

LAW OF THE REPUBLIC OF MOLDOVA
on environmental review and environmental impact assessment
No. 851 of May 29, 1996

The Parliament adopts this law.

This Law establishes, in accordance with the provisions of the Constitution of the Republic of Moldova, with the Law on Environmental Protection and with other legislative acts in force, the purposes, tasks and principles of environmental review (ER) and environmental impact assessment (EIA), as well as the basic rules on the organization and conduction thereof.

Chapter I
GENERAL PROVISIONS

Article 1. Main Terms

For the purposes of this law, the following main terms are defined:

complex economic activities and potentially dangerous for the environment – activities whose carrying out requires the application of newly developed technologies, the use of natural resources, which can lead to environment degradation, to bringing about of exceptional situations, to the creation of unfavorable conditions for the human life, to the destruction of flora, fauna and the soil;

planned economic activities – any planned or projected activity which presupposes the use of natural resources and in the process of which the landscape changes, wastes are placed in the environment, pollutants and/or polluting substances are discharged, and which can lead to the modification of the state of environment and of nature components;

main environmental authority – main public administration body in the field of environmental protection and the use of natural resources;

beneficiary of documentation – the private individual or legal person that submits the documentation for expert review and/or carries out, based thereof, a planned economic activity;

biocoenosis – the totality of populations of plants, animals and microorganisms which are in determined relations of interaction among themselves and with the biotope;

cases of accident – cases of perturbation of technological processes resulting in the appearance of factors of injury for the enterprise's personnel, for the population within the region of enterprise influence, as well as for the environment;

nature components – the Earth's natural elements and conditions: the air, surface and underground waters, the soil and the subsoil, the rocks, mountain massifs, the vegetal world and living beings;

draining – a complex of hydrotechnical and agrotechnical measures applied for the partial elimination of water from the soil;

full documentation – project and planning documentation whose volume and contents correspond with the normative documents in constructions, including the necessary attachments and approvals;

town planning and land arrangement documents – the totality of documents, developed and approved in the established manner, referring to a determined territory, which contain the analysis of the existent situation and establish the objectives, actions and measures in the field of town planning and land arrangement;

ecological equilibrium – the totality of states of an ecosystem, whose dynamics ensures the stability of the structure and functions thereof;

ecosystem – any dynamic complex of the communities of plants, animals and microorganisms and their environment, being in a permanent functional interaction;

ER – type of activity in the field of environmental protection consisting in the prior estimation of the influence of planned economic activities on the state of environment, of the correspondence of the parameters of such activities with the legal acts, norms and standards in force;

extension of objects – the construction of auxiliary objects and the extension of some divisions of the functioning enterprise in order to create additional production capacities;

genetic fund – the integration of vegetal and animal species, of natural associations and biocoenoses in the totality of their genetic features;

impact on the environment – the negative effects of the human activity on natural elements and factors, ecosystems, people's health and security, as well as on man-made capital;

environment – the totality of natural and technogenic elements;

protection regime – the regulation of the economic activity with a view to protecting the natural complex and preserving nature components in order to ensure the normal functioning of ecosystems;

zone of protection of rivers and water bodies – a territory with established dimensions, affiliated to the aquatic object, destined for the protection of surface waters against pollution, exhaustion and/or mudding, within the perimeters of which the economic activity is subject to restrictions.

Article 2. Subjects of ER

(1) The ER shall be conducted by the central environmental authority, by other main specialty bodies of the public administration or by public associations, as established by this law and other legal acts in the field.

(2) The SER (SER) shall be the exclusive attribution of the central environmental authority, which orders the conduction thereof by its structural subdivisions and/or by the subordinated organizations that constitute the system of SER.

(3) The departmental ER (DER) shall be conducted by ministries and departments in their subordinated organizations and enterprises.

(4) The public ER (PER) shall be organized and conducted by public associations in accordance with Chapter III of this Law.

(5) The results of DER and PER shall have a recommendation character until they are approved by the central environmental authority.

Article 3. Purposes of ER

The ER of the documentation for planned economic objects and activities, in the planning and projection stage, shall be conducted with a view to:

a) adopting supported decisions and approving acts providing for the use of natural resources and measures of protection of the environment and of its components;

b) preventing or minimizing the eventual direct, indirect or cumulative impact of planned economic objects and activities on the environment, its components, ecosystems and population's health;

c) maintaining the ecological equilibrium, genetic fund and biodiversity, creating optimum living conditions for people;

d) correlating the socio-economic developments with the capacities of ecosystems.

Article 4. Tasks of the SER system

The basic tasks of the SER system shall be:

- a) to ensure the ER of draft legislative acts, of project and planning documentation and of other materials in the terms provided by this law, and to draft the respective notifications in accordance with the prescriptions of normative documents;
- b) to generalize the practice of ER of presented materials and to develop proposals on the improvement of the ways of its conduction;
- c) to ensure the control over the correct application by the beneficiaries and executors of project and planning documentation of the provisions of legislative acts and of other legal acts in force, as well as of standards and instructions in the field;
- d) to analyze the tendencies and practices of ER in other countries and to turn to good account the world experience in this field;
- e) to ensure from a methodological point of view the activity of reviewing bodies of ministries, departments and organizations with regards to environmental protection.

