

Table 6

Indicator	Category			Method of verification
	M1	M2	M3	
Total coliform bacteria, probable no./dm ³	max.100	over 100.. 100 000	over 100000.. 10000000	STAS 3001 -83
Faecal coliform bacteria, probable no./dm ³	none	max.10000	over 10000.. 1000000	
Faecal streptococuses, probable no./dm ³	none	max.10000	over 10000.. 1000000	
Salmonella-type bacteria	none/ 1000cm ³	none/ 300cm ³	none/ 100cm ³	*

4. SAMPLES COLLECTION

Samples are collected in plastic vessels, in accordance with existing prescriptions.

5. METHODS OF VERIFICATION

5.1. Verifications of the saline residue

The saline residue is established through the adding up of sodium, magnesium, calcium, chlorides, sulphides, carbonates and hydrocarbonates contained in the water for the irrigation of crops and is expressed in milligrammes per cubic decimetre.

5.2. Verification of residual sodium carbonate (CSR index)

The CSR index is expressed in milliequivalents per cubic decimetre and is calculated with the formula:

$$\text{CSR Index} = (\text{HCO}_3^- + \text{CO}_3^{2-}) - (\text{Ca}^{2+} + \text{Mg}^{2+})$$

in which:

HCO ₃ ⁻	hydrogenocarbonates contained in the water for irrigation, in miliequivalents per cubic decimetre;
CO ₃ ²⁻	carbonates contained in irrigation water, in miliequivalents per cubic decimetre;
Ca ²⁺	calcium contained in irrigation water, in miliequivalents per cubic decimetre;
Mg ²⁺	magnesium contained in irrigation water, in miliequivalents per cubic decimetre;

NOTE: Hydrogenocarbonates and carbonates contents is determined according to STAS 3263-61, calcium contents is determined according to STAS 3262-62, magnesium contents according to STAS 6674-77. Results are expressed in miliequivalents per cubic decimetre.

5.3. Sodium absorbtion ratio verification

The SAR index is calculated with the formula:

$$\text{SAR Index} = \frac{\text{Na}^+}{\sqrt{13.187 \text{ Ca}^{2+} + 21.746 \text{ Mg}^{2+}}}$$

where:

- Na⁺ sodium contained in irrigation water, in milligramms per cubic decimetre;
- Ca²⁺ calcium contained in irrigation water, in milligramms per cubic decimetre;
- Mg²⁺ magnesium contained in irrigation water, in milligramms per cubic decimetre;

5.4. Other verification are performed according to standards indicated in tables 1,2,3,4,5 and 6.

6. NOTES IN THE ANNALYSIS BULLETIN

The bulletin of analysis must conain:

- date of time of sample collection;
- values of the indicators;
- name of the person who performed the analysis.

AIR IN PROTECTED AREAS
Quality conditions

1. GENERALITIES

1.1. Object and domain of application

The present standard refers to air in the atmosphere and it establishes the maximal admitted concentrations for polluting substances in protected areas.

Maximal admitted concentrations (MAC) established by the present standard must insure population against negative effects of these substances.

The present standard does not refer to the quality of air in the working areas.

1.2. General indications

Average monthly or yearly concentration signifies the arithmetic medium of average daily concentrations obtained during the period considered. For calculating the average monthly concentration, minimum 15 average daily values are necessary. For calculating average yearly concentration, minimum 100 average daily values are required, uniformly spread over the respective period of time.

1.3. Connected standards

STAS 9081-78 Atmosphere pollution. Terminology.

2. QUALITY CONDITIONS

2.1. Chemical substances

2.1.1. Maximal values allowed for polluting chemical substances in the air of protected areas must not surpass the values shown in table 1.

Table 1

Polluting substance	Maximal admitted concentration, mg/m ³				Methods of analysis
	short term medium	long term medium			
		30min	daily	monthly	
Nitric acid	0.4	-	-	-	*)
Hydrochlorous acid	0.3	0.1	-	-	STAS 10943-77
Acroleine	0.03	0.01	-	-	STAS 11331-79
Aldehydes (HCHO)	0.035	0.012	-	-	STAS 11332-79
Ammonia	0.3	0.1	-	-	STAS 10812-76
Phosphorous anhidride	0.3	0.1	-	-	*)
Arsenic	-	0.003	-	-	STAS 10931-77
Benzenum	1.5	0.8	-	-	*)
Cadmium	-	0.00002	-	-	*)
Chlorine	0.1	0.03	-	-	STAS 10946-77
Chrom (CrO ₃)	-	0.0015	-	-	STAS 11103-78
Nitrogen dioxide	0.3	0.1	-	0.04	STAS 10329-75
Sulphide dioxide	0.75	0.25	-	0.08	STAS 10194-75

Phenol	0.1	0.03	-	-	STAS 11027-77
Fluor: anorganic gaseous compounds and easily soluble aerosols (F)	0.015	0.005	0.0012	-	
diffi- culty soluble aerosols (F)	-	0.03	-	-	STAS 10330-75
Soot	0.15	0.05	-	-	*)
Furfural	0.15	0.05	-	-	*)
Hydrogen sulphide	0.015	0.008	-	-	STAS 10814-76
Manganese compounds (Mn)	-	0.01	-	-	STAS 10815-85
Metanol	1.0	0.5	-	-	STAS 11105-78
Mercaptan metil	-	0.00001	-	-	*)
Carbon oxide	6.0	2.0	-	-	*)
Oxidants(O ₃)	0.1	0.03	-	-	STAS 11010-78
Lead	-	0.0007	-	-	STAS 10810-76

Suspended sulphides including sulphuric acid aerosols (SO ₄ ²⁻)	0.03	0.012	-	-	STAS 11194-79
Carbon sulphide	0.03	0.005	-	-	STAS 11104-78
Trichloroethylene	4.0	1.0	-	-	*)
Suspended powders	0.5	0.15	-	0.075	STAS 10813-76

*) The methods of analysis must be approved by the Ministry of Health.

NOTE: In the case of other substances than those listed in table 1, these are considered to surpass the admitted level when they acquire a heavy, unpleasant and persistent smell.

2.1.2 The maximal admitted concentration for the following substances, simultaneously present in the air, that have a synergic action:

- SO₂, NO₂ and NH₃;
- SO₂ and F (anorganic compounds);
- SO₂ and H₂SO₄ aerosols;
- SO₂ and suspended powders;
- NO₂ and suspended powders;
- HCl, HNO₃ and H₂SO₄ aerosols;

are calculated with the formula:

$$\frac{c_1}{c_{ma1}} + \frac{c_2}{c_{ma2}} + \dots + \frac{c_i}{c_{mai}} \leq 1$$

in which:

c₁, c₂, c_i concentration of polluting substance 1, 2, ..., i, in the air;
c_{ma1}, c_{ma2}, c_{mai} maximal admitted concentration for polluting substances 1, 2, ..., i, in the air.

2.2. Sedimentable powders

The maximal admitted quantity of sedimentable powders is determined according to Table 2.

Table 2

Polluting substance	Maximal admitted substance, g/m ² /month	Method of analysis
Sedimentable powders	17	STAS 10195-75

2.3. Radioactivity

Radioactivity must correspond to existing regulations.

3. COLLECTION OF PROBES

According to STAS 10331-75.

WATER IN SWIMMING BASINS AND
IN NATURAL AREAS APPROPRIATED FOR SWIMMING

1. OBJECT AND DOMAIN OF APPLICATION

1.1. The present standard refers to water in swimming BASINS and to water in natural areas appropriated for swimming on rivers, lakes and on the Black Sea Coast.

1.2. The present standard does not refer to therapeutic waters and to high salinity waters in swimming basins or lakes.

2. TECHNICAL QUALITY CONDITIONS

2.1. Water in swimming basins

Table 1

Characteristic	Admitted concentration	Methods of analysis
Aromatic amines (beta naphthylamine, phenil betanaphthylamine), mg/dm ³ , max.	0	STAS 8582-70 and STAS 11139-78
Ammonia (NH ₄ ⁺), mg/dm ³	none*	STAS 6328-85
Nitrites, mg/dm ³	none	STAS 3048/2-77
Cadmium (Cd ²⁺), mg/dm ³ , max.	0.005	STAS 7852-80
Free cyanides (CN ⁻), mg/dm ³ , max.	0.01	STAS 10847-77
Free residual chlorine in disinfected water**, mg/dm ³	0.1 ... 0.5	STAS 6361-78
Hydrogen ions concentration (pH)	6.5 ... 8.5	STAS 6325-75
Mercury (Hg ²⁺), mg/dm ³ , max.	0.001	STAS 10267-75
Oxidable organic substances with potasyum permanganate, mg/dm ³ , max.	12	STAS 3002-85

Global radioactivity***, Bq/dm ³ ,max.		
- alfa	0.1	STAS 10447/1-83
- beta	0.8	STAS 10447/2-83
Bacteria that develop at 37°C, total number/cm ²	below 300	
Coliform total bacteria, probable number/dm ³	below 100	STAS 3001-83
Coliform faecal bacteria, probable number/dm ³	below 20	
Pathogenic enterobacteria, number/dm ³	none	***

*) In case the water comes from underground sources located at more than 60 m depth, a concentration of maximum 5 mg/dm³ is admitted, provided the water corresponds from the bacteriologic point of view.

