



eEnviPer Profiles #1

# Environmental Permits and the eEnviPer Pilot Projects

From wind farms to nuclear power plants, economic activities with substantial environmental impact need permits in Europe. Permits processes vary depending on the local implementation of national and international laws. This Profile examines the differences between the environmental permits processes in the eEnviPer pilot countries of Italy, Greece, Croatia, Serbia and Turkey.

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## 1 The eEnviPer project

eEnviPer is an integrated web-based platform for the application, administration and consultation of environmental permits. By making the environmental permits process more transparent, accessible and efficient, eEnviPer will help to reduce the environmental impact of economic activities. The EU-funded eEnviPer project will set-up and test its existing multi-purpose cloud platform in five pilot communities between 2012 and 2014.

The eEnviPer framework will be installed and tested in five European municipalities and regions:

1. Region of Crete, Greece;
2. Municipality of Indjija, Serbia;
3. Krapina-Zagorje County, Croatia;
4. Niğde Region, Turkey; and
5. Apulia Region, Italy.

This Profile explores the current environmental permits process in these five countries and highlights the systems' differences and commonalities before the introduction of eEnviPer.

More detailed information on the eEnviPer approach can be found at [www.eenviper.eu](http://www.eenviper.eu).

## 2 Environmental permits in Europe

As required by the European EIA Directive 85/337/EEC, the permits process and the associated environmental impact assessments aim to minimize the environmental impact of economic activities. The permits procedure can be summarized as follows:

- The enterprise applying for the permit recruits an expert to conduct an environmental impact assessment.
- The enterprise compiles and submits the application together with the environmental impact assessment.
- The permitting authority verifies the application.
- Unless the project is smaller than a certain size, the authority then starts a consultation period. During the consultation, stakeholders submit comments on the application.
- Taking into account all comments, the authority then issues the permit, imposing conditions if necessary.

Currently, only a few public authorities use online systems to manage information and workflow related to environmental permits processes.

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## **3 Environmental permits processes in eEnviPer countries: the current situation**

This section provides an overview of the current situation in each of the five eEnviPer countries.

### **3.1 Greece**

As a member of the European Union, Greek environmental regulations follow the European Directives on Environmental Impact Assessment and Integrated Pollution Control. However, Greece started revising its environmental permits regulation in 2011 in response to a general administrative reform and regulation review. It simplified procedures and established a system of online tracking of important environmental assessment decisions.

Greek legislation distinguishes between projects with severe adverse environmental impacts (category A1), those with less severe impacts (category A2) and projects with no adverse environmental impacts (category B). The Ministry of Environment, Energy and Climate Change is in charge of the permits process in category A1. Category A2 is managed by the respective Decentralized Administration. Projects in category B do not require an environmental impact assessment; instead, the investor needs to declare their environmental protection commitment as part of the operating permit application granted by the respective relevant authority of the Region of Crete.

According to the requirements, engineers and scientists need to complete an additional diploma before they can prepare environmental impact studies for categories A1 and A2. The application for a permit should be submitted in person to the responsible environmental permitting authority according to the project's classification (A1, A2 or B category), together with relevant designs and maps, both on paper and in electronic version. For A1 and A2 categories, the process consists of two steps: before proceeding to environmental permitting, the responsible authority asks other competent authorities and citizens to express their opinion on the environmental impact study; the authority then carries out the assessment of the environmental impact study, taking into account the opinions expressed. Greece defines a strict time schedule for the permits process (maximum 82 days for category A1 and maximum 62 days for category A2 projects).

In 2011, the Ministry of Environment, Energy and Climate Change approved 14 applications for projects in category A1 for Crete (the local authority involved in the project) and the Decentralized Administration of Crete approved 125 in category A2.

### **3.2 Serbia**

The Serbian law on environmental impact assessments came into force in 2004. The responsibility for local projects lies with the local self-government authority; projects falling under the responsibility of regional or national authorities may be managed by the Ministry of Environment, Mining and Spatial Planning or the province concerned.

Serbian law prescribes a detailed consultation process and workflow, as follows:

- Whether the project requires an obligatory environmental impact assessment or not, the developer must submit an application to decide on the need, content and scope of the assessment. This process requires the developer to include an evaluation of possible alternatives for the project and a detailed description of its expected environmental impact.
- The local authority then consults the public before taking the final decision, which should be taken no more than eight weeks after receipt of the application.
- If approved, the developer then carries out the full environmental impact study with the help of a registered qualified expert. After submission, the authority invites authorities, organisations and the public to a public debate on the study.
- After the developer has taken the comments received into account, the local authority establishes a Technical Commission to review the study and make recommendations. The final decision must be communicated by the local authority within 20 days.

To find more information about the process, investors need to contact the authorities directly. One of the purposes of the eEnviPer project in Serbia is to make more information about the environmental permits process available online.

The local authority involved in the project, Indjija, received 13 applications to determine the need for an environmental impact assessment in 2011; only one project was required to prepare a detailed environmental impact study.