Article 5. Basic principles of ER

The basic principles of ER shall be the following:

- a) the presumption that any economic activity or other planned material activity that presupposes the use of natural resources can harm the environment;
- b) obligatory conduction of SER prior to the adoption of decisions on the implementation of planned economic activities;
- c) complex estimation of the influence of planned economic activity on the environment;
- d) scientific substantiation, objectivity and legality of notifications of ER;
- e) transparency, participation of public associations and taking into account of public opinion.

Article 6. Project and planning documentation

for planned economic objects and activities, subject to the SER

(1) The SER shall be mandatory for project and planning documentation with regards to planned economic objects and activities that influence or can influence on the state of the environment and/or provide for the use of natural resources, regardless of destination, placement, type of ownership and subordination of such objects, the volume of capital investments, source of funding and method of execution of construction works.

(2) The following shall obligatorily be subject to the SER :

- a) draft legislative acts and other draft legal acts, instructions, norms and methodologies, regulations and standards referring to the state of the environment and/or regulating potentially dangerous for the environment activities, the use of natural resources and environment protection;
- b) draft international conventions, draft contracts of concession providing for the use of natural resources of the Republic of Moldova;
- c) new projects, programs, plans and schemes regarding:
 - the economic and social development of the Republic of Moldova, of certain regions, districts, municipalities, cities, villages;
 - nature protection in the country as a whole and by separate territories;
 - reconstruction of municipalities, cities, villages;
 - supply of heat, water, gas, electric power;
 - construction of sewage systems of communities;
 - town planning and land arrangement in urban and rural areas;
 - construction, extension, reconstruction, re-equipment, modernization and readjustment, conservation, demolition or liquidation of all economic and social objects liable to affect the environment, as well as of those that can affect the state of the environment in coterminous countries, determined by the International Convention on EIA in a Transboundary Context, to which the Republic of Moldova is party;
 - construction of ways of road, rail, river communication, reconstruction of riverbeds, of hydrotechnical constructions, of irrigation and draining systems, construction of systems for combating soil erosions and salinization;
 - subsoil exploration and exploitation, including in areas with water protection regime;

- production and destruction of pesticides and of other toxic substances;
- placement and arrangement of landfills for industrial, domestic, agricultural wastes and toxic residues, construction or placement of installations for processing, neutralizing or destroying such wastes and residues;
- other activities that can affect the state of the environment.

Chapter II SER SYSTEM

Article 7. SER system

- (1) The SER system is made up of the structural subdivisions of the central environment authority and of the organizations subordinated thereto.
- (2) The methodological direction regarding the organization and conduction of the SER shall be made the task of the SER Division of the central environmental authority.
- (3) The body of experts of the SER system shall be made up, for each environmental component, of highly qualified experts, with university degree, with work experience in their field of major in enterprises of the required profile of at least 10 years, including 5 years directly in the field of drafting project documentation of industrial enterprises and social utility objects. State experts shall be confirmed in office by the attestation commission, which activates based on the regulation approved by the central environmental authority.
- (4) The SER of draft legislative acts and of other draft legal acts, provided for under Article 6, as well as of project and planning documentation for complex economic objects and activities and potentially dangerous for the environment, including of those requiring special additional scientific research and the implementation of new industrial technologies, shall be conducted with the support of a joint commission of environmental experts, to be set up under the central environmental authority. The Commission shall be made up of highly qualified scientists and specialists, experts of the Ministry of Health, Ministry of Economy, Department of Architecture and Constructions, Department of Standards, Metrology and Technical Supervision and other interested state structures, with their approval and as agreed with the respective institutions. The members of the joint commission of environmental experts shall have the same obligations as state experts.
- (5) The structure, make-up and procedure of organization of the activity of the SER system, as well as the method of setting up and functioning of the joint commission of environmental experts shall be established by the respective regulations, approved by the central environmental authority.

Article 8. Independence of state environmental experts and their accountability before the law

- (1) In the adoption of decisions necessitated by the exertion of functions, the state environmental experts shall be independent, taking as a guide only the legislation in force, including the Law on Environmental Protection, this law and other legal acts on environmental protection, as well as environmental standards, normative documents in constructions.
- (2) Environmental experts shall be liable, in accordance with the legislation in force, for the correctness of assessment of the documentation submitted for ER, the quality of the general resolution, observance of endorsement terms, observance of the legislation on environmental protection, as well as for the keeping of state, commercial and/or other secrets protected by law, that are contained in the materials submitted for SER .
- (3) The obstructing of the organization and conduction of SER , as well as carrying out of planned economic activities not corresponding with the documentation endorsed by the respective body of the SER system, as well as any attempt on behalf of private individuals or legal entities to exert pressure on state environmental experts, shall be punished in accordance with the legislation in force.
- (4) The representatives of the project beneficiary or developer, representatives of ministries, departments and organizations, whose field of activity includes the examined object, as well as the citizens that are in contractual work relations with the project beneficiary or developer shall not be allowed to participate as experts in the SER.

