

# **Questionnaire for the report of Bulgaria on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2016–2018**

## **Information on the focal point for the Convention**

1. Name and contact information:

**Ms. Silviya DIMITROVA**

Director of EIA, SEA and PP Directorate

**Ministry of Environment and Water**

22 Maria-Luisa Blvd.

1000 SOFIA

Telephone: +359 2 940 6219

Fax: +359 2 981 4393

E-mail: [sdimitrova\(at\)moew.government.bg](mailto:sdimitrova(at)moew.government.bg)

## **Information on the point of contact for the Convention**

2. Name and contact information (if different from above):

**Ministry of Environment and Water**

22 Maria-Luisa Blvd.

1000 SOFIA

Telephone: + 359 2 988 25 77

Fax: + 359 2 986 25 33

E-mails: [edno\\_gishe\(at\)moew.government.bg](mailto:edno_gishe(at)moew.government.bg)

[sdimitrova\(at\)moew.government.bg](mailto:sdimitrova(at)moew.government.bg)

[kpetrova\(at\)moew.government.bg](mailto:kpetrova(at)moew.government.bg)

**Information on the person responsible for preparing the report**

3. Country: Bulgaria
4. Surname: Dimitrova
5. Forename: Silviya
6. Institution: Ministry of Environment and Water
7. Postal address: 22 Maria-Luisa Blvd., 1000 SOFIA
8. Email address: sdimitrova(at)moew.government.bg
9. Telephone number: +359 2 940 6219
10. Fax number: +359 2 981 4393
11. Date on which report was completed: 28.03.2019

# Part one

## Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

### Article 1 Definitions

I.1. Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?:

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of impact in the legislation

Your comments:

I.2. Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of transboundary impact in the legislation

Your comments:

I.3. Please specify how major change is defined in your national legislation:

The major change is any change or extension of projects where such a change or extension in itself meets the thresholds, if any, set out in the Annex I.

The major change is any change or extension of projects which may have significant adverse effects on the environment.

I.4. How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Your comments:

## Article 2

### General provisions

I.5. Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

(a) Law on EIA:

Environmental Protection Act (State Gazette, No 91/2002, last amendment State Gazette No 24/2019)

EIA Ordinance (State Gazette No 25/2003, last amended State Gazette No 3/2018)

(b) EIA provisions are transposed into another law(s) (please specify):

(c) Regulation (please indicate number/year/name):

(d) Administrative (please indicate number/year/name):

(e) Other (please specify):

Your comments:

I.6. Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

(a) There is no difference, all activities are transposed in the national legislation as is

(b) It differs slightly  (please specify):

Your comments:

I.7. Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

(a) There are different authorities at national, regional, local levels

(b) They are different for domestic and transboundary procedures

(c) Please name the responsible authority/authorities:

(d) There is no single authority responsible for the entire EIA procedure:

Your comments:

I.8. Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

(a) No

(b) Yes  (please specify): The Minister of Environment and Water collects all information for the transboundary EIA cases. We register all information for each EIA procedure.

Your comments:

I.9. How does your country, As a Party of origin and as an affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain):

According to Bulgarian Environmental legislation (EIA Ordinance) the EIA procedure shall be determined by discussion between the Concerned Parties case by case. The Concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected is informed.

### Article 3 Notification

I.10. As a Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- (a) During scoping
- (b) When the EIA report has been prepared and the domestic procedure started
- (c) After finishing the domestic procedure

(d) At other times (please specify): According the Environmental Protection Act, article 95, paragraph 1, the developer of the investment proposal informs the competent authority and the public concerned of the proposal, declaring the said proposal in writing and ensuring preparation of the terms of reference for the scope of the EIA, at the earliest stage of the initiative. The Minister of Environment and Water determines whether there is a need to conduct an EIA and informs the affected Party if the response is positive. Indicate whether and how the following provisions are reflected in your national legislation. According the Environmental Protection Act, article 98, paragraph 1, the Minister of Environment and Water informs the concerned Parties for a proposed activity as early as possible as and no later than when informing its own public.

