

Posterová sekcia

Quantitative overview of the EIA process in Slovakia

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Abstract

EIA procedures for public and private projects that are likely to have significant effects on the environment have been in place since the adoption of the EIA Act in 1994. In 2006, a new EIA Act was approved, and EIA procedures began to be applied to activities under the 2006 Planning Act. The 2006 EIA Act introduced no major changes in EIA procedures but it tightened certain procedural time limits and better delineated EIA responsibilities between the Ministry of the Environment (MoE) and the regional and district environment offices. It also harmonised the Slovak EIA legislation with three EU directives and put preconditions on the accession of Slovakia to the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention). The adoption of the EIA Act provided a firm basis for assessing forthcoming projects to be financed from EU Structural and Cohesion Funds. The paper presents the quantitative overview of the assessed proposed activities (EIA) in Slovak Republic (SR) from the time being implemented.

Introduction

EIA procedures for public and private projects that are likely to have significant effects on the environment have been in place since the adoption of the EIA Act in 1994. In 2006, a new EIA Act was approved (Fig. 1), and EIA procedures began to be applied to buildings under the 2006 Planning Act.

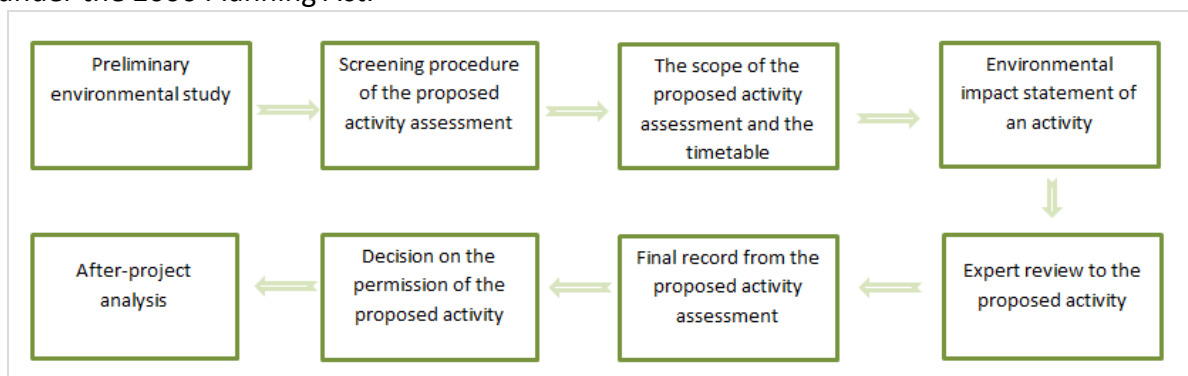


Fig. 1 Main steps of the EIA process in Slovakia (National Council of SR 2005)

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adoption of the EIA Act provided a firm basis for assessing forthcoming projects to be financed from EU Structural and Cohesion Funds.

Non-government organisations (NGOs) have criticised EIA procedures in Slovak Republic for insufficient consideration of assessed alternatives, short consultation periods, limited access to the reasons underlying decisions and failure to carry out EIAs, including after initial screening (OECD 2011).

The National Council of the Slovak Republic on 21 October 2011 approved Law no. 408/2011 Coll., amending and supplementing Law no. 24/2006 Coll. on environmental impact assessment. The adjustments to Law no. 24/2006 Coll. resulted mainly from the requirement of the consistent transposition of Directive 2001/42/EC on the environmental impact assessment of certain plans and programs which the Slovak Republic was enjoined to perform by order of the European Commission (formal notice). This requirement is related mainly to the subject and scope of the assessment of strategic documents and the interested public participation in the assessment of strategic documents.

The draft of the Law has brought conceptual legislative changes in the area of impact assessment of the proposed activities, particularly in matters of timing of the assessment process, as well as adjustment of Annex 8 of the Law, which is a list of suggested activities requiring environmental impact assessment (waste management, infrastructure, community development projects, special-purpose facilities for sport, recreation and tourism).

One significant change was the reduction of Annex. 8 of the Law in Chapter 9 entitled Infrastructure, which defines the list of activities, facilities and equipment aimed at waste management subject to screening or compulsory assessment respecting the transposition of Slovakia's commitments. The availability of permits under special regulations for the proposed activities related to waste management was simplified.

The amended Law facilitates the realization of the obligations of municipalities to separate and subsequently recover organic waste from households, and it will contribute to accelerating the disbursement of EU structural funds for certain types of equipment, for example presses, crushers, separating lines or composting, and it simplifies the building of waste recycling facilities, thereby strengthening the preference of recovery and recycling of waste over disposal, according to the requirements of waste management.

