



REPUBLIC OF LITHUANIA

LAW
AMENDING THE LAW ON THE ASSESSMENT OF THE IMPACT OF
PROPOSED ECONOMIC ACTIVITIES ON THE ENVIRONMENT

21 June 2005 No. X-258
Vilnius

(Official Gazette, 1996, No. 82-1965; 2000, No. 39-1092)

Article 1. New Version of the Republic of Lithuania Law on the Assessment of
the Impact of Proposed economic activities on the
Environment

The Republic of Lithuania Law on the Assessment of the Impact of Proposed economic activities on the Environment shall be amended as follows:

„REPUBLIC OF LITHUANIA
LAW ON THE ASSESSMENT OF THE IMPACT OF PROPOSED ECONOMIC
ACTIVITIES ON THE ENVIRONMENT

CHAPTER I
GENERAL PROVISIONS

Article 1. Purpose of the Law

1. This Law shall govern the process of the assessment of the impact on the environment by proposed economic activities and the relations among participants in this process.

2. The purpose of the Law shall be to harmonise the regulation of the process of the environmental impact assessment of proposed economic activities with the European Union legal acts indicated in Annex 3 to the Law.

Article 2. Main Terms and Definitions

1. **Competent authority** means the Ministry of Environment or another body authorised by the Government which manages the process of the environmental impact assessment and performs other functions as established by this Law.

2. **Proposed economic activity** means the building of new structures and reconstruction of existing structures, implementation of new technologies, modernisation or modification of production processes and installations, change in the production technique, production volume or type, exploitation of subsurface and other natural resources as well as economic activities planned under land management, forest management, water management and other proposed economic activities.

3. **Developer** of a proposed economic activity means a natural or legal person including branch offices of entities of the European Union Member States and other foreign states operating in Lithuania that plans any proposed economic activity which is subject to the environmental impact assessment procedures established in this Law.

4. **Preparer of environmental impact assessment documents** means a natural person, who is authorised by the developer of the proposed economic activity and has relevant higher educational attainment or qualifications in the area corresponding to the nature of the environmental impact assessment documents (or parts thereof) under preparation or a legal person having specialists with higher educational attainment or qualifications in the area corresponding to the nature of the environmental impact assessment documents (or parts thereof) under preparation.

5. **Environmental impact assessment process** means the determination, description and evaluation of potential impact of a proposed economic activity.

6. **Relevant parties of environmental impact assessment** means state and local authorities which examine environmental impact assessment programmes and reports and draw conclusions within the scope of their competence.

7. **Environmental impact** means the anticipated change in the environment resulting from a planned proposed economic activity.

8. **Significant environmental impact** means the anticipated change in the environment which necessitates planning of relevant measures in order to avoid or to reduce, to compensate for, or to liquidate consequences of such change.

9. **The public concerned** means the public affected or likely to be affected by, or having an interest in the proposed economic activity. For the purposes of this definition, non-governmental organisations promoting environmental protection and operating in accordance with the laws of the Republic of Lithuania shall be deemed to be the public concerned.

10. **The public** means one or more natural or legal persons and organisations, associations or groups thereof.

Article 3. Object and Process of Environmental Impact Assessment

1. Proposed economic activities which are likely to have significant effects on the environment by virtue of their nature, size or location shall be an object of the environmental impact assessment. Such proposed economic activities shall be included in:

1) the List of Types of Proposed economic activities Whose Impact Upon The Environment Is Subject to Assessment (Annex 1);

2) the List of Types of Proposed economic activities Subject to Screening for the Environmental Impact Assessment (Annex 2)

2. The environmental impact assessment shall be made if the proposed economic activity concerned is on the List of Types of Proposed economic activities Whose Impact Upon The Environment Is Subject to Assessment, if it has been established during the screening that the environmental impact assessment is mandatory for the proposed economic activity, or in the case referred to in Article 7(1)(3) of this Law.

3. Any participant in the environmental impact assessment process may demand and the competent authority may decide, taking account of the scope, nature or local peculiarities, that the screening is conducted for a proposed economic activity which is not on the lists indicated in paragraph 1 above.

4. Agreements and consents to territorial planning documents and/or technical designs for structures/installations providing for activities subject to the environmental impact assessment as stated in Article 7(1) below may only be granted upon completion of the environmental impact assessment of the proposed economic activity and upon adoption of a decision to permit implementation of the proposed economic activity.

5. The process of the environmental impact assessment shall consist of:

1) the screening for the environmental impact assessment, informing the participants in the environmental impact assessment process, and informing the public about the conclusion of the screening;

2) the preparation, agreement and approval of the programme on the environmental impact assessment of the proposed economic activity (hereinafter referred to as the “programme”);

3) the preparation, agreement and informing the public of the report on the environmental impact assessment of the proposed economic activity (hereinafter referred to as the “report”);

4) the adoption of the decision on the permissibility of the proposed economic activity and informing the participants in the environmental impact assessment process of the decision adopted.

6. Where a proposed economic activity has been granted the status of a state border or a national defence proposed economic activity in accordance with the procedure established by the legal acts of the Republic of Lithuania, and the application of this Law could exert a negative influence upon the state defence interests, the competent authority shall decide in each individual case whether provisions of this Law are applicable to such proposed economic activity.