Your comments:

I.11. Please define the format of notification:

- (a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)
- (b) The country has its own format  (please attach a copy)
- (c) No official format used

Your comments:

I.12. As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one options may apply):

- (a) The information required by article 3, paragraph 2
- (b) The information required by article 3, paragraph 5
- (c) Additional information (please specify):

Your comments:

I.13. As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, “within the time specified in the notification”)? Please specify:

- (a) National legislation does not cover the time frame
- (b) Yes, it is indicated in the national legislation  (please indicate the time frame):
- (c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations  (please indicate the average length in weeks): 2 or 3 weeks

Your comments:

According the EIA Ordinance article 25, item 2, the Minister of Environment and Water notifies the affected Party and determined the time frame for a response.

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline:

The affected Party does not often comply with the time frame and we send the information for the notification again.

I.14. How do you inform the public and authorities of the affected Party (art. 3, para. 8)? Please specify:

(a) By informing the point of contact to the Convention listed on the Convention website<sup>1</sup>

(b) Other (please specify):

Your comments:

I.15. On what basis is the decision made to participate (or not) in the transboundary EIA procedure as an affected Party (art. 3, para. 3)? Please specify:

(a) Notified ministry/authority of the affected Party responsible for EIA decides on its own based on the documentation provided by the Party of origin

(b) Based on the opinions of the competent authorities of the affected Party

(c) Based on the opinions of the competent authorities and that of the public of the affected Party

(d) Other (please specify):

Your comments:

I.16. If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

(a) Following the rules and procedures of the Party of origin

(b) Following the rules and procedures of the affected Party

(c) Other (please specify):

Your comments:

## Articles 3.8 and 4.2

### Public participation

I.17. How can the public express its opinion on the EIA documentation of the proposed project (art. 5)? Please specify (more than one option may apply):

*As a Party of origin*

(a) By sending comments to the competent authority/focal point

(b) By taking part in a public hearing

(c) Other (please specify):

*As an affected Party*

(d) By sending comments to the competent authority/focal point

(e) By taking part in a public hearing

(f) Other (please specify):

Your comments:

I.18. Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

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<sup>1</sup> List available from [http://www.unece.org/env/eia/points\\_of\\_contact.htm](http://www.unece.org/env/eia/points_of_contact.htm).

(a) Yes

(b) No

Your comments:

I.19. Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

(a) Yes

(b) No

Your comments:

#### **Article 4**

#### **Preparation of the environmental impact assessment documentation**

I.20. How do you ensure sufficient quality of the EIA documentation As a Party of origin? Please specify:

(a) The competent authority checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments

(b) By using quality checklists

(c) There are no specific procedures or mechanisms

(d) Other (please specify):

Your comments:

I.21. How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):

(a) By using appendix II

(b) By using the comments received from the authorities concerned during the scoping phase, if applicable

(c) By using the comments from members of the public during the scoping phase, if applicable

(d) As determined by the proponent based on its own expertise

(e) By using other means (please specify): The Environmental Protection Act, article 96, paragraph 1, determines the content of the EIA documentation.

Your comments:

I.22. How do you determine “reasonable alternatives” in accordance with appendix II, paragraph (b)?

(a) On a case-by-case basis

(b) As defined in the national legislation (please specify):

(c) Other (please specify):

Your comments:



**Article 5**  
**Consultations on the basis of the environmental impact assessment documentation**

I.23. Does your national EIA legislation have any provision on the organization of transboundary consultations between the authorities of the concerned Parties? Please specify:

- (a) Yes, it is obligatory
- (b) No, it does not have any provision on that
- (c) It is optional  (please specify):

Your comments:

**Article 6**  
**Final decision**

I.24. Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

- (a) Conclusions of the EIA documentation
- (b) Comments received in accordance with article 3, paragraph 8, and article 4, paragraph 2
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party
- (f) Mitigation measures
- (g) Other (please specify):

I.25. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1)?:

- (a) Yes
- (b) No

Your comments:

I.26. Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

- (a) No
- (b) Yes  (please specify):

Your comments: The implementation of the provisions of article 6, paragraph 3 can be made after a decision of the court.

