

Republic of Latvia  
Cabinet  
Regulation No. 30  
Adopted 27 January 2015

## **Procedures by Which the State Environmental Service Shall Issue Technical Regulations for the Intended Activity**

*Issued pursuant to  
Section 13, Paragraphs three and four of  
the Law On Environmental Impact Assessment*

### **I. General Provisions**

1. This Regulation prescribes:
  - 1.1. the intended activities, for the performance of which technical regulations are required;
  - 1.2. the requirements for the content of technical regulations;
  - 1.3. the procedure for requesting and preparing technical regulations;
  - 1.4. the requirements for making amendments to technical regulations.
2. Technical regulations lay down the environmental protection requirements for the intended activity (hereinafter — the activity) at its performance site. The aforementioned requirements are binding to the person performing the activity. Technical regulations are required for the activities for which, after performance of the initial assessment, an environmental impact assessment is not necessary in accordance with the Law On Environmental Impact Assessment, or for the activities referred to in the Annex to this Regulation.

### **II. Procedures for Requesting Technical Regulations**

3. Prior to starting the activity the person preparing to perform the activity (hereinafter — the applicant) shall submit a relevant application to the State Environmental Service (hereinafter — the Service).
4. An application may also be submitted electronically by registering in the single environmental information system “TULPE” of the Service and filling out the appropriate template of the application.
5. The application shall not be submitted if the activity has been applied for the performance of the initial assessment in accordance with the Law On Environmental Impact Assessment.
6. The following information shall be included in the application:
  - 6.1. the date and place of submission of the application;
  - 6.2. the given name and surname of the applicant (for a legal person — name and registration number, legal address, for a public person or its authority — name, address, for a natural person — address of the declared place of residence or address of the place of residence where he/she may be reached), phone number and e-mail address;

6.3. the given name and surname and contact information of the contact person if it differs from the information referred to in Sub-paragraph 6.2 of this Regulation;

6.4. the name of the activity, address of its performance site, cadastre number of the immovable property and cadastral designation of the performance site of the activity but if this site is located on the forest land — also a block and compartment number (if any);

6.5. a description of the activity and used technology relating to the specific activity:

6.5.1. main raw materials and their consumption per annum, listing all hazardous chemical substances and mixtures;

6.5.2. output and its quantity per annum;

6.5.3. water source (existing, planned), point of connection, planned amount of water (cubic metres per day, month and annum) and water supply solution;

6.5.4. sufficiency of drinking and technical water resources;

6.5.5. planned amount of waste water (cubic metres per day, month and annum), polluting substances in waste water, amount and concentration thereof before and after purification, point of waste water discharge, water bodies receiving waste water and alternative waste water handling solutions;

6.5.6. heat and electricity production, necessary maximum power, fuel type, quantity and heating solution;

6.5.7. pollutant emission (quantity and concentration of pollutants), odours;

6.5.8. created waste, types, quantity and management thereof;

6.5.9. electromagnetic radiation, vibration, noise and other physical impact on the environment;

6.5.10. land area for which the category of use is being changed, and this activity does not contradict with the information referred to in the local government spatial plan;

6.5.11. impact on areas of particular natural sensitivity, micro-reserves, specially protected species and specially protected biotopes;

6.5.12. distance of the performance site to the nearest reservoirs and watercourses and possible impact on them;

6.5.13. area and boundaries of the flooding sites;

6.5.14. type of the structure (based on general use pattern), building site, construction volume and type of construction;

6.6. declaration of the applicant on the veracity of the submitted information.

7. The following shall be attached to the application:

7.1. an opinion of the fishery court expert-examination for the activity referred to in Sub-paragraphs 8.4 and 1.3 of the Annex to this Regulation, if the ponds or other aquaculture production plants intended for fish farming are filled from the surface water, or a discharge into a surface waterbody is planned;

7.2. a copy of the land border plan indicating the performance site of the intended activity, or a site map on the scale of 1:10000 or any other appropriate scale where the performance site of the intended activity is clearly indicated (if possible, also electronically);

7.3. if the activity is construction — the documentation of the construction intention in which the location, magnitude and use pattern of the planned structure is indicated, as well as a construction permit (copy), if such is issued.