Article 4. Purposes of the Environmental Impact Assessment

The purposes of the environmental impact assessment shall be to:

1) determine, describe and evaluate any potential direct and indirect impact of a proposed economic activity upon public health, flora and fauna, soil, surface and subsurface of the Earth, air, water, climate, landscape and biodiversity, material values, immovable cultural values heritage and interaction among the aforesaid components of the environment;

2) reduce or avoid the negative effects of the proposed economic activity on public health and other components of the environment referred to in item 1) above;

3) determine whether a proposed economic activity is permissible in the chosen location given the nature and environmental impact of the proposed economic activity.

Article 5. Participants in the Environmental Impact Assessment Process

1. The participants in the environmental impact assessment process shall include:

1) the competent authority- the Ministry of Environment or another body authorised by the Government;

2) the relevant parties of environmental impact assessment such as state authorities responsible for healthcare, fire prevention, protection of cultural values, economic development, development of agriculture, and local authorities;

3) the developer;

4) the preparer of the environmental impact assessment documents;

5) the public.

2. The relevant parties of environmental impact assessment may also include other state authorities not referred to in item 2) above provided that they are invited as participants by the competent authority or are interested in the participation in the environmental impact assessment process, which is approved by the competent authority

taking account of the nature, scope or local peculiarities of the proposed economic activity. In such cases the competent authority shall notify all the relevant parties of environmental impact assessment and the developer or the preparer of the environmental impact assessment documents of the state authorities participating in the environmental impact assessment process.

Article 6. Functions of the Participants in the Environmental Impact Assessment Process

1. The competent authority shall:

1) coordinate the environmental impact assessment process;

2) carry out screening; examine and approve programmes; examine the document of assessment of proposals made by the public concerned, grounded requests by the public concerned, reports and conclusions on the programmes, reports and feasibility of proposed economic activities drawn by the relevant parties of environmental impact assessment; and adopt substantiated decisions on the permissibility of the proposed economic activity in the selected location;

3) hire consultants as necessary. Participation of consultants in the process of environmental impact assessment of a proposed economic activity shall be funded by the competent authority.

2. The developer of the proposed economic activity shall carry out the environmental impact assessment procedures assigned to developers by this Law at its own expense.

3. The preparer of the environmental impact assessment documents shall determine, describe and evaluate the potential environmental impact of the proposed economic activity, shall prepare the programme and the report, and shall carry out the environmental impact assessment procedures assigned to preparers of the environmental impact assessment documents by this Law.

4. The relevant parties of environmental impact assessment shall examine the programmes and reports within the scope of their competence and submit conclusions on the programmes, reports and feasibility of the proposed economic activities.

5. The public may make, in accordance with the procedure established by the Ministry of Environment, grounded proposals concerning the environmental impact assessment of proposed economic activities and potential impact of proposed economic activities upon the environment.

ENVIRONMENTAL IMPACT ASSESSMENT

Article 7. Screening and Environmental Impact Assessment

1. The environmental impact assessment shall be made in the following cases:

1) the proposed economic activity concerned is on the List of Types of Proposed economic activities Whose Impact Upon The Environment Is Subject to Assessment, or

2) it has been established during the screening that the environmental impact assessment is mandatory for the proposed economic activity, or

3) implementation of the proposed economic activity may have an impact upon the areas of NATURA 2000, a European ecological network of protected sites, and the institution responsible for the organisation of protection and management of protected areas has established that such impact may be significant.

2. The purpose of the screening is to determine whether the environmental impact assessment is mandatory for a specific proposed economic activity.

3. The screening shall be carried out by the competent authority in accordance with the methodological guidance on screening of proposed economic activities to be prepared and approved by the Ministry of Environment.

4. The screening shall be carried out based on the information on the location selected for the proposed economic activity, submitted by the developer or the preparer of the environmental impact assessment documents, and on the information describing the proposed economic activity (such as scope of the proposed economic activity, technologies and materials used, use of natural resources, use of hazardous substances, generation of waste, waste management, pollution and interferences, potential interactions with other proposed economic activities, probability and prevention of emergencies).

5. Depending on the scope, nature and local peculiarities of the proposed economic activity, the competent authority may request that the developer or the preparer of the environmental impact assessment documents submits additional information necessary for the screening.

6. On completion of the screening the competent authority shall conclude on the necessity of the environmental impact assessment based on the information referred to in paragraphs 4 and 5 above and taking account of the following factors:

1) environmental sensitivity of the location that may be affected by the proposed economic activity, characteristics of the ecosystem, landscape, type of land use, infrastructure, concentration of industrial objects, relative amount, quality and regeneration opportunities of/for natural resources, resistance of natural environment, with a particular focus on protected areas including environmental protection objectives of

NATURA 2000 territories, densely populated territories, bogs, forests, protective zones, analysis of findings of environmental monitoring, and areas in which the allowable pollution level has already been exceeded or which are valuable from historical, cultural or archaeological points of view;

2) potential impact of the proposed economic activity upon public health, fauna, flora, soil, water, air, climate, landscape, material values, cultural heritage and the interaction of all these components, with a particular focus on the scope, transboundary character, comprehensiveness, probability, frequency and recurrence of the impact as well as the size of the territory and the population.