**) In case the water comes from underground sources located at more than 60 m depth, instead of free residual chlorine, the combined residual chlorine will be measured, as chloramine.

***) Does not include the concentration in radon and tritium.

***) The method of analysis is conform to the instructions of the Ministry of Health.

2.2. Water in natural areas appropriated for swimming

Table 2

Characteristic	Admitted concentration	Methods of analysis
Cadmium (Cd ²⁺), mg/dm ³ ,max.	0.005	STAS 7852-80
Cyanides(CN ⁻), mg/dm ³ ,max.	0.01	STAS 7685-79 STAS 10817-77
Hydrogen ions concentration (pH)	6.5...8.5	STAS 6325-75
Anionic detergents, mg/dm ³ ,max.	0.5	STAS 7576-68

III ブルガリア共和国



**ENVIRONMENTAL
PROTECTION ACT**

BULGARIAN LAW

24

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REPUBLIC OF BULGARIA
GRAND NATIONAL ASSEMBLY

ENVIRONMENTAL PROTECTION ACT

Promulgated State Gazette No 86/18 October 1991

Amended State Gazette No 100/10.12.1992

Chapter One

GENERAL PROVISIONS

Article 1

This Act makes provision for:

1. obtaining and furnishing information concerning the state of the environment;
2. the control of the state of the environment;
3. the assessment of the impact on the environment;
4. the planning and implementation of environmental protection activities;
5. the rights and duties of central and local authorities, bodies corporate and physical persons as regards environmental protection.

Article 2

The reduction of risk for human health and for the environment and its relation to suffered damages and missed benefits shall be the basis for determining ecologic policy.

Article 3

- (1) Natural and juridical persons carrying on activities which pollute the environment within the limits of admissible norms shall pay fees.
- (2) The sums deposited as fees for polluting the environment within the limits of admissible norms shall be distributed as follows: 40 per cent to the municipal environmental protection funds and 60 per cent to the national environmental protection fund.

(3) In cases of damaging the environment or polluting it in excess of the maximum admissible norms fines shall be imposed on natural persons and monthly sanctions on juridical persons, determined pursuant to Article 32 of this Act.

(4) The sums paid as sanctions imposed pursuant to paragraph 3 shall be distributed as follows: 30 per cent to the municipal environmental protection funds and 70 per cent to the national environmental protection fund.

(5) The funds shall be used only for financing environmental protection activities.

Article 3bis

The natural resources for the use of which fees shall be collected shall be determined by law.

Article 4

The Council of Ministers shall prepare and submit to the National Assembly a report on the state of the environment once a year. After its approval the report shall be published as an Annual Book on the state of environment.

Article 5

When the quality of the environment is damaged, the responsible persons shall restore it according to the directions of the specialized control and municipal authorities.

Article 6

In cases of transboundary pollution, the requirements and standards included in the agreements and conventions, to which the Republic of Bulgaria is a party shall be applied. In the absence of such regulatory instruments shall be applied the requirements and standards of the European Community.

Article 7

(1) The importation of waste and dangerous substances in the country shall be prohibited as follows:

1. when they are of an undetermined chemical composition, as well as when there exist no methods for their analysis which can be applied in the Republic of Bulgaria;
2. for the purpose of storage, depositing, destruction or recycling;

3. for the purpose of serving as inputs for manufacture in case the decision of the competent authority designated in Article 27 on assessment of the environmental impact is negative.
- (2) The transit transportation of waste and dangerous substances across the territory and the territorial sea of the Republic of Bulgaria shall be decided upon each particular case with the authorisation of the Minister of Environment provided there is a provision for it in an international treaty to which Bulgaria is a party, with strict observance of the safety measures.
- (3) The construction and exploitation of enterprises and other facilities and the carrying on of activities without purification and protection equipment when the latter are required shall be prohibited.
- (4) The use of licences and patents and the import in the country of equipment and technology which create the threat of pollution in excess of the limits of existing norms and standards is prohibited.

Chapter Two

INFORMATION CONCERNING THE STATE OF THE ENVIRONMENT

Article 8

The information about the state of the environment consists of:

1. data concerning the state of the environment components;
2. data about the results of activities that bring or may bring about pollution or damage to the environment or its components;
3. data concerning activities and actions undertaken for protection and restoration of the environment.

Article 9

All persons and the state and municipal authorities shall have the right of access to the available information concerning the state of the environment.

Article 10

Published and submitted information shall be supplemented by explanations for the possible consequences for human health and the environment and by recommendations for the conduct of the citizens in case of expected negative influence.

Article 11

- (1) Information concerning the state of the environment shall be collected by the Ministry of Environment, the Ministry of Health, the Ministry of Agricultural Development, Land Use and Restoration of Land Ownership and the National Statistics Institute, by the persons authorized by them and by the municipal authorities.
- (2) The corporate and physical persons producing goods and services shall submit the data under Article 8, items 2 and 3 to the authorities under paragraph 1.
- (3) The authorities under paragraph 1 shall furnish and announce the information through the mass media or in another way in a comprehensible for the average citizens form.

Article 12

- (1) The state and municipal authorities, the corporate and physical persons and the producers of goods and services shall present on request information about the expected impact on the environment before obtaining final authorisation to carry on their activities and actions or before undertaking them as is regularized under Chapter Four of this Act and the Annexes to it.
- (2) The authorities and persons under paragraph 1 shall satisfy applications not later than two weeks after the request, provided a longer period has not been agreed upon before the expiration of the deadline. The absence of a notice after the time period under this paragraph shall be considered a refusal.
- (3) Where the information under Article 8 and the preceding paragraphs is not subject to dissemination in compliance with the current law, it shall be delivered in writing with no right to disseminate it.

Article 13

The authorities and persons under Article 12, Paragraph 1 shall inform the population without delay when pollution or damage of the environment occur, including natural disasters, industrial accidents and fires, and shall provide information about the changes in the environment that have taken place, the measures for their restriction and elimination and the requirements for the conduct of the citizens with a view to ensure their health and safety.

Article 13bis

In case of an immediate threat of considerable pollution or damaging of the environment the authorities and persons designated in Article 12, paragraph 1 shall immediately inform the public and shall undertake emergency measures for the prevention of potentially harmful effects.

Article 14

The producers of goods and services, their middlemen and the merchants, including those dealing with agricultural and food products, shall be obliged simultaneously with the sale or performance of the service to give customers information in writing and, in fragrantly important cases, in oral form about the harmful ingredients of the goods and services, as well as about the possible negative effects of the performed services.

Article 15

An authority or a person under Article 9 who considers their request for access to information unjustifiably rejected or unlawfully restricted, or that the obtained information is unreliable, shall have the right to request protection of their rights through administrative channels or through the court.

Chapter Three

CONTROL OF THE STATE OF THE ENVIRONMENT

Article 16

- (1) The control of the environment condition shall consist of monitoring the quality of the environment components and registration of their changes, as well as monitoring the causes for these changes.
- (2) The data collected as a result of the control shall be treated in conformity to the regulations in Chapter Two of this Act.

Article 17

- (1) The control of the state of the environment and pollution sources shall be the duty of the authorities under Article 11, Paragraph 1.
- (2) The control shall be constant and in conformity with the specific features of observed parameters and pollution sources. In cases when the respective authorities are incapable of fulfilling their obligations under Paragraph 1, they shall, in compliance to their

competence according to Article 27, announce the reasons to the public by means of the mass media.

- (3) The individual parameters of the environment that are subject to control shall be specified in correspondence with the control methods endorsed by the Minister of Environment.

Article 18

- (1) State control differentiated according to pollution sources shall be exercised:
 1. after a decision of the state authorities;
 2. at the request of aggrieved or presumably aggrieved citizens and their organizations on the basis of the pollution identified by them.
- (2) The ascertained polluter shall pay the control costs.

Chapter Four

ASSESSMENT OF THE IMPACT ON THE ENVIRONMENT

Article 19

All kinds of activities of the physical and juridical persons and of the state and municipal authorities may be subject to an assessment for the impact on the environment.