8. If the information provided in the application is incomplete or does not conform to the requirements of this Regulation, the Service shall within seven working days after the receipt of the application request an additional information from the applicant.

9. After receipt of the application or additional information, the Service shall ensure an opportunity to get familiar with the indicative notice on the submitted request for the technical

regulations (hereinafter — the indicative notice) in its premises (at the location where the relevant information may be viewed by anyone) and place the indicative notice on the website of the Service. The indicative notice shall be available on the website of the Service until the day when the Service has taken a decision on the relevant application.

10. The Service shall send the indicative notice electronically to the non-governmental environmental organisation which has expressed interest to obtain information on the activities in certain areas and applied to the Service by providing its e-mail address whereto the relevant information shall be sent.

11. At least the following information shall be included in the indicative notice:

11.1. the given name and surname of the applicant (for a legal person — name and registration number, for a public person or its authority — name);

11.2. the date of submitting the application;

11.3. information on the activity and a brief description thereof;

11.4. potential performance site of the activity and, if possible, cadastral designation of the land unit, as well as an indication on being located in a specially protected nature territory, micro-reserve, protective zone of coastal dunes of the Baltic Sea and the Gulf of Riga or the protection zones of surface waterbodies;

11.5. a deadline by which the company may submit its written comments or proposals for activity to the Service. The aforementioned deadline shall not be less than 10 days.

12. The applicant shall send the indicative notice to the owners (managers) of the immovable properties located next to the performance site of the activity. The indicative notice does not need to be sent if in accordance with the Construction Law the applicant has informed the owners (managers) of the immovable properties bordering the relevant land plot regarding the received construction permit.

### **III. Preparation and Issuance of Technical Regulations**

13. The Service after the application or opinion of other institutions or experts, or a receipt of additional information shall prepare and issue to the applicant the technical regulations or an opinion with the information that the technical regulations are not necessary for the performance of the activity referred to in the application, or a justified refusal.

14. If the refusal is issued, the Service shall within three working days electronically advise the local government thereof.

15. If an initial assessment is performed for the activity, the Service shall prepare and within 10 working days after the receipt of the decision taken by the State Environmental Bureau on the fact that the activity does not require an environmental impact assessment (except if a licence for the use of entrails of the earth for performance of the activity must be received in the Service) issue the technical regulations to the applicant. If an initial assessment is performed for the activity, and the intended activity is construction or includes construction, the Service shall issue the technical regulations within 20 days from the receipt of the information referred to in Sub-paragraph 7.3 of this Regulation.

16. Technical regulations shall be prepared based on the information submitted by the applicant, public comments and proposals, initial assessment performed in accordance with the Law On Environmental Impact Assessment, as well as the information provided by the relevant State and local government institutions and expert opinions.

17. By preparing the technical regulations, the Service shall have the right to attract experts, request and receive information from the State and local government institutions, as well as receive the public proposals summarized by the building authority and public consultation results, if any.

18. The Service when preparing the technical regulations for the performance of the activity which affects the area of particular natural sensitivity or micro-reserve, shall consult the Nature Conservation Agency. If necessary, the Service shall request to provide an opinion on the activity. The Nature Conservation Agency shall provide the aforementioned opinion within seven working days after the receipt of the request.

19. If the activity foresees using of entrails of the earth or may potentially affect the quantitative or qualitative indicators of the entrails of the earth, the Service shall request the geological information from State Limited Liability Company *Latvian Environment, Geology and Meteorology Centre*. State Limited Liability Company *Latvian Environment, Geology and Meteorology Centre* shall provide the aforementioned information within five working days after the receipt of the request.