Chapter III

PER

Article 9. Organization and conduction of PER

- (1) PER shall be organized and conducted on the initiative of officially registered public associations, specialized in environmental protection and whose charters provide for the conduction of PER.
- (2) PER may be conducted for all projects, documents and planned economic activities, except projects or some parts thereof related to state security and/or containing state, commercial and/or other secrets protected by law.
- (3) PER can be conducted prior to the SER or concomitantly therewith.

Article 10. Rights of citizens and public associations in the field of organization of PER

The citizens and public associations shall be entitled to:

- a) submit to the bodies of the SER system proposals and objections regarding projects of concrete economic objects, new activities and technologies;
- b) request from the bodies of the SER system information about the results of expert examination of new economic objects and planned activities;
- c) organize PER of project and planning documentation for new economic and potentially dangerous for the environment, objects.

Article 11. Rights of public associations in the field of conduction of PER

Public associations conducting PER shall be entitled to:

- a) receive from the beneficiary the full project documentation and the documentation on EIA, and should this contain commercial and/or other secrets protected by law (except state secrets), in the form that would not allow for the disclosure of such secrets;
- b) get acquainted with the technical-normative documentation on the conduction of SER ;
- c) participate, through their representatives, in the sessions of expert commissions in which the recommendations of PER are discussed.

Article 12. Conditions of conduction of PER

- (1) PER shall be conducted based on the request submitted by the respective public association to the local public administration body. The local public administration authority shall officially inform the public associations having submitted the request, about the made decision within 7 days. Should requests be submitted by two or more public associations, there shall be set up a common expert commission to conduct the PER.
- (2) The requests of public associations shall include: name of association, residence, a copy of the charter of the public association, the make-up of the expert commission, information about the object subject to PER and the terms of expertise.
- (3) Public associations conducting the ER shall inform the population from the region in which the object is to be placed about the beginning and results of the conducted ER.

Article 13. Refusal to register a request for PER

- (1) The registration of requests for PER shall be refused only in the following cases:
- a) PER was previously conducted twice and no essential changes have subsequently been made to the project;
 - b) it is intended to subject to review project and planning documentation for objects related to state security and/or information about which constitutes state, commercial and/or other secrets protected by law;
 - c) the charter of the public association does not provide for such type of activity;
 - d) the requirements for submission of requests provided under Article 12 of this law are not observed.
- (2) Responsible persons from local public administration bodies shall be liable for the groundless refusal to register requests for the conduction of PER.

Article 14. Resolution of PER

(1) The resolution of PER shall have a recommendation character and can have legal power only after its approval by the bodies of the SER system.

(2) The resolution of PER can be published in the press, submitted to local public administration bodies, ministries and departments, beneficiaries of the reviewed projects and bodies of the SER system.

Chapter IV

EVALUATION OF THE IMPACT OF PLANNED NEW OBJECTS AND ACTIVITIES ON THE ENVIRONMENT

Article 15. Planning of new objects and activities

The planning of new objects and activities that can radically affect the environment, shall be done based on the documentation on EIA which shall obligatorily be subject to SER .

Article 16. Objects and activities subject to EIA.:

(1) The list of objects and activities for which the documentation on EIA shall obligatorily be developed prior to the projection, is provided in the Regulation on the EIA, included in the attachment that is integral part of this law.

(2) Other objects and activities may also be subject to the EIA procedure, as the case may be, upon the decision of the central environmental authority, depending on the level of the eventual impact on the environment.

Article 17. Organization and conduction of EIA:

(1) The organization and conduction of EIA at all stages of object planning and projection, the funding of the development of documentation on EIA, the organization of public debates on the planned activity and the presentation of the documentation on EIA, with the necessary resolutions, for the conduction of the SER , shall become the task of the beneficiary that will involve, as established, the documentation developers.

(2) The requirements imposed on the procedure of EIA conduction, as well as the requirements imposed on the documentation on EIA are listed in the Regulation on EIA.

Chapter V

ORGANIZATION OF SER

Article 18. Submission of documentation for the conduction of SER

(1) The beneficiary shall submit, for examination, the complete documentation on the planned economic activity to the respective body of the SER system, as established by the central environmental authority.

(2) The submitted project and planning documentation must correspond to the norms in force and contain the prior authorizations of the local public administration body and of interested organizations with regards to the placement and technical insurance of the projected object, as well as the resolutions of state supervision and control bodies on the carrying out of the planned economic activity.

(3) SER shall be conducted taking into account the resolutions of hygiene and epidemiology centers of the Ministry of Health and the resolutions of other state supervision and control bodies.

(4) SER of project and planning documentation in the field of capital constructions, town planning and land arrangement shall be conducted prior to the final examination of the documentation as a whole by the Department of Architecture and Constructions.

(5) SER of planned economic activities, included in the list provided for under Article 16 of this law, shall be conducted based on the documentation on EIA, developed in accordance with the Regulation on EIA.

(6) The documentation submitted for the first time for the conduction of SER must be accompanied by a bank document supporting the depositing to the state budget of the amount that constitutes the

expenditures related to the conduction of review, calculated in accordance with the methodology approved by the central environmental authority.

