

## OFFICIAL TRANSLATION OF THE CZECH REPUBLIC

### Act No. 244 of the Czech National Council as of 15 April 1992 on Environmental Impact Assessment.

The Czech National Council has passed the following Act:

#### Part One INTRODUCTORY PROVISIONS

##### §1 Subject of Regulation

The Act regulates the environmental impact assessment of planned constructions, their changes and changes in their use<sup>1</sup> (hereinafter referred to as "constructions"), activities<sup>2</sup>, technologies<sup>3</sup>, development concepts and programmes<sup>4</sup> (hereinafter referred to as "concepts") and products<sup>3</sup>. The Act determines the bodies of State Administration that are competent in environmental impact assessment.<sup>5</sup>

#### Part Two ASSESSMENT OF CONSTRUCTIONS, ACTIVITIES AND TECHNOLOGIES

##### §2 Subject of Assessment

- 1) Subject of assessment are constructions, activities and technologies listed in Annexes no. 1 and 2 of this Act.
- 2) Subject of assessment are also constructions, activities and technologies listed in Annexes no. 1 and 2 of this Act which do not achieve the limit values mentioned in the Annexes, in case they are to be carried out in areas that are protected under separate regulations<sup>6</sup>, if so decided by the body that is competent in environmental impact assessment (hereinafter referred to as the "competent authority"), on its own initiative or on the initiative of:
  - a) the Bureau of Constructions to which a proposal has been submitted to issue a territorial decision on the location of a construction, or on the use of an area, or to which an application has been submitted to issue a permit,

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1. Act no. 50/1976 Coll. on Territorial Planning and Building Rules (Building Act), in wording of subsequent regulations; Public Notice no. 85/1976 Coll. on more detailed adaptations of territorial procedures and building rules, in wording of subsequent regulations.

2. §17, par. 2 of Act no. 17/1992 Coll. on the Environment.

3. §17, par. 3 of Act no. 17/1992 Coll.

4. §20, par. 2 of Act no. 17/1992 Coll.

5. §21, par. 1 and 2 of Act no. 17/1992 Coll.

6. E.g. Act of the Czech National Council no. 114/1992 Coll. on the Protection of Nature and Landscape, Government Decree of the Czech Socialist Republic no. 40/1978 Coll. on protected areas of natural water reservoirs of Beskydy, Jeseníky, Jizerské hory, Krkonoše, Orlické hory, Šumava and Žďárské vrchy; Government Decree of Czech Socialist Republic no. 10/1979 Coll. on protected areas of natural water reservoirs of Brdy, Jablůnkovsko, Krušné hory, Novohradské hory, Vsetínské vrchy and Žamberk-Králicky.

b) another body of State Administration or a community, within the area of which or in the vicinity of which the construction, activity or technology is to be carried out.

### **Extent of Assessment**

#### **§3**

The assessment shall include in particular:

a) an identification, a description and an evaluation of the assumed direct and indirect impact of the construction, activity or technology on:

1. climatic conditions, ambient air, surface and ground water, soil, rock formations, manner of utilization of the landscape, protected areas, flora, fauna, functions and stability of ecological systems, population,
2. the utilization of natural resources,
3. cultural monuments,
4. the town and community environment,

b) a comparison of proposed alternative solutions in case they are required to be prepared (§6 par. 2) and a selection of the best alternative,

c) a proposal of measures and conditions which shall exclude or reduce the assumed negative impact, or which shall increase the positive impact of the construction, activity or technology,

d) an evaluation of consequences, should the construction, activity or technology not be carried out.

#### **§4**

1) The impact of a construction, activity or technology shall be assessed for the period of their development, implementation and use (operation), of their removal and if necessary for the period after their removal.

2) When assessing the impact of a construction, activity or technology, conditions of a given area are taken into account .

3) When assessing the use (operation) of a construction, activity or technology, the assumed environmental impact shall be evaluated both in case of normal operation and in case of possible accidents.

#### **§5**

### **Notification**

1) Anybody who intends to carry out a construction, an activity or technology listed in Annexes no. 1 and 2 of this Act (hereinafter referred to as the "notifier") is obligated to notify the competent authority of this (§19).

2) The notification shall include:

a) basic data on the construction, activity or technology, in particular denomination, location, purpose, characteristics, extent, starting and finishing date,

b) a brief description of the technical and technological designs,

c) basic data on the impact of the construction, activity or technology on the environment, in particular claims on land occupation, on energies, on raw materials, the rate of pollution or damage to the individual components of the environment,

d) The opinion of the competent Bureau of Construction on the compliance of the proposed construction, activity or technology with the approved Territorial Planning Documentation.

