

## **Questionnaire for the report of Romania on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2013–2015**

### **Information on the focal point for the Convention**

1. Name and contact information:

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General Director

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### **Information on the point of contact for the Convention**

2. Name and contact information (if different from above):

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## Part one

### Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

#### Article 1

##### Definitions

I.1. Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of impact in the legislation

Your comments:

I.2. Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of transboundary impact in the legislation

Your comments:

I.3. Please specify how major change is defined in your national legislation:

I.4. How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Your comments:

## Article 2 General provisions

I.5. Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

(a) Law on EIA: The Convention became part of the Romanian environmental legislation by ratification according to the Law nr.22/2001.

(b) EIA provisions are transposed into another law(s) (please specify):

In order to fully transpose the EIA Directives, the Romanian environmental authorities have issued the GD no.445/2009 (Of. J. no.481/13.07.2009) on environmental impact assessment for certain public and private projects establishing the framework procedure for the environmental impact assessment and approving the list of private or public projects to which the procedure must be applied, which contains transboundary provisions that transpose art.7 of the EIA Directives. The transboundary provisions are within art. 17 of the GD no.445/2009 which repeals the former normative act in this field.

(c) Regulation (please indicate number/year/name):

For ensuring full implementation of the Convention, the Ministry of Environment and Water Management (former denomination of the central public environmental authority, currently called Ministry of Environment, Water and Forests -MEWF) has issued the MO no.864/2002 for the approval of the impact assessment procedure and public participation to the decision making process for the projects with transboundary impact which fully observes the steps of the Convention.

(d) Administrative (please indicate number/year/name):

(e) Other (please specify):

Your comments:

The general legal framework is strengthened by the provisions of the Emergency Governance Ordinance (EGO) no.195/2005 on environmental protection as approved and amended by Law no.265/2006.

The national legislation on EIA is additionally ensured by the following normative acts:

- Order of the Ministry of Environment and Forests, of the Ministry of Interior and Administration, of the Ministry of Regional Development and Tourism, of the Minister of Agriculture and Rural Development no.135/76/84/1284/2010 published in Of. J. no.274/27.04.2010, which repeals the former Order of the Minister of Waters and Environmental Protection no. 860/2002 (Of. J. no. 52/30.01.2003) on the approval of the procedure for the environmental impact assessment and the issuance of the environmental agreement, as amended by MO 210/2004 and MO 1037/2005;

- Order of the Minister of Waters and Environmental Protection no.863/2002 for the approval of the methodology guidelines to be applied to the procedure for environmental impact assessment (Of. J.no 52/30.01.2003);

- Order of the Minister of Environment and Forests no. 405/2010 on setting-up the technical review committee (TRC) at central level (Of. J. no 231/13.04.2010), as modified by MO 2104/2011 - this order contributed to the capacity - building for transboundary EIA procedure. The TRC is responsible for carrying out the screening, scoping and review stages for big projects (the responsible authorities for these projects are the central ones). This order repeals the previous piece of legislation on this matter.

- Order of the Minister of Waters and Environmental Protection no.864/2002 for the EIA procedure in a transboundary context and for public participation to environmental decision making in case of projects with transboundary impact.

- Order of the Minister of Environment and Forests no.19/2010 for the approval of the Methodological Guidance on appropriate assessment of the effects of the plans and projects Natura 2000 sites.

I.6. Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

(a) There is no difference, all activities are transposed in the national legislation as is

(b) It differs slightly  (please specify):

Your comments:

I.7. Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

(a) There are different authorities at national, regional, local levels

(b) They are different for domestic and transboundary procedures

(c) Please name the responsible authority/authorities:

(d) There is no single authority responsible for the entire EIA procedure:

Your comments:

The EIA procedure in a transboundary context is implemented by the Ministry of Environment and Climate Change.

The domestically EIA procedure is implemented by the Ministry of Environment, Water and Forests, NEPA (National Environmental Protection Agency) and the LEPAs (42 Local Environmental Protection Agencies) and Administration of the Danube Delta Biosphere Reserve.

I.8. Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

(a) No  The Ministry of Environment, Water and Forests.