(7) The beneficiaries of project and planning documentation for objects funded from the state or local budgets shall be exempt from the payment of fees for the conduction of SER .

Article 19. Examination of project and planning documentation

(1) The project and planning documentation submitted for the conduction of SER , shall be subject to a complex examination, within which there are taken into consideration the environmental, economic and social factors, there are rigorously studied the variants of technical solutions destined to ensure the fulfillment of the environmental requirements, harmonized with the regional features, and the maintenance of the stability of natural ecosystems in the context of an eventual impact, for the entire period of carrying out of the planned economic activity, including the construction of the object, its exploitation, demolition or liquidation.

(2) The following aspects shall be verified in the process of examination of the submitted documentation:

a) the degree of accuracy of evaluation of the impact of the planned economic activity on the environment;

b) the substantiation of the need for the carrying out of the planned economic activity on the chosen field and of the procedure of carrying out of this activity;

c) the character of technical, engineering, architectural-urbanistic solutions, as well as of the proposals on the use of raw material, energy and natural resources;

d) the sufficiency and efficacy of measures provided for the avoidance of cases of damaging of equipment and pollution of the environment, as well as for emergency interventions with a view to liquidating pollution consequences;

e) implementation of efficient measures of water cleaning, exclusion of discharges of residual unclean waters into water bodies;

f) introduction of new methods of recovery of soil fertility, of amelioration and recultivation of fields, of prevention of erosions;

g) application of efficient methods of preservation and completion of the genetic fund and the biodiversity, of optimization of the structure of the animal and vegetal regna in natural ecosystems, the use of means of protection of fish reserves, of the technologies of their reproduction, as well as of the methods of ecologic recovery and regeneration of forests;

h) minimization, based on advanced technologies, of the quantity of industrial wastes resulted from the use of mineral resources;

i) the effectiveness of technical solutions of processing, recycling and burying of industrial, domestic and agricultural wastes, pointing out to the possibilities of regional cooperation in this field;

j) application of methods of control recommended for ensuring the environmental security of the planned economic activity and of the normalized quality of the environment;

k) development of measures of prevention or of minimization of the environmental consequences of project implementation.

(3) The non-observance of provisions of legislative acts and of other legal acts, as well as of the instructions in force on the volume and contents of the documentation submitted for the conduction of SER , shall constitute grounds for returning the documentation to the beneficiary for completion and concluding.

(4) The submission of documentation for the conduction of repeated ER shall be done as provided under Article 18 of this law.

Article 20. General resolution of the SER

(1) After the complex examination of the documentation submitted for the conduction of SER, state environmental experts shall draw up a general resolution containing the decision on the acceptance or rejection of the documentation. The conclusions and proposals from the general resolution must be clearly formulated and ascertain:

a) the timeliness and conditions of implementation of the project, program, plan, scheme or the need for their remaking and repeated submission for the conduction of the SER;

b) the rejection of the documentation when it does not conform to the legal dispositions and normative requirements in the field.

(2) Depending on the complexity and importance of the planned object for the national economy, the general resolution of SER may be examined, should it be necessary, in the session of the collegium of the central environmental authority, which shall adopt the respective decision.

(3) The general resolution of SER shall be transmitted to the documentation beneficiary.

(4) The general resolution of SER regarding draft legislative acts and other draft legal acts shall be transmitted to the public authorities that adopt such acts.

(5) The general resolution of SER and the decision on the central environmental authority shall be protected by the legislation in force.

(6) The general resolution of SER shall be obligatory for the beneficiary, designer, public authorities of all levels and for the bodies ensuring the funding of the planned economic activity and shall serve as basis for the:

a) approval of new projects, programs, plans, schemes and for their funding after the conduction of the technical or general review, as established by the respective norms;

b) issuance by the competent bodies, in the established manner, of authorizations for the right to use natural resources and nature components;

c) suspension of or forbidding the funding of the construction by bank units and the putting in exploitation of the respective objects or the execution of other works;

d) publication of the information on the results of the SER of the project and planning documentation for concrete objects.

(7) The approval of new projects, programs, plans and schemes specified under Article 6, except draft legislative acts and other draft legal acts, and the authorization of their implementation shall be done only when the beneficiary receives a general positive resolution from SER and precisely observes its recommendations.

(8) Private individuals and legal entities that do not observe the decisions adopted based on the general resolution of SER, shall be held accountable in accordance with the law.

(9) If the beneficiary disagrees with the decisions from the general resolution of SER, (s)he shall have the right to attack the decision in a court of law.

Article 21. Terms of conduction of SER

(1) SER of the project and planning documentation for planned economic objects and activities shall be conducted within up to 3 months from the date of submission of the documentation, accompanied by the materials and documents necessary for examination, as established by the central environmental authority.

(2) The terms of conduction of SER of the documentation for complex economic objects and activities and potentially dangerous for the environment, including of the documentation whose examination requires additional special scientific research, may be prolonged by the central environmental authority up to 6 months.

Chapter VI FUNDING OF ER ACTIVITIES

Article 22. Funding of activity regarding the conduction of SER

(1) In order to ensure the independence of state environmental experts, the activity regarding the conduction of SER shall be funded from the state budget, as established.