3) Documentation on the evaluation of the impact of the construction, activity or technology (hereinafter referred to as "documentation"; see Annex no. 3) will be added to the notification in six copies. The competent authority may, in justified cases, request more copies to be submitted.

4) Within 30 days after delivery of an initiative following §2 par. 2, the competent authority shall decide whether the impact assessment shall or shall not be carried out and it will inform the body which presented the initiative for an assessment as well as the respective proposer<sup>7</sup> or building contractor<sup>8</sup>. In case of an impact assessment, the proposer or building contractor shall submit notification and documentation following par. 2 and 3 to the competent authority.

5) Authorities of those communities on the territory of which a construction shall be located, an activity carried out or a technology implemented or the territory of which, following the elaborated documentation, is affected by a construction, activity or technology (hereinafter referred to as the "affected community") shall ensure, upon initiative of the competent authority, the publication of information, in the usual local manner, that the construction, activity or technology shall be assessed following this Act.

## §6

### Documentation

1) The content and extent of the documentation is determined in Annex no. 3 of this Act.

2) The competent authority may require the documentation be supplemented, in particular, with alternative solutions.

3) The documentation may only be elaborated by persons with a certificate of professional competence (hereinafter referred to as "authorized persons"). The certificates are issued by the Ministry of Environment of the Czech Republic (hereinafter referred to as "the Ministry") with the consent of the Ministry of Health of the Czech Republic.

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7. §34, par. 1 of Act no. 50/1976 Coll.

8. §59, par. 1 of Act no. 50/1976 Coll.

4) The basic requirements of professional competence are relevant university education, 6 years of practical experience and passing of a special examination. Exemptions from educational or practical requirements may be granted by the Ministry. The Ministry shall determine in a public notice further conditions regarding the professional competence, the procedure of its verification and regarding the issuing of certificates.

5) The Ministry shall keep a list of authorized persons.

## §7

### Publication and Discussion of the Documentation

1) The competent authority shall, without delay, dispatch the documentation to the concerned bodies of State Administration and to the affected community. The community shall, within 5 days of receiving the documentation, announce in the usual local manner, when and where it will be possible to examine the documentation, to make excerpts, transcripts or copies. Public examination of the documentation must be made possible for a period of 30 calendar days; within this period a written opinion on the documentation may be submitted (hereinafter referred to as "public opinion").

2) In case of doubt whether a community is affected or not following par. 1, the competent authority shall decide. The competent authority can also determine that, should there be a large number of communities affected following par. 1, the documentation can only be examined in communities selected by the competent authority; the remaining affected communities must announce when and where it will be possible to examine the documentation.

3) The affected community shall send the public opinion and its own opinion to the competent authority within 14 days after the period determined in par. 1 has expired.

4) The concerned bodies of the State Administration shall send their opinion to the competent authority within 50 days after having received the documentation.

5) In case the documentation contains facts which are protected following separate regulations<sup>9</sup>, the provisions of par. 1 through 4 shall not apply.

6) In case no opinions following par. 1, 2 and 4 are delivered within the determined period, it shall be considered that there are no comments on the documentation.

## §8

### Participation of the Civil Initiative and Civil Associations

1) A civil initiative, which for the purposes of this Act is to be understood as a group of at least 500 natural persons older than 18 years who support in writing the public opinion following §7 is entitled, through representation of a mandatory following par. 3, to take part

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9. E.g. Act no. 12/1971 Coll. on the Protection of State Secrets, in wording of Act no. 383/1990 Coll.; Government Decree of the CSFR no. 419/1990 Coll. on basic facts creating the subject of state secrets; Government Decree of the CSFR no. 420/1990 Coll. which amends Government Decree of the CSSR no. 148/1971 Coll. on Protection of Economic and Professional Secrets.

in the discussions on the documentation following §7 and in the public discussions following §10.

2) A civil initiative following par. 1 shall present a list of signatures, including name, surname, permanent address, "birth numbers" and signature of the persons who support the respective public declaration. The list of signatures must be submitted together with the public opinion following §7.

3) The mandatory of the civil initiative who is authorized to act on its behalf and to receive written material, is the person who is appointed as a mandatory in the list of signatures. In case such designation is missing or incorrect, the person who is mentioned first on the list of signatures shall be considered as the mandatory of a civil initiative. The mandatory can appoint in writing a deputy, who will act for him or her within the scope of the mandate.

4) The mandatory of a civil initiative may be replaced by another person on the basis of a written declaration to the competent authority. This declaration must be signed by a majority of the members of a civil initiative. The same procedure is also valid in case a mandatory of a civil initiative withdraws.