(b) Yes  (please specify):

Your comments:

I.9. How does your country, as Party of origin and as affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain):

The notification of the affected Party is done as soon as the Project Presentation Report is submitted to the Ministry of Environment, Water and Forests (MEWF). Based on this documentation the screening stage takes place. For our own public this documentation is available on the web site of the environmental authority for the whole period of the procedure. This documentation is also sent together with the notification to the affected Party and is published on the web site of the affected Party. Both the Project Presentation Report and then the EIA documentation are displayed on the website of the MEWF and are transmitted to the potentially affected Parties in electronic format with the request to be displayed on the website of the competent environmental authority in order to ensure an

appropriate dissemination to the public. The EIA documentation is also sent to the potentially affected Parties in written format (on paper) so that the possibly affected public be able to consult it. The non- technical summary of the EIA documentation is translated, when possible, in the language of the affected public. The whole documentation is usually translated in English.

The documentation is made available to the public of the affected Party according to their national legislation and Romania makes flexible time arrangements with the affected Party to receive comments of the authorities and public that will be taken into consideration into the transboundary procedure.

In addition, at the request of the potentially affected Parties, the developer together with the Romanian environmental authorities participate to the public debate (hearing) on the territory of likely affected states.

### Article 3 Notification

I.10. As Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- (a) During scoping
- (b) When the EIA report has been prepared and the domestic procedure started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments:

Law no 22/2001 for ratification of the Espoo Convention ensures the existence of such provision in national legislation. GD 445/2009, art.17 para 1 requires the notification to take place as early as possible.

For the implementation of this provision there is art.9 of the MO 864/2002 which stipulates that the notification of the affected Party is done no later than when informing our own public about the project.

The notification to the potentially affected Party is sent early in the EIA procedure, after the developer has submitted to the competent environmental authority the application for the environmental agreement and the technical memorandum (Project Presentation Report) of the project.

I.11. Please define the format of notification:

(a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)  Yes, Romania uses the format for notification decided by the first MOP in Decision I/4, as a consequence of being a Party to the Espoo Convention

- (b) The country has its own format  (please attach a copy)
- (c) No official format used

Your comments:

I.12. As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one options may apply):

- (a) The information required by article 3, paragraph 2
- (b) The information required by article 3, paragraph 5
- (c) Additional information (please specify):

Your comments:

I.13. As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, “within the time specified in the notification”)? Please specify:

- (a) National legislation does not cover the time frame
- (b) Yes, it is indicated in the national legislation  (please indicate the time frame):

Usually the deadline for response to the notification is 4 weeks since the notification is received by the affected Party. The deadline of 4 weeks is provided for in the MO 864/2002, art.10, para.1, letter g).

(c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations  (please indicate the average length in weeks):

Your comments:

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline:

Romania usually agrees the possibility of extending the deadline if required. If an affected Party does not comply with a time frame, the Romanian focal point of the Convention get in contact with the focal point of the concerned Party in order to solve the question.

I.14. How do you inform the public and authorities of the affected Party (art. 3, para 8)? Please specify:

(a) By informing the point of contact to the Convention listed on the Convention website<sup>1</sup>

(b) Other (please specify):

Your comments:

The affected Party identifies its own public potentially affected. The affected Party may indicate, by letters, that a public hearing is also needed for its own public;

Romania makes available the information about the project, the EIA documentation, the measures envisaged to be taken in order to mitigate or offset the impact and provides answers the public questions, both orally and in written format. The availability to its own public of the documentation transmitted by Romania as a Party of origin is made by the environmental authorities of the affected Party according to national legislation. Comments are received and centralized by the central environmental authorities in affected party and sent to Romania.

Usually, the announcements on the procedural steps are displayed on the MEWF website both in Romanian and in English.

The authorities of the affected Party are requested to inform its own public about the EIA documentation. In this respect, Romania usually sends the EIA documentation both in electronic and written format.

The public of the affected party is notified at the end of the screening stage and later is informed and is provided with the opportunities for making comments or objections on the project and on the EIA documentation with the help of the competent environmental authority of the affected Party. The environmental authority of the affected Party has been cooperative and also interested in making arrangements in order to enable its own public to make comments within the transboundary EIA procedure applied by Romania.