(2) The purposes and tasks of the activity regarding the conduction of SER shall exclude economic contracts and direct relations between the beneficiary and the body organizing and conducting SER .

Article 23. Expenditures related to the conduction of the SER with the assistance of part-time experts and to the conduction of repeated ER

(1) Expenditures related to the conduction of SER with the assistance of part-time experts, of project and planning documentation for complex economic objects and activities and potentially dangerous

for the environment, including of the documentation for the objects and activities requiring additional special scientific research, shall be borne by the beneficiary.

(2) The expenses related to the conduction of repeated SER shall be covered by the organization having developed the documentation submitted for the examination.

Article 24. Funding of activity regarding the conduction of PER

The activity regarding the conduction of PER shall be funded from the public associations' own means.

**Chapter VII
INTERNATIONAL COOPERATION**

Article 25. International cooperation in the field of ER

In view of studying the experience of other states in the field of ER and of applying it in the promotion of the environmental policy of the Republic of Moldova, the central environmental authority shall maintain relations of cooperation with international organization and similar reviewing structures of the neighboring states within international agreements and conventions to which the Republic of Moldova is party.

**Chapter VIII
FINAL AND TRANZITORY PROVISIONS**

Article 26

This Law shall enter into force upon publication.

Article 27

The Government, within 3 months:

shall submit to the Parliament proposals on bringing the legislation in force in conformity with this Law;

shall bring its own legal acts in conformity with this Law;

shall ensure the re-examination by ministries, departments and local public administration bodies of legal acts that come in collision with this Law.

Article 28

The Department for Environment Protection, within 6 months:

jointly with the Ministry of Health, Department for Architecture and Constructions and the Department for Standards, Metrology and Technical Supervision, shall develop and submit to the Government the plan of improvement and/or development of the normative base regarding environmental protection, used in the planning and projection of planned economic objects and activities;

jointly with the Ministry of Justice and the Environmental Prosecutor's Office, shall develop and submit to the Government proposals for the amendment and completion of the Criminal Code and Administrative Code, deriving from the provisions of this Law.

**DEPUTY CHAIRMAN
OF PARLIAMENT**

Dumitru MOTPAN

*Chisinau, May 29, 1996
No. 851-XIII.*

REGULATION on EIA

I. GENERAL PROVISIONS

1. This Regulation has been developed based on Chapter IV of this Law and shall be obligatory for all private individuals and legal entities intending to carry out on the territory of the Republic of Moldova complex activities and potentially dangerous for the environment.

2. The Regulation establishes the purpose of development of the documentation for EIA, the EIA procedure, the requirements imposed on the EIA documentation, the procedure of development, coordination and approval thereof, and includes the List of objects and activities for which the EIA documentation shall be obligatorily developed prior to the projection.

3. EIA shall be conducted with a view to establishing the necessary measures for the prevention of the negative environmental consequences related to the realization of planned objects and activities included in the List of objects and activities for which the EIA documentation is developed obligatorily prior to the designing process.

4. Other objects and activities may also be subject to EIA procedure, as the case may be, by decision of the central environmental authority, depending on the level of the eventual impact on the environment.

5. EIA shall anticipate the development of project documentation. The EIA documentation shall obligatorily be subject to SER . The organization and funding of the development of EIA documentation and the public debates, the coordination and submission of the EIA documentation for expert examination shall be the obligation of the beneficiary.

II. MAIN REQUIREMENTS IMPOSED ON PREPARING THE EIA DOCUMENTATION

6. The EIA documentation shall contain the following:

6.1. Materials on the establishment, description and evaluation of the eventual direct and indirect impact of planned objects and activities on:

- a) climatic conditions, atmosphere, surface waters, underground waters, soil, subsoil, landscapes, natural areas protected by the state, vegetal and animal regna, functionality and stability of ecosystems, on the population.
- b) natural resources;
- c) monuments of culture and history;
- d) quality of the environment in urban and rural communities;
- e) socio-economic situation.

6.2. Comparison of proposed alternative solutions and the substantiation of the optimum solution.

6.3. Proposed measures or conditions that would exclude or would diminish the eventual impact or the measures and conditions that would increase the positive influence of planned objects and activities on the environment.

6.4. Evaluation of consequences if the planned objects and activities are not realized.

7. The impact of objects and activities must be evaluated both for the period of development, realization and functioning, and for the case of liquidation or cessation of functioning thereof, including for the period after liquidation or after the cessation of functioning. In the forecasting of the eventual impact of objects and activities, there should be taken into account all possible characteristics of the territory subject to the impact, both in the case of normal functioning of the objects or carrying out of activities, as well as in case of eventual accidents.

8. Based on the EIA documentation, the beneficiary shall draw up the Environmental Impact Statement (EIS), in which there shall be systematized and analyzed all the materials, calculations and investigations realized in the process of development of the EIA documentation.