7. The competent authority shall submit to the developer and the relevant parties of environmental impact assessment, within 20 working days from the date of receipt of information necessary for screening, a grounded screening conclusion stating whether the environmental impact assessment is mandatory. The screening conclusion on the environmental impact assessment shall remain in force during three years from the date of public announcement of the screening conclusion.

8. The developer shall inform the public about the mandatory environmental impact assessment in accordance with paragraph 1 above or the screening conclusion in accordance with the procedure established by the Ministry of Environment.

9. The public concerned may present, within 10 working days from the date of public announcement of the screening conclusion, grounded proposals to the competent authority for the reconsideration of the screening conclusion in accordance with the procedure established by the Ministry of Environment.

10. The developer and the relevant parties of environmental impact assessment may submit, within 10 working days from the date of receipt of the screening conclusion, a grounded request for reconsideration of the screening conclusion.

11. The competent authority, having received a grounded request from the developer and the relevant parties of environmental impact assessment or grounded proposals from the public concerned for reconsideration of the screening conclusion, shall invite the participants in the environmental impact assessment process to a meeting at which the final screening conclusion on whether the environmental impact assessment is mandatory to be adopted.

12. In case if, at the time of reconsideration of the screening conclusion, the relevant parties of environmental impact assessment request additional information on the proposed economic activity, the developer must submit such information. The relevant parties of environmental impact assessment shall, within 5 working days from the date of

receipt of such information, notify the developer and the competent authority of their conclusion on whether the environmental impact assessment is mandatory.

13. Upon examination of the conclusions of all the relevant parties of environmental impact assessment, the competent authority shall adopt the final grounded screening conclusion on whether the environmental impact assessment is mandatory.

14. In case of contradictions between the final screening conclusion and the conclusion drawn according to paragraph 6 above, the developer shall inform the public in accordance with the procedure established by the Ministry of Environment.

15. The developer of the proposed economic activity may start the environmental impact assessment without the screening procedure.

Article 8. Environmental Impact Assessment Programme

1. The environmental impact assessment programme shall be prepared when, according to Article 7(1), the environmental impact assessment of a proposed economic activity is mandatory.

2. The programme shall be drawn up by the preparer of the environmental impact assessment documents taking guidance from the Regulations on the Preparation of the Environmental Impact Assessment Programme and Report approved by the Ministry of Environment.

3. The programme shall set out the content and the issues covered by the report.

4. The programme shall contain:

1) brief description of main alternatives considered by the preparer of the environmental impact assessment documents;

2) brief description of technical characteristics, production process and materials to be used, natural resources' requirement and proposed economic activityed land use (in construction and operation phases);

3) brief description of areas upon which the proposed economic activity can have potential significant impact;

4) information on which components of the environment and which effects will be examined as part of the assessment;

5) information on the aspects from which the impact of the proposed economic activity upon public health will be measured;

6) information about the methods of forecasting and assessing impact upon the environment to be used for the assessment and the measures provided for the avoidance, reduction or compensation of the negative impact upon the environment;

7) information on whether the proposed economic activity can have a significant negative impact upon the environment of another state;

8) other important information.

5. The preparer of the environmental impact assessment documents shall submit the programme to the relevant parties of environmental impact assessment and shall inform the public about the programme in accordance with the procedure established by the Ministry of Environment.

6. The relevant parties of environmental impact assessment shall examine the programme and shall submit grounded conclusions to the preparer of the environmental impact assessment documents within 10 working days from the date of receipt of the programme.

7. Relevant parties of environmental impact assessment shall have the right to request, by providing reasons, that the preparer of the environmental impact assessment documents should supplement or amend the programme. In such cases the preparer of the environmental impact assessment documents shall supplement/amend the programme and resubmit it to the relevant parties of environmental impact assessment, which shall examine the programme and present their grounded conclusions to the preparer within 5 working days from the date of receipt of the programme.

8. The preparer of the environmental impact assessment documents shall submit the programme together with the conclusions of the relevant parties of environmental impact assessment to the competent authority.

9. If municipal council of the territory in which the proposed economic activity is to be implemented adopts a negative decision on the feasibility of the proposed economic activity, which decision must be well-grounded, the competent authority, upon receipt of the decision from the municipal council, shall notify the developer in writing of the suspension of the environmental impact assessment procedures for the period of validity of such decision, except for the cases where the proposed economic activity is of national significance and its implementation has been provided for in the national strategic plans approved by resolutions of the Government of the Republic of Lithuania.

10. Upon examination of the programme the competent authority shall have the right to request, by providing reasons, that the preparer of the environmental impact assessment documents should supplement or amend the programme.

11. Upon examination of the programme and the conclusions by the relevant parties of environmental impact assessment, the competent authority shall approve the programme within 10 working days from the date of receipt thereof.

12. Where conclusions by the relevant parties of environmental impact assessment disagree with each other the competent authority, prior to approval of the programme, shall invite representatives of the relevant parties of environmental impact assessment to the meeting at which the conclusions are considered, together with members of the public who have submitted grounded proposals.