I.15. On what basis is the decision made to participate (or not) in the transboundary EIA procedure as affected Party (art. 3, para. 3)? Please specify:

(a) Notified ministry/authority of the affected Party responsible for EIA decides on its own based on the documentation provided by Party of origin

(b) Based on the opinions of the competent authorities of the affected Party

(c) Based on the opinions of the competent authorities and that of public of the affected Party

(d) Other (please specify):

Your comments:

The central environmental authority is informing its own public as soon as it has received the notification giving the possibility for the public to make comments and objections to the project. In practice, based on the comments of the public and of the authorities (LEPAs, Water management authorities, Health authorities at central and/or local level) the decision to participate in the EIA transboundary procedure is taken by the Ministry of Environment, Water and Forests (the central public environmental authority).

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<sup>1</sup> List available from [http://www.unece.org/env/eia/points\\_of\\_contact.htm](http://www.unece.org/env/eia/points_of_contact.htm).



I.16. If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party
- (c) Other (please specify):

Your comments:

#### **Article 4**

### **Preparation of the environmental impact assessment documentation**

I.17. How do you ensure sufficient quality of the EIA documentation as Party of origin? Please specify:

(a) The competent authority checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments

The MO 864/2002 has provisions on the minimum content of the transboundary EIA documentation by reference to Appendix II of the Espoo Convention, as ratified by Law no.22/2001.

- (b) By using quality checklists

We mention as well the MO 863/2002 which contains the recommended structure of the EIA documentation, a normative act which may be consulted by developers seeking advice on how the EIA documentation must be.

MO 863/2002 furnish the 3 check -lists for the 3 stages of the EIA procedure as provided by the European Commission guidelines and explains the methodology to be followed within the EIA procedure.

- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

By using sectoral and general guidelines.

I.18. How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):

- (a) By using appendix II
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify):

Your comments:

MO 863/2002 requests that the competent environmental authorities together with the TRC (Technical Review Commission) must fill in the checking list for the scoping stage, must request opinions from other concerned authorities represented within the TRC and must elaborate a guidance which is then forwarded to the developer. So, during the scoping stage are identified or emphasised certain/specific requirements that have to be included in the EIA documentation.

The developer is required to draw up the EIA documentation according to the provisions of the guidance. When applying the transboundary EIA procedure, the scoping stage is regulated by the MO 864/2002, art.12 and 13. During the transboundary scoping stage the affected Party is required to participate indicating certain aspects to be included in the EIA documentation.

I.19. How do you determine "reasonable alternatives" in accordance with appendix II, paragraph (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):

The obligation of identification of reasonable alternatives is provided for by Law no22/2001 for ratification of the Espoo Convention; The same obligation is provided, as well, by Annex 4 of the GD no445/2009, and by the MO 863/2002.

- (c) Other (please specify):

Your comments:

The identification of the "reasonable alternatives" is realized by the certified expert who draws up the EIA documentation, based on the provisions stipulated in Part I of Annex 2 of the Metodological guideline for the scoping stage approved by MO 863/2002. The reasonable alternatives must respond to the requirements of the Habitats Directive, in case the project may have an effect on a Natura 2000 site, as well technical alternatives, location and taking into consideration the major changes as: climate change, Fukushima accident, etc.

The reasonable alternatives are not accepted by the environmental authorities if the public reveals justified motives or other reasons are provided for by other concerned authorities or are known by the environmental point of view.

**Article 5**  
**Consultations on the basis of the environmental impact**  
**assessment documentation**

**(a) Public participation**

I.20. How can the public concerned express its opinion on the EIA documentation of the proposed project (art. 5)? Please specify (more than one option may apply):

*As Party of origin*

- (a) By sending comments to the competent authority/focal point
- (b) By taking part in a public hearing
- (c) Other (please specify):

*As affected Party*

- (d) By sending comments to the competent authority/focal point
- (e) By taking part in a public hearing
- (f) Other (please specify):

Your comments:

I.21. Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

- (a) Yes
- (b) No

Your comments:

I.22. Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

- (a) Yes
- (b) No

Your comments:

**(b) Consultations**

I.23. Does your national EIA legislation have any provision on the organization of transboundary consultations (expert, joint bodies, etc.) between the authorities of the concerned Parties? Please specify:

- (a) Yes, it is obligatory
- (b) No, it does not have any provision on that
- (c) It is optional  (please specify):

Your comments:

The consultations with the party of origin are agreed at central level, through letters of correspondence and e-mail between focal points of both Parties, the duration of the consultation is agreed within the minutes of the meeting. Usually, the consultation takes place 1 day, the minutes of the consultation comprise all matters discussed, the requests, the answers and the conclusions of the consultation as well as if the consultations can be considered closed or not and if not when they can be closed.

