

---

**Questionnaire for the report of SLOVENIA 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:  
Vesna Kolar Planinšič, Msc.  
Ministry of the Environment and Spatial Planning  
Dunajska 48  
1000 Ljubljana  
Slovenija

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

2. Name and contact information (if different from above):  
Point of contact in addition to the above:  
Ministry of Foreign Affairs  
Prešernova cesta 25  
SI-1000 Ljubljana  
Slovenia

**Information on the person responsible for preparing the report**

3. Country: Slovenia
4. Surname: Kolar Planinšič
5. Forename: Vesna
6. Institution: Ministry of the Environment and Spatial Planning
7. Postal address: Dunajska 48, 1000 Ljubljana, Slovenia
8. E-mail address: vesna.kolar-planinsic@gov.si
9. Telephone number: +386 1 478 7329
10. Fax number: -
11. Date on which report was completed: 2 April 2016

---

## 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

The definition is in the Law on ratification of the Convention.

- (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: There is obligation that transboundary impacts have to be assessed in the EIA report.

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

The major change is define in EIA decree as any change, which needs to be screened with the use of criteria from Appendix of EIA decree. If the screening shows the possible effects on environment it is treated as the project with major change.

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: non

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

The Environment Protection Act (Official Gazette of the Republic of Slovenia, 41/04, 20/06, 39/06, 70/08, 108/09, 48/12, 57/12, 92/13, 56/15, 102/15),

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

The Decree on the assessment of the effects of certain public and private projects on the Environment (Official Gazette of the Republic of Slovenia 78/06, 72/07, 32/09, 95/11, 20/13, 51/14, 57/15)

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

(e) Other (please specify): -

Your comments: -

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: Appendix I is transposed fully in national legislation.

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: Slovenian Environmental Agency

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

Your comments:

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

(b) Yes  (please specify): Ministry of the Environment and Spatial Planning

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):

Slovenia as the Party of origin, prepare the same documentation, which is prepared for EIA national procedure. The translation of documents in the official languages of Affected Parties is organised and quality checked, before sending for public consultation. The opportunity for the public is the same in Party of origin and Affected Parties and it is defined in legislation as the period of 30 days. Both public have the same documents and time for comments. The public hearing is organised in both countries and all comments are treated in the same way. The analyse of comments is prepared, the answers for all comments are prepared and take into account in EIA procedure.

---

### 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:

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)
- (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):
- (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): 5 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: In the case of not answering, the reminding letter is send with proposal for short extension of time frame. If there is no answer on time, the national EIA procedures continue.

---

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:

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:

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): Case by case agreement on technical details.

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

(b) By using quality checklists

(c) There are no specific procedures or mechanisms

(d) Other (please specify):

Your comments:

---

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

---

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:

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):
- (c) Other (please specify):

Your comments:

## **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: In the case that the legislation of Affected Party requires the public hearing, we organise the expert group and present the EIA at the public hearing in the language of Affected Party.

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: Obligation is defined in the Law on ratification of the Convention on Environmental Impact assessment in a Transboundary Context (Official Gazette of the Republic of Slovenia 11/98).

**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):

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):

The decision can be revised according to the provision of Art. 61.a of the Environmental Protection Act and the Law on ratification of the Convention on Environmental Impact assessment in a Transboundary Context , Art. 3, para.3.

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:

The building permit in line with Building Law is needed for the following activities:

1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more, and  
(b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. (a) Installations for the reprocessing of irradiated nuclear fuel;  
(b) Installations designed:
  - For the production or enrichment of nuclear fuel;
  - For the processing of irradiated nuclear fuel or high-level radioactive waste;
  - For the final disposal of irradiated nuclear fuel;
  - Solely for the final disposal of radioactive waste; or
  - Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.
4. Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.

---

5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.

6. Integrated chemical installations.

7. (a) Construction of motorways, express roads <sup>2/</sup> and lines for long-distance railway traffic and of airports <sup>3/</sup> with a basic runway length of 2,100 metres or more;

(b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.

8. Large-diameter pipelines for the transport of oil, gas or chemicals.

9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.

10. (a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;

(b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.

11. Large dams and reservoirs.

12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.

13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.

14. Major quarries, mining, on-site extraction and processing of metal ores or coal.

15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.

16. Major storage facilities for petroleum, petrochemical and chemical products.

**17. Deforestation of large areas – the building permit is not needed. There is approval by Institut for forestry.**

18. (a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year; and

(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per

---

cent of this flow.

In both cases transfers of piped drinking water are excluded.

19. Waste-water treatment plants with a capacity exceeding 150 000 population equivalent.

20. Installations for the intensive rearing of poultry or pigs with more than:

- 85 000 places for broilers;

- 60 000 places for hens;

- 3 000 places for production pigs (over 30 kg); or

- 900 places for sows.

21. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.

22. Major installations for the harnessing of wind power for energy production (wind farms).

Your comments: In Slovenia building permit is needed for all Annex I. The Deforestation of large areas is not allowed by the Forestry Law.

## **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):

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:

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

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: not relevant

**(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:

1. EIA report prepared and send to the competent authority
2. Transboundary effects defined
3. National EIA procedure stops and transboundary notification started
4. Transboundary public consultation
5. Transboundary technical consultations
6. Affected party comments received
7. National procedure starts again
8. Comments are taken into account

(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):

1. EIA report prepared and send to the competent authority

For national procedure national consultation with ministries and organisation start.

2. Transboundary effects defined
3. National EIA procedure stops and transboundary notification started

After notification is received by Affected Party, the national public consultation started.

4. Transboundary public consultation
5. Transboundary technical consultations
6. Affected party comments received
7. National procedure starts again

8. National and transboundary comments are taken into account when issuing the final decision.

---

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:

## 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. EIA Karavanke	1 month	1 month	2 month	1 month	Not yet
2. EIA HPP Brežice	1 month	1 month	3 months	1 month	2015
3.					
4.					
...					

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. NPP Paks	2014	3 months	6 months	3 months	Not yet issued
2. Pipeline HU-SI	2015	2 months	non	3 months	Not yet issued
3.					
4.					
...					

Your comments:

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: Translation into the official language of affected Party.
- (b) As affected Party: Help in translation quality.

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: Transboundary procedure needs organisation to be effective and the obstacle is lack of trained administrative capacities.

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: not relevant
- (b) For NPPs: not relevant

---

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: Very positive. The Guidance is practical instrument and helps in proper implementation and capacity building among relevant developers.

Your suggestions for improving or supplementing the guidance: non

(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): Reading and checking when challenges occurs in procedures.

Your experience with using this guidance: Positive, practical.

Your suggestions for improving or supplementing the guidance: No need for new guidelines.



---

### 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.

Advice electronic format.