Article 9. Environmental Impact Assessment Report

1. The environmental impact assessment report shall be drawn up by the preparer of environmental impact assessment documents according to the programme approved by the competent authority. The report shall contain a detailed analysis of all the issues included in the programme together with the following information: description of pollutants to be generated; description of waste generation and management; description of components of the environment potentially to be impacted by the proposed economic activity; description and evaluation of any potential direct and indirect impact of the proposed economic activity upon public health, flora and fauna, soil, surface and subsurface of the Earth, air, water, climate, landscape and biodiversity, material values, immovable cultural heritage and interaction among the aforesaid components of the environment; description of measures provided for in order to avoid, reduce, compensate the negative impact upon the environment or to liquidate consequences thereof; analysis of alternatives identified by the preparer of environmental impact assessment documents, including reasons for selection taking account of best available manufacturing techniques and potential impact upon the environment; information about problems of technical or practical nature that the preparer has encountered in the course of preparation of the environmental impact assessment documents; informational about potential emergencies as well as relevant prevention measures and emergency response measures; analysis of findings of environmental monitoring (if any), outline of any planned monitoring; and summary of all the information contained in the report.

2. The developer shall inform the public about the report in accordance with the procedure established by the Ministry of Environment.

3. The developer shall present the report updated in accordance with grounded proposals received from the public concerned to the relevant parties of environmental impact assessment and the latter shall check whether the report contains a detailed examination of issues falling within the scope of their competence and covered by the programme.

4. The Relevant parties of environmental impact assessment shall examine the report and forward their grounded conclusions on the report and the feasibility of the

proposed economic activity to the preparer of environmental impact assessment documents, within 20 working days from the date of receipt of the report.

5. The relevant parties of environmental impact assessment shall have the right to request, by providing reasons, that the preparer of the environmental impact assessment documents should supplement or amend the report. The preparer of the environmental impact assessment documents shall supplement/amend the report and resubmit it to the relevant parties of environmental impact assessment, which shall examine the report and present their grounded conclusions on the report and the proposed economic activity's feasibility to the preparer within 10 working days from the date of receipt of the report.

6. The preparer of the environmental impact assessment documents shall submit to the competent authority the report, the conclusions of the relevant parties of environmental impact assessment on the report and the proposed economic activity's feasibility, and a grounded assessment of proposals made by the public concerned.

7. The competent authority may demand that a public awareness campaign aimed at informing the public with the report is repeatedly organised if the report has been substantially amended, corrected or supplemented after its first campaign (e. g. new locations, alternative technologies, impact mitigating measures etc. are proposed) as a result of grounded conclusions of the relevant parties of environmental impact assessment and grounded requests for amendments/ supplements to the report made by the competent authority .

8. Any participant in the environmental impact assessment process may, during the procedures of environmental impact assessment until adoption of the decision by the competent authority, may approach the competent authority and the relevant parties of environmental impact assessment on issues falling within the scope of their competence, by informing them in writing about possible violations in the determination, description and evaluation of potential impact of a proposed economic activity upon the environment or in the carrying out of the environmental impact assessment procedures.

Article 10. Decision on Feasibility of a Proposed economic activity

1. The competent authority, on completion of examination of the report, the conclusions of the relevant parties of environmental impact assessment on the report on the feasibility of a proposed economic activity, the assessment of proposals by the public concerned, and grounded written requests by the public concerned, shall, within 25 working days from the date of receipt of the report:

- 1) make a grounded request to amend or supplement the report;

2) adopt a grounded decision on the permissibility of the proposed economic activity in the selected location taking account of the provisions of laws and regulations, nature of the proposed economic activity and/or impact upon the environment.

2. The competent authority shall present its decision in writing to the relevant parties of environmental impact assessment and the developer of the proposed economic activity or the preparer of environmental impact assessment documents.

3. Where conclusions on the proposed economic activity feasibility presented by the relevant parties of environmental impact assessment disagree with each other the competent authority, prior to adoption of the decision, shall invite representatives of the relevant parties of environmental impact assessment to the meeting at which the conclusions are considered, together with members of the public who have submitted grounded proposals.

4. In case if it is established that implementation of a proposed economic activity will have significant negative consequences for NATURA 2000 areas and there are no alternative solutions, consent to the proposed economic activity may only be given in cases where the proposed economic activity is relevant to public health, preservation of certain components of the environment, or, in the opinion of the European Commission, with other valid reasons. In such cases, any possible compensation measures necessary to preserve integrity of NATURA 2000 network shall be provided for and implemented. The institution responsible for the protection and management of protected areas shall inform the European Commission about such measures in accordance with the procedure established by the Ministry of Environment.

5. A positive decision adopted by the competent authority shall be valid for five years from public announcement thereof.

6. Should the competent authority adopt a decision that the proposed economic activity is not permissible in the selected location as its implementation would constitute a violation of laws and regulations and/or have potential negative impact upon the environment, the proposed economic activity shall not be implemented.

7. The competent authority and the developer shall inform the public, in accordance with the established procedure, of the decision on whether the proposed economic activity is permissible in the selected location taking account of the provisions of the laws and regulations and the nature and environmental impact of the proposed economic activity and shall provide opportunities for the public to get conversant with the decision.