The Ministry of Environment, Water and Forests is in charge at central level with the leading procedure for the transboundary consultations, invites the other central and local authorities to express points of view.

**Article 6**  
**Final decision**

I.24. Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

- (a) Conclusions of the EIA documentation
- (b) Comments received in accordance with article 3, paragraph 8, and article 4, paragraph 2
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party
- (f) Mitigation measures

(g) Other (please specify):

The results of the consultations and the information obtained during the procedure are taken into consideration in issuing the environmental agreement and the development consent.

According to the MO 864/2002, the comments of the affected Party and the outcome of the consultation are taken into consideration in the decision-making process as follows: the comments and opinions are taken into consideration starting with the scoping stage; these are detailed, analysed and answered within the EIA documentation. The final EIA decision takes into consideration the comments and opinions of the affected Party in the same way as the comments from national public and authorities. Certain requirements of the affected Party are included in the EIA final decision if they are not resolved in the EIA documentation, after the evaluation of all received comments.

I.25. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1):

(a) Yes

(b) No

Your comments:

I.26. Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

(a) No

(b) Yes  (please specify):

Art.20 of the MO 864/2002 provides for such an opportunity. In practice, the affected Party will be informed by a letter accompanied by the relevant information. After that, it will be decided, as appropriate, on the possible consultation in order to establish whether the decision must be revised.

Your comments:

I.27. Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

(a) Yes

(b) No  (please specify those that do not):

Your comments:

I.28. For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language:

Your comments:

The Espoo Convention does not provide for the definition of the “final decision”, the national legal requirements for the implementation of the Convention either. The EIA Directive provides for the definition of the “development consent” and subsequently the transposition legislation has incorporated this definition. The development consent definition is furnished within the GD 445/2009, art.2, letter b). For most activities listed in annexes 1 and 2 of the EIA Directive, the development consent is represented by the

construction authorization. The procedure for obtaining the construction authorization is provided by Law 50/1991 authorizing the execution of construction works, with subsequent amendments and completions.

The GD 445/2009 identifies the development consent for every activity listed in annexes 1 and 2 of the EIA Directives.

Activities listed in Appendix I, under item 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,13,14,16 – the final decision is the construction authorization; In Romanian it is called “ autorizatie de construire”.

For item 15, by EGO no.85/2011 which modifies art.3 para 1, letter e) of the Law 50/1991, as amended, it is repealed the requirement of having a construction authorization for underwater works.

Activities listed under item 17 – the final decision is represented by the order of the central public authority for forests (for a surface less than 10 ha), or Governmental decision (for a surface greater than 1 ha).

We mention that in Romania the EIA procedure is finalized by issuing an administrative act called “**environmental agreement**”; this administrative act is attached to the development consent and is part of the development consent. The fact that the environmental agreement is part of the construction authorization is provided for by Law 50/1991 with its subsequent amendments.

**In the same time the environmental agreement is considered final decision for the EIA procedure.**

## **Article 7 Post-project analysis**

I.29. Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

(a) No

(b) Yes  (please specify the main steps to be taken and how the results of it are communicated):

Art.21 and art.22 of the MO 864/2002 represent the legal requirements for the implementation of art.7 para 1 of the Espoo Convention.

Art.21 of the MO 864/2002 stipulates that the results of the post project monitoring are sent in writing, by the central environmental authority, to the competent authority of the affected party. The post project analysis is undertaken at the request of the affected party.

Art.22 gives right to a party to inform the other party if the post project analysis reveals a significant impact not previously foreseen.

Your comments:

## **Article 8 Bilateral and multilateral cooperation**

### **(a) Agreements**

I.30. Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

- (a) No
- (b) Yes  Please specify with which countries:

Romania is the depositary of the Multilateral Agreement for the South Eastern European States for the implementation of the Convention on Impact Assessment in a Transboundary Context. Romania has ratified this agreement by Law no.242/2011.