Currently it is proposed to amend the Law that supplements Law no. 24/2006 Coll. on environmental impact assessment. The amendment also addresses the fact that the new EIA process should be mandatory. Subsequent approval should be conditional on respecting the outcome of the EIA, and the compliance of project documentation with the outcome of EIA should be officially verified. Ministry of the Environment admits that it introduces a possible financial burden for businesses, which will be required to submit more detailed documentation. However, this procedure will otherwise streamline the procedure for businesses and the authorities, and therefore will have a positive impact.

It is expected that EIA will continue to act as an effective tool to prevent the application of investments in Slovakia which, by their degree of environmental damage, will many times outweigh their benefits (Luciak 2012). EIA Law acts not as a brake, but as a professional opinion on the environmental aspect of business, which is a synergy of industrial and environmental solutions of proposed activity. In some cases, EIA is understood only as a "mirror" to comply with legal or technical standards, which is too weak for modern environmental planning. The assessment process should take into account the emotion of the public, stress factors, fear of risk, and criteria increasing the quality of life. Overall, we

can say that impact assessment in Slovakia still holds onto professional principles, as is evidenced by the high level of documentation standard (Luciak and Nižňanský 2013).

In this paper the number of completed assessments of the proposed activities (EIA) in Slovakia in 1994 – 2015 summarized considering the Law 127/1994 Coll., 391/2000 Coll. and 24/2006 Coll. (Environmental Impact Assessment) according to year and according to Slovak regions respectively. Graphical interpretation was done for all proposed activities and also for activities related to water management.

EIA process in Slovakia in numbers

Fig. 2 summarises the number of completed assessments of the proposed activities (EIA) in Slovakia in 1994 – 2015.

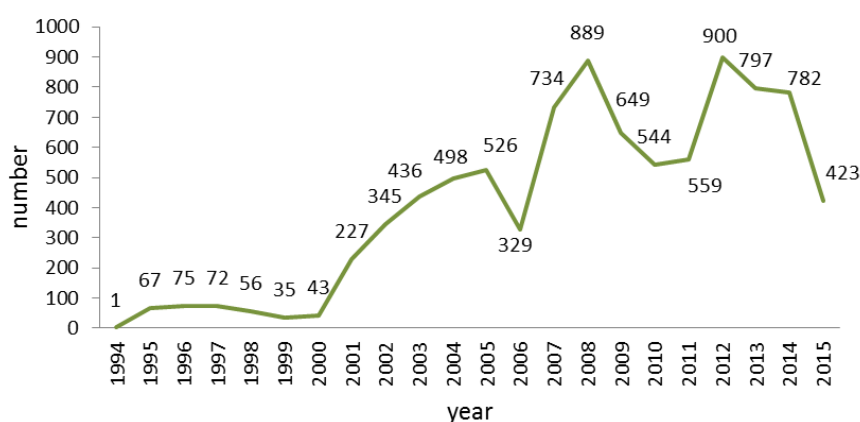


Fig. 2 Number of completed assessments of proposed activities (EIA) in Slovakia in 1994 – 2015 (MoE 2015)

The number of EIA procedures until the year 2000 was low (35 to 75 a year), but increased to 227 in 2001 after the scope of projects subject to EIA was extended (Fig. 2). Greater involvement by subnational environmental bodies after 2000 was also a factor. The number of EIAs increased further during the assessed period, reaching nearly 900 cases in 2008 (MoE 2010). Documentation from the assessment process is available to the public in electronic form on the MoE website. The complete documentation from 20 years of experience with EIA is archived in the EIA Documentation centre at the Slovak environmental agency in Banská Bystrica.

Fig. 3 summarises the number of completed assessments of all proposed activities (EIA) in Slovak regions in the period 1994 – 2015.

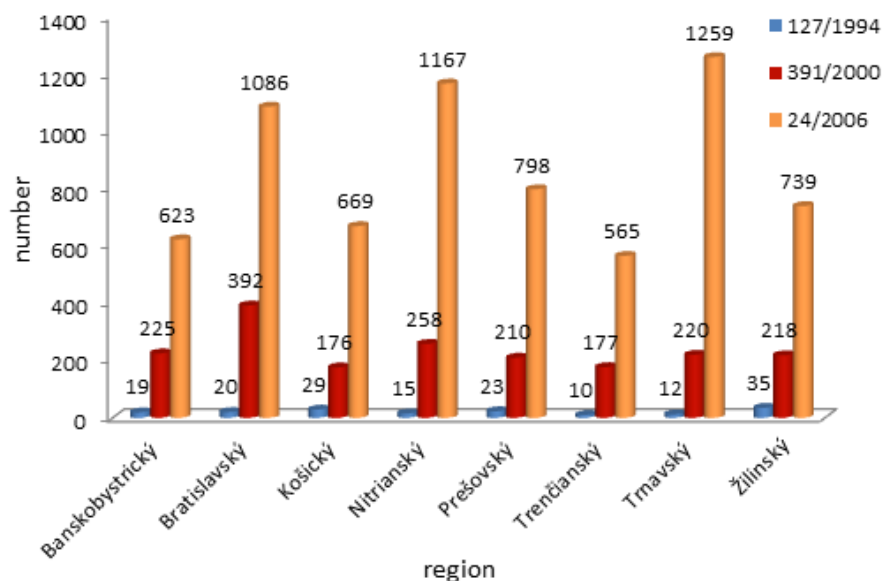


Fig. 3 Number of completed assessments of all proposed activities (EIA) according to Slovak regions in 1994 – 2015 (MoE 2015)