FINAL PROVISIONS

Article 11. Assessment of Transboundary Impact Upon the Environment

1. Should it come to light, in the process of screening or preparation of the programme, that a proposed economic activity intended in the territory of the Republic of Lithuania can have significant negative impact upon the environment in another EU Member State, or where a Member State likely to be significantly affected so requests, the Republic of Lithuania shall notify the Member State of the intended proposed economic activity, the potential transboundary impact of the proposed economic activity, a reasonable time limit within which the affected Member State has to indicate whether it wishes to start consultations on the transboundary environmental impact assessment, and the approximate date on which the report will be available.

2. The Member State likely to be significantly affected, having received the information referred to in paragraph 1 above, may send the Republic of Lithuania a notification confirming the receipt of such information and indicating whether it will take part in the transboundary environmental impact assessment. Should the Member State fail to reply within the time limit stated in the notification of the Republic of Lithuania, the Republic of Lithuania shall carry out the environmental impact assessment based on the national legal acts and practices.

3. Upon receipt of the response from the Member State like to be affected, stating that it wishes to take part in the transboundary environmental impact assessment, the Republic of Lithuania shall submit to the Member State information about the intended proposed economic activity and its potential significant transboundary impact, the environmental impact assessment procedures and a time limit within which the Member State may present its proposals. The time limit shall be sufficient for the inclusion of the proposals or additional information submitted by the Member State in the report before the competent authority adopts a decision on the permissibility of the proposed economic activity in the selected location taking account of the laws and regulations and the nature and potential environmental impact of the proposed economic activity.

4. Where a proposed economic activity planned in the territory of the Republic of Lithuania may have significant negative transboundary impact upon a state which is a party to the 1991 UN Convention on Environmental Impact Assessment in a Transboundary Context, or where such state so requests, the environmental impact assessment shall be carried out in accordance with the provisions of the Convention and the treaties signed by the Republic of Lithuania and the state.

Article 12. Access to Information Necessary for the Environmental Impact Assessment

State or local authorities having environmental information necessary for the environmental impact assessment shall grant access for the developer or the preparer of environmental impact assessment documents to such information in accordance with the procedure established by the Government of the Republic of Lithuania.

Article 13. Visibility of the Environmental Impact Assessment Process

1. During the environmental impact assessment process the public concerned shall be entitled to receive from other participants in the environmental impact assessment process, in accordance with the procedure established by the law, information about potential environmental impact of the intended proposed economic activity.

2. Information and participation of the public in the environmental impact assessment of proposed economic activities shall be organised by the developer at its own expense.

3. The procedure for the information and participation of the public in the environmental impact assessment of proposed economic activities shall be established by the Ministry of Environment.

4. The competent authority and the relevant parties of environmental impact assessment shall maintain confidentiality of the information submitted by the developer or the preparer of environmental impact assessment documents and safeguard the related intellectual property rights if such information is confidential in accordance with the Lithuanian law.

Article 14. Liability of Participants in the Environmental Impact Assessment Process

The participants in the environmental impact assessment process shall be responsible, in accordance with the procedure established by the law, for the observance of this Law, provision of true information, and conclusions/decisions adopted within the scope of their competence.

Article 15. Settlement of Disputes

1. Any disputes over the application of the Law, conclusions by the relevant parties of environmental impact assessment, conclusions and decisions by the competent authority, and decisions by the municipal councils referred to in Article 8(9) above shall

be settled in accordance with the procedure established by the laws of the Republic of Lithuania.

2. Disputes between legal and natural persons of the Republic of Lithuania and other states shall be settled in accordance with the procedure established by the laws of the Republic of Lithuania, unless other procedures are provided for in international treaties to which the Republic of Lithuania is a party.

Annex 1

to the Law on the Assessment
of the Impact of Proposed economic activities
on the Environment

LIST OF TYPES OF PROPOSED ECONOMIC ACTIVITIES WHOSE IMPACT UPON THE ENVIRONMENT IS SUBJECT TO ASSESSMENT

1. Agriculture and aquaculture

- 1.1. Pig rearing (900 or more sows; 3,000 or more other pigs).
- 1.2. Hen rearing (85,000 or more broilers; 60,000 or more hens).
- 1.3. Dams and other installations designed for the holding back or permanent storage of water (where the amount of water held back or stored exceeds 5 million cubic metres or where the area of water surface exceeds 250 ha).

2. Extractive and manufacturing industry

- 2.1. Oil extraction or processing (except manufacture of lubricants from crude oil).
- 2.2. Extraction of natural gas (where daily extraction volume exceeds 500,000 cubic metres).
- 2.3. Peat extraction (where extraction surface area is 150 ha or larger).
- 2.4. Extraction of other mineral resources or stone crushing (where the mining surface area is 25 ha or larger).

3. Energy industry

- 3.1. Thermal power stations and other combustion installations, including industrial installations for the generation of electricity or steam or the heating of water (with the output of 300 MW).
- 3.2. Installation of nuclear power stations and other nuclear reactors including the dismantling or decommissioning of such power stations or reactors*.

* Nuclear power stations and other nuclear reactors are no longer included after nuclear fuel and other radionuclide-polluted components have been permanently removed from the site of the installation.

3.3. Production, processing, enrichment, storage or disposal of nuclear fuel.

3.4. Gasification and liquefaction of coal or bituminous shale per day (where installations capacities is 500 tons per day or more).