### 3.3 Croatia

Croatia codified its environmental permits process in 2007 and 2008 with the Environmental Protection Act and the subsequent Regulation on Environmental Impact Assessment. The country follows a centralised approach to environmental permits under the authority of the Ministry of Environmental Protection, Physical Planning and Construction.

Environmental impact studies are heavily regulated and may only be prepared by authorized experts in the respective fields. The initial application must include a copy of the planning permit and a written statement by the nature protection agency. The [Ministry's official web site](#) provides information about permitting process as articulated by national regulations and bylaws for investors (other stakeholders or public). There are various government agencies (including the Croatian Chamber of economy, Croatian Agency for Small Business (HAMAG), Croatian Investment Promotion Agency, Croatian Bank for Reconstruction and Development (HBOR)), non-governmental associations (for example, Croatian Employers' Association (HUP)) and internet portals (for example, [www.poslovni.hr](http://www.poslovni.hr), [www.limun.hr](http://www.limun.hr)) that also provide information about the permitting process (mainly about planned and/or accepted changes), but they all link to the Ministry's official site.

To evaluate the application, the Ministry appoints an expert committee. This committee usually includes the relevant local authority. If the committee deems the application complete, it asks the Ministry to launch a public consultation, during which the documents will be displayed publicly. As defined by bylaw OG 64/08, the public

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consultation lasts for 30 days. The Ministry will then take the final decision, based on feedback from the public consultation, the expert committee and the nature protection agency.

### 3.4 Turkey

As an applicant to the EU, Turkey has adopted almost all laws and regulations of the commonly accepted EU legislation. All activities related to permits and licenses therefore follow the scope and limits of EU countries. The Turkish Ministry of Environment and Forestry serves as the competent authority for the process.

There are number of activities that require environmental permits listed in the App. I and II of the Regulation on the Environmental Permits and Licenses (Official Gazette No: 27214, dated 29.04.2009). Applications for activities with a potentially high environmental impact are dealt with by the Ministry, whereas activities with a lower expected impact are dealt with by the relevant provincial directorate.

Applications begin with the preparation of an Environmental Impact Assessment Report. The application is prepared by environmental management units formed by experts or environmental assessment firms licensed by the Ministry. After submission, the application has to be reviewed by the Ministry or province within 30 days. If the application is passed, a temporary permit is issued to the applicant that is valid for one year. During the temporary permit period, the applicant has to submit the application through e-application. Developers can already submit applications online by uploading them to the *Çevrimiçi İzin Uygulaması* application. The provincial Directorate of Environment and Urbanism then evaluates the documents.

The Ministry's website provides all the [necessary information](#) on eligible assessment firms, related laws and regulations, and how to submit an application.

### 3.5 Italy

As a member of the European Union, Italian environmental regulations have adopted the European Directives on Environmental Impact Assessment and Integrated Pollution Control. In addition, environmental permits are a requirement of the Italian decree on the control of accidents involving dangerous substances. Standard environmental permits are a regional responsibility, usually delegated to regional authorities. In the case of Integrated Pollution Prevention and Contract (IPPC) permits - the subject of the eEnviPer pilot project - the responsibility however remains at the national level, with the Ministero dell'Ambiente e della Tutela del Territorio e del Mare (MATTM).

Information on national and regional permit requests can be submitted at the AIA website found at <http://aia.minambiente.it>. The authority then consults with all regions, provinces and municipalities concerned. ARPA has a technical advisory capacity in the permits process related to IPPC. If an application concerns a protected area, its management body also needs to be consulted.

The environmental impact assessment is prepared at the expense of the investor. The investor also needs to inform the public through an advertisement, and file copies of

relevant documents at state, region and province level. Stakeholders then have 45 days to comment. The assessment must be completed within 90 days of the notification to the public.

In Puglia, there are approximately 150 applications in the pipeline at the moment; 53 were finalised during 2011. The average time from application to decision is six months.

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## 4 Conclusions

While the national implementations of the environmental permits process mostly follow the example of the EU Directive on Environmental Impact Assessments, we found three important areas of difference:

1. **Who has the lead?** In some cases (Croatia, Turkey), the national government is responsible for the environmental permits process. This allows for more efficient processes and knowledge management. However, it requires the involvement of more people in the process as knowledge of the local context and local expertise are still necessary to evaluate an application. On the other hand, a decentralised process might be more effective in encouraging public participation.
2. **How tight are the rules?** All countries distinguish between obligatory and optional environmental impact assessments. However, the lists vary in their strictness. Countries also differ in their requirements for professionals conducting environmental impact assessments. Some require formal accreditation and training, while others only refer to *relevant expertise*.
3. **How long does it take?** In our sample, some countries defined detailed, step-by-step timelines, while others chose to set a total amount of time or refrain from committing themselves. A longer timeframe allows authorities to properly assess the application and thoroughly consult local stakeholders, while a tight schedule can be more effective and attractive for businesses.

The environmental permits process is well established in Europe, and to some extent even outside the borders of the European Union. While each country will define its own rules, it is clear that a more transparent and accessible approach to environmental impact assessment, using modern tools such as the internet, will make it more attractive for both concerned citizens and investors.

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## 5 References

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