I.27. Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

- (a) Yes
- (b) No  (please specify those that do not):

Your comments:

I.28. For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language:

Your comments:

The document on regard the "final decision" in the case of construction generally is the permission for building issued by the chief architect at the municipality.

For some of the projects, listed in appendix I, the "final decision" will be issuing of a permit under the special legislation, regulating this kind of activities. Such permits are issued for water-management projects, waste-management projects, projects in the energy sector, etc.

For projects like mining the final decision is a decision of Council of Ministers for granting a concession.

Article

7

Post-project analysis

I.29. Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

(a) No

(b) Yes  (please specify the main steps to be taken and how the results of it are communicated):

Your comments:

The Environmental Protection Act stipulates in Art.100 the requirements for PPA, as an obligation of the competent authorities (the Minister of Environment and Water and/or the Director of the Regional Inspectorate of Environment and Water) to oversee the implementation of the remediation measures described in the EIA report and the compliance with the conditions specified in the EIA decision.

The requirement for carrying out a PPA in case of transboundary EIA is set in Art.25 of the Ordinance. It stipulates the order of the steps which Bulgaria should follow if it is a Party of origin. Point 12 specifies the control over implementation of the EIA decision: “where explicit preliminary agreement exists, the competent authority of the Party of origin shall notify the affected party about the implemented measures for control and the conclusions made.”

## Article 8

### Bilateral and multilateral cooperation

#### (a) Agreements

I.30. Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

(a) No

(b) Yes  Please specify with which countries: A multilateral agreement for the countries in South-East Europe has been signed by 7 countries at the 4-th Meeting of Parties to the Convention (Bucharest, Romania 2008) on 20 May 2008. Bulgaria has ratified the agreement on 23 Jan 2009

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

#### **MULTILATERAL AGREEMENT AMONG THE COUNTRIES OF SOUTH-EASTERN EUROPE FOR IMPLEMENTATION OF THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT**

*The Parties to this Agreement,*

*Recognizing* that not all Parties to this Agreement are Parties to the Convention on Environmental Impact Assessment in a Transboundary Context,

*Wishing* to implement the provisions of this Convention in detail,

*Have agreed* as follows:

### *Article 1*

For the purposes of this Agreement,

1. "Party" means, unless the text otherwise indicates, a Contracting Party to this Agreement.
2. "Party of origin" means the Contracting Party or Parties to this Agreement under whose jurisdiction a proposed activity is envisaged to take place.
3. "Affected Party" means the Contracting Party or Parties to this Agreement likely to be affected by the transboundary impact of a proposed activity.
4. "Concerned Parties" means the Party of origin and the affected Party of an environmental impact assessment pursuant to this Agreement.
5. "Proposed activity" means any activity or any major change to an activity subject to a decision of a competent authority in accordance with an applicable national procedure.
6. "Joint proposed activity" means a proposed activity that is envisaged to take place under the jurisdiction of more than one Party.
7. "Environmental impact assessment" means a national procedure for evaluating the likely impact of a proposed activity on the environment.
8. "Impact" means any effect caused by a proposed activity on the environment including human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures or the interaction among these factors; it also includes effects on cultural heritage or socio-economic conditions resulting from alterations to those factors.
9. "Transboundary impact" means any impact, not exclusively of a global nature, within an area under the jurisdiction of a Party caused by a proposed activity the physical origin of which is situated wholly or in part within the area under the jurisdiction of another Party.
10. "Competent authority" means the national authority or authorities designated by a Party as responsible for performing the tasks covered by this Agreement and/or the authority or authorities entrusted by a Party with decision-making powers regarding a proposed activity.
11. "Point of contact" means a person responsible for sending and receiving notifications under this Agreement.
12. "The public" means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organizations or groups.
13. "The Convention" means the Convention on Environmental Impact Assessment in a Transboundary Context done at Espoo (Finland) on 25 February 1991.

### *Article 2*

1. Each Party shall designate their competent authority and point of contact, and shall inform the other Parties to this Agreement and the secretariat to the Convention accordingly, within 30 days of the entry into force of this Agreement.
2. Within 30 days of any subsequent change of their competent authority or point of contact, each Party shall inform the other Parties to this Agreement and the secretariat to the Convention accordingly.

### *Article 3*

The Parties shall take the necessary legal, administrative or other measures to implement the provisions of the Convention among them.

### *Article 4*

Each Party shall take the necessary legal, administrative or other measures to implement the provisions of this Agreement to proposed activities listed in Appendix I of the Convention that are likely to cause significant adverse transboundary impact.

### *Article 5*

1. The Parties shall adopt criteria for the identification of significant adverse transboundary impact, based on the general criteria set forth in Appendix III of the Convention.
2. The Parties shall develop guidelines on the implementation of this Agreement, based on the following elements, amongst others: screening, notification, confirmation of participation, transmittal of information, preparation of environmental impact assessment documentation and its distribution, public participation, consultations between Parties, decision and transmittal of final decision, post-project analysis and translation.
3. The criteria adopted pursuant to paragraph 1 shall be used in developing the guidelines as provided for in paragraph 2.

### *Article 6*

1. For a joint proposed activity, each of the Parties, under the jurisdiction of which the proposed activity is envisaged to take place, shall be considered both Party of origin and affected

Party. Those Parties shall establish one or more joint working groups to determine the detailed arrangements for communication and consultations.

2. Where those Parties so agree, articles 7 to 11 shall not apply to the joint proposed activity for those Parties.

#### *Article 7*

1. The point of contact of the Party of origin shall, when becoming aware that a proposed activity falls under article 4, without undue delay notify the point of contact of the affected Party.

2. If the national environmental impact assessment legislation of the Party of origin includes a scoping stage, the point of contact of the Party of origin shall notify the point of contact of the affected Party at that stage, or earlier.

3. The point of contact of the affected Party shall respond to the point of contact of the Party of origin within 30 days upon receipt of the notification, and shall indicate whether the affected Party intends to participate in the environmental impact assessment procedure.

4. The notification shall contain the information included in the annex.

5. If the affected Party indicates that it does not intend to participate in the environmental impact assessment procedure, or does not respond in time, the provisions in articles 9 to 14 will not apply.

#### *Article 8*

1. The Party of origin shall make available the notification in English and shall specify whether the response shall be in English.

2. The affected Party shall respond to the notification, provide information relating to the potentially affected environment, and provide the comments by the public and the authorities of the affected party, in English if so requested by the Party of origin.

3. The affected Party may specify that subsequent communications and the environmental impact assessment documentation shall be made available in English.

4. The following documentation shall be translated by the proponent of the proposed activity into the official language of, and specified by, the affected Party:

- (a) The description of the proposed activity and its purpose;
- (b) The non-technical summary;
- (c) The description of the potential transboundary environmental impact of the proposed activity and its alternatives and an estimation of its significance;
- (d) The description of mitigation measures to keep adverse transboundary environmental impact to a minimum.

#### *Article 9*

The concerned Parties may establish one or more joint working groups for subsequent communication and the exchange of information between the concerned Parties.

#### *Article 10*

1. The competent authority of the Party of origin shall consult with the competent authority of the affected Party, through joint working groups if established, on the arrangement for the distribution of the environmental impact assessment documentation to the authorities and the public of the affected Party, including:

- (a) The number of copies of the environmental impact assessment documentation necessary for the affected Party as well as on the particular arrangements, such as location and timing, for making the environmental impact assessment documentation available to the public of the affected Party;
- (b) Whether the comments submitted by the public of the affected Party shall be sent directly to the competent authority of the Party of origin, or if they shall be received by the competent authority of the affected Party and then passed on in their entirety to the competent authority of the Party of origin.

2. To guarantee a process in line with the timing of the national environmental impact assessment procedure of the Party of origin, the concerned Parties shall seek to submit the environmental impact assessment documentation to the authorities and the public of the affected Party parallel to its submission to the authorities and the public in the Party of origin.

#### *Article 11*

The environmental impact assessment documentation shall contain, as a minimum, the information described in appendix II of the Convention.

#### *Article 12*

The Parties shall ensure that the final decision on the proposed activity specifies how the comments by the public and the authorities of the affected Party have been taken into account.

Comments shall be treated equally and irrespective of national boundaries.

*Article 13*

If the legislation of the Party of origin includes the possibility for the public or authorities of the affected Party to have access to administrative or judicial procedures to challenge final decisions on a proposed activity, the final decision shall include information about this possibility.

*Article 14*

The competent authorities of the concerned Parties may agree to carry out a post-project analysis or monitoring. The specific content of the post-project analysis shall be agreed among them and according to their national legislation.

*Article 15*

If a potentially affected Party wishes to be notified about a proposed activity, the affected Party and the Party of origin shall without undue delay enter into consultations in order to find a common agreement on whether the proposed activity is subject to article 4.

*Article 16*

The Parties shall meet at the written request of any Party, provided that, within 90 days of the request being communicated to them, it is supported by at least one other Party.

*Article 17*

The annex to this Agreement shall constitute an integral part thereof.

*Article 18*

1. Any Party may propose amendments to this Agreement. The proposed amendments shall be submitted in writing to all Parties.
2. The Parties shall meet according to article 16 to discuss the proposed amendments.
3. Articles 20 to 24 shall apply, mutatis mutandis, to amendments to this Agreement, adopted by consensus between the Parties.

*Article 19*

This Agreement shall be open for signature at Bucharest on 20 and 21 May 2008.

*Article 20*

The Government of Romania shall act as the Depositary of this Agreement.

*Article 21*

1. This Agreement shall be subject to ratification, acceptance or approval by signatory States.
2. This Agreement shall be open for accession as from 22 May 2008.
3. Instruments of ratification, acceptance, approval or accession shall be deposited as soon as possible with the Depositary. The Depositary shall inform the Parties of the date of deposit of each instrument of ratification, acceptance, approval or accession.

*Article 22*

1. This Agreement shall enter into force on the thirtieth day after the date of deposit of the third instrument of ratification, acceptance, approval or accession.
2. For each State that ratifies, accepts, approves or accedes to this Agreement after the deposit of the third instrument of ratification, acceptance, approval or accession, the Agreement shall enter into force on the thirtieth day after the date of deposit by such State of its instrument of ratification, acceptance, approval or accession.

*Article 23*

At any time after two years from the date on which this Agreement has come into force with respect to a Party, that Party may withdraw from the Agreement by giving written notification to the Depositary. Any such withdrawal shall take effect on the ninetieth day after the date of its receipt by the Depositary. Any such withdrawal shall not affect the application of articles 7 to 13 to a proposed activity in respect of which a notification has already been made pursuant to article 7, paragraph 1, before such withdrawal takes effect.

*Article 24*

The original of this Agreement, of which the English version is the authentic text, shall be deposited with the Government of Romania  
IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Bucharest this twentieth day of May, two thousand and eight.