4. Production and processing of metals

4.1. Initial smelting of cast-iron and steel.

4.2. Production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.

5. Mineral construction materials industry

Extraction or processing of asbestos, processing of products containing asbestos (for asbestos-containing products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year).

6. Chemical industry

6.1. Industrial production of organic chemicals, inorganic chemicals, phosphorous-, nitrogen- or potassium-based fertilizers (including compound fertilizers), other plant health products (including biocides), and pharmaceutical products.

6.2. Installations for storage of petroleum, petrochemical, or chemical products (warehouses or sites) with a capacity of 200,000 tonnes or more.

6.3. Production of explosives

7. Wood and paper industries

7.1. Production of paper or board (where production capacity is 200 tonnes per day or more).

7.2. Production of pulp from timber.

8. Infrastructure proposed economic activities

8.1. Construction of sea ports, piers or transshipment terminals (for ships with the carrying capacity of 1,350 tonnes or more).

8.2. Construction of inland waterways, harbours, piers or transshipment terminals (for ships with the carrying capacity of 1,350 tonnes or more).

8.3. Building of main roads and country roads.

8.4. Building of roads with four or more lanes or reconstruction of roads with more than four lanes, by installing four or more lanes (where a continuous road section of 10 km or longer is being built/reconstructed).

8.5. Construction of main public railway lines.

8.6. Construction of airports or aerodromes (with the runway length 2,100 m or longer).

8.7. Pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 km.

8.8. Construction of overhead electrical power lines with a voltage of 110 kV or more and a length of more than 15 km.

9. Other proposed economic activities

9.1. Installation of water abstraction facilities (with the annual volume of water abstracted equivalent to or exceeds 10 million cubic metres).

9.2. Artificial groundwater recharge schemes (with the annual volume of water recharged is equivalent to or exceeds 10 million cubic metres).

9.3. Transfer of water resources between river basins where the amount of water transferred exceeds 100 million cubic metres/year) or the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2000 million cubic metres/year and where the amount of water transferred exceeds 5 % of this flow.

9.4. Urban or rural waste water treatment plants with a capacity exceeding 50,000 or larger population equivalent.

9.5. Construction and decommissioning of installations for the processing, usage, storage and disposal of radioactive waste.

9.6. Construction or fitting out of structures/installations for the disposal or utilisation of hazardous waste.

9.7. Construction or fitting out of structures/installations for the disposal or utilisation of non-hazardous waste by incineration or chemical processing (where capacity of installations is 100 tonnes per day or more).

10. Modification or extension of the proposed economic activity on the List of Types of Proposed economic activities Whose Impact Upon The Environment Is Subject to Assessment in the cases where such modification or extension conforms to the limit values established in this Annex 1 (if any).

Annex 2

to the Law on the Assessment
of the Impact of Proposed economic activities
on the Environment

**LIST OF TYPES OF PROPOSED ECONOMIC ACTIVITIES SUBJECT TO
SCREENING FOR THE ENVIRONMENTAL IMPACT ASSESSMENT**

1. Agriculture, aquaculture and forestry

1.1. Pig rearing (less than 900 but more than 200 sows; less than 3,000 but more than 700 other pigs).

1.2. Rearing of other domestic animals (more than 200 animals).

1.3. Hen rearing (less than 85,000 but more than 10,000 broilers; less than 60,000 but more than 10,000 hens).

1.4. Other poultry rearing (more than 10,000 other birds).

1.5. Fish farming (in the sea or in ponds with the area exceeding 5 ha).

1.6. Construction of water management installations for agricultural purposes including land draining and irrigation proposed economic activities (where the area of the site exceeds 5 ha).

1.7. Dams and other installations designed for the holding back or permanent storage of water (where the amount of water held back or stored is less than 5 million cubic metres but more than 200,000 cubic metres or where the area of water surface is less than 250 ha but exceeds 10 ha).

1.8. Proposed economic activities for the use of uncultivated land for intensive agricultural purposes (where the area used exceeds 0.5 ha).

1.9. Implementation of integrated land management proposed economic activities proposed economic activities providing for changes in rural land management.

1.10. Initial afforestation and deforestation for the purposes of conversion to another type of land use (where the area exceeds 1 ha in urban areas and 10 ha in rural areas).

1.11. Reclamation of land from the sea.

2. Extractive and manufacturing industry

2.1. Peat extraction (where the extraction area is less than 150 ha but exceeds 0.5 ha).

2.2. Extraction of natural gas (where daily extraction volume is less than 500,000 cubic metres).

2.3. Extraction of other mineral resources or stone crushing (where the mining surface area is less than 25 ha but exceeds 0.5 ha).

2.4. Extraction of minerals or organic substances from the sea, lake or river bottom.

2.5. Deep drillings (including geothermal drilling, drilling for water supplies, extraction of mineral water etc.) with the exception of drillings for investigating the stability of the soil.

2.6. Underground mining.

3. Energy industry

3.1. Thermal power stations and other combustion installations, including industrial installations for the generation of electricity or steam or the heating of water (with the output of less than 300 MW but exceeding 20 MW).

3.2. Laying steam or hot water supply pipelines (with the length exceeding 2 km).

3.3. Installation of gas storage facilities (with the capacity exceeding 10,000 cubic metres).

3.4. Construction of storage facilities of any type for other extracted fuel (with the capacity exceeding 1,000 tons).

3.5. Production of coal or lignite briquettes.

3.6. Hydro power stations (hydro electric stations, windmills, sawmills or other power facilities using accumulated hydro power) where the capacity is more than 0.1 MW.