5) If a majority of the persons mentioned in par. 2 establishes a civil association following separate regulations<sup>10</sup>, for further support of the opinion of the civil initiative, such an association is participant in an administrative procedure, if in this procedure decisions are made on a permit for a construction, activity or technology that are assessed following this Act. A civil association which has been established previously and which has submitted an opinion following §7, par. 1 is also participant in the same administrative procedure.

## §9

### Expert Opinion

1) The competent authority shall without delay ensure the elaboration of an expert opinion based on the documentation, taking into account the public opinion, the opinion of the affected community and the opinion of the concerned bodies of the State Administration, within a period of 60 days after these materials have been submitted. This period can be extended in reasonable cases, however, for not longer than another 150 days.

2) An expert opinion can be elaborated by authorized persons only, following §6, par. 3 and 4.

3) Authorized persons who have taken part in the elaboration of the documentation are excluded from elaboration of the expert opinion.

4) The notifier is obligated to provide the persons that are elaborating the expert opinion at their request, with additional information necessary for the elaboration of the expert opinion.

5) The expert opinion shall evaluate in particular:

a) completeness of the documentation,

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10. Act no. 83/1990 Coll. on Civil Associations.

- b) public opinion, opinion of affected community and opinions of the concerned bodies of the State Administration,
  - c) completeness of identification of all positive and negative environmental impacts of the construction, activity or technology, including their mutual interactions,
  - d) applied evaluation methods and completeness of input information,
  - e) proposal of technical solutions concerning the elimination or limiting of pollution or damage to the environment with regard to the contemporary level of knowledge,
  - f) alternative solutions,
  - g) proposal of measures and conditions for the exclusion or reduction of negative environmental impact of the construction, activity or technology, or for the implementation of the construction, activity or technology and for the use (operation) of the construction, activity or technology.
- 6) An expert opinion shall always contain a proposal for a statement of the competent authority.

#### **§10 Public Discussion**

- 1) Within one month at the latest from the receipt of the expert opinion following §9, the competent authority shall ensure public discussion on the contents of the expert opinion, and on the public opinion, including civil initiatives, on the opinion of communities and concerned bodies of State Administration, which it receives following §7.
- 2) The competent authority shall at least one week in advance announce in writing time and place of the public discussion to the notifier, the communities, the concerned bodies of the State Administration, the civil initiatives and to the persons who elaborated the expert opinion. If the proposed construction, activity or technology concerns more communities, concerned bodies of the State Administration or civil initiatives, the competent authority can ensure separate public discussions in territorial districts determined by the competent authority.
- 3) In particular experts and persons who can present important information on the discussed subject can be invited to participate in the public discussion.
- 4) The Ministry shall determine the manner and procedure of public discussions in a public notice.
- 5) The participants, mentioned in par. 1 shall receive the minutes of the results of the public discussion.

**§11**  
**The Statement**

- 1) Based on the expert opinion and on the minutes of the public discussion, the competent authority shall issue a statement, the contents of which are described in Annex no. 4 of this Act. Without this statement, an administrative body cannot issue a permitting decision or measure following separate regulations<sup>11</sup>.
- 2) In case a construction, activity or technology is for purposes of state defence, the competent authority shall issue a statement after discussions with the relevant body of the Czechoslovak army.

**§12**  
**Settlement of Costs and Records**

- 1) The costs of the elaboration of an expert opinion shall be covered by the notifier.
- 2) The competent authority keeps records of issued statements.

**§13**  
**Transboundary environmental impact assessment**

- 1) In case of assessment of the impact of a constructions, activities or technologies and of their consequences for the environment exceeding state borders as determined in separate regulation<sup>12</sup>, Part Two of this Act applies with the following restrictions:
  - a) the content and extent of the documentation on evaluation of impact and consequences on the environment are governed by separate regulation<sup>13</sup> and by Annex no. 3 of this Act,
  - b) the competent authority shall submit a proposal of a statement to the Federal Committee for the Environment,
  - c) the competent authority shall issue a final statement after it has been notified of the result of interstate negotiations<sup>14</sup>.

**Part Three**  
**ASSESSMENT OF CONCEPTS**

**§14**

- 1) Under this Act a "concept" is a concept submitted and approved at the level of the central

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11. E.g. Act no. 50/1976 Coll., Act no. 138/1973 Coll. on Water, (Water Act), Act no. 135/1961 Coll. on Ground Transport (Road Act), in wording of subsequent regulations, Act No. 51/1965 Coll. on Railways, in wording of subsequent regulations, Act No. 47/1956 Coll., on Civil Aviation (Aviation Act), in wording of subsequent regulations.