- (2), (3), (4), (5) & (6) repield

Article 20

- (1) The assessment of the impact on the environment shall be made mandatory in the following cases:
 1. projects and facilities as listed in Annexes 1 and 2;
 2. national and regional programs for development, landscape and urban development and their amendments;
 3. reconstruction and expansion projects pursuant to the previous paragraphs.
- (2) By decision of the competent authorities designated in Article 27 other projects and facilities in addition to those listed in paragraph 1 may also be assessed.
- (3) The assessment of the impact on the environment may also be carried out on the basis of proposals of concerned natural and

juridical persons addressed to the competent authorities designated in Article 27.

- (4) The assessment of the impact on the environment of operating facilities shall be carried out periodically as prescribed by the competent authorities. Assessments for large polluting facilities shall be made at least once every five years.

Article 21

(1) The assessment shall be assigned by the investor or initiator of the activities to independent experts who:

1. are professionally competent;
2. have stated that they have no direct interest in the realization of the facility or activity and have not taken part in the designing process
- (2) In giving their opinion the experts shall be guided by the requirements of Article 2 and the existing in the country norms and standards for admissible environmental pollution.

Article 22

(1) The procedures and conditions for carrying out the assessment shall be determined with a regulation issued by the Minister of Environment in consultation with the Minister of Territorial Development, Housing Policy and Construction, the Minister of Health and the Minister of Agricultural Development, Land Use and Restoration of Land Ownership.

Article 23

(1) The investor or initiator of the activities shall present to the competent authority a report on the impact on the environment which shall mandatory contain:

1. annotation of the project;
2. description of the environment which shall be the subject of impact;
3. a forecast for the expected impact;
4. presentation of the possible ways for the project implementation;
5. a list of the parties that may be affected by the impact of the facility on the environment;
6. other items as required by the Minister of Environment;

7. conclusion of the experts who have made the assessment.

Article 23bis

(1) The competent authority shall organize a discussion of the presented results of the assessment on the environmental impact in which the local administration bodies, representatives of public organizations, the public and concerned natural and juridical persons shall take part.

(2) The persons mentioned in paragraph 2 must be informed by the competent authority through the mass media or in another appropriate manner not later than one month before the discussion.

Article 23ter

(1) The competent authority shall render its decision after the discussion of the assessment results not later than three months after the conclusion of the procedure under Article 23bis.

(2) The persons under Article 21 who have assigned the carrying out of the assessment shall be informed in writing of the decision and it shall be announced through the mass media or in another appropriate manner within 15 days of its rendering.

(3) Concerned parties may appeal the decision before the respective district court pursuant to the Administrative Procedure Act within 14 days of the announcement under paragraph 2, and for projects with a national significance within 30 days.

(4) The decision on the environmental impact assessment for projects and activities which have not been started shall be valid for one year.

Article 23quater

The competent authority shall prohibit or stop the activities or implementation of projects for which the environmental impact assessment is negative or for which the mandatory assessment has not been made, or which have not been equipped with the necessary purification and protection equipment.

Chapter Five

RIGHTS AND DUTIES OF THE STATE AND MUNICIPAL AUTHORITIES

Article 24

(1) It shall be the duty of the Minister of Environment to:

1. work out the government strategy for environmental protection in cooperation with the ministers concerned with the problem;
2. manage the national fund on environmental protection and to allocate the funds for environmental protection activities, scientific research and projects, including to natural and juridical persons;
3. control the quality of the environment in the territory and territorial sea of the Republic of Bulgaria, prohibit or stop activities damaging the environment;
4. coordinate the control functions discharged by other ministries and departments with respect to the environment;
5. prepare the Annual Report on the quality of the environment as under Article 4;
6. inform the public about his activity through the mass media, the specialized publications and through other accessible channels;
7. endorse in consultation with the Minister of Health, the Minister of Agricultural Development, Land Use and Restoration of Land Ownership, the Minister of Territorial Development, Housing Policy and Construction and other state bodies:
 - a) norms for the emissions and concentrations of harmful substances according to regions, environment components and types of pollutants, as well as for the use of the renewable and non-renewable natural resources;
 - b) special regimes for the regions with a threatened environment, projects and activities for restoration of the normal qualities of the environment, which shall be submitted for approval by the Council of Ministers;
 - c) instructions for labelling of goods in accordance with the requirements of Article 14;
 - d) schedules of fees for the use of natural resources and for admissible pollution;

e) instructions for the transportation, storage, use and deposition of dangerous substances;

8. guide and control the preservation of the biological diversity and natural ecosystems, declare the protected species and territories;
 9. endorse and publish the methods for control and assessment of the impact on the environment pursuant to Chapters Three and Four. Organize the national system for monitoring and control of the state of environment
 10. represent this country in intergovernmental organizations and meetings concerned with environmental protection.
- (2) The rights and duties of the Minister of Environment that have not been specified by this Act, as well as those under item 7 of paragraph 1, shall be determined with an Act of the Council of Ministers.

Article 25

- (1) The Minister of Environment shall set up regional environmental protection inspectorates, to be agencies of the Ministry, and shall determine their functions and territorial scope. The regional inspectorates shall serve the municipalities which do not have environmental protection equipment and staff.
- (2) In discharging their functions the regional inspectorates shall issue recommendations and orders in writing.

Article 26

Municipal authorities shall:

1. develop their own programmes for environmental protection in coordination with the competent authorities of the Ministry of Environment and, when necessary, with the Ministry of Health and the Ministry of Agricultural Development, Land Use and Restoration of Land Ownership and with other competent state bodies respectively;
2. inform the public about the state of environment and the undertaken activities and actions that are subject to environmental impact assessment;
3. control the disposal of waste and dangerous substances on their territory;

4. build, use and maintain purification plants for household waste waters;
5. organize and control the collection and rendering harmless of household waste;
6. manage the municipal environmental protection funds.

Article 27

- (1) When the result of the activities of the physical and juridical persons and of the state and municipal authorities occurs or may occur:
 1. on the territory of one municipality, the regional environmental inspectorate and the municipal authorities shall be competent to undertake the activities and actions prescribed by the law;
 2. on the territory of several municipalities falling within the scope of one regional environmental inspectorate, the respective regional environmental inspectorate;
 3. on the territory of several municipalities falling within the scope of several regional environmental inspectorates, the Minister of Environment.
- (2) The disputes on the powers of different authorities shall be settled by the Minister of Environment.
- (3) The regional environmental inspectorates shall be superior administrative authorities to the municipal ones in the meaning of the administrative procedures Act. Superior to the regional inspectorates in the same meaning shall be the Minister of Environment.

Article 28

- (1) in cases of committed or possible damage of the environment established by impact assessment, the authority competent under Article 27 may:
 1. suspend industrial and other activities until the disturbance is eliminated;
 2. stop industrial and other activities that cause or may cause irreparable damages to environment and human health;
 3. prescribe the elimination of the effects caused by the damage.
- (2) The Minister of Environment may suspend regulations issued by other ministries and municipal authorities when they contravene the prescriptions of this Act.

Chapter Six

LIABILITIES

Article 29

The persons found guilty of harming others by pollution or damage to the environment shall be bound to remedy the damage. The compensation may not be less than the sum required to repair the damages caused.

Article 30

(1) The persons aggrieved under Article 29 may lodge a claim and institute proceedings against offenders to stop the damage and to eliminate the consequences of the pollution.

(2) The claims to cease the disturbance and to eliminate its effects may be lodged by the municipal authorities, as well as by associations of citizens with an ideal purpose and by every citizen.

Article 31

The elimination of the harmful effects caused by transboundary environmental pollution shall be accomplished on the basis of an international treaty, to which the Republic of Bulgaria is a party, if such a treaty does not exist - on the basis of the general rules of International Law.

Article 32

- (1) A natural person guilty of an offence under this Act that does not constitute a crime shall be liable to a fine from 1,000 to 150,000 Levs.
- (2) The fine for repeat offenders or for persons acting in an official capacity shall be from 3,000 to 300,000 Levs.
- (3) Obviously insignificant violations shall be liable to a fine not exceeding 200 Levs.
- (4) For damaging or polluting the environment in excess of the admissible norms monthly sanctions not to exceed 30 million leva shall be imposed upon juridical persons.

Article 33

An independent impact assessment expert guilty of an offence under Article 20, Paragraph 3, item 3, shall be liable to a fine from 1,000 to 10,000 Levs, if he is not liable to a more severe penalty.

Article 34

(1) A company or enterprise guilty of an offence under Articles 7 and 14 or not complying with prescriptions under Article 23 shall be liable to a fine from 5,000 to 350,000 Levs.