The most completed assessment of proposed activities depicted in Fig. 3 in the Slovak Republic according to Law no. 24/2006 Coll. exceeded 1000 assessments was in Trnavský region (1259), Nitrianský region (1167) and Bratislavský region (1086). Long-term low trend in assessment according to Law no. 127/1994 Coll. is visible for all regions of Slovakia because its narrow scope of the assessed spheres. The most completed assessment of proposed activities in the Slovak Republic according to Law no. 391/2000 Coll. was exceeded 300 was only for Bratislavský region (392). Subject to assessment of the impacts on the environment are proposed activities for the extractive industry, energy industry, metallurgical industry, chemical, pharmaceutical and petrochemical industry, wood, pulp and paper industry, industry of building materials, machine industry, electrical engineering, infrastructure, agricultural and forest production, food industry, transport and telecommunications, objective projects for sport, recreation and tourism, military buildings and water management. In this paper we evaluated EIA process also for one particular group of activities – these, which are related to water structure (construction of dams, installations for the transfer of ground water, flood protection objects, protection of soil against erosion and many more).

Fig. 4 summarises the number of completed assessments of proposed activities related to water management (EIA) in Slovak regions in the period 1994 – 2015. As it shown in Fig. 4, the most completed assessment of proposed activities related to water management according to Law no. 24/2006 Coll. was in Prešovský region (202). Contrary, according the same Law, in Bratislavský, Trenčianský and Trnavský region the number of completed assessment did not reach 50.

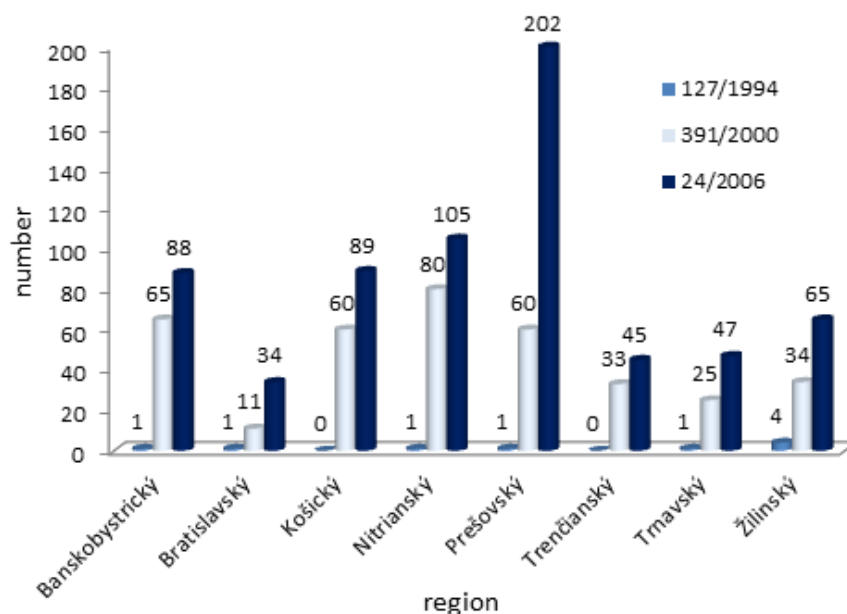


Fig. 4 Number of completed assessments of proposed activities (EIA) related water management according to Slovak regions in 1994 – 2015 (MoE 2015)

Long-term low trend of the completed assessment of proposed activities related to water management according to Law no. 127/1994 Coll. is also visible for all regions of Slovakia because its narrow scope of the assessed spheres.

Conclusion

Experience with the implementation of the Law on Environmental Impact Assessment has confirmed that the technical and urban development of Slovakia must go hand in hand from the beginning with knowledge of how much influence new activity will have in a particular area, and how potential negative impact on the environment will be minimized. EIA in Slovakia will have to maintain the status of flexibility to respond to rapidly changing economic and social conditions as well as the open labor market in the processing of documentation, and probably closer gradual convergence with the creators of territorial planning documentation (via SEA) (Luciak 2012).

Environmental impact assessment is considered as one of the most important tools for practicing sustainable development. It is also an effective preventive system of environmental care and an effective tool enabling to prevent the implementation of activities that would unduly and often permanently damaging the environment. At least it enables to choose a best variant of proposed alternative solutions with minimum negative effects on the environment.

Podakovanie

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