III. MAIN REQUIREMENTS IMPOSED ON THE CONTENTS EIS

9. EIS must contain:

9.1. General data:

- a) name of project;
- b) character of activity (construction of a new object, extension, reconstruction, re-equipment, modernization and readjustment, conservation, demolition or liquidation of the existent ones);
- c) placement of object (district, community etc);
- d) substantiation of placement of the object in the respective district (continuation of project implementation, existence of raw material, labor force etc);
- e) the beneficiary;
- f) the project developer;
- g) usufructuaries;
- h) duration of object functioning or realization of activity;
- i) technical and technological characteristics (main characteristics of the process of production, volume of production, number of work places);
- k) total estimate value of the object;
- l) list of communities in which the state of the environment will be affected in the process of project implementation.

9.2. Data on the direct impact on the environment.

9.2.1. Introductory characteristics:

A. Fields:

- 1) Occupied fields, of which:
 - a) fields occupied temporarily for the period of execution of construction, reconstruction works etc;
 - b) fields occupied for a long period, of which: agricultural fields, forest plots;
- 2) natural areas protected by the state;
- 3) protection zones.

B. Water:

- 1) total volume of collected water (m^3/h , m^3/day , m^3/year), of which for production purposes;
- 2) total water consumption (m^3/h , m^3/day , m^3/year);
- 3) water source (centralized water supply system, surface source, underground source).

C. Raw material and energy sources: type, annual consumption, method of obtaining raw material and energy (own source, imported raw material and energy).

D. Transportation and other infrastructure.

E. Atmosphere. Characteristics of the existing state.

9.2.2. Eventual changes in the state of the environment as a result of realization of planned objects and activities.

A. Emissions in the atmosphere:

- 1) main point sources of air pollution:
 - a) the technological process leading to air pollution;
 - b) quantity of pollutants eliminated in the atmosphere, t/year (particulates, sulphur oxides, nitrogen oxides, carbon dioxide, heavy metals, hydrocarbons, halogen hydrocarbons, aromatic polycyclic hydrocarbons and other specific substances);
 - c) method of catching and cleaning of emissions (type of installations, the debit);
- 2) main sources of plane surface of air pollution (dust, stored raw material, construction-assembly works etc);
 - a) type of source;
 - b) characteristics of the technological process;
 - c) source area (m^2);
 - d) source functioning (temporary, permanent, in case of accident);

e) quantity of pollutants (g/s, t/year);

3) main mobile polluting sources (transportation means etc);

a) type of source;

b) quantity of pollutants (g/s, t/year).

B. Discharges:

1) total volume of discharged polluted water (m^3/day , m^3/year), of which directly in water bodies, in cleaning installations;

2) the technological process producing discharges;

3) type, debit and effectiveness of cleaning installations;

4) characteristics of the receiving water body (hydrological characteristics of surface water courses, level of existing pollution;

5) quantity of discharged pollutants, t/year, mg/l (BOD, COD, heavy metals, phosphor, nitrogen, chlorine, and other chemical elements and compounds), biological and microbiological indicators, radioactivity, temperature etc.

C. Wastes:

1) type of wastes (industrial, agricultural, domestic, radioactive etc) and their classification;

2) the technological process producing wastes;

3) quantity of wastes (t/year);

4) method of wastes use.

D. Noise and vibration.

E. Radioactive and electromagnetic radiation.

9.3. Complex description and evaluation of impact on the environment.

9.3.1. Description of proposed alternative solutions (of geographic or technological character: placement, type of technology), of the relative alternative (the case of refusal of project realization, the case of zero impact on the environment in the project realization, the most advantageous alternative in the project realization) and their comparison.

9.3.2. The concise characteristic of the natural components most of all subject to the impact:

A. Main components:

1) atmosphere (climatic parameters, air quality);

2) water (underground waters, surface water courses, quantitative and qualitative characteristics);

3) soil (type, quality, degree of pollution);

4) geological and geographical factors (geology, hydrology, field relief, seismicity, land erosions and sliding);

5) fauna and flora (diversity of species, rare and disappearing species);

6) local stable ecosystems and landscapes.

B. Other components:

1) landscapes (characteristics of transformation of landscapes, their productivity and recreational value, characteristics of communities);

2) characteristics of urban communities, the functional characteristic of the suburban area;

3) natural areas protected by the state;

4) protection zones;

5) monuments of culture and history.

9.3.3. Complex description of the eventual impact on the environment (direct, indirect, repeated, short-term, temporary, long-term and permanent impact) and evaluation of its degree.

A. Impact on the population:

1) risk of sickness, social and economic consequences;

2) number of inhabitants subject to the impact of objects and activities;

3) harmful consequences of realization of the object, activity;

4) factors of discomfort in the population's life.

B. Impact on ecosystems, their components and functionality:

1) impact on the climate and quality of atmospheric air:

a) the volume and concentration of emissions and their influence on ecosystems at different distances from the source of emission;

b) essential organoleptic effects;

c) other impact on the climate and atmosphere;

2) impact on waters:

a) on the hydrologic and hydrogeologic conditions of the surface of water accumulation (level of underground waters, the conditions of the surface flow, exhaustion of water sources);

b) on water quality;

3) impact on the soil, geographical features and geological conditions:

a) the impact on the degree and method of use of the field;

b) soil pollutions;

c) local topographical modifications, influence on the activity of erosion processes;

d) the impact on rocks and mineral resources;

e) changes in the hydrologic system;

f) the impact on the nature's protected objects;

g) the impact from the storing of wastes;

4) the impact on the flora and fauna: inhibition and disappearance of animals and plants, degradation of biotopes;

5) the impact on ecosystems.