(2) Fines from 20000 to 2000000 Levs shall be imposed when:

1. the offence is repeated for a second time;
2. the offence is so substantial that has brought to irreversible harm to the environment and human health;
3. the activities have been prohibited by a court decision.

(3) In insignificant cases under Paragraph 1 the fine shall be from 1000 to 10000 Levs.

Article 35

The statements establishing breaches of this Act shall be drawn up by the competent authority as prescribed in the Law for administrative offence and penalty Act under Article 27, and the punishment decrees are issued by the Minister of Environment or persons authorized by him.

SUPPLEMENTARY PROVISIONS

§1. For the interpretation this Act:

1. "environment" means a complex of natural and anthropogenic factors and elements that are mutually interrelated and affect the ecological equilibrium and the quality of life, human health, the cultural and historical heritage and the landscape;
2. "environmental protection" means an activity aimed at avoiding environmental degradation through restoration, protection and improvement and comprises collection of information and control on the conditions, as well as assessment of the impact of the planned activities on the environment;
3. "natural resources" mean those parts of organic and inorganic nature that are used or may be used for satisfying human needs;

4. "renewable resources" mean resources that recover in a natural way or may be totally or partly recovered by special procedures at rates comparable to the rates of their exploitation. All other resources are non-renewable;

5. "pollution of the environment" means the change of its qualities as a result of the occurrence and introduction of physical, chemical or biological factors from a natural or anthropogenic source in the country or outside it, irrespective whether they exceed or not the standards valid for the country;

6. "damage of the environment" means such a change of one or more of the components it consists of which leads to impairment of the quality of life of people, to a poorer biological diversity or to an impeded restoration of the natural ecosystems;

7. "dangerous substances and waste" are those which injure or may injure human health, the flora or the fauna and the quality of the environment when being produced, transported, stored, used or disposed of.

TRANSITIONAL AND CONCLUDING PROVISIONS

§2. (1) The programmes, plans and projects developed before the enforcement of this Act, as well as the sources of pollution, operating without an environmental impact assessment or the cases of pollution registered as under Chapters Three and Four of this Act, shall be a subject to assessment for the impact on the environment.

(2) In case of negative impact on the environment, the Minister of Health shall decide whether to authorise assessment of the health condition of the affected personnel and the population.

(3) The pollution sources established and subjected to environmental impact assessment as prescribed under Article 19 shall be bound to bring their activity in conformity with the prescribed limits in a time period determined by the Minister of Environment, but not later than 5 years after this Act comes into force.

(4) The expiration of the deadline under Paragraph 3 shall not cancel the liabilities under this Act.

§3. The Penal Code shall be adjusted and amended as follows: (prom., SG, No 26/1968; amended, No 29/1968; amended No 92/1969, No 26 and 27/1973, No 89/1974, No 95/1975, No 3/1977, No 54/1978,

No 89/1979, No 28/1982, adjusted No 31/1982; amended No 44/1984, No 41 and 79/1985; adjusted No 80/1985; amended No 89/1986, No 90/1986; amended No 37, 91 and 99/1989, No 10, 31 and 81/1990 and No 1/1991):

1. Article 221bis shall be amended as follows:
 *Article 221bis. (1) A person who issues an order or in violation of his responsibilities permits the use of lands and pastures expropriated or not delivered as prescribed by the Law for construction purposes or for other non-agricultural needs, shall suffer imprisonment of up to three years and a penalty of one to ten thousand Levs.
 (2) A person who has continued, ordered or in violation to his responsibilities authorised further construction or another use for non-agricultural purposes of lands under the preceding paragraph, once construction and the other kinds of use have been suspended by the corresponding authorities through the prescribed procedure, shall be liable to imprisonment to five years and to fine from two to ten thousand Levs.*
2. In Article 235, Paragraph 1, for the words "two hundred" there shall be substituted the words "two thousand".
3. In Article 236, for the words "five hundred" there shall be substituted the words "five thousand".
4. In Article 237, Paragraph 1, for the words "two hundred to one thousand" there shall be substituted the words "five hundred to five thousand".
5. In Article 237, Paragraph 2, for the words "five hundred" there shall be substituted the words "five thousand".
6. In Article 238, Paragraph 1, for the words "in severe cases" there shall be substituted the words "in not unimportant cases" and for the words "or a fine to one thousand Levs" there shall be replaced the words "and a fine to five thousand Levs".
7. In Article 239, Paragraph 1, after the word "enterprise" there shall be inserted the word "firm" and for the words "or to a fine to one thousand Levs" there shall be replaced the words "as well as to a fine to five thousand Levs".
8. In Article 278bis, Paragraph 1, the words "and in this way causes considerable damage" shall be deleted and after "reformatory labour" there shall be inserted the words "as well as to a fine from five hundred to five thousand Levs".

9. Paragraph 2 in Article 278bis shall be amended in the following manner:

"(2) For unimportant violations according to the preceding paragraph the penalty shall be a fine to one thousand Levs, imposed through administrative procedures."

10. In Article 278bis, Paragraph 3, for the words "five thousand" there shall be substituted the words "ten thousand".

11. In Article 352, Paragraph 1, for the words "up to three thousand" there shall be substituted the words "from five thousand up to two hundred and fifty thousand".

12. In Article 352bis, Paragraph 1, for the words "one hundred thousand" there shall be substituted the words "one million".

13. In Article 353, Paragraph 1, for the words "three hundred to three thousand" there shall be replaced the words "five thousand to fifty thousand".

14. There shall be created a new Article 353a with the following contents:

"Article 353bis. An official person who, in the sphere of his official responsibilities conceals or announces false information about the condition of the environment and its media - air, waters, soils, sea areas - and from this result not insignificant damages of the environment, life and human health, shall be liable to imprisonment of up to five years and to a fine from five thousand to fifty thousand Levs."

§4. The Nature Conservation Act (prom., SG No 47/1967; amended SG No 3/1977, No 28/1982 and No 26/1988) shall be amended as follows:

1. Everywhere for the words "Committee for Environment Protection" there shall be substituted the words "Ministry of Environment".

2. Articles 1 and 28-34 shall be repealed.

§5. Articles 18 and 24 of the Act for Protection of Air, Waters and Soil from Pollution (prom. SG, No 84/1963; amended, No 26/1968, No 29/1969, No 95/1975, No 3/1977, No 1/1978 and No 26/1988) shall be repealed.

§6. In Article 8 of the Transitional provisions of the State Fees Act (Promulgated Izvestiya No. 104 of 1951; amended No. 89 of 1959, No. 21 of 1960; State Gazette No. 53 of 1973, No. 87 of 1974, No. 21 of 1975, No. 21 of 1990 and No. 55 of 1991) at the end of the

last sentence the words "as well as the fees collected pursuant to the Environmental Protection Act" shall be added.

§7. (1) The fees pursuant to Article 3 and 3bis shall be determined by the Council of Ministers.

(2) The amount and the procedure for determining the sanctions pursuant to Article 3, paragraph 3 shall be determined by the Council of Ministers.

§8. For services related to the organizing of assessments of the impact on the environment, the issuing of permits, certificates, consent in writing and for determining quotas for the use of threatened biological resources the Ministry of the Environment shall collect fees through a procedure to be determined by the Council of Ministers which shall be deposited in the national fund on the protection of the environment.

§9. (1) In case of restitution, privatisation or investments in facilities for new construction by foreign and Bulgarian natural and juridical persons such persons shall not be liable for ecological damages occurring from past actions or lack of actions.

(2) The facilities under paragraph 1 shall mandatory be subjected to an assessment of the environmental impact until the moment of restitution, privatisation or investment.

§10. The Ministry of Environment, the Ministry of Territorial Development, Housing Policy and Construction, the Ministry of Health in conjunction with the municipal authorities shall set norms for industrial waste water in the sewer systems of communities.

§11. This Act is hereby referred for enforcement to the Council of Ministers.

This Act was submitted to a vote and duly adopted by the Grand National Assembly on October 2nd, 1991 and the State Seal was affixed hereto.

Chairman of the Grand National Assembly: Nikolai Todorov
Annex No 1

Projects of International Importance Liable to Assessment of the Impact on the Environment According to Chapter Four

1. Oil refineries (excluding the enterprises for lubricants and oil production) as well as installations for gasification and liquefaction of minimum 500 tons of coal or pitch containing shales.

2. Thermoelectric power stations and other burning equipment with thermal capacity of minimum 300 megawatts, as well as nuclear power stations and other nuclear reactors (excluding these for scientific investigations for production and treatment of substances by the method of splitting the atomic nuclei whose power does not exceed 1 kilowatt of constant thermal stress).

3. Equipment with the sole purpose of final storage or complete annihilation and/or processing of radioactive wastes.

4. Integrated metallurgical plants for the production of cast iron and crude steel.

5. Equipment for asbestos production, as well as for treatment and processing of asbestos and asbestos products; asbestos-cement production with final annual output more than 20000 tons and other similar productions with different consumer purposes using more than 200 tons of asbestos per year.

6. Equipment for oil and gas output.

7. Integrated chemical equipment.

8. Construction of roads and highways*, international railway sections, as well as airfields** with a length of take-off and landing runways over 2100 m.

9. Sea trade routes, as well as navigation routes and ports for internal navigation that are accessible for ships of more than 1350 gross register-tons.

10. Equipment for annihilation or disposal in the soil or sub-soil of waste.

Annex No 2

* "highways" in the sense of this Act are the highways according to the definition of this term in the European Agreement for the main highways of international traffic from November, 15th, 1975.

** "airfields" in the sense of this Act are the airfields according to the definition of this term in the Chicago Agreement from 1944 for the foundation of the International Organization of Civil Aviation (Annex No 4).

Projects of National and Regional Importance Liable to Assessment of the Impact Factor on the Environment According to Chapter Four

1. Agriculture:
 - a) land consolidation projects;
 - b) projects for putting of uncultivated or semi-desolate lands to intensive agricultural usage, as well as projects for utilization of agricultural lands damaged by the operation of industrial installations;
 - c) water economy and melioration projects in agriculture;
 - d) projects for primary afforestations if they are likely to bring to negative consequences and projects for deforestation with the purpose of land use for agricultural production or in another way;
 - e) poultry farm projects (more than 2000 birds);
 - f) stock-breeding farm projects (cattle - more than 50, pigs - more than 100 and sheep - more than 200);
 - g) fish-breeding farm projects;
 - h) projects for drainage of sea and swamp land.
2. Mining:
 - a) peat output projects;
 - b) deep borehole projects (excluding the boreholes for seismic investigations) for the purpose of:
 - thermal energy output from the earth entrails;
 - radioactive waste disposal;
 - water supply.
 - c) projects for the extraction of inert, rock or effective materials;
 - d) projects for open-pit or deep mining of coal;
 - e) projects for oil production;
 - f) projects for natural gas production;
 - g) ore-mining and ore-processing projects;
 - h) projects for asphalt containing shales;
 - i) projects for extraction of bituminous schists, non-metaliferous and mineral raw materials;

- d) projects for on-ground equipment for oil, gas and ore output;
 - k) projects for coke plants and coal dry distillation plants;
 - l) projects for production of cement and other building materials and elements.
3. Power economy:
 - a) projects for industrial equipment for electricity generation and steam and hot water production, not included in Annex No 1;
 - b) projects for industrial equipment for gas, steam and hot water transfer, as well as surface electric power lines;
 - c) overground gas storage projects;
 - d) projects for storage of explosion-hazardous and fire-risk gases in underground depots;
 - e) projects for coal briquette compaction;
 - f) projects for surface storage of fossil fuels;
 - g) projects for equipment for nuclear fuel production and dressing;
 - h) projects for equipment for processing of irradiated nuclear fuel materials and for disposal and processing of radioactive waste, not included in Annex No 1;
 - i) projects for hydroelectric power generation.
 4. Metal processing, machine building and electronics:
 - a) projects for metallurgical and steel production plants, including foundries, smitheries and rolling workshops, if they are not included in Annex No 1;
 - b) projects for production, melting, purification, drawing and rolling of non-ferrous metals, excluding the precious metals;
 - c) projects for the production of compacted, drawn or stamped articles;
 - d) projects for surface inoculation and mechanical processing of metals;
 - e) projects for production of sheet metal boilers, reservoirs, tanks and other vessels;
 - f) plant projects for the production of motor vehicles and their engines;
 - g) projects for shipyard construction;
 - h) projects for production and maintenance of aviation vehicles;

- i) projects for railway equipment production;
 - j) projects for excavations works by means of explosives;
 - k) projects for ore roasting and sintering equipment;
 - l) accumulator production projects;
 - m) projects for production of electrical insulation materials.
5. Projects related to glass, faience and porcelain ware.
6. Chemical industry:
- a) projects for chemical intermediate product treatment and production of chemicals not included in Annex No 1;
 - b) projects for production of plant protection preparations, insecticides, pharmaceutical and cosmetic products, paints, dye materials, elastomers and peroxides;
 - c) projects for productions based on biotechnological processes;
 - d) projects for storage of oil and petrochemical and chemical products.
7. Food industry:
- a) projects for plant and animal fat production;
 - b) tin industry projects for meat, fruit and vegetables;
 - c) projects for milk product production;
 - d) projects for breweries and malt producing enterprises;
 - e) projects for production of sugar products, syrup and alcoholic drinks;
 - f) slaughterhouse construction projects;
 - g) industrial starch production projects;
 - h) projects for factories for fish meal and oil production;
 - i) sugar factories projects;
 - j) projects for production of spirit and yeast;
 - k) projects for processing of plant raw materials, fodder, flour and tobacco articles production.
8. Textile, leather, wood processing and paper industry:
- a) projects for equipment for washing, degreasing and bleaching of wool;

- b) projects for production of wood plates from sawdust and wood fibres, as well as of plywood;
 - c) projects for wood mass, paper and cardboard production;
 - d) projects for fibre dyeing factories;
 - e) cellulose production and processing projects;
 - f) leather shop projects.
9. Projects, related to rubber processing and to elastomer production and processing.
10. Infrastructure:
- a) town planning;
 - b) projects for construction of roads, intercity railway sections, harbours, including river ones, and airfields, including these for the agricultural aviation that are not treated in Annex No 1.
 - c) projects for cableways and other mountain communications;
 - d) projects for drainage and correction of river beds;
 - e) projects for dams and other constructions for collecting and continuous holding of water;
 - f) projects for tramways, fast town underground and overground trains, suspension lines, special trains and similar passenger trains;
 - g) oil and gas pipeline construction projects;
 - h) projects for water transportation at long distances;
 - i) yacht harbour projects.
11. Other projects:
- a) Town planning and construction designs for recreation zones and tourist resorts;
 - b) runaway projects for competitions and testing of cars and motorcycles;
 - c) equipment for processing, converting to harmless products and storage of waste not included in Annex No 1;
 - d) projects for purification plants;
 - e) projects for slurry storage places;
 - f) iron shot storage projects;
 - g) projects for testing grounds of engines, turbines and reactors;

-
- h) projects for artificial mineral fibre production;
 - i) projects for production, packing, loading or filling (in cartridge-cases or appropriate capsules) of gunpowder and explosives;
 - j) incinerators;
 - k) radio and television transmitters and other sources of electromagnetic fields.
12. Projects for alterations of projects according to Annexes No 1 and 2, that are used exclusively or mainly for the development and testing of new methods or elements with duration not more than one year.

REGULATION No. 1
of 28 December 1992
On the Environmental
Impact Assessment

BULGARIAN LAW
24C

REPUBLIC OF BULGARIA
MINISTRY OF ENVIRONMENT
MINISTRY OF TERRITORIAL DEVELOPMENT,
HOUSING POLICY AND CONSTRUCTION
MINISTRY OF HEALTH
MINISTRY OF AGRICULTURE

Regulation No. 1
of 28 December 1992

On the Environmental Impact Assessment

Promulgated State Gazette No. 10/05.02.1993

Chapter One
GENERAL PROVISIONS

Article 1

(1) This Regulation shall set forth the terms and procedure for the environmental impact assessment (EIA) for the projects, facilities and activities under Article 20, Para 1 of the Environmental Protection Act.

(2) Subject to EIA shall be:

1. National and regional development programmes, including the territorial development plans;
 2. Landscape development plans and urban development plans as well as their amendments;
 3. Projects for green field construction, expansion, reconstruction and refurbishing of the facilities set forth in Annexes 1 and 2 of the Environmental Protection Act;
 4. Operating facilities, equipment, activities and others which are considered by the Ministry of Environment to exert substantial impact on the environment in the process of their operation, restructuring, privatisation or restitution.
- (3) EIA shall be mandatory for projects of international, national or regional significance in accordance with Annex 1 and in conformity with the established international standards.

Article 2

- (1) For the purposes of this Regulation, the environmental impact assessment shall mean the procedure for studying and analyzing projects, facilities and activities as well as preparing and adopting

conclusions related to the protection of the air, waters, land, mineral resources, flora, fauna, protected territories, landscape, population, settlements and cultural heritage with respect to their permissibility with a view of the existing statutory requirements and their environmental and socio-economic viability.

(2) The results from the EIA shall be presented in a report containing objective data, analysis and conclusion.

Article 3

(1) The investor or the person initiating the activity shall assign the environmental impact assessment to independent experts who:

1. Possess professional competence;
2. State that they have no direct interest in the fulfillment of the project or activity and have taken no part in the preparation of the project;
3. Make conclusions on the basis of the existing norms and standards for the permissible pollution of the environment and the requirements set forth in Annex 3.

(2) The investor or the person initiating the activity shall bear the costs for the EIA in accordance with Article 23, Para 2 of the Environmental Protection Act.

(3) The investor or the person initiating the activity shall provide the necessary project and other documentation. The expert may require additional information, if necessary, with respect to the preparation of the EIA report.

Article 4

(1) The environmental impact assessment for national and regional development programmes shall be carried out in the following stages:

1. Preparation of an EIA report with regard to the expected impact on the environment as a result of its implementation;
2. Discussion of the programme and the EIA report;
3. Incorporation of the results from the discussion into the final EIA report;
4. Making a decision on EIA as a precondition for the acceptance or rejection of the programme.

(2) The environmental impact assessment for landscape development plans and urban development plans shall be carried out in the following stages:

1. Preparation of a preliminary EIA report together with the preparation of the preliminary draft of the plan;
2. Making a decision on the preliminary EIA report;
3. Preparation of a final EIA report parallel to the preparation of the final version of the plan;

4. Discussion of the EIA results together with the discussion of the plan;

5. Incorporation of the results from the discussion in the final EIA report;

6. Making a final decision on the EIA.

(3) The environmental impact assessment for investment projects under Article 1, Para 2, Subpara 3 shall be carried out in the following stages:

1. Preparation of a preliminary EIA report together with the assigning or the initial phase of the design process;

2. Preparation of a final EIA report together with the preparation of the project in the phase in which the construction permit will be given;

3. Discussion of the EIA results;

4. Incorporation of the results from the discussion in the final EIA report;

5. Making a final decision on the EIA as a precondition for the approval of the project and the granting of the construction permit.

4) The environmental impact assessment for operating projects under Article 1, Para 2, Subpara 4 shall be carried out in the following stages:

1. Review of the available documentation related to the project and its impact on the environment;

2. Establishment of the current condition through measuring, sample taking and analyses for which protocols are compiled;

3. Preparation of EIA report;

4. Discussion of the EIA results;

5. Incorporation of the results from the discussion in the EIA report;

6. Making a decision on the EIA.

(5) The EIA for projects, facilities and activities with transboundary pollution shall be carried out at the instructions of the Ministry of Environment for each particular case.

Chapter Two

PRELIMINARY EIA REPORT

Article 5

(1) The preliminary EIA report shall be prepared in accordance with the requirements set forth in Annex 2.

(2) When the project, facility or activity is not included on the lists of Annex 1 B, the preliminary report shall be submitted to the respective regional environmental protection inspectorate.

- (3) The preliminary EIA report for the projects, facilities and activities under Annex 1 B shall be submitted to the competent authorities under Article 27 of the Environmental Protection Act which shall specify the need to work out a final EIA report.
- (4) The competent authorities shall make a decision on the preparation of a final EIA report within a month and inform the investor or the person initiating the activity about the decision in writing, while pointing out the reasons for the decision.
- (5) When a final EIA report is not deemed necessary, the competent authority shall make a final decision on the EIA in accordance with Article 10, Para 1.

Chapter Three

FINAL EIA REPORT

Article 6

- (1) The final EIA report shall be prepared in accordance with the requirements set forth in Annex 3.
- (2) The investor or the person initiating the activity shall submit the draft of the final EIA report to the respective competent authorities for consideration.
- (3) In the case of complex technical solutions the final EIA report shall be accompanied by a non-technical summary of the results from the EIA.

Article 7

The final EIA report is mandatory for projects, facilities or activities under Annex 1 A.

Chapter Four

DISCUSSION OF THE RESULTS FROM THE EIA

Article 8

- (1) The discussion of the results from the EIA shall be arranged for by the competent authorities making the final decision on the EIA.
- (2) The discussion shall involve the government agencies concerned, local administrations, public organizations, the local community, etc.
- (3) The discussion of the results from the EIA shall be carried out as follows:
 1. The competent authority shall inform the participants under Para 2 one month before the beginning of the discussion;
 2. The competent authority, in consultation with the investor or the person initiating the activity and the municipal administration, shall fix the time and venue for the discussion and announce them through the national and local mass media;

3. The investor or the person initiating the activity shall exhibit the materials (plans, drawings, diagrams, models, etc.) at places designated by the municipal administration and announce the time when the documentation and results from the EIA shall be made accessible to the public;
4. The investor or the person initiating the activity shall collect and record the written views, comments and recommendations of the participants in the discussion;
5. In the case of disputes, the competent authority shall make a decision on the need for a follow-up discussion which is preceded by additional consultations and comments of competent experts.
- (4) The discussion of the results from the EIA for landscape development plans and urban development plans shall constitute an element of the procedure for the discussion of the preliminary and final version of the respective plan which shall be carried out in accordance with the provisions of the existing legislation.
- (5) The results from the discussion shall be reflected in the final EIA report which is submitted to the competent authority for making a decision together with all the material and the minutes from the discussion.

Article 9

- (1) When providing access of the public to the EIA report, the competent authority shall not disclose the information comprising state, official or other secret for which it is held liable under Article 357 of the Penal Code.
- (2) The competent authority shall abide by the provisions of the Protection of Competition Act.

Chapter Five

FINAL DECISION ON THE EIA

Article 10

- (1) Depending on the specificities of the project and not later than 3 months after the end of the discussion, the competent authority shall allow the fulfilment of the programme, plan, project, facility or activity when:
 1. The existing statutory regulations and the technical and standardization normative documents for the protection of the environment are observed;
 2. The EIA report has been prepared in accordance with the provisions of this Regulation;
 3. The necessary developmental, technical and technological measures have been envisaged and taken for the reasonable use of natural resources and the protection and reproduction of

- (2) in accordance with the provisions of Para 1, Subparas 1 and 2, the final decision on the EIA is mandatory; the competent authority shall not allow the fulfilment of the programme, plan or project due to failure to observe any of these requirements.
- (3) The EIA report may be returned for refinement in accordance with Para 1, Subpara 3.
- (4) The competent authority shall make the final EIA decision as follows:
1. The Ministry of Environment: on the basis of the decisions of the Supreme Environmental Board;
 2. Regional Environmental Inspectorates: on the basis of the decisions of the Environmental Board at the Regional Environmental Inspectorate with the participation of representatives of the municipality.
- (5) The right to participate in the Boards shall be granted ex officio to representatives of the Ministry of Territorial Development, Housing Policy and Construction, the Ministry of Health, the Ministry of Agriculture and their local subdivisions as well as experts who have not previously participated in the procedure.
- (6) The competent authority shall inform the investor or the person initiating the activity in writing within 14 days after its announcement under Article 10 and send copies to all natural and legal persons concerned, making them available to the public as well.
- (7) The final decision on the EIA shall describe the terms under which the decision is issued and which the competent authority shall supervise.
- (8) The decision of the competent authority under Paras 2 and 3 shall be subject to appeal as follows:
1. For the programmes, plans, projects and activities of local significance: within 14 days before the District Court at the location of the project or activity.
 2. For programmes, plans, projects and activities of national or transboundary significance: within 30 days before the Supreme Court.
- (9) The decision of the competent authority on the EIA under Article 23bis, Para 4 of the Environmental Protection Act shall be valid for one year. After the expiration of this term, the investor or the person initiating the activity shall approach the competent authority for a new decision. When the conditions for the environmental impact have changed a new environmental impact assessment shall be made and a new decision shall be issued. When the conditions for the environmental impact have not changed, the previous decision shall be confirmed.

TRANSITIONAL AND CONCLUDING PROVISIONS

- § 1 This Regulation is issued pursuant to Article 22 of the Environmental Protection Act and repeals Regulation No. 1 on the Environmental

Requirements to Territorial Development Plans and Investment Projects of the Ministry of Construction, Architecture and Urban Development and the Ministry of Environment of 1991 (The State Gazette, issue 54 of 1991).

- § 2 This Regulation shall not rule out the need for coordination and approval of projects and activities required by other laws and regulations.
- § 3 The provisions of Regulation No. 1 on the Environmental Projects shall be valid until 30 June 1993 for projects whose designing process has started prior to the entry into force of this Regulation. Such projects shall be subject to discussion in accordance with Article 8 of this Regulation.
- § 4 The Minister of Environment shall issue instructions on the enforcement of this Regulation, in consultation with the Minister of the Territorial Development, Housing Policy and Construction and the Minister of Agriculture.