12. Annex no. 3 of Act no. 17/1992 Coll.

13. Annex no. 4 of Act no. 17/1992 Coll.

14. §26, par. 1 of Act no. 17/1992 Coll.

authorities of State Administration (hereinafter referred to as the "approving authority") in the field of energy, transport, agriculture, waste treatment, mining and processing of minerals, recreation and tourism. Territorial planning documentation<sup>15</sup> and the General Water Management Plan<sup>16</sup> are also considered to be concepts.

2) The submitter of a concept (hereinafter referred to as the "submitter") must ensure that environment impact assessment, elaborated to an adequate extent according to Annex no. 3 part C, item 3 and 4 of this Act is a part of the concept.

3) The submitter must ensure in a suitable manner and in agreement with the Ministry publication of the concept proposal, or its principles, at least 60 days prior to its discussion.

4) The submitter shall send the concept proposal, prepared with respect to public comments if there are any, to the competent authority, which shall issue its statement within 30 days from the date of delivery, with exception of the case that the competent authority is submitter itself.

5) The approving authority shall not discuss the concept without a statement of the competent authority.

## **Part Four ASSESSMENT OF PRODUCTS**

### **Principles of Assessment §15**

1) The assessment of products includes a comparison of the characteristics of the products from the point of view of their environmental impact and the requirements determined by legal regulations and technical standards.

2) Subject of assessment are products which are determined by the competent authority on its initiative in cooperation with the Central Authority of the State Administration<sup>17</sup> for State Testing (hereinafter referred to as "determined products"). Determined products are announced in the Ministry Bulletin.

3) The assessment is carried out for both domestic and imported products, except for foodstuffs.

4) The assessment is carried out in the form of certificates following separate regulations<sup>18</sup>

### **§16**

1) The determined products cannot be distributed without a certificate following §15, par.

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15. §13 of Act no. 50/1976 Coll.

16. §3 of Act no. 138/1973 Coll.; §8 of Act no. 130/1974 Coll. on State Administration of Water Management, in wording of subsequent regulations.

17. §117 of Act no. 194/1988 Coll. on Activities of Federal Central State Administrative Authorities, in wording of subsequent regulations.

18. Act no. 30/1968 Coll. on State Testing, in wording of subsequent regulations.

4.

2) The certificate can be replaced by indicating an imported product with an appropriate foreign certification mark or by a foreign certificate recognized in the territory of the Czech Republic.

3) In case it is found out that imported products, despite indication of a foreign certification mark or a foreign certificate following par. 2, have negative impact on the environment, the competent authority shall propose to the Central Authority of State Administration for Foreign Trade<sup>19</sup> to take measures to prevent their import.

4) Determined products which are already distributed and for which the application for a certificate was made within a period of 30 days after their announcement following §15, par. 2 can be distributed until the completion of their assessment by an authorized legal or natural person<sup>20</sup>. Determined products which have not been reported for certification within this period, may not be distributed after the period has expired.

#### §17

The costs related to the certification and control of distributed products or to their withdrawal from distribution following §20, par. 1, item j are covered by their producer or importer.

#### §18

##### Penalties

1) The competent authority shall impose a penalty of up to three hundred times the minimum wage as determined in a separate regulation<sup>21</sup> upon a person who:

a) has distributed a determined product which was not granted a certificate or the certificate of which was withdrawn,

b) has not ceased to distribute determined products following §16, par. 4.

2) When imposing a penalty following par. 1, the weight of the consequences to the environment which were or could have been caused is taken into account.

3) A penalty following par. 1 can be imposed within one year of the date the competent authority learned of the infringement of an obligation, at the latest, however, within three years from the date on which the infringement of an obligation occurred.

4) All revenues from the penalties shall be paid into the State Environment Fund of the Czech Republic<sup>22</sup>.

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19. §61 of Act no. 194/1988 Coll.

20. §6 of Act no. 30/1968 Coll.

21. Government Decree of the Czech and Slovak Federative Republic no. 53/1992 Coll. on Minimum Wages.

22. §2, par.1, item g of Act no. 388/1991 Coll. of the Czech National Council on the State Environment Fund of the Czech Republic.

**Part Five**  
**THE COMPETENT AUTHORITIES**

**§19**

The competent authorities are:

- a) the Ministry,
- b) the Czech Inspection of the Environment,
- c) District Offices.