C. Impact on anthropogenic systems, their components and functionality:

1) the impact on buildings, architectural and archeological monuments and on other material cultural values;

2) the impact on immaterial cultural values (local traditions etc);

3) deterioration or loss of protected geological and palaeontological objects.

D. Impact on the structure and functional use of territories:

1) on ways of communication (local ways of communication, roads, rail ways, air and water ways);

2) the impact of construction works and of concomitant activities (construction of new roads, engineering works, construction of buildings etc);

3) development of secondary infrastructure;

4) the impact on the territory's aesthetic values;

5) the impact on the landscapes' recreational qualities.

E. Other impact:

1) the impact on the biota;

2) the impact of noise and radiation;

3) other environmental impact.

F. Ample impact on landscapes.

9.3.4. Description of planned actions of forestalling, liquidation, minimization and compensation of the impact on the environment.

A. Territorial nature protection plans.

B. Technical solutions for: depollution, recycling of wastes, protection of architectural and archeological monuments etc.

C. Compensation measures.

D. Other actions.

9.3.5. Description of operative measures for diminishing the risk of eventual accidents and of the unforeseen impact on the environment.

9.3.6. Monitoring schemes and direction of environmental quality, plans of periodic environmental analysis for the period of functioning of the object and realization of the activity.

9.3.7. Description of used forecasting methods, of basic principles used in the evaluation of the impact and of the modalities of obtaining real indicators and of those of forecasting of environmental quality in the district in which the project is to be implemented.

9.3.8. Evaluation of degree of uncertainty of main conclusions.

9.3.9. Annexes (maps, charts, diagrams etc).

9.3.10. Conclusion.

IV. PROCEDURE OF DEVELOPMENT AND SUBMISSION OF EIA DOCUMENTATION

10. The EIA documentation may be developed in accordance with the methodology developed by the National Ecology Institute of the central environmental authority, exclusively by persons and

organizations that have the respective authorization, issued by the central environmental authority based on the qualification certificate.

11. The main requirements imposed on the professional level of the developer of the EIA documentation shall be the following: the relevant university degree, at least 5 years of work experience in the majored field, attestation for the aptitude to practice such an activity. The conditions of attestation and of issuance, based on the results thereof, of qualification certificates, shall be established by the central environmental authority.

12. The beneficiary intending to construct new objects, to extend, reconstruct, modernize, readjust, conserve or demolish existing objects, to carry out new activities that can influence on the environment, listed under Title X of this Regulation, shall submit for SER, along with the EIA documentation, the EIS. In the EIS there should be taken into consideration all objections and proposals of local public administration authorities, of ministries, departments, as well as the results of public debates.

V. EIS PUBLICATION AND DEBATES THEREUPON

13. The beneficiary shall submit the EIS to the competent ministries and departments, in correspondence with the profile of the object or activities, and to the local public administration authorities within whose territorial scope there is planned the construction of a new object, the extension, reconstruction, modernization, conservation or demolition of an existing object or the realization of a new activity. The local public administration authorities must, within 5 days from the receipt of EIS, disseminate through mass media the information about the place and time when: one can get acquainted with the EIS, a copy thereof can be obtained, the PER may be conducted, public debates will take place. The public's access to the EIA documentation and to the EIS shall be free for 30 calendar days. During this term, the objections on the respective documents may be submitted in writing to the person appointed by the local public administration authorities.

14. Local public administration authorities shall submit the objections formulated within the public debates on the EIS and their own objections to the beneficiary, and the copy of the objections shall be submitted to the central environmental authorities, within 14 days from the expiration of the term indicated under point 13 of this Regulation.

15. The ministries and departments shall submit to the beneficiary, within 50 days from the receipt of the EIS, their own objections on the EIS, and a copy thereof they shall submit to the central environmental authority.

16. Should the EIS contain data that constitute state secret, the provisions of point 13 of this Regulation shall not apply.

17. Should the beneficiary and the central environmental authority not receive objections on the EIS, within the terms indicated under points 12, 14 and 15 of this Regulation, it shall be considered that such do not exist.

VI. PARTICIPATION OF CITIZENS' INITIATIVE ASSOCIATIONS AND OF PUBLIC ASSOCIATIONS IN THE EIA

18. For the purpose of this Regulation, citizens' initiative associations shall be considered groups of citizens, of at least 100 people, having reached the age of 18, associated in view of conducting the PER of the EIS, within the public debates, in accordance with Title V, and that act on a mandate base, according to point 20 of this Regulation.

19. The citizens' initiative associations shall draw up the lists with the names, places of residence, numbers of identity cards and signatures of the people supporting the PER of the EIS. The lists, along the results of the public debates on the EIS, shall be transmitted to the local public administration body.

20. The mandate of the citizens' initiative association shall be held by the private individual representing it and that is mentioned as such in the list of members of the association. Should the list

not contain such an indication, the authorized agent of the citizens' initiative association shall be considered the first person on the list of association's members.