For the moment, Romania is ongoing consultation with Ukraine regarding the possible development of a bilateral agreement with Ukraine on the implementation of the provisions of the Convention, according to decision VI/2 of the Meeting of the Parties to the Convention.

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

The text of this Agreement is available on Espoo Convention web page, within the document ECE/MP.EIA/ 2008/8.

I.31. What issues do these bilateral agreements cover (appendix VI)? (more than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties' policies and measures
- (d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

**(b) Procedural steps required by the national legislation**

I.32. Please describe the steps required in your national legislation for a transboundary EIA procedure:

(a) When EIA in a transboundary context is part of a domestic EIA procedure:  
For ensuring full implementation of the Convention, the Ministry of Environment, Water and Forests has issued the MO no.864/2002 for the approval of the impact assessment procedure and public participation to the decision making process for the projects with transboundary impact which fully observes the steps of the Convention.

- notification
- preparation and transmission of the environmental impact assessment study
- public debate and expert consultation between authorities on the basis of the environmental impact assessment documentation

- Final decision
- Post project monitoring
- dispute settlement, if appropriate

(b) When EIA in a transboundary context is a separate procedure (please provide of how this procedure links to the domestic procedure and whether the steps are different):  
No.

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:.

I.33. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?:

- (a) No
- (b) Yes  (please specify):
  - (i) Special provisions:
  - (ii) Informal arrangements:

Your comments:

I.34. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?:

- (a) No
- (b) Yes  (please specify):
  - (i) Special provisions:
  - (ii) Informal arrangements:

Your comments: *Romania take into consideration the Declaration on nuclear energy- related activities and the Decision VI/2 on review of compliance with the Convention, adopted at the 6th session of the Meeting of the Parties to the Espoo Convention, the extension of the lifetime of a nuclear power plant, after expiration of the original license, even in the absence of any works, is to be considered as a major change to an activity and consequently subject to the provisions of the Espoo Convention, as well, the extension of the lifetime of a nuclear power plant, after the initial/previous licence/permit has expired, is to be considered as a proposed activity under article 1, paragraph (v), of the Espoo Convention, and is consequently subject to the provisions of the Convention.*



## Part two

### Practical application during the period 2013–2015

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

II.1. Does your country object to the information on transboundary EIA procedures that you provide in this section being compiled and made available on the website of the Convention? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

#### 1. Experience in the transboundary environmental impact assessment procedure during the period 2013–2015

##### Cases during the period 2013–2015

II.2. If your country's national administration has a record of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

##### Transboundary EIA procedures: As Party of origin

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1. Bridge over Tisa in Teplita area on Sighetu Marmatiei	March 2016				
2. Old-silver ore mining perimeter Certej" Certeju de Sus, Hunedoara County	September 2009	August 2010		September 2011 Novi Knezevac, Serbia;  September Budapesta, respectively Szeged, Ungaria;	

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
3. Units 3 and 4NPP, Cernavoda	September 2006	August 2007			GD 737 /2013
4. Rosia Montana Project	Decembrie 2004	May 2006		July, August 2006	14 public hearings, 12 in Romania 2 in Szeged, Budapesta, Hungary
...					

Your comments:

Table II.2 (a)

**Transboundary EIA procedures: As affected Party**

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1. "Extraction of sand and gravel from alluvial deposits from the bed of the Danube river, Miska site"	Dec 2013	<del>March 2016</del>			
2. „Production of phosphoric acid and phosphogypsum storage”, Serbia	April 2015	July 2015			
3. Investment proposal for construction of National disposal facility for low and intermediate	Dec 2014				

