected party” shall be a contracting party or party to the Convention on EIA in a transboundary context, as well as any other state likely to be affected by the transboundary impact of the investment proposal.

#### **Transitional and concluding provisions**

- § 2.** This Ordinance has been issued on the grounds of Article 101, paragraph (1) of the Environment Protection Act and Article 31 of the Biological Diversity Act, and shall repeal Ordinance No. 4 of 1998 on Environmental Impact Assessment (promulgated in the State Gazette, No. 84/1998, as amended, SG No. 68/2000)
- § 3.** The Order under Article 3, paragraph (1), shall be issued within 6 months after coming into force of this Ordinance.
- § 4.** Article 9 and Article 10 shall not apply to all EIA reports assigned by contracts signed prior to coming into force of this Ordinance.
- § 5.** The Minister of Environment and Water shall issue instructions for implementation of the Ordinance.

**Information contained in the file of each EIA procedure**

1. File Ref. No.	
2. Investor: Name/Company: Address:	
3. Contact person: Tel.	
4. Investment proposal	
4.1. Notification of investment proposal, date	
4.2. Reply of the competent authority, date	
5. Competent authority: MEW/RIEW	
6. Contact person of the competent authority:	
7. Request for assessment of the need for EIA, date	
8. Issued decision on assessment of the need for EIA, date	
9. Consultations held by the Investor	
10. Submission of the EIA report to the competent authority, date, charges paid	
11. List of the registered experts, authors of the EIA report, including: <ul style="list-style-type: none"> <li>• Full name of the expert</li> <li>• Number and date of issued certificate(s)</li> <li>• Declarations under Article 12, paragraph (1), item 5 of the Ordinance</li> </ul>	
12. Assessment of the quality of the EIA report, date	
13. Public discussion; date, place, time, access to documentation, place for submission of the written statements of opinion, contact person and telephone.	
14. Results of the public discussion; Minutes; received statements of opinion and proposals on the EIA report; other deposited documents	
15. Meeting of the Supreme Environmental Expert Council / Regional Environmental Expert Council, date;	
16. Decision on EIA, Number, date	
17. Announcement of decision, date, place	
18. Appeal of the decision on EIA, date, appealing person; decision/justification of the court	
19. Control over implementation of the decision on EIA; data submitted by the investor; inspections of implementation; sanctions imposed.	

**Information about assessment of the need for EIA**

**I. Information for contacts with the investor:**

1. Name, civil ID, place of residence, citizenship of the investor – natural person, seat and uniform ID number of the legal entity;
2. Full mailing address;
3. Telephone, fax and e-mail;
4. Contact person.

**II. Characteristics of the investment proposal:**

1. Summary of the proposal;
2. Demonstration of the necessity of the investment proposal;
3. Relation to other existing/planned investment proposals;
4. Detailed information about reviewed alternatives;
5. A sketch showing the location of the site, including areas needed for temporary works in the process of construction;
6. Description of major processes (according prospectus data), capacity;
7. Scheme of new roads or modification of existing roads;
8. Schedule of activities, including construction, operation and decommissioning, recovery and further use;
9. Construction methods employed;
10. Natural resources used in the process of construction and operation;
11. Anticipated waste – types, quantities and mode of treatment;
12. Information about considered measures for reduction of negative impacts;
13. Other activities related to the investment proposal (e.g. aggregate extraction, new water pipeline, generation or transmission of electric power, housing construction and waste water treatment);
14. Necessity of other permits related to the investment proposal.

**III. Location of the investment proposal:**

1. Plan, maps and photos, showing the boundaries of the investment proposal, providing information about the physical, natural and anthropogenic characteristics, as well as about elements of the National Environmental Network located nearby;
2. Existing users of land and their adjustment to the site of the investment proposal and future planned land users;
3. Territorial distribution and land use policies;
4. Sensitive territories, inclusive of sensitive areas, vulnerable zones, protected areas, sanitary-guarded areas, etc.; National Environmental Network;
5. Detailed information about all considered location alternatives.