3.7. Wind power stations (where the height including the length of blades exceeds 10 m or the number of turbines is at least two).

4. Production and processing of metals

4.1. Installations for the processing of ores.

4.2. Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting.

4.3. Installations for the processing of ferrous metals including hot-rolling mills, smitheries with hammers, pressing, punching, profiling and application of protective fused metal coats.

4.4. Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting etc.), where production capacity exceeds 30 tonnes per day.

4.5. Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process (with the annual production capacity exceeding 50,000 square metres).

4.6. Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines (where the basic area exceeds 1,000 square metres).

4.7. Ship building or repairs.

4.8. Aircraft building or repairs.

4.9. Manufacture or repairs of railway equipment (where the basic area exceeds 1,000 square metres).

4.10. Swaging of metals by explosive process.

5. Mineral construction materials industry

5.1. Coke ovens (dry coal distillation).

5.2. Extraction or processing of asbestos, processing of products containing asbestos (for asbestos-containing products, with an annual production of less than 20 000 tonnes of finished products, for friction material, with an annual production of less than 50 tonnes of finished products, and for other uses of asbestos, utilization of less than 200 tonnes per year).

5.3. Installations for the manufacture of glass including glass fibre.

5.4. Installations for smelting mineral substances including the production of mineral fibres (where production capacity exceeds 10 tonnes per day).

5.5. Manufacture of ceramic products (where production capacity exceeds 3 tonnes per day).

5.6. Production of cement.

5.7. Manufacture of concrete construction materials/structures (where production capacity exceeds 5,000 cubic metres per day).

5.8. Manufacture of burnt-clay bricks, tiles and other construction products.

6. Chemical industry

6.1. Manufacture of lubricants from crude oil.

6.2. Production or processing of pharmaceutical products (where production capacity exceeds 1 tonne per day), pesticides (where production capacity exceeds 5 tonnes per day), paint and varnishes (where production capacity exceeds 10 tonnes per day), elastomers (where production capacity exceeds 10 tonnes per day) and peroxides (where production capacity exceeds 5 tonnes per day) and intermediate products (where production capacity exceeds 10 tonnes per day).

6.3. Storage facilities for petroleum, petrochemical and chemical products of any type (where capacity is less than 200,000 tonnes but exceeds 5,000 tonnes).

6.4. Production of artificial leather or artificial fibres.

7. Food and tobacco industries

7.1. Manufacture of vegetable and animal oils and fats (where production capacity exceeds 5 tonnes per day).

7.2. Packing and canning of animal and vegetable products (where production capacity exceeds 5 tonnes per day).

7.3. Manufacture/processing of milk and dairy products (where production capacity exceeds 50 tonnes per day).

7.4. Brewing and malting (where daily production capacity exceeds 10 t of malt or 10,000 litres of beer).

7.5. Production of bread (where production capacity exceeds 10 tonnes per day).

7.6. Confectionery and syrup manufacture (where production capacity exceeds 5 tonnes per day).

7.7. Sugar factories.

7.8. Installations for the slaughter of animals (where production capacity exceeds 10 tonnes per day).

7.9. Industrial starch manufacturing installations (where production capacity exceeds 5 tonnes per day).

7.10. Processing of meat or fish (where production capacity exceeds 5 tonnes per day).

7.11. Production of yeast (where production capacity exceeds 2 tonnes per day).

7.12. Production of alcohol/spirits (where production capacity exceeds 1,000 litres per day).

7.13. Manufacturing of tobacco products.

8. Textile, leather, wood and paper industries

8.1. Cellulose processing and production installations.

8.2. Industrial plants for the production of paper and board (where production capacity is less than 200 tonnes but exceeds 20 tonnes per day).

8.3. Plants for the treatment of fibres and textiles (where annual production capacity exceeds 200,000 square metres).

8.4. Plants for the tanning of hides and skins (where production capacity exceeds 500 square metres per day).

8.5. Production of wood fibre slabs (where production capacity exceeds 5,000 square metres per day), wood chip slabs (where production capacity exceeds 100 cubic metres per day) or plywood (where production capacity exceeds 50 cubic metres per day).

9. Rubber industry

Manufacture and treatment of elastomer-based products (where production capacity exceeds 15 tonnes per day).

10. Infrastructure proposed economic activities

10.1. Construction of overhead electrical power lines with a voltage of less than 110 kV and a length of less than 15 km but more than 3 km.

10.2. Urban development proposed economic activities, including the construction of shopping/entertainment centres, bus/trolley-bus parks, car parks, garage complexes, sport and fitness centres (where the area exceeds 0.5 ha).

10.3. Building or surface or sub-surface railway lines except for main public railway lines (longer than 2 km).

10.4. Construction of railway, road, sea or air transport cargo distribution/transshipment installations/terminals (where the area exceeds 0.5 ha).

10.5. Construction of airports or aerodromes (with the runway length is shorter than 2,100 m).

10.6. Building of district roads (longer than 2 km).

10.7. Building of roads with four or more lanes or reconstruction of roads with less than four lanes, by installing four or more lanes (where a continuous road section of less than 10 km but longer than 2 km is being built/reconstructed).