21. The authorized agent of the citizens' initiative association may be replaced by another person, based on a submitted request and as agreed by the simple majority of the association's members.

22. Public associations that, in accordance with Law, are entitled to conduct the PER, shall be assimilated to citizens' initiative associations and may participate in the conduction of the PER of the EIS along with them.

VII. SER OF THE EIA DOCUMENTATION

23. SER of the EIA documentation shall be organized in accordance with the provisions of this Law.

24. SER of the EIA documentation shall be conducted based on the documents submitted by the beneficiary, amended and completed in accordance with the objections formulated as a result of public debates and with the objections of local public administration bodies, ministries and departments.

25. The persons participating in the development of the EIA documentation shall not be involved in the review thereof.

VIII. THE RESOLUTION ON SER OF THE EIA DOCUMENTATION

26. Based on the results of SER of the EIA documentation, on the examination of the results of public debates, there shall be drawn up a resolution on SER of the EIA documentation. If the resolution is disapproving, private individuals and legal entities shall not have the right to approve the EIA documentation and to begin the development of project and planning documentation for objects and activities.

27. EIA documentation, approved as established, shall serve as basis for the development of the compartment "Environmental Protection" at the stage of development of the project documentation for the respective objects.

28. Should the planned objects or activities be related to the state security, the central environment authority shall draw up the resolution only after consulting with the Ministry of Defense and/or Ministry of National Security.

29. The central environmental authority shall obligatorily inform the public opinion, through mass media, about the results of the SER of EIA documentation within 10 days at the most from the approval of the results of the examination and adoption of a decision on the EIA documentation.

30. The central environmental authority shall ensure the preservation and archiving of the EIS, which shall be accessible to the public.

IX. EIA IN A TRANSBOUNDARY CONTEXT

31. If the impact of the planned objects and activities on the environment has a transboundary character, the procedure of EIA shall be regulated in accordance with the Convention on the EIA in a Transboundary Context.

X. THE LIST OF OBJECTS AND ACTIVITIES FOR WHICH EIA DOCUMENTATION IS OBLIGATORILY DEVELOPED PRIOR TO THE DESIGNING PROCESS

1. Thermoelectric stations, thermal industrial and heating stations with the power of 300 MW and over.
2. Mechanical enterprises and car construction enterprises with high capacity foundries – 10 thousand tons of cast iron, iron per year and more; 1 thousand tons of non-ferrous metals per year and more.
3. Metallurgical enterprises with a production capacity of 500 thousand tons of rolled metal goods per year and more.
4. Enterprises for the production of cement and slate, including those using asbestos in the technological processes, fixed plants of asphalt concrete.
5. Chemical and petrochemical enterprises, for the secondary processing of paper and cellulose.
6. Enterprises of the pharmaceutical industry and of production of essential oils.
7. Construction of highways, roads arranged for high speed, railways of long distance, airports with the length of the main taking off and landing track of 2,100 m and above.
8. Complex hydrotechnical constructions (ports, large dams and water accumulation reservoirs).
9. High pressure petrol and gas pipelines.
10. Storing and selling oil products terminals.
11. Sugar plants and oil factories.
12. Milk and meat processing factories.
13. Canned goods factories with a production capacity of 100 million conventional cans per year and more, large centers for the storing and prior processing of agricultural goods.
14. Animal agroindustrial complexes for bovines, swine, sheep and poultry.
15. Grouped water plugs for enterprises, urban and rural communities with the debit: 1 thousand m³/day and above – underground plugs, 10 thousand m³/day – surface plugs.
16. Wastewater treatment plants for industrial and municipal wastewaters with the debit of 10 thousand m³ and above.
17. Industrial orchards and vineyards with an area of 500 ha and more.
18. Systems of irrigation and draining of fields with areas of respectively 1000 ha and 100 ha and more.
19. Greenhouse complexes with greenhouse areas of 24 ha and more.
20. Incinerators.
21. Installations and grades for the processing, burying and neutralization of industrial wastes, including of toxic materials, intoxicants and radioactive materials.
22. Any construction activity in riverbeds, in protection belts of rivers and water bodies.
23. Quarries of:
 - a) limestone, with an extraction capacity of 100 thousand m³/year and more;
 - b) sand, gravel, clay, gypsum, with an extraction capacity of 100 thousand m³/year and more.
24. Exploration and exploitation of petrol and gas deposits.
25. Underground exploitation of limestone.
26. Military polygons and bases.
27. Wineries and beer production factories, enterprises for the production of sparkling wines, cognacs, liquors, vodka and of other alcoholic products, with a production capacity of 100 thousand dal/year and above.
28. Lines of transportation of electrical power with the tension of 330 kV and more.
29. Radioelectronic and electrotechnical enterprises with a production area of 2 thousand m² and more.
30. Tanneries, including enterprises for the primary processing of raw leathers.
31. Enterprises processing wood and producing furniture, with a production area of 4 thousand m² and more.
32. Enterprises of the textile industry, of confection and production of shoes, with divisions for dyeing and processing of synthetic raw materials and of polymers.