**IV. Characteristics of potential impact (brief description of possible impacts resulting from the implementation of the investment proposal, taking in consideration the following factors):**

1. Impact on humans, their health, the flora and the fauna, soils, land use, material assets, hydrology and water quality, air quality, the climate, noise and vibrations, landscape, historical and cultural monuments and their inter-relations;
2. Impact on elements of the National Environmental Network, including on those located nearby;
3. Type of impact (direct, indirect, secondary, cumulative, short term, middle term and long term, permanent and temporary, positive and negative);
4. Scope of impact - geographic area, affected population; settlements (name, type – town, village, resort; number of inhabitants, etc)
5. Probability of impact occurrence;
6. Duration, frequency and reversibility of impact;
7. Measures included in the investment proposal, for prevention, reduction or compensation of substantial negative impacts;
8. Transboundary nature of impacts.

**Specimen of announcement for meeting for public discussion**

**(name of investor, seat).....,**

on the grounds of Article 97, paragraph (3), in connection with Article 81, paragraph (1), item 2 of the Environment Protection Act, **NOTIFIES** all natural and legal persons concerned, that a meeting/s has/have been organized for public discussion on report on environmental impact assessment (EIA) for investment proposal:

.....  
The meeting/s will take place on ..... (date), at ..... h, in ..... (place, address).

The EIA report is available for review by those interested every working day as from ..... to ..... h at the municipality (mayoralty)....., the MEW/RIEW and ..... (in case of location provided by the investor).

Written statements of opinion may be submitted to ..... (place, provided for by the investor) or at the meeting/s for the public discussions.

For contacts with the investor with reference to the public discussion, call:  
..... (name, telephone).

**Specimen of decision on EIA**

**A. Specimen of decision on EIA for approval of investment proposal pursuant to  
Article 19, paragraph (1)**

**REPUBLIC OF BULGARIA  
MINISTRY OF ENVIRONMENT AND WATER /  
REGIONAL INSPECTORATE OF ENVIRONMENT AND WATER – CITY.**

.....  
**address:** .....

**1.1.1. DECISION**

**No.....-...../200...  
on environmental impact assessment**

On the grounds of Article 99, paragraph (2) of the Environment Protection Act and Article 19, paragraph (1) of the Ordinance on the terms and procedure for making environmental impact assessment of investment proposals

**1.2. I HEREBY APPROVE**

the implementation of investment proposal:

.....  
**investor:** .....  
**place** ..... **of** ..... **residence/seat:** .....

for the following **reasons:**  
.....  
.....

and under the following **conditions:**

**I. On the design phase:**  
.....  
.....

**II. In the process of construction:**  
.....  
.....

**III. In the process of operation and decommissioning:**  
.....  
.....

*On the grounds of Article 99, paragraph (8) of the Environment Protection Act, the decision for unstarted construction shall be valid for 3 years as from the date of its issue.*

*Persons concerned may appeal the decision pursuant to the procedure set forth in the Administrative Proceedings Act and the Supreme Administrative Court Act within 14 days following its announcement pursuant to Article 99, paragraph (4) of the Environment Protection Act.*

*In the event of change of investor, the new investor shall, pursuant to Article 99, paragraph (7) of the Environment Protection Act, notify as mandatory the MEW/RIEW in the city of .....*

*In the event of ascertainment of non-compliance with the conditions set forth in the decision on EIA, the persons in default shall be held liable pursuant to Article 166, item 2 of the Environment Protection Act.*

**Date:**.....

**Minister / Director:**

**B. Specimen of decision on EIA for non-approval of investment proposal pursuant to Article 19, paragraph (2)**

**REPUBLIC OF BULGARIA  
MINISTRY OF ENVIRONMENT AND WATER /  
REGIONAL INSPECTORATE OF ENVIRONMENT AND WATER – CITY.**

address: .....

**1.2.1. DECISION**

**No.....-...../200...  
on environmental impact assessment**

On the grounds of Article 99, paragraph (2) of the Environment Protection Act and Article 19, paragraph (2) of the Ordinance on the terms and procedure for making environmental impact assessment of investment proposals

**1.3. I HEREBY DO NOT APPROVE**

the implementation of investment proposal:

investor:

place

of

residence/seat:

for the following reasons:

*Persons concerned may appeal the decision pursuant to the procedure set forth in the Administrative Proceedings Act and the Supreme Administrative Court Act within 14 days following its announcement pursuant to Article 99, paragraph (4) of the Environment Protection Act.*

Date:.....

Minister / Director: