

Detailed List of Areas of Activity Requiring Consideration of Need for Initiation of Environmental Impact Assessment¹

Government of the Republic Regulation No. 224 of 29 August 2005

(RT¹ I 2005, 46, 383),

entered into force 11 September 2005.

This Regulation is established on the basis of subsection 6 (4) of the Environmental Impact Assessment and Environmental Management System Act.

§ 1. Scope of application of Regulation

(1) This Regulation specifies the list of the areas of activity set out in subsection 6 (2) of the Environmental Impact Assessment and Environmental Management System Act requiring consideration of the need for initiation of the environmental impact assessment of the proposed activity.

(2) The decision-maker is required to consider the need for initiation of the environmental impact assessment of the proposed activity on amendment of the activity licence if as a result of the amendment of the activity licence the overall activity complies with the criteria provided for in this Act.

§ 2. Energy

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of energy:

- 1) construction (erection) or expansion of a thermal power station or other combustion plant and production of electricity or thermal energy with a nominal thermal input of 50–299 MWth;
- 2) construction of a wind farm with more than five windmills with a total capacity of over 7.5 MWth on land;
- 3) construction of high-pressure pipelines for the transportation of natural gas, or main pipelines for the transport of petroleum or chemical products outside an industrial site, except in the case specified in clause 6 (1) 25) of the Environmental Impact Assessment and Environmental Management System Act;
- 4) construction of a heat pipeline for a combustion installation with a rated thermal input exceeding 50 MW;

5) construction of overhead electrical power lines with a voltage of 35–220 kV and a length of more than 15 km.

§ 3. Extractive industry and geology

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of extractive industry and geology:

- 1) general geological survey;
- 2) geological exploration;
- 3) deep drillings (boreholes with depth over 1 000 metres);
- 4) open-cast mining where the surface of the site is up to 25 hectares, or peat extraction, where the surface of the site is up to 150 hectares;
- 5) extraction of a mineral resource with a size of up to 10 000 cubic metres by marine dredging or a mineral resource with a size of up to 500 cubic metres from other water bodies;
- 6) termination of open-cast mining where the surface of the site is up to 25 hectares, or termination of peat extraction, where the surface of the site is up to 150 hectares;
- 7) construction of facilities related to the extraction of mineral resources on land, except in the case specified in clause 6 (1) 26) of the Environmental Impact Assessment and Environmental Management System Act;
- 8) construction of underground structures not specified in subsection 6 (1) of the Environmental Impact Assessment and Environmental Management System Act;
- 9) liquefaction, gasification or coking of 250 tonnes or more of coal or bituminous shale per day, except in the case specified in clause 6 (1) 2) of the Environmental Impact Assessment and Environmental Management System Act;
- 10) industrial briquetting of coal, lignite, oil shale, peat or mixtures thereof.

§ 4. Production and processing of metals

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of the production and processing of metals:

- 1) roasting and sintering of metallic ores (including sulphide ores);

- 2) production of pig iron or steel (secondary fusion) including continuous casting, with a production capacity exceeding 2.5 tonnes per hour;
- 3) processing of ferrous metals in hot-rolling mills with a production capacity exceeding 20 tonnes of crude steel per hour;
- 4) forging of ferrous metals in smitheries with hammers the energy of which exceeds 50 kilojoules per hammer, where the calorific power used exceeds 20 MW;
- 5) application of protective fused metal coats to ferrous metals with an input exceeding 2 tonnes of crude steel per hour;
- 6) ferrous metal foundries with a production capacity exceeding 20 tonnes per day;
- 7) smelting, including the alloyage, of non-ferrous metals excluding precious metals, including recovered products, (refining, foundry casting, etc.) with a melting capacity exceeding 4 tonnes per day for lead and cadmium or 20 tonnes per day for all other metals;
- 8) surface treatment of metals and plastic materials using an electrolytic or chemical process if the volume of the treatment vats exceeds 30 m³;
- 9) manufacture of motor vehicles and internal combustion engines, shipbuilding or ship repair, manufacture or maintenance of aircraft, manufacture of locomotives, tramways or railway rolling-stock with an input exceeding 50 tonnes of organic matter per year or 150 kg of organic matter per hour;
- 10) impulse forming or pressing.

§ 5. Manufacture of non-metallic mineral products

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of the manufacture of non-metallic mineral products:

- 1) production of cement in the amount exceeding 500 tonnes per day;
- 2) production of lime in rotary kilns or in other furnaces with a production capacity exceeding 50 tonnes per day;
- 3) production or processing of asbestos or products containing asbestos, except in the case specified in clause 6 (1) 10) of the Environmental Impact Assessment and Environmental Management System Act;
- 4) manufacture of glass including glass fibre in the amount exceeding 20 tonnes per day;

- 5) melting mineral substances including the production of mineral fibres in the amount exceeding 20 tonnes per day;
- 6) manufacture of ceramic products by firing, including roofing tiles, bricks, refractory bricks, tiles, stoneware, expanded clays or porcelain, with a production capacity exceeding 75 tonnes per day, or with a kiln capacity exceeding 4 m³ and with a setting density per kiln exceeding 300 kg/m³.

§ 6. Chemical industry

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of chemical industry:

- 1) production of chemicals, except in the case specified in clause 6 (1) 11) of the Environmental Impact Assessment and Environmental Management System Act;
- 2) treatment of isolated intermediate products extracted in the course of production of chemicals;
- 3) production of pesticides and pharmaceutical products, except in the case specified in clause 6 (1) 11) of the Environmental Impact Assessment and Environmental Management System Act;
- 4) production of elastomers or peroxides;
- 5) production of paint and varnishes with an input exceeding 50 tonnes of organic matter per year or 150 kg of organic matter per hour.

§ 7. Food industry

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of food industry:

- 1) slaughter of animals in slaughterhouses with a carcass production capacity greater than 50 tonnes per day;
- 2) manufacture of vegetable and animal oils and fats with a finished product production capacity greater than 75 tonnes per day;
- 3) manufacture of fish-meal or fish-oil with a finished product production capacity greater than 75 tonnes per day;
- 4) manufacture of dairy products with a finished product production capacity greater than 200 tonnes per day;
- 5) manufacture of starch with a finished product production capacity greater than 100 tonnes per day;

- 6) manufacture of beer or malt with a finished product production capacity greater than 150 tonnes per day;
- 7) manufacture of sugar with a finished product production capacity greater than 100 tonnes per day;
- 8) manufacture of confectionery and syrup with a finished product production capacity greater than 100 tonnes per day;
- 9) packing and canning of vegetable products with a finished product production capacity greater than 300 tonnes per day or packing and canning of animal products with a finished product production capacity greater than 75 tonnes per day.

§ 8. Cellulose, paper and textile industry, and tanning of skins and hides

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of cellulose, paper and textile industry, and tanning of skins and hides:

- 1) production of cellulose or mechanical pulp from timber or other fibrous materials with a finished product production capacity exceeding 20 tonnes per day, except in the case specified in clause 6 (1) 12) of the Environmental Impact Assessment and Environmental Management System Act;
- 2) production of paper and board with a finished product production capacity of 20–200 tonnes per day;
- 3) pre-treatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles with a finished product production capacity exceeding 10 tonnes per day;
- 4) tanning of hides and skins with treatment capacity greater than 12 tonnes of finished products per day.

§ 9. Agriculture, silviculture and aquaculture

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of agriculture, silviculture and aquaculture:

- 1) change to the use of profit yielding land with an area exceeding 100 hectares;
- 2) erection of a building or the building of a construction belonging to a land improvement system on an area of at least 200 hectares; in case of a polder, regardless of the size of the land;

- 3) construction or reconstruction of a land improvement system or a part thereof on agricultural land where the area of the bog soil with peat layer of more than one meter in depth exceeds 30% of the area of the area of the land improvement system or a part thereof;
- 4) construction or reconstruction of a land improvement system in a karst area;
- 5) afforestation of an area of at least 100 hectares, except in the case of afforestation of extracted areas;
- 6) deforestation of a protected forest with an area of at least 10 hectares;
- 7) construction of installations for the rearing of fur-bearing animals with more than 5000 places for foxes or more than 13 000 places for minks or ferrets;
- 8) construction of a poultry farm with 40 000 – 60 000 places for laying hens;
- 9) construction or reconstruction of a pig-rearing installation with more than 2 000 places for production pigs (over 30 kg) or more than 750 places for sows, except in the case specified in clause 6 (1) 27) of the Environmental Impact Assessment and Environmental Management System Act;
- 10) construction of a facility for intensive fish farming with utilisation of at least 200 tonnes of feedingstuffs per year.

§ 10. Waste handling

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of waste handling:

- 1) construction, expansion or reconstruction of a waste management facility, except in the case specified in clause 6 (1) 23) of the Environmental Impact Assessment and Environmental Management System Act;
- 2) incineration or chemical treatment of non-hazardous waste in the amount of up to 100 tonnes per day;
- 3) handling of scrap iron, including scrap vehicles.

§ 11. Special use of water

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of the special use of water:

- 1) construction or expansion of a port or port construction, except in the case specified in clauses 6 (1) 15) and 16) of the Environmental Impact Assessment and Environmental Management System Act;
- 2) construction or expansion of a coastal protection facility;
- 3) construction or expansion of a flood control facility;
- 4) construction, expansion or reconstruction of a control facility on a public watercourse;
- 5) construction of a bridge resulting in modification of the area of the cross section of the water body;
- 6) construction of power transmission line or a communications cable in the bottom of a water body;
- 7) dredging of a water body or dumping into a water body, except in the case specified in clause 6 (1) 17) of the Environmental Impact Assessment and Environmental Management System Act;
- 8) groundwater abstraction where the annual volume of water abstracted is 50 000 – 200 000 cubic metres;
- 9) construction of an aqueduct where the amount of water transferred exceeds 10 million cubic metres per year;
- 10) construction of works for the transfer of water resources where the average amount of water transferred is 10 million to 100 million cubic metres per year;
- 11) construction of sewerage pipelines for the collection of waste water with pollution load of at least 2 000 population equivalent;
- 12) construction, expansion or reconstruction of a waste water treatment plant with a capacity of at least 2 000 population equivalent, except in the case specified in clause 6 (1) 20) of the Environmental Impact Assessment and Environmental Management System Act;
- 13) processing and use of the sludge of a waste water treatment plant with a capacity of at least 2 000 population equivalent;

§ 12. Storage of fuel and chemical products

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of storage of fuel and chemical products:

- 1) construction or expansion and use of a gas storage facility with a gross tonnage of at least 100 tons.

- 2) construction and use of a petroleum or petroleum products terminal with a total capacity of 10 000 – 100 000 cubic metres or expansion of the terminal by at least 10 000 cubic metres;
- 3) storage of fossil fuel or peat with the total volume of at least 1000 tons;
- 4) construction or expansion and use of a chemical product terminal, except in the case specified in clause 6 (1) 33) of the Environmental Impact Assessment and Environmental Management System Act;

§ 13. Construction of infrastructure

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of the construction of infrastructure:

- 1) industrial estate development in a case not specified in subsection 6 (1) of the Environmental Impact Assessment and Environmental Management System Act or in this Regulation;
- 2) urban development projects in a case not specified in subsection 6 (1) of the Environmental Impact Assessment and Environmental Management System Act or in this Regulation (for example, a residential area, prison), except the building of single houses;
- 3) construction, expansion or extension of a railway line or railway station, except in the case specified in clause 6 (1) 14) of the Environmental Impact Assessment and Environmental Management System Act;
- 4) construction of a funicular railway;
- 5) construction of a metro;
- 6) construction of a tramway;
- 7) construction, expansion or reconstruction of an airport with a paved runway of at least 1200 metres length, except in the case specified in clause 6 (1) 13) of the Environmental Impact Assessment and Environmental Management System Act;
- 8) construction or repair of a road, except in the case specified in clause 6 (1) 13) of the Environmental Impact Assessment and Environmental Management System Act;
- 9) construction of a permanent racing or test track for motorized vehicles.

§ 14. Tourism, construction of recreation areas, sports areas or leisure areas

The need for initiation of the environmental impact assessment shall be considered in the case of the following activities in the area of tourism, construction of recreation areas, sports areas or leisure areas:

- 1) construction of illuminated ski-runs, ski slopes, cable-cars and associated developments on protected natural objects or on Natura 2000 sites;
- 2) construction of a hotel, holiday village or camp on a protected natural object, on a Natura 2000 site or in the limited management zone of a shore or bank, except in a high density area;
- 3) construction of a permanent amusement park;
- 4) construction of a golf course.

§ 15. Other areas of activity

The need for initiation of the environmental impact assessment shall be considered in the case of the following other activities:

- 1) surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, with a consumption capacity of more than 50 tonnes per year or more than 150 kg per hour;
- 2) manufacture of plywood or fibre board or particle board;
- 3) production of graphite (hard-burnt coal) or electrographite by way of incineration or graphitisation;
- 4) manufacture of elastomer-based products with utilization of more than 800 tonnes of raw material per year;
- 5) disposal or recycling of animal carcasses and animal waste with a treatment capacity exceeding 10 tonnes per day;
- 6) recovery or destruction of explosive substances;
- 7) testing of a gas engine with a capacity of over 5 MWth, a chemical reactor with a capacity of over 50 cubic metres or a gas turbine with a capacity of over 50 MWth;
- 8) an activity which alone or in conjunction with other activities may potentially significantly affect a Natura 2000 site or a protected natural object;
- 9) an activity which may result in release of a substance of annoying or irritant odour into the ambient air;
- 10) other activities which may result in significant environmental impact, except in the case specified in clauses 13 1) and 2) of this act;

11) a change of an activity specified in subsection 6 (1) of the Environmental Impact Assessment and Environmental Management System Act or in this Regulation.

¹ Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (OJ L 175, 5.7.1985, p. 40–48); Council Directive 97/11/EC amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (OJ L 73, 14.3.1997, p. 5–15)

² RT = *Riigi Teataja* = *State Gazette*