**§20**

1) The Ministry

- a) assesses constructions, activities and technologies listed in Annex no. 1 of this Act and issues a statement on them,
- b) keeps a list of authorized persons,
- c) keeps comprehensive records of issued statements,
- d) issues statements on proposed concepts,
- e) determines products subject to assessment following §15, par 2 and announces them in the Ministry Bulletin,
- f) keeps a list of determined products which were not granted a certificate or from which a certificate was withdrawn and announces them in the Ministry Bulletin,
- g) keeps record of granted certificates,
- h) determines regulations and technical standards for the assessment of products following §16, par.3,
- i) proposes measures following §16, par.3,
- j) based on a proposal from the Czech Inspection of the Environment, decides on the withdrawal from distribution of a determined product which was not granted a certificate or from which a certificate was withdrawn following §15.

2) The Czech Inspection of the Environment

- a) controls whether determined products which were not granted a certificate, or from which a certificate was withdrawn are not distributed,
- b) imposes penalties following this Act,
- c) proposes the withdrawal from distribution of a determined product which was not granted

a certificate or from which a certificate was withdrawn.

### 3) District Offices

a) assess constructions, activities and technologies listed in Annex no. 2 of this Act and constructions, activities and technologies following §2, par. 2 of this Act and issue statements on them,

b) send one copy of their statement to the Ministry for comprehensive records.

4) In the capital city of Prague, the municipal authorities of the capital city of Prague carry out the activities of a District Office following this Act.

5) The Ministry may reserve the right to issue a statement on a construction, activity or technology when a District Office is the competent authority, in case the construction, activity or technology is to be carried out in areas protected under separate regulations<sup>6</sup>.

6) The Ministry can transfer its activity to assess a construction, activity or technology listed in Annex no. 1 of this Act to a District Office when, in an individual case this would contribute to velocity and economization of the assessment.

## Part Six COMMON, TRANSITIONAL AND FINAL PROVISIONS

### §21

The Ministry shall, with the consent of the Ministry of Health of the Czech Republic, determine binding provisions through a public notice for the use of products or substances which may significantly influence the environment in a negative way.

### §22

Administrative procedures following separate regulations<sup>11</sup> initiated before this Act came into force are not affected by this Act.

### §23

General regulations on administrative procedures<sup>23</sup> do not apply to Part Two and Part Three of this Act.

### §24

This Act comes into force as of 1 July 1992.

**Burešova v.r.**  
**Pithart v.r.**

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23. Act no. 71/1967 Coll. on Administrative Procedures (Administrative Act).

## **Annex no. 1**

# **CONSTRUCTIONS, ACTIVITIES AND TECHNOLOGIES ASSESSED WITHIN THE COMPETENCE OF THE MINISTRY OF ENVIRONMENT OF THE CZECH REPUBLIC**

### **1. Agriculture and forestry**

1.1 Deforestation of an area exceeding 5 ha.

1.2 Amelioration activities (drainage, protection of soil from erosion, land alternations, technical forest amelioration) on area exceeding 500 hectares.

### **2. Mining industry**

2.1 Extraction and processing in situ of ore, magnesite, coal exceeding 100 000 t/year, stone, gravel, bituminous shale and industrial minerals exceeding 200 000 t/year, natural gas exceeding 100 million m<sup>3</sup>/year, and peat.

2.2 Extraction and processing of uranium ore, waste banks and sludge beds including recultivation.

2.3 Extraction and refining of crude oil, including plants for regeneration of used mineral oils, facilities for thermal and chemical processing of coal and shale.

### **3. Energy industry**

3.1 Electric power plants, other industrial facilities for production of electricity, steam, hot water, and other facilities with an installed output exceeding 100 MWt.

3.2 Hydroelectric power plants with a peak output of 50 MWe and more.

3.3 Nuclear power plants and other facilities with nuclear reactors.

3.4 Facilities for conversion, enrichment and production of nuclear fuel.

3.5 Interim spent nuclear fuel storage facilities.

3.6 Processing and final depositing of highly radioactive waste.

3.7 Processing and depositing of low and medium radioactive waste from operating and shut down nuclear power plants and from facilities using radionuclides.

3.8 Long distance gas, oil, steam, hot water and other pipelines, including their facilities (pumping, exchange and compressor stations), long distance power transmission lines (110 kV and more).

3.9 Underground storages of natural gas and other gases with a capacity exceeding 1 million m<sup>3</sup>, overground storages of natural gas and other gases with a capacity exceeding 100 000

m<sup>3</sup>, of oil, oil products and chemicals with a capacity exceeding 1000 m<sup>3</sup>.

#### **4. Metallurgy**

4.1 Production and processing of crude iron, cast iron and steel with a capacity exceeding 30 000 t/year, production and processing of non-ferrous metals (non-ferrous metallurgy) with a capacity exceeding 3000 t/year.

