

Questionnaire for the report of ROMANIA on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019 – 2021

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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 its 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 text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?

- (a) Yes
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

Your comments: The definition was transposed through Law no. 22/2001 regarding the ratification of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, art. 1 (vii).

I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?

- (a) Yes, the same
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation

Your comments: The definition was transposed through Law no. 22/2001 regarding the ratification of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, art. 1 (viii).

I.1.3. Please specify how the term “major change” is defined in your national legislation:

- (a) It is not defined
- (b) By using thresholds (Please explain:)
- (c) By using criteria (Please explain:)
- (d) On a case-by-case basis (Please explain:)

Your comments: In our national legislation, major change is not specifically defined, but in Law no. 292/2018, according to Annex 1, point 24, EIA is carried out for any change to or extension of projects listed, where such a change or extension in itself meets the thresholds, if any, set out in this Annex. Also, according to Annex 2, point 13 a), EIA is carried out for

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

I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? 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: The public is informed by making the information available through public announcements and by web announcements, according to article 15 from Law 292/2018 for assessment of impact of certain public and private projects on environment. Also, according to article 16, the announcement is also posted on a specific geographical location/in a certain territorial area, announcements are made in the local or national press. The method of informing the public: by posters in a certain territorial area, publications in the central and/or local press, organization of exhibitions with plans, sketches, tables, graphs, models regarding the project and other similar things.

When Romania is Party of origin, we let the environmental public authority of the affected Party identify its own public.

I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?¹ Please specify (more than one option may apply), providing relevant explanations:

- (a) By establishing threshold levels (please explain)
- (b) By applying criteria related to the location of proposed activities
(please explain: activities proposed to be located in or near a sensitive or ecologically important area (Natura 200 site, Ramsar wetlands, national parks, nature reserves, sites of scientific interest or sites of archaeological, cultural or historical importance) or activities proposed to be located where the characteristics of the proposed project may significantly affect the human health of the population;
- (c) By applying criteria related to the nature of proposed activities
(please explain)
- (d) By applying criteria related to the size of proposed activities
(please explain: proposed activities which, by their nature, are large for the type of activity;
- (e) By applying criteria related to the effects of proposed activities
(please explain: proposed activities whose effects are particularly complex and potentially negative, including those with serious effects on humans, species or organisms of particular value, those that threaten the use or potential use of an affected area, and activities that cause an additional burden that the environment is unable to support.
- (f) Other (please explain):
- (g) It is not determined (please explain:)

Your comments: Article 8 from Order 864/2002 specify that “In order to establish whether the proposed activities have a potentially significant adverse transboundary impact, the competent authorities carry out the screening stage within the environmental impact assessment procedure using the criteria set out in Annex III to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, ratified by Law No 22/2001.

In the case of projects whose activities extend beyond the national territory, the central public authority for environmental protection may invite the relevant affected party to carry out a

¹ Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

joint environmental impact assessment for the proposed activity which may have a significant transboundary environmental impact.”

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

(a) Yes, the legislation provides for taking into account cumulative impacts:

Please explain: Annex 4 – Information requested to the project holder for the projects subjected to environmental impact assessment, as well as Annex 5 - Framework content of the presentation memorandum of the Law 292/2018 contains description of environmental issues which can be significantly affected by the project:

- impact on population, human health, biodiversity (paying a particular attention to the protected species and habitats), preservation of natural habitats, wild flora and fauna, land, soil, uses, material assets, quality and quantitative regime of water, quality of air, climate (for example, nature and scope of hothouse gas emissions), noises and vibrations, landscape and visual environment, historical and cultural patrimony and on the interactions between these elements. Nature of impact (direct, indirect, secondary, cumulative, short-term, medium-term and long-term, permanent and temporary, positive and negative impact);

- The description of significant likely negative effects on the factors specified in article 7 paragraph (2) of the Law no. 292/2018 should comprise the direct effects and the possible indirect effects, secondary, cumulative, cross-border effects, short-term, medium-term and long-term effects, permanent and temporary effects, positive and negative effects of the project.

(b) No, the legislation does not provide for taking into account cumulative impacts

Please explain:

Your comments:

Article 2 General provisions

I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any):

Law no. 292/2018 For assessment of impact of certain public and private projects on environment which establishes the framework procedure for the environmental impact assessment and sets the list of private or public projects to which the procedure must be applied. This Law contains transboundary provisions at article 17.

Law 22/2001 regarding the ratification of the Espoo Convention, as further amended by Law 293/2006 and Law 289/2015.

Law 293/2006 for the acceptance of the First Amendment to the Espoo Convention.

Law no 289/2015 for the acceptance of the Second Amendment to the Espoo Convention

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation):

(c) Regulation (please indicate number/year/title/related articles/access links):

The procedure for environmental impact assessment of projects in a transboundary context and for public participation to the decision-making process was approved by Order of minister of environment, water and forests no. 864/2002. This order fully covers the steps of the Convention.

(d) Administrative (please indicate number/year/title/related articles/access links):

(e) Other (please specify):

Please explain:

The general legal framework is given by the provisions of the Emergency Governance Ordinance (EGO) no.195/2005 on environmental protection, with subsequent amendments and additions.

The national legislation on EIA is additionally ensured by the following normative acts:

- Order no 269/2020 on the approval of the general guide applicable to the stages of the environmental impact assessment procedure, the guide for environmental impact assessment in a transboundary context and other specific guides for various fields and categories of projects;

- Order of the minister of environment and forests no. 405/2010 on setting-up the technical review committee (TRC) at central level, further amended. This order contributed to the capacity - building for transboundary EIA procedure. The TRC is responsible for carrying out the screening, scoping and review stages for large projects (the responsible authorities for these projects are the central ones);

- Order of the minister of waters and environmental protection no. 864/2002 on the approval of the EIA procedure in a transboundary context and for public participation to environmental decision making in case of projects with transboundary impact;

- Order of the minister of environment and forests no. 19/2010 on the approval of the methodological guidelines on appropriate assessment of the effects of the plans and projects on Natura 2000 sites, with subsequent amendments and additions.

I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country's national legislation?

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation

Please elaborate, as needed: Annex 1 to Law 22/2001 is identical to appendix I to the Convention.

(b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I Please explain:

(c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:

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

(b) Authorities are different for domestic and transboundary procedures

(c) Authorities are the same for domestic and transboundary procedures

Please name the authority/authorities and its/their responsibilities:

According to article 17 of Law 292/2018, the transboundary procedure is implemented by the national environmental authority, which is the Ministry of Environment, Waters and Forests. The Ministry of Foreign Affairs supports at the request of Ministry of Environment, Waters and Forests, its actions set out by paragraph (1) - (8) of Article 17 of Law 292/2018.

Also, the domestic procedures are implemented by different authorities, considering the national, regional or local level (Ministry of Environment, Waters and Forests, National Environmental Protection Agency, the public territorial authorities for environmental

protection organized at county level and at Bucharest level and Administration of "Danube Delta" Biosphere Reserve).

I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:

- (a) No
(b) Yes Ministry of Environment, Waters and Forests.

If "Yes", please clarify the type of information collected and provide access link, if available:

<http://www.mmediu.ro/categorie/evaluare-impact-asupra-mediului-pentru-proiecte/62>

Your comments:

Article 3 Notification

I.3.1. Article 3 (1) states that: