

REPUBLIC OF LATVIA

LAW

On State Environmental Impact Assessments

Article 1. The goal of state environmental impact assessments.

The goal of state environmental impact assessments is to evaluate the level of environmental hazard posed by economic activity and the environmental conditions at particular sites, and to develop proposals for the improvement of environmental quality.

Article 2. Basics operational principles of state environmental impact assessments.

The carrying out of state environmental impact assessment is based on:

- 2.1. The principles of legality, comprehensiveness, scientific validity and openness;
- 2.2. Integrated evaluation of social, engineering, nature protection, environmental planning, economic and other aspects;
- 2.3. Generalized evaluation of the aggregate effect on the surrounding environment;
- 2.4. International obligations of the Republic of Latvia.

Article 3. Chief requirements of state environmental impact assessments are:

- 3.1. To determine whether the level of potential environmental hazard has been correctly evaluated for a particular economic or other activity which directly or indirectly impacts or in the future will or may impact the surrounding environment or public health and living conditions;
- 3.2. To provide an evaluative analysis of the environmental impact of the planned human-generated activity;
- 3.3. To evaluate the permissibility of economic activity, taking into account all environmental restrictions;
- 3.4. To establish, forecast and evaluate the effects of economic facilities' impact on the surrounding environment;
- 7.4. Draft regulations and methodical instructions for economic activity and natural resource use;
- 7.5. The environmental status of facilities, places and regions;
- 7.6. Projects' economic substantiation (calculations); plans for the site selection, construction (reconstruction, expansion etc) and liquidation of economic facilities.

Article 4. The obligatory nature of state environmental impact assessments:

The positive state environmental impact assessment report is an obligatory prerequisite for the realization (financing) of any industrial project. If the state environmental impact assessment of a facility results in a negative report, state institutions of authority and administration will consider the question of whether to continue or halt the activity of this facility.

Article 5. The carrying out of state environmental impact assessments Republic of Latvia, which forms expert commissions independently or in conjunction with state institutions of authority and administration.

Article 6. The environmental planning requirement:

The environmental planning requirement is the aggregate of all environmental protection demands and regulations which must be complied with by project developers and planners when preparing the project documentation.

Before planning is initiated, the developer submits to the Republic of Latvia Environmental Protection Committee the indicators of the planned activity in the required format. If necessary, the Republic of Latvia Environmental Protection Committee issues environmental planning requirement within one month.

In the event of negative report, planning may not be initiated.

Article 7. The objects of state environmental impact assessments:

The object of state environmental impact assessments are as follows:

- 7.1. Pre-planning documentation (including state programs) for all types of state and private economic development and territorial development;
- 7.2. Planning and research materials which are related to environmental evaluation;
- 7.3. New technological developments, materials occupational regulations, technological equipment;

Article 8. Operational guarantee of state environmental impact assessments.

The developer submits to the Republic of Latvia Environmental Protection Committee documentation characterizing the level of potential environmental hazard. The documentation must include an evaluation of the planned activity's impact on the surrounding environment and public health and living conditions, as well as a "Declaration Environmental Effects". This is a document prepared by the developer describing the measures to guarantee environmental quality which the developer agrees to carry out throughout the duration of the planned activity.

Article 9. Responsibilities of the project developer and planner

The project developer and project planner are responsible for:

- 9.1. The completeness, scientific validity and accuracy of the information used;
- 9.2. The environmental effects of implementation of project;
- 9.3. The organization financing and conducting of scientific research and planning efforts needed for evaluation of the planned activity's environmental impact;
- 9.4. Full completion of all documentation required for the assessment;
- 9.5. Discussion of the project concept and potential environmental effects with representatives of social organizations and local residents;

9.6. Fulfillment of the recommendations included in the state environmental impact assessment report.

Article 10. Duration of state environmental impact assessments.

State environmental impact assessments must be completed within three months.

Depending on the complexity of the submitted materials and the problem, the Chairman (in his absence, the First Vice Chairman of the Republic of Latvia Environmental Protection Committee can extend the deadline.

Article 11. Responsibilities of the experts:

The experts are responsible for:

- 11.1. The objectivity of the evaluation of submitted documentation;
- 11.2. The quality and completion on deadline of their report;
- 11.3. Compliance with environmental protection land.

Article 12. Rights of state environmental impact assessments:

The Republic of Latvia Environmental Protection Committee, in conducting environmental impact assessments, has the right:

- 12.1. To identify those objects which must undergo environmental impact assessments;
- 12.2. To develop instructional/methodological documentation for coordinating environmental impact assessments;
- 12.3. To prepare proposals for the improvement of regulatory and instructional/methodological documentation;
- 12.4. To select the members of expert commissions (groups);
- 12.5. To involve in the conducting of assessments as non-staff experts highly qualified Republic of Latvia and foreign scientists, specialists, and representatives of government agencies, local governments, social organizations and society;
- 12.6. To use the submitted data and reports in its further work;
- 12.7. To monitor compliance with state environmental impact assessment reports;
- 12.8. To request and receive at no cost from all persons and legal entities within the nation's territory properly prepared information necessary for conducting environmental impact assessments;
- 12.9. To submit for publication in the mass media material regarding the conducting and results of state environmental impact assessments;

- 12.10. To conduct other activities necessary for fulfillment of its authorities, in so far as these do not violate the law.

Article 13. Responsibilities of the Republic of Latvia Environmental Protection Committee:

The Republic of Latvia Environmental Protection Committee, in conducting environmental impact assessments, is responsible for:

- 13.1. The validity of its conclusions;
- 13.2. The expert commissions make-up and qualifications, which must be appropriate to the level of complexity of the problem at hand;
- 13.3. The completeness of the information submitted to the experts;
- 13.4. The openness of the assessment;
- 13.5. The creation of working conditions which ensure an objective and integrated evaluation of the project under scrutiny;
- 13.6. Compensation of non-staff experts;
- 13.7. Losses to the property of persons or legal entities resulting from errors made in environmental impact assessments.

Article 14. Compensation of state environmental impact assessments commission non-staff experts:

State environmental impact assessment commission (...) non-staff experts are compensated by the develop (...) allocated for the planning and realization of the project (...) according to the terms established by the Republic of Latvia Environmental Protection Committee and the Finance Ministry.

Article 15. State environmental impact assessment report:

After reviewing the materials, the Republic of Latvia Environmental Protection Committee prepares a state environmental impact assessment report, which is approved by the Chairman (in his absence, the First Vice Chairman) of the Republic of Latvia Environmental Protection Committee, and which includes:

- 5.1. Individual expert's evaluation of specific questions;
- 5.2. The Republic of Latvia Environmental Protection Committees report on the conclusions submitted by experts.
- 15.3. Recommendations to the developers and to interested organizations regarding requirements for economic activity.

Article 16. Legal status of state environmental impact assessments reports.

Republic of Latvia Environmental Protection Committee state environmental impact assessment reports are final, the Republic of Latvia Supreme Council can demand a second assessment.

Anatolijs Gorbunova
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