20. If the activity is planned on the forest land, the Service shall request from the State Forestry Service information on conformity of the activity with the requirements of the laws and regulations governing forest management and use. The State Forestry Service shall provide the aforementioned information within five working days from the receipt of the request.

21. Technical regulations prescribe the following environmental protection requirements:

21.1. environmental quality threshold values and emission limit values for quality assurance of surface and groundwater, air, soil, entrails of the earth and other environmental areas;

21.2. requirements for the performance site of the activity, paying special attention to:

21.2.1. watercourses and water bodies (including watercourses and water bodies referred to in the laws and regulations on the risk water bodies), as well as requirements laid down in the laws and regulations on pollutant emission in water regarding design, construction and use of the purification equipment;

21.2.2. the environment and natural resources protection zones, areas of particular natural sensitivity, specially protected species and specially protected biotopes, as well as micro-reserves and specially protected forest areas;

21.2.3. highly sensitive areas;

21.2.4. geological processes;

21.3. requirements for the protection of groundwaters;

21.4. requirements for the waste management created by the activity;

21.5. restrictions for the performance of the activity in the polluted area (also the need to perform sanitary measures in the polluted areas);

21.6. requirements for the rectification or reduction of an accident or extraordinary situations;

21.7. requirements for the elimination or reduction of mutual impact of the activity and nearby facilities and their joint undesirable effect on environment;

21.8. other requirements related to the environmental protection.

22. If the intended activity is construction or includes construction, the Service by issuing the technical regulations shall attach the documentation of the construction intention submitted by the applicant in which the performance site, layout and use pattern of the intended activity is

provided and indicate other information initially submitted by the applicant (for example, planned water supply system, volume of waste water).

23. The Service shall send the technical regulations, opinion or refusal to the applicant in a paper format or electronically and place it on the website of the Service within three working days from issuing thereof. If the activity may affect an area of particular natural sensitivity or micro-reserve, the Service shall send the technical regulations, opinion or refusal within three working days electronically to the Nature Conservation Agency.

24. Technical regulations shall be valid for five years. Validity term of the technical regulations for the open extraction of mineral resources is equal to a validity term of extraction limit of the mineral resources.

25. Environmental protection requirements referred to in the technical regulations may be amended by the Service during the entire validity term of the technical regulations, if:

25.1. a negative impact of the pollution on human health or environment has been established which was not known until the day when the technical regulations were issued;

25.2. amendments were made to the laws and regulations governing the area of environmental protection.

26. Environmental protection requirements referred to in the technical regulations may be amended at the personal initiative, by following the provisions referred to in Paragraph 25 of this Regulation or based on an application of the applicant or a third party.

27. In order to receive new technical regulations or make amendments to the existing technical regulations, the applicant shall submit a relevant application. If the conditions referred to in Sub-paragraph 25.1 of this Regulation have been established, the applicant shall submit an application for the receipt of new technical regulations or amendment of the existing technical regulations to the Service within 15 working days.

28. The technical regulations or a refusal to issue the technical regulations by the Service may be contested before the State Environmental Bureau. If the technical regulations or refusal to issue the technical regulations by the Service is contested or appealed, the State Environmental Bureau shall inform the relevant building authority thereof within three working days.

29. A decision of the Environment State Bureau may be appealed before a court.

30. The building authority or an institution fulfilling the functions of the building authority is not entitled to make a note in the construction permit regarding compliance with the design conditions if the technical regulations are not issued, or the issued technical regulations are contested or appealed, and also if the requirements of the technical regulations are not fulfilled.

#### **IV. Closing Provisions**

31. Administrative processes initiated prior to this Regulation coming into effect may be completed by applying Cabinet Regulation No. 91 of 17 February 2004, Procedures by Which the Regional Environmental Board Issues Technical Regulations for the Intended Activity Not Requiring Environmental Impact Assessment.