**Annex**

**Information referred to in article 7, paragraph 4**

1. Information on the proposed activity:

- (a) Information on the nature of the proposed activity:
  - (i) Type of activity proposed;
  - (ii) Whether the proposed activity is listed in appendix I to the Convention (Yes/No);
  - (iii) Scope of proposed activity (e.g. main activity and any or all peripheral activities requiring assessment);
  - (iv) Scale of proposed activity (e.g. size, production capacity);
  - (v) Description of proposed activity (e.g. technology used);
  - (vi) Description of purpose of proposed activity;
  - (vii) Rationale for proposed activity (e.g. socio-economic, physical geographic basis);
  - (viii) Additional information and comments;
- (b) Information on the spatial and temporal boundaries of the proposed activity:
  - (i) Location;
  - (ii) Description of the location (e.g. physical-geographic or socio-economic characteristics);
  - (iii) Rationale for location of proposed activity (e.g. socio-economic or physical-geographic basis);
  - (iv) Time frame for proposed activity (e.g. start and duration of construction and operation);
  - (v) Maps and other pictorial documents connected with the information on the proposed activity;
  - (vi) Additional information and comments;
- (c) Information on expected environmental impacts and proposed mitigation measures:
  - (i) Scope of assessment (e.g. consideration of cumulative impacts, evaluation of alternatives, sustainable development issues, impact of peripheral activities);
  - (ii) Expected environmental impacts of proposed activity (e.g. types, locations, magnitudes);
  - (iii) Inputs (e.g. land, water, raw material, power sources);
  - (iv) Outputs (e.g. amounts and types of emissions into the atmosphere, discharges into the water system, solid waste);
  - (v) Transboundary impacts (e.g. types, locations, magnitudes);
  - (vi) Proposed mitigation measures (e.g. if known, mitigation measures to prevent, eliminate, minimize, compensate for environmental effects);
  - (vii) Additional information and comments;
- (d) Summary and timing of proposed consultation including a summary of complaint process or grievance procedure;
- (e) Proponent or developer (contact details):
  - (i) Name, address, telephone and fax numbers;
- (f) Environmental Impact Assessment (EIA) documentation and procedure:
  - (i) Whether the EIA documentation (e.g. EIA report or environmental impact statement) is included in the notification (Yes/No/Partially);
  - (ii) If no or partially, whether the description of additional documentation is to be forwarded and, if so, (approximate) date(s) when documentation will be available;
  - (iii) Time schedule;
  - (iv) Contact details (Party of origin);
  - (v) Authority responsible for coordinating activities relating to the environmental impact assessment procedure;
  - (vi) Name, address, telephone and fax numbers;
  - (vii) Additional information and comments.
- 2. Points of contact:
  - (a) Points of contact for the possible affected Party or Parties:
    - (i) Authority responsible for coordinating activities relating to the EIA;
    - (ii) Name, address, telephone and fax numbers;
    - (iii) List of affected Parties to whom notification is being sent;
  - (b) Points of contact for the Party of origin:
    - (i) Authority responsible for coordinating activities relating to the EIA, with

name, address, telephone and fax numbers;

(ii) Decision-making authority, if different than authority responsible for coordinating activities relating to the EIA, with name, address, telephone and fax numbers.

3. Information on the environmental impact assessment process in the Party of origin that will be applied to the proposed activity:

- (a) Time schedule;
- (b) Opportunities for the affected Party or Parties to be involved in the EIA process;
- (c) Opportunities for the affected Party or Parties to review and comment on the notification and the EIA documentation;
- (d) Nature and timing of the possible decision;
- (e) Process for approval of the proposed activity;
- (f) Additional information and comments.

4. Information on the public participation process in the Party of origin:

- (a) Public participation procedures;
- (b) Expected start and duration of public consultation;
- (c) Additional information and comments.

5. Deadline for response.

\* \* \* \* \*

I.31. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties' policies and measures
- (d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

**(b) Procedural steps required by national legislation**

I.32. Please describe how the steps required for a transboundary EIA procedure under your national legislation correlate to domestic EIA in the lead-up to the final decision. If there are differences in the procedures for screening/scoping or for preparation of the environmental impact assessment and consultation, please specify.

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:

The EIA procedure is conducted in the following steps:

- notification to the competent environmental authorities and concerned public – three weeks;
- screening – four weeks;
- scoping – four weeks;
- review of the quality of the EIA report – four weeks;

- organizing and holding public hearing – two month;
- issuing the EIA decision – six weeks;
- control of the implementation of the EIA decision – as contained in the final decision and a result of post-project analysis.

I.33. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?

- (a) No
- (b) Yes  (please specify):
  - (i) Special provisions:
  - (ii) Informal arrangements:

Your comments:

I.34. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?