<i>Name of case</i>	<i>Starting date (date notification sent)</i>	<i>Length of the main steps in months</i>			<i>Final decision (date of issuing, if information is available)</i>
		<i>Submission of the environmental report</i>	<i>Transboundary consultations (expert), if any</i>	<i>Public participation, including public hearing, if any</i>	
<i>radioactive waste initiated by State enterprise "Radioactive Waste", Bulgaria</i>					
4. <i>Design and construction of interim storage repository for vitrified high-level waste, Ukraina</i>	<i>February 2015</i>				
5. <i>Construction of new nuclear power plant blocks Packs NPP II</i>	<i>February 2013</i>	<i>April 2015</i>	<i>Transboundary consultation October 2015</i>	<i>3 public hearings on the territory of Romania-Bucharest, Arad and Timisoara</i>	
6. <i>Construction of a plant for production of nuclear fuel for the VVER-1000 type reactors, Ukraine</i>	<i>December 2014</i>				
7. <i>Lifetime Extension of Units 5&amp;6 at Kozloduy NPP</i>	<i>April 2014</i>	<i>Dec 2014</i>		<i>no</i>	<i>June 2015 Decision no.6-PR/2014</i>
8. <i>Decommissioning of Units 1 to 4 at Kozloduy NPP</i>	<i>May 2010</i>	<i>July 2013</i>	<i>no</i>	<i>No</i>	<i>Decision on environmental impact assessment No. 8-6/2013</i>
9. <i>Construction of new nuclear power of the latest generation of</i>	<i>October 2012</i>	<i>June 2014</i>		<i>Dabuleni and Craiova November 2014</i>	<i>Decision No.1-1/2015</i>

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
NPP, Kozloduy, of Site 2					
10 Construction of Khmelnitsky Unit 3 and 4 NPP, Ukraine	August 2011	May 2012			

Your comments:

*All the transboundary EIA procedures that were under way during the reporting period, in which our country was Party of origin or affected Party, was posted on the web page of the Ministry of Environment, Water and Forests, together with all the comments of the public and the responses of the Party of Origin to the observations of the Affected Party, throughout the entire duration of the transboundary procedure.*

*There are made available on the website of the MEWF for the whole period of the procedure, at the following link:*

*<http://www.mmediu.ro/categorie/evaluare-impact-asupra-mediului-pentru-proiecte/62>*

Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.3. Translation is not addressed in the Convention. How has your country addressed the question of translation? What difficulties has your country as Party of origin and affected Party experienced relating to translation and interpretation, and what solutions has your country applied? (Please specify, among others, the parts and type of the documentation translated, language, costs, etc.):

(a) As Party of origin:

The MO 864/2002 requests the developer to translate in English the EIA documentation that is transmitted to the potentially affected Party.

During consultations under art.5 of the Convention interpretation is ensured by both the Romanian and the affected Party's authorities.

The non- technical summary of the EIA documentation is translated, when possible, in the language of the affected public. The whole documentation is usually translated in English. Also, the non- technical summary of the EIA documentation as well the summary of appropriate assessment and the chapter regarding the transboundary impact are translated into English.

As an example: The Multilateral Agreement for the SE European States addresses the translation issue as follows: the notification must be made in English, comments and information on the likely affected environment are sent in English if the Party of origin requests so; the developer is obliged to translate into the language requested by the affected Party the description of the activity and its purpose, the non-technical summary, the description of the potential transboundary impact of the activity and its alternatives and an estimation of its significance, a description of the mitigation measures.

As difficulties, we can mention that one of the affected country complained about receiving a bad translation of the documentation into their own language; we changed the translation firm.

(b) As affected Party:

For instance: regarding the projects with Bulgaria, on the Kozloduy site, all the EIA documentation was submitted in English.

Considering the project with Hungary, Paks NPP II project, the non- technical summary of the EIA documentation was translated into Romanian language as well the chapter on the transboundary impact . The EIA Report was submitted in English.

II.4. Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information:

II.5. Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

(a) Yes

(b) No

II.6. If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

(a) For joint cross-border projects:

(b) For NPPs:

II.7. Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases:

II.8. Would your country like to introduce a case in the form of a Convention "case study fact sheet"?:

(a) No

(b) Yes  (please indicate which cases):

II.9. Has your country carried out post-project analyses in the period 2013–2015:

(a) No

(b) Yes  (please indicate which projects, along with the challenges in implementation and any lessons learned):

## 2. Experience in using the guidance in 2013–2015

II.10. Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?:

(a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(b) Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

## 3. Clarity of the Convention

II.11. Has your country had difficulties implementing the procedures defined in the Convention, either as Party of origin or as affected Party, because of a lack of clarity of the provisions?:

No

Yes  (please indicate which provisions and how they are unclear):

## 4. Suggested improvements to the report

II.12 Please provide suggestions for how this report may be improved.