4.2 Surface processing of metals with a capacity exceeding 10 million m<sup>2</sup>/year of processed surface.

#### **5. Wood and paper industry**

5.1 Production of cellulose and paper.

#### **6. Other industries**

6.1 Processing of asbestos and asbestos products.

6.2 Cement factories and lime factories with a capacity exceeding 100 000 t/year.

6.3 Chemical production with a capacity exceeding 200 t/year.

6.4 Production of toxics, pesticides and pharmaceutical products in an amount exceeding 1 t/year.

6.5 Facilities for processing, neutralizing and incinerating hazardous waste in an amount of 1000 t/year and more, and facilities for storing and disposing hazardous waste in an amount of 10 t and more.

#### **7. Infrastructure**

7.1 Construction of highways, first category roads, railways, airports, and permanent racing tracks for motor vehicles with hardened surface, water ways including ports.

7.2 Dams and water reservoirs, if the height of the dam exceeds a level of 10 m above the footing bottom, or if the total volume exceeds 10 million m<sup>3</sup>.

7.3 Facilities for ground water withdrawal if the annual volume of withdrawn water exceeds 10 million m<sup>3</sup>.

7.4 Facilities for municipal waste treatment with a capacity exceeding 100 000 t/year<sup>24</sup>.

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24. §2, par. 2 of Act no. 238/1991 Coll. on Waste.

## Annex no. 2

### CONSTRUCTIONS, ACTIVITIES AND TECHNOLOGIES ASSESSED WITHIN COMPETENCE OF THE DISTRICT OFFICES

#### 1. Agriculture and forestry

1.1 Facilities for animal production, including waste deposits, for cattle breeding facilities with a capacity exceeding 100 animals, for pig breeding facilities with a capacity exceeding 200 pigs, for poultry farms with a capacity exceeding 25 000 broilers or 25 000 hens.

1.2 Storage facilities for agricultural products with a capacity exceeding 20 000 tons.

1.3 Amelioration activities (drainage, irrigation, protection of soil from erosion, land alternations and technical forest amelioration) on area from 10 ha up to 500 ha.

1.4 Landscape interventions which may cause fundamental changes in the biological diversity and in the structure and function of eco-systems.

#### 2. Food industry

2.1 Breweries, malting houses and non-alcoholic drinks production with a capacity exceeding 10 000 hl/year.

2.2 Slaughter houses and meat processing plants with a production capacity exceeding 5000 t/year.

2.3 Starch producing plants with a capacity exceeding 50 000 t/year of processed potatoes.

2.4 Sugar refineries with a capacity exceeding 15 000 t/year of processed raw materials.

2.5 Frozen food factories with a capacity exceeding 100 000 t/year of frozen products.

2.6 Distilleries with a capacity exceeding 1000 t/year.

2.7 Oil industry (production of vegetable oil and grease) and production of detergents with a production capacity exceeding 20 000 t/year.

2.8 Dairies and milk products facilities with a capacity exceeding 100 000 t/year of processed milk.

2.9 Canning factories with a production capacity exceeding 100 000 t/year.

#### 3. Energy industry

3.1 Electric power plants, other industrial facilities for production of electricity, steam, hot water and other facilities burning fossil fuel, with an installed output from 20 to 100 MWt.

3.2 Hydroelectric power plants with a peak output from 10 to 50 MWe.

#### **4. Metallurgy**

4.1 Surface processing of metals with a capacity from 5 to 10 million m<sup>2</sup>/year of processed surface.

4.2 Machinery and electrotechnical production on a production area exceeding 5000 m<sup>2</sup>.

4.3 Production and assembly of motor vehicles, railway carriages and tanks with a capacity exceeding 1000 pcs/year.

4.4 Production of passenger and cargo ships for river transport.

4.5 Production and repair of airplanes with a capacity exceeding 100 pcs/year.

#### **5. The wood and paper industry**

5.1 Impregnation of wood with toxic chemicals in an amount exceeding 1000 t/year.

5.2 Production of fibreboard and plywood with a production capacity exceeding 50 000 m<sup>2</sup>/year.

5.3 Production of furniture, with a capacity exceeding 10 000 m<sup>3</sup> of processed raw material per year.

#### **6. Other Industries**

6.1 Processing of textiles, dye works, with a capacity exceeding 10 000 t/year of used chemicals.

6.2 Tanneries with a capacity exceeding 50 000 m<sup>2</sup>/year of processed raw material.

6.3 Production of glass or glass fibres with a capacity exceeding 50 000 t/year.

6.4 Use and recycling of contaminated chlorinated hydrocarbons in an amount exceeding 10 t/year.

6.5 Polygraphic facilities with a capacity exceeding 1 ton/year of used chemicals.

6.6 Storage of toxics and pesticides in an amount exceeding 1 ton/year, liquid fertilizers, pharmaceutical products, paints and lacquers in an amount exceeding 100 t/year.