Minister of Environment: V. Vassilev

Minister of the Territorial Development, Housing Policy and Construction:
N. Karadinov

Minister of Health: N. Vassilev

Minister of Agriculture: G. Stoyanov

Annex No 1
A. Projects, Facilities and Activities for Which the Competent Authority
on the Environmental Impact Assessment
Is The Ministry of Environment

1. Oil refineries (excluding the enterprises for lubricants and oil production) as well as installations for gasification and liquefaction of minimum 500 tons of coal or pitch containing shales.
2. Thermoelectric power stations and other burning installations with thermal capacity of minimum 300 megawatts, as well as nuclear power stations and other nuclear reactors (excluding those for scientific study for production and treatment of substances by nuclear fission whose power does not exceed 1 kilowatt of constant thermal stress).
3. Equipment with the sole purpose of final storage or complete annihilation and/or processing of radioactive wastes.
4. Integrated metallurgical plants for the production of cast iron and crude steel.
5. Equipment for asbestos production, as well as for treatment and processing of asbestos and asbestos products; asbestos-cement production with final annual output more than 20,000 tons and other similar productions with different consumer purposes using more than 200 tons of asbestos per year.
6. Equipment for oil and gas output.
7. Integrated chemical equipment.
8. Construction of roads and highways, international railway sections, as well as airfields with a length of take-off and landing runways over 2,100 m.
9. Sea trade routes, as well as navigation routes and ports for internal navigation, that are accessible for ships of more than 1,350 gross register-tons.
10. Equipment for annihilation or disposal in the soil or sub-soil of waste.
11. Projects with potential danger for accidents.
12. Plans for management or development of protected areas or construction on their territory.

B. Projects, Facilities and Activities for Which the Competent Authority
on the Environmental Impact Assessment Is the Ministry
of Environment (ME) or Regional Environmental Inspectorates (REI)
Depending on Specific Criteria

The competent authorities for making EIA decisions shall be determined on the basis of the criteria set forth in the following table:

Criteria	Competent Authority
1. Scope of the impact: - Region monitored by more than 1 REI - Region monitored by 1 REI	ME REI
2. Extent of Loading the Environment	ME REI
2.1. Quantity of Waste Waters Intake - above 30 l/s - below 30 l/s	ME REI
2.2. Quantity of Waste Waters into the Purification Plants	REI
2.3. Quantity of Incinerated Wastes - above 750 kg - below 750 kg	ME REI
3. Amount of investments - above 50 million Leva - below 50 million Leva	ME REI

1. Agriculture:
 - a) land consolidation projects;
 - b) projects for putting of uncultivated or semi-desolate lands to intensive agricultural usage, as well as projects for utilization of agricultural lands damaged by the operation of industrial installations;
 - c) water economy and melioration projects in agriculture;
 - d) projects for primary afforestations if they are likely to lead to negative consequences and projects for deforestation with the purpose of land use for agricultural production or in another way;
 - e) poultry farm projects (more than 2,000 birds);
 - f) stock-breeding farm projects (cattle - more than 50, pigs more than 100, and sheep more than 200);
 - g) fish-breeding farm projects;
 - h) projects for drainage of sea and swamp land.
2. Mining:
 - a) peat output projects;

- b) deep borehole projects (excluding the boreholes for seismic investigations) for the purpose of thermal energy output from the earth entrails; radioactive waste disposal; water supply.
- c) projects for the extraction of inert, rock or effective materials;
- d) projects for open-pit or deep mining of coal;
- e) projects for oil and natural gas production;
- f) ore-mining and ore-processing projects;
- g) extraction of bituminous schists;
- h) extraction of non-metallic and mineral raw materials;
- i) projects for on-ground equipment for oil, gas and ore output;
- j) projects for coke plants and coal dry distillation plants;
- k) projects for production of cement and other building materials and elements.

3. Power economy:

- a) projects for industrial equipment for electricity generation and steam and hot water production, not included in Annex No. 1 A;
- b) projects for industrial equipment for gas, steam and hot water transfer, as well as surface electric power lines;
- c) underground gas storage projects;
- d) projects for storage of explosion-hazardous and fire-risk gases in underground depots;
- e) projects for coal briquette compaction;
- f) projects for surface storage of fossil fuels;
- g) projects for equipment for nuclear fuel production and dressing;
- h) projects for equipment for processing of irradiated nuclear fuel materials and for disposal and processing of radioactive waste, not included in Annex No 1 A;
- i) projects for hydroelectric power generation;
- j) storage of solid wastes from thermal power stations - dust and ash.

4. Metal processing, machine building and electronics:

- a) projects for metallurgical and steel production plants, including foundries, smitheries and rolling workshops, if they are not included in Annex No 1 A;
- b) projects for production, melting, purification, drawing and rolling of non-ferrous metals, excluding the precious metals;
- c) projects for the production of compacted, drawn or stamped articles;
- d) projects for surface inoculation and mechanical processing of metals;

- e) projects for production of sheet metal boilers, reservoirs, tanks and other vessels;
 - f) plant projects for the production of motor vehicles and their engines;
 - g) projects for shipyard construction;
 - h) projects for production and maintenance of aviation vehicles;
 - i) projects for railway equipment production;
 - j) projects for excavations works by means of explosives;
 - k) projects for ore roasting and sintering equipment;
 - l) battery production projects;
 - m) projects for production of electrical insulation materials.
5. Projects related to glass, faience and porcelain ware.
6. Chemical industry:
- a) projects for chemical intermediate product treatment and production of chemicals not included in Annex No 1 A;
 - b) projects for production of plant protection preparations, insecticides, pharmaceutical and cosmetic products, paints, dye materials, elastomers and peroxides;
 - c) projects for productions based on biotechnological processes;
 - d) projects for storage of oil and petrochemical and chemical products;
 - e) projects for production and processing of elastomers and polymers.
7. Food industry:
- a) projects for plant and animal fat production;
 - b) tin industry projects for meat, fruit and vegetables;
 - c) meat processing facility projects;
 - d) projects for milk product production;
 - e) projects for breweries and malt producing enterprises;
 - f) projects for production of sugar products, syrup and alcoholic drinks;
 - g) slaughterhouse construction projects;
 - h) industrial starch production projects;
 - i) projects for factories for fish meal and oil production;
 - j) sugar factories projects;
 - k) projects for production of spirit and yeast;
 - l) projects for processing of plant raw materials, fodder, flour and tobacco articles production.

8. Textile, leather, wood processing and paper industry:
- a) projects for equipment for washing, degreasing and bleaching of wool;
 - b) projects for production of wood plates from sawdust and wood fibres, as well as of plywood;
 - c) projects for wood mass, paper and cardboard production;
 - d) projects for fibre dyeing factories;
 - e) cellulose production and processing projects;
 - f) leather shop projects.
9. Infrastructure:
- a) town planning;
 - b) projects for construction of roads, intercity railway sections, harbours, including river ones, and airfields, including such for the agricultural aviation that are not treated in Annex No. 1 A.
 - c) projects for cableways and other mountain communications;
 - d) projects for drainage and correction of river beds;
 - e) projects for dams and other constructions for collecting and continuous holding of water;
 - f) projects for tramways, rapid city underground and overground trains, suspension lines, special trains and similar passenger trains;
 - g) oil and gas pipeline construction projects;
 - h) projects for water transportation at long distances;
 - i) yacht harbour projects.
10. Other projects:
- a) Town planning and construction designs for recreation zones and tourist resorts;
 - b) runway projects for competitions and testing of cars and motorcycles;
 - c) equipment for processing, converting to harmless products and storage of waste not included in Annex No 1 A;
 - d) projects for purification plants;
 - e) projects for slurry storage places;
 - f) iron shot storage projects;
 - g) projects for testing grounds of engines, turbines and reactors;
 - h) projects for artificial mineral fibre production;
 - i) projects for production, packing, loading or filling (in cartridge-cases or appropriate capsules) of gunpowder and explosives;
 - j) incinerators;

- k) radio and television transmitters and other sources of electromagnetic fields.

11. Projects for alterations of projects according to this Annex, that are used exclusively or mainly for the development and testing of new methods or elements with duration not more than one year.

Annex 2

Requirements for the Preparation of the Preliminary EIA Report

The preliminary EIA report shall contain:

1. An annotation of the project, facility or activity covering:
 - 1.1. the location - map (chart) of the area;
 - 1.2. the characteristics of the technology - technological chart;
 - 1.3. the environmental and economic characteristics.
2. A description of the environment subject to the impact.
3. A forecast for the impact on the environment.