- (a) No
- (b) Yes  (please specify):
  - (i) Special provisions:
  - (ii) Informal arrangements:

Your comments:



## Part two

### Practical application during the period 2016–2018

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether As a Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

II.1. Does your country object to the information on transboundary EIA procedures that you provide in this section being compiled and made available on the website of the Convention? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

#### 1. Experience in the transboundary environmental impact assessment procedure during the period 2016–2018

##### Cases during the period 2016–2018

II.2. If your country's national administration has a record of transboundary EIA procedures that were under way during the reporting period, in which your country was a Party of origin or affected Party, please list them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

##### Transboundary EIA procedures: As a Party of origin

Project name	Starting date (date notification sent)	Affected Party/ Parties	Timing of the notification (screening, scoping or preparation of the EIA documentation)	Length of the main steps in months			Final decision (date of issuing, if information is available)
				Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1. Investment proposal for Constuction of National Disposal Facility for Low and Intermediate Radioactive Waste – Kozloduy	21.08.2009	Romania	16.03.2015	17.05.2015	09.09.2016	21.12.2016	Craiova

Project name	Starting date (date notification sent)	Affected Party/ Parties	Timing of the notification (screening, scoping or preparation of the EIA documentation)	Length of the main steps in months			Final decision (date of issuing, if information is available)
				Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
Area							
2.							
3.							
4.							
...							

Your comments:

Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.3. The Convention does not mention the translation of EIA documentation as an important prerequisite for the participation of potentially affected Parties in a transboundary EIA procedure. Please explain:

(a) How has your country addressed the issue of the translation of EIA documentation?

We send the EIA documentation for the investment proposal in English.

(b) What difficulties has your country experienced with regard to translation and interpretation, both as a Party of origin and as an affected Party, and what solutions has it found?

As a Party of origin we require from the developer to translate the EIA documentation in English.

(c) Which Party covers the cost of translation of EIA documentation?

(i) As a Party of origin: the developer

(ii) As an affected Party: In most cases the Ministry of environment and water of Republic of Bulgaria

(iii) Other, please specify:

(d) What parts of the EIA documentation does your country usually translate?

(i) As a Party of origin: The whole documentation.

(ii) As an affected Party:

(e) Please indicate whether and how the issue of translation is addressed in bilateral agreements between your country and other Parties.

The issue of translation is addressed in Article 8 of The MULTILATERAL AGREEMENT AMONG THE COUNTRIES OF SOUTH-EASTERN EUROPE FOR IMPLEMENTATION OF THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

(f) As a Party of origin, in which language do you usually provide EIA documentation to the affected Party?

- (i) English
- (ii) The affected Party's language
- (iii) Other (please, specify)

(g) As an affected Party, from which language do you usually translate?

- (i) English
- (ii) Language of the Party of origin
- (iii) Other (please, specify)

(h) Describe any difficulties that your country has encountered during public participation procedures and consultations under article 5, for example with regard to timing, language and the need for additional information.

(i) As a Party of origin:

Experience with public participation
Experience with consultations under article 5

(ii) As an affected Party:

Experience with public participation
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Experience with consultations under article 5
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- (i) Please describe how the costs of interpretation during the hearings are covered:
- (ii) By the Party of origin:
- (iii) By the affected Party:
- (iv) Shared by both Parties concerned:
- (v) Developer: X
- (vi) Other, please specify

II.4. Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information:

The affected Party answered for long time and wanted new information and more information

II.5. Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

- (a) Yes
- (b) No

II.6. If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects:
- (b) For NPPs: The most common means of cooperation of applying the Convention are the focal points. The focal point sends the information and the EIA documentation for the EIA procedures in English language.

II.7. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) that, in your view, constitute good practice:

The organization of public hearing of the EIA Report for investment proposal "Construction of National Disposal Facility for Low and Intermediate Radioactive Waste-Kozloduy Area" in Romania on 9 th June 2016

II.8. Would your country like to introduce a case in the form of a Convention "case study fact sheet"?

- (a) No
- (b) Yes  (please indicate which cases):

II.9. Has your country carried out post-project analyses in the period 2013–2015:

- (a) No
- (b) Yes  (please indicate which projects, along with the challenges in implementation and any lessons learned):

## 2. Experience in using the guidance in 2016–2018

II.10. Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?

(a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

- No
- Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(b) Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix):

- No
- Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

### 3. Clarity of the Convention

II.11. Has your country had difficulties implementing the procedures defined in the Convention, either As a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No

Yes  (please indicate which provisions and how they are unclear):

### 4. Suggested improvements to the report

II.12 Please provide further suggestions (preferably specific drafting proposals) for how this report could be improved.

We don't have any suggestions.