6.7 Production of construction materials with a capacity exceeding 100 000 t/year.

6.8 Asphalt production exceeding 10 000 t/year.

#### **7. Infrastructure**

7.1 Facilities for withdrawal water of an annual volume of withdrawn water exceeding 3

million m<sup>3</sup>.

7.2 Waste water treatment plants and sewerage with a capacity exceeding 100 000 inhabitant equivalents.

7.3 Sludge basins and sludge beds with a capacity exceeding 100 000 m<sup>3</sup>, and others with an embankment height over 10 m above the footing bottom.

7.4 Facilities for municipal waste treatment with a capacity from 10 000 to 100 000 t/year.

7.5 Rendering plants and veterinary decontamination plants.

7.6 Modifications of water courses that fundamentally change the character of the water course and the nature of the landscape.

7.7 Cableways, a part of which is the construction of ski pistes of a total area exceeding 5 ha.

7.8 Trade and storage complexes of a total built-on area exceeding 3000 m<sup>2</sup>.

7.9 Camp sites, sports and military shooting ranges affecting interests protected by separate regulations.

7.10 Airports and permanent racing tracks for motor vehicles without hardened surface.

## Annex no. 3

# DOCUMENTATION ON ENVIRONMENTAL IMPACT EVALUATION

### Part A Basic data<sup>25</sup>

- name
- character (new construction, modernization, reconstruction, repair)
- location (district, community, cadastral territory)
- reason for locating in the given location (continuation of an already started project, availability of raw materials, labour force, others)
- applicant
- project developer
- user
- starting and finishing date
- brief description of the technical and technological designs (main characteristics of the production process, capacity, number of shifts, number of employees)
- level of proposed technical designs
- total costs
- list of community territories which will be affected by the presumed impacts

### Part B Data on direct environmental impacts<sup>25</sup>

#### I. INPUT DATA

##### 1. land

- occupied land (hectares, soil quality); total area, of which temporarily occupied land and permanently occupied land, of which agricultural land use and forest land use)
- protected area
- protective zones

##### 2. water

- total amount of withdrawn water (m<sup>3</sup>/hour, m<sup>3</sup>/year)
- of which for operational use
- total water consumption (m<sup>3</sup>/hour, m<sup>3</sup>/year)
- water source (public water supply, surface source, others)

##### 3. other sources of raw material and energy

- type, annual consumption, manner of acquirement (own source, import)

##### 4. claims on transport and other infrastructures

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25. Basic data are given for each variant.

## II. OUTPUT DATA

### 1. air

- a) main focus points of air pollution
  - technological process of pollution production
  - amount of emitted pollutants in t/year (in particular solid emissions, sulphur oxides, nitrogen oxides, CO, heavy metals, hydrocarbons, halogen derivatives of hydrocarbons and other characteristic pollutants)
  - manner of emission separation (type of separator, planned capacity, effectiveness)
- b) main areal of air pollution sources (dust, raw material storage, construction works, etc.)
  - type of source
  - corresponding technological process
  - extent of areal source (in m<sup>2</sup>)
  - source activity (permanent, regular, incidental)
  - amount of emitted pollutants (t/year)
- c) main mobile pollution sources (transport, etc.)
  - type of source
  - amount of emitted pollutants (t/year)

### 2. waste water

- total volume of discharged waste water in m<sup>3</sup>/year (of which directly to recipient, to waste water treatment plants)
- technological process which produces waste water
- type, planned capacity and effectiveness of waste water treatment plants for the main indicators of pollution
- character of recipients (waterworks streams, levels of pollution)
- amount of discharged pollutants in t/year; mg/l; average maximum values (in particular BSK<sub>5</sub>, CHSK<sub>Cr</sub>, phosphor, nitrogen and other characteristic chemicals, biological and microbiological indicators of radioactivity, temperature of water).

### 3. waste (not included in air or in waste water)

- type of waste (municipal waste, hazardous waste, radioactive waste)
- technological process which produces waste
- amount of waste in t/year
- manner of waste treatment.

### 4. noise, vibrations

### 5. radioactive and electromagnetic radiation

## Part C

### Complex description and environmental impact evaluation

- I. Description of proposed alternative solutions (e.g. of a geographical or technological

character - localization, type of technology), description of comparative alternatives (e.g. alternative without activity, active zero alternative, best environmental alternative) including their comparison.