10.8. Construction of sea ports or piers (for ships with the carrying capacity of less than 1,350 tonnes and the seaport/berth area exceeding 1 ha).

10.9. Construction of inland waterways, harbours or piers (for ships with the carrying capacity of less than 1,350 tonnes and the seaport/berth area exceeding 1 ha).

10.10. Deepening of seaport water areas and port access channels.

10.11. Hydrotechnical installations designed to protect against floods (where area exceeds 1 ha).

10.12. Building of tramways, underground railways, or similar lines of a particular type, used exclusively or mainly for passenger transport (length exceeding 2 km).

10.13. Building of suspended transport lines (e. g. funiculars or cable-cars) used exclusively or mainly for passenger transport (length exceeding 500 m).

10.14. Oil or chemicals supply pipeline installations (where pipe diameter is less than 800 mm and length less than 40 km).

10.15. Gas supply pipeline installations (where pipe diameter is less than 800 mm and length less than 40 km but exceeding 5 km).

10.16. Installation of water channels longer than 1 km.

10.17. Construction or installation of coastal works to combat erosion capable of altering the seacoast through the construction, for example, of dykes, moles etc.

10.18. Installation of water abstraction facilities (with the annual volume of water abstracted is less than 10 million cubic metres but more than 350,000 cubic metres).

10.19. Construction of bridges longer than 250 m.

11. Other proposed economic activities

11.1. Installation of permanent motor-vehicle racing or testing tracts (with the area exceeding 1 ha).

11.2. Construction of structures or installations designed for non-hazardous waste disposal or utilisation.

11.3. Water treatment installations:

11.3.1. Urban or rural waste water treatment plants with a treatment capacity of less than 50,000 but more than 2,000 population equivalent;

11.3.2. surface wastewater treatment facilities (designed for surface wastewater collected from a territory of at least 50 ha).

11.4. Sludge or other contaminated matter utilisation/storage installations within water treatment facilities.

11.5. Sinking of excavated soil.

11.6. Artificial groundwater recharge schemes (with the annual volume of water recharged is less than 10 million cubic metres).

11.7. Works for the transfer of water resources between river basins where the amount of water transferred is less than 100 million cubic metres/year) or the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction is less than 2 000 million cubic metres/year and where the amount of water transferred is less than 5 % of this flow.

11.8. Storage facilities of metal scrap including scrap vehicles (where the area exceeds 0.5 ha).

11.9. Test benches for engines, turbines or reactors (where the basic area exceeds 500 square metres).

11.10. Installations for the destruction of explosives or making them not hazardous or identification of locations for the construction of such installations.

11.11. Buy-up or slaughtering of dead or sick animals (with the capacity exceeding 10 animals per day).

11.12. Manufacture of galvanic cells (with the annual production capacity exceeding 5,000 pieces).

11.13. Cleaning of lakes or adjusting lake water level (where the area concerned exceeds 0.5 ha).

11.14. Extraction of sediments from the bottom of the sea or inland waterways for purposes such as construction, replenishment of sand or restoration of beaches, raw materials for industry etc.

11.15. Enlargement of industrial territories (where an area larger than 0.5 ha is being enlarged).

11.16. Manufacture of ammunition.

11.17. Television and radio station and radar installations (with the total transmitter power at least 20 kW).

11.8. Crematorium installations.

11.9. Installation of new cemeteries.

12. Tourism and leisure industries

12.1. Installation of yacht and boat harbours (where the area of the harbour exceeds 0.2 ha).

12.2. Holiday homes and hotel complexes outside urban areas (where the area exceeds 0.5 ha).

12.3. Permanent camp sites and caravan sites (where the area exceeds 1 ha).

12.4. Theme parks (where the area exceeds 0.5 ha).

13. The List of Types of Proposed economic activities Whose Impact Upon The Environment is Subject to Assessment shall include those intended proposed economic activities, which are aimed at experimental development or testing and which are not implemented for longer than two years.

14. The List of Types of Proposed economic activities Whose Impact Upon The Environment is Subject to Assessment and the List of Types of Proposed economic activities Subject to Screening for Environmental Impact Assessment shall include modifications or extensions of proposed economic activities, including reconstruction of existing installations, upgrading or replacement of production processes and production equipment, changing of production techniques, volumes or types, employment of new technologies and other changes that can have potential negative impact upon the environment, except for cases referred to in p. 10 of Annex 1.

Annex 3

to the Law on the Assessment
of the Impact of Proposed economic activities
on the Environment

LEGAL ACTS OF THE EUROPEAN UNION BEING IMPLEMENTED

1. Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private proposed economic activities on the environment (as amended by Directive of the European Parliament and the Council 2003/35/EC of 26 May 2003).
2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.“

Article 2. Application of the Law

The provisions of this Law regulating the environmental impact assessment of proposed economic activities shall apply to procedures that have been started upon the Law's entry into force. The environmental impact assessment procedures that have been started prior to entry into force of this Law shall be completed in accordance with the legal provisions that were applicable at that time.

I hereby promulgate this law adopted by the Seimas of the Republic of Lithuania.

VALDAS ADAMKUS, President of the Republic of Lithuania