Components	Characteristics	Assessment
Air	deterioration of quality prevailing winds precipitation/humidity temperature/inversions	
Waters	surface waters condition of the intake characteristics of waste waters degree of impact on the water body toxicity for water ecosystems underground water regime hydrological balance water users water consumption drainage systems floods siltting regime	
Soils	deterioration of category, structure or productivity soil type chemical damage physical damage degree of erosion	
Plants and Animals Protected Areas	plant and animal species; extinction or decrease of populations	

Components	Characteristics	Assessment
	biological diversity; reduction or disruption of nutritive links ecosystems; extinction or damage of habitat protected areas; extinction of threatened and rare species	
Landscape	change (damage) of the landscape	
Human Health and Safety	organization on the territory; areas for work, habitation and recreation noise non-ionizing radiation radioactivity wastes - collection and treatment affected population	
Socio-Economic Conditions	employment impact on the well-being and quality of life decline of the quality and quantity of the recreational opportunities	
Cultural Heritage	impact on historic, archaeological or architectural monuments impact on the current use of land and resources for traditional purposes	

Impacts which are not included in the characteristics of the components shall be described in a free form.

Components shall be studied and assessed in terms of the specific criteria as follows:

- a) territorial scope - depending on the radius of the impact: 5 km - small; 10 km - average; 50 km - substantial; 100 km - large; over 100 km - exceptionally large;
- b) degree of the impact - in percentage of the admissible limits: up to 50 % of the MAQ - insignificant; above 50 per cent of the MAQ - substantial; above the MAQ - dangerous;
- c) duration - short or long;
- d) frequency - low, high, regularly, continuously;
- e) recover opportunities - yes/no;
- f) cumulative effect.

The impact of the project, facility or activity shall be assessed generally in terms of all the components as follows:

- a) insignificant
- b) substantial;
- c) dangerous.

Where at least one component is assessed as "substantial" or "dangerous", the project, facility or activity shall be subject to a final environmental impact assessment report.

Where optional solutions exist, the choice of the option may be based on general rates as indicated in the formula:

$$K = \frac{\sum (V_i \frac{A_e}{A_i})}{1000}$$

where: V_i is the annual volume of the i -pollutant contained in waste substances;

A_e is the MAQ for the pollutant accepted as standard (the pollutant with the lowest degree of harmfulness);

A_i is the MAQ for the i -pollutant contained in waste substances.

The one with the lowest level shall be given preference.

4. A conclusion with recommendations on preparing a final report or making a final decision on the EIA.

Annex No. 3

Requirements to the Preparation of the Final EIA Report

The final EIA report shall contain:

1. An annotation of the project, facility or activity containing information on:
 - 1.1. the location - map (chart) of the area;
 - 1.2. the characteristics of the technology - technological chart;
 - 1.3. the environmental and economic characteristics:
 - a) fixed assets - total, including the ones for environmental protection;
 - b) used resources: fuels and electricity; ores and non-ore mineral resources; raw materials; water resources; for production purposes (good for drinking, conditionally pure, repeatedly used); forest resources; recycled resources; land - according to the category;
 - c) area for depositing wastes;
 - d) output in physical terms and value;
 - e) profit rate.
2. Description of the environment which is subject to the impact:
 - 2.1. Condition of the atmospheric air:
 - a) characteristics of the climatic and meteorological factors influencing the condition of the air;
 - b) sources of pollution and quantities of pollutants in terms of type and composition;
 - c) pollution of the atmospheric layer above the ground surface and territorial scope of the areas with polluted air, taking into account the existing background.

The criteria for the condition of the atmospheric air are the upper limits for the harmful substances determined with the existing statutory regulations. Where harmful substances may interact in the atmosphere, their combined impact is taken into account;

2.2. Condition of surface and underground waters:

- a) quantitative and qualitative description of water resources on the territory and expected categorization of water bodies;
- b) hydrogeological and hydrological conditions and factors influencing the state and regime of surface and underground waters;
- c) major sources of pollution, quantity and location of the disposal of waste waters, composition and ways for their purification;
- d) major water users and water consumption by water categories;

- f) changes in the regime of water streams due to water consumption, river bed corrections, hydrotechnical equipment and others; as well as their impact on the regime of underground waters and the overall condition of water ecosystems.

The criteria for the quantitative and qualitative condition of water resources are the hydroeconomic balance and the existing standards and rates:

- 2.3. Condition of soils and changes of the geological base and relief:
- identification of the changes of the geological base and relief as a result of economic activities;
 - identification of damaged lands (eroded, excessively humid, salinated, acidified, destroyed by economic activities and polluted with harmful substances and wastes);
 - deterioration of the land category depending on the degree of pollution or damage of soils; change of soil fertility.

The criteria for the condition of soils are the maximum admissible concentration of harmful substances and their evaluation-based categorization:

2.4. Condition of plants and animals:

- characteristics and assessment of the condition of vegetation, dominant and threatened plant species and their habitat;
- characteristics and assessment of the condition of animals, dominant and threatened animal species and their habitat;
- characteristics and assessment of the condition of protected areas.

The criteria for the condition and assessment are: the existing types of species; the numbers and viability of populations; the degree of threat for extinction of the species; characteristics of forests, presence of negative factors; degree of degradation and stability of ecosystems; specific regime on the protected area.

2.5. Sanitary and hygienic conditions in the habitat and its burdening with noise, vibrations, non-ionizing radiation and radioactive pollution of the territory:

- characteristics of the territory;
- areas of acoustic discomfort and sources of noise;
- areas influenced by sources of electromagnetic fields, heat emission and radioactivity;
- characteristics of wastes, ways of their disposal, old waste deposits;
- characteristics of the social infrastructure;
- overall hygienic assessment of the territory.

The criteria for the condition of the habitat are the established maximum admissible levels of noise, the hygienic rates for electromagnetic and

radiation pollution of various territories and areas in the human settlements, waste rates.

3. A forecast on the expected impact.

The forecast is worked out by describing in detail the impact which the project, facility or activity will exert on the living and non-living nature and comparing it to the existing condition of the environment.

The forecast assessment shall cover:

- the changes in the condition of the various components of nature (air, waters, soils, flora and fauna) and their impact on the environmental balance;
- the changes of the anthropogenic load of the environment (settlements, population density, use of the territory, etc.);
- the changes of the sanitary and hygienic conditions and the environmental threat for the settlements or parts thereof and forecasting the health risks for the population with respect to the pollution with harmful substances, noise and other emissions, collection and disposal of wastes.

The forecast assessment shall contain quantitative and qualitative characteristics of the expected impact and refer to the methods used to identify them.

The results of the forecast shall be processed in accordance with the chart attached hereto and accompanied by an explanatory note.

- Alternative solutions and measures to reduce the harmful impact (described in the chart attached hereto).
- Value assessment of damages. (When alternative solutions are considered preference shall be given to the most acceptable one with respect to the impact on the environment). The source for recovery of the damages shall be indicated.
- Action plan for emergencies and outburst emissions of pollutants worked out by the investor or the person initiating the activity with the following contents:
 - assessment of the risk of emergencies and outburst emissions of pollutants;
 - measures and means to prevent, restrict and eliminate emergency emissions of pollutants.
- Monitoring plan indicating the means of monitoring and control of the harmful substances emitted from the project or facility; provisions for monitoring of the environment parameters, if necessary, at specific monitoring points with a view of restricting and preventing the harmful impact on the human health and environment.
- Conclusion with recommendations on the acceptance or rejection of the project, facility or activity and requirements for its fulfillment.

Chart for the Results of the Forecast on the Environmental Impact

Impact on Component Characteristics	Forecast on the Impact of the Project on the Environment			Measures for Reduction
	Direct Impact Construction	Indirect Impact Construction	Alternative Solutions	
Air: quality of the air prevailing winds precipitation/humidity temperature/inversions				
Waters: surface waters intake - waste waters water ecosystems underground waters - regime hydrological balance water users drainage systems floods siltling regime				
Soils: deterioration of category structure/productivity soil type chemical damage physical damage				
Plants and Animals: plant species animal species biological diversity ecosystems protected territories				
Landscape: change (degradation)				
Human Health and Safety: organization of the territory noise non-ionizing radiation radioactivity wastes affected population				
Socio-Economic Conditions: employment well-being, quality of life recreation				
Cultural heritage: historic, archaeological and architectural monuments use of land and resources for traditional purposes				

The criteria set forth in Annex No. 2 are used to assess the expected impact. Impacts beyond the characteristics included in the chart are described in a free form.

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