32. In the event referred to in Sub-paragraph 7.3 of this Regulation, the applicant may submit a copy of the planning and designing task issued by the building authority if its validity term has not expired.

### **Informative Reference to the Directives of the European Union**

The Regulation includes legal norms arising from:

1) Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2011 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment;

2) Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

Prime Minister

Laimdota Straujuma

Minister for Environmental Protection and  
Regional Development

Kaspars Gerhards

## **Activities Requiring Technical Regulations**

### 1. Agriculture, forestry, woodworking and fisheries:

1.1. establishment of animal facilities (including facilities for collection of manure) in accordance with the laws and regulations on special environmental requirements for the performance of polluting activities in the animal facilities if they are planned:

1.1.1. for five or more animal units in accordance with the laws and regulations on water and soil protection from the pollution with nitrates caused by the agricultural activity if the facilities are located in a highly sensitive area;

2.1.1. for 10 or more animal units in the rest of the area;

1.2. establishment of slaughterhouses;

1.3. establishment of ponds for fish farming or establishment of other aquaculture production plants;

1.4. restoration and reconstruction of water drainage of national importance;

1.5. transformation of emptied peat extraction sites for the establishment of cranberry plantations if a change of water regime of the area is planned;

1.6. establishment of woodworking workshops and sawing mills;

1.7. establishment of timber waterproofing production plants;

1.8. releasing into the environment or cultivation of genetically modified cultures.

### 2. Energy industry:

2.1. installation of equipment for the production of electricity, steam and hot water if the entered thermal power thereof is 0.2 MW and more;

2.2. installation or construction of wind power plants;

2.3. establishment of charcoal production plants;

2.4. construction or installation of biogas equipment.

### 3. Production and processing of metals and products thereof:

3.1. establishment of metallic ore firing and fractionation production plants;

3.2. installation of non-treated pig iron or steal production (primary or secondary fusion) and subsequent metal foundry equipment;

3.3. processing of ferrous metals:

3.3.1. establishment of hot rolling mills;

3.3.2. establishment of galvanic production plants;

3.4. establishment of ferrous metal foundries;

3.5. installation and establishment of the smelting equipment, also installation and establishment of ferrous metal alloy and alloy metal smelting equipment (except equipment for concentration and metal foundry of precious metals and processed products);

3.6. establishment of equipment or production plants for processing of metal and plastic surfaces in electrolytic or chemical processes;

3.7. establishment of nail and screw production plants.

### 4. Extraction, processing and use of mineral resources:

- 4.1. open extraction of mineral resources if a permit for extraction of highly concentrated mineral resources issued by the local government is necessary for its initiation;
- 4.2. establishment of cement production plants;
- 4.3. establishment of bituminous concrete and aerated concrete production plants;
- 4.4. construction of concrete, concrete product or reinforced concrete structure production plants;
- 4.5. establishment of mineral smelting or mineral fibre production plants;
- 4.6. establishment of industrial ceramic products, also roofing tiles, bricks, fire-resistant bricks, tiles, ceramic tableware, by baking them, and china production plants;
- 4.7. establishment of glass and glass fibre production plants;
- 4.8. establishment of stone processing production plants.

#### 5. Chemical industry:

- 5.1. installation of storage equipment for petroleum, petrochemical products and chemical products;
- 5.2. establishment of perfumery and cosmetics production plants;
- 5.3. establishment of photo product production plants.

#### 6. Food industry:

- 6.1. establishment of plant and animal product pre-treatment and processing production plants;
- 6.2. establishment of milk pre-treatment and processing production plants if the volume of milk exceeds one ton per day (if one ton per day is an average annual indicator);
- 6.3. establishment of non-alcoholic and alcoholic beverage production plants;
- 6.4. establishment of fish product and fish oil production plants;
- 6.5. establishment of meat processing production plants;
- 6.6. establishment of coffee, tea, spices, confectionery, syrup and food supplement production plants;
- 6.7. establishment of cereal processing production plants;
- 6.8. establishment of bakeries the capacity of which exceeds two tons of finished products per day;
- 6.9. establishment of yeast, malt, sugar and starch production plants.