II. Brief description of the probably significantly effected environment.

**A. basic characteristics**

1. air (climatic factors, air quality)
2. water (ground water, water streams, water spring areas, water yield, flowing rate, withdrawal of water, water quality)
3. soil (type, soil quality, soil contamination).
4. environmental geofactors (geological conditions, hydrogeology, relief of the terrain, seismic conditions, erosion).
5. fauna and flora (species and habitats, in particular endangered and protected species and habitats).
6. territorial system of ecological stability and the nature of the landscape.

**B. other characteristics**

1. landscape (manner of utilization of the landscape, settlements, production and recreation).
2. character of town quarters, functional characteristics of suburban zones).
3. protected areas, nature reserves, national parks.
4. areas of raw material resources and other natural riches.
5. protective zones.
6. architectural and historical monuments, archaeological findings.
7. other characteristics of the environment.
8. location of constructions in relation to territorial planning documentation (basics)

III. A complex description of the presumed environmental impacts and an estimation of their significance (presumed direct, indirect, secondary, cumulative, synergic, short-term, temporary, long-term and permanent impacts).

**A. Impacts on inhabitants**

- health risks, social consequences, economic consequences
- number of inhabitants affected by the construction, activity or technology
- affecting factors influenced by the construction, activity or technology
- affecting factors of comfort

**B. Impacts on ecosystems, their components and functions**

1. impacts on air and climate
  - amount and concentration of emissions and their impact on the near and distant surroundings
  - significant odour
  - other impacts on air and climate

2. impacts on water
  - impact on the character of drainage of the area
  - changes in hydrological characteristics (ground water levels, flowing rate, yield of water sources)
  - impact on water quality
3. impacts on soil, land and geological conditions
  - impact on the extent and manner of land use
  - soil contamination
  - changes in local topography, impact on the stability and erosion of the soil
  - impact on rock environments and mineral resources
  - changes of hydrogeological characteristics
  - impact on the protected parts of nature
  - impact in consequence of depositing waste
4. impacts on flora and fauna
  - damage to and extinction of plant and animal species and their biotopes
5. impacts on ecosystems

#### **C. Impacts on the anthropogenic systems, their components and functions**

- impact on buildings, architectural and archaeological monuments and other human creations
- impact on cultural values of an immaterial nature (local traditions, etc.)
- damage and loss of geological and paleontological monuments

#### **D. Impacts on the structure and functional use of an area**

- impact on transport (local transport, road, railway, air, and water transport)
- the impact of connected constructions and activities (construction of new roads, engineering works, housing constructions)
- development of connected infrastructure
- impact on the aesthetic quality of the area
- impact on the recreational use of the landscape

#### **E. Other impacts**

- biological impacts
- impact of noise and radiation
- other ecological impacts

#### **F. Large-area impacts in the landscape**

- suitability of localization of the individual alternatives with regard to the ecological capacity of the area
- the present and potentially resulting situation of the ecological burden of the area (comprehensive effect of all spatial phenomena and factors).

IV. A description of the proposed measures to prevent, eliminate, minimize or compensate environmental impacts.

- territorial planning measures
- technical measures (elimination of pollution, recycling of waste, protective survey of archaeological findings, measures for the protection of cultural monuments)
- compensatory measures
- other measures.

V. A description of the operational safety risks

- possible occurrence of accidents
- impacts on the surroundings
- preventive measures
- consequential measures.

VI. Outline of monitoring and management programmes and post-project analysis plans.

VII. Presentation of the applied methods of prediction and the basic principles used in the impact evaluation, and the manner of acquiring data on the present and future conditions of the environment in the locality where a construction, activity or technology is to be realized.

VIII. Presentation of insufficient knowledge and uncertainties which emerged in the course of elaborating the documentation.

IX. Summary of a non-technical character, if necessary, supplemented with diagrams, maps, etc.

X. Conclusion.

**STATEMENT ON IMPACT EVALUATION**

**1. Identification data**

- name
- brief purpose
- locality (district, community, cadastral territory)
- starting date
- finishing date
- applicant
- project developer
- total costs

**2. Description of the course of the evaluation**

- where and by whom was the documentation elaborated
- where and by whom was the opinion elaborated (conclusions)
- when and how was the public discussion (conclusions)

**3. Conclusions**

- statement (approval, disapproval)
- recommended alternative
- recommended conditions for the stage of
  - a) preparation
  - b) implementation
  - c) operation.

Stamp of the competent authority

Signature of the responsible representative of the competent authority