#### 7. Production of textile industry articles, leather, wood and paper:

- 7.1. establishment of paper and cardboard production plants;
- 7.2. establishment or installation of equipment for the pre-treatment of materials (for example, washing, bleaching, mercerization), fibre and fabric colouring;
- 7.3. establishment or installation of leather tanning equipment if the activity will be carried out on an industrial scale;
- 7.4. establishment of chip plates and veneer production plants;
- 7.5. establishment of industrial shoe production plants;
- 7.6. establishment of industrial toy production plants;
- 7.7. establishment of industrial clothing production plants;
- 7.8. establishment of linen processing production plants.

#### 8. Infrastructure projects:

- 8.1. establishment of industrial territories;
- 8.2. establishment of dry cleaners, underground and multi-storey parking lots and shopping complexes, including construction of commodity reloading stations and logistics centres;
- 8.3. construction of new rail lines or reconstruction of the existing rail lines, as well construction of cargo reloading facilities and terminals;



- 8.4. construction and reconstruction of hydromechanical structures;
- 8.5. establishment of gas filling stations, also liquid and compressed gas filling stations and tank farms;
- 8.6. artificial supplementation of ground water;
- 8.7. creation of artificial water bodies if their area exceeds 0.1 ha, and they conform to any of the following criteria:
  - 8.7.1. they are located on a specially protected nature territory, with the exception of neutral area;
  - 8.7.2. they are filled from the surface waters or they have a discharge into the a surface waterbody;
- 8.8. construction of a new road;
- 8.9. construction and reconstruction of the streets, bridges, elevated highways, depots and tunnels carried out in newly acquired areas (outside the road land separation zone) as well as reconstruction of roads (outside the road land separation zone);
- 8.10. establishment of car repair shops or car wash (including with steam or chemical washing products) sites;
- 8.11. establishment of a printing plant;
- 8.12. construction of new tram lines or reconstruction of the existing tram lines;
- 8.13. construction of new internal waterways;
- 8.14. cleaning and deepening of surface waterbodies if the technical regulations are necessary for this activity in accordance with the laws and regulations governing the procedure for cleaning of surface waterbodies and port aquatoriums.

9. Tourism, sports and leisure:

- 9.1. establishment of recreation complexes and amusement parks;
- 9.2. establishment of golf courses;
- 9.3. establishment of sporting event sites and permanent sites for the public events (for example, bob-sleigh tracks, ice rinks, playing fields, stadiums, swimming pools, horse racing stadiums);
- 9.4. establishment of marinas for yachts and other small-size vessels;
- 9.5. construction of hotels, guest houses or hotel complexes and development measures related thereto;
- 9.6. establishment of permanent camp sites.

10. Other activities:

- 10.1. waste recovery and processing, installation or construction of equipment for waste storage, sorting, including setting up of reloading stations with their capacity exceeding 30 m<sup>3</sup>;
- 10.2. closure and repeated cultivation of waste landfill sites and dumps;
- 10.3. construction or reconstruction of waste water treatment plants with a capacity of five cubic meters a day or more;
- 10.4. construction of new buildings or reconstruction of the existing buildings, if the building is located:
  - 10.4.1. in the surface waterbody protection zone, excluding the village and city areas;
  - 10.4.2. in a specially protected nature territory, except for a neutral zone and village and city areas;
- 10.5. creation of an artificial floating structure separated from the land and intended for residing of people or economic activity;
- 10.6. establishment of cord production plants;
- 10.7. establishment of coolant production plants;
- 10.8. fencing of areas for keeping of wild animals of hunted or non-hunted species;

10.9. performance of the intended activity in the chemical protection zone around the water supply points.

Minister for Environmental Protection and  
Regional Development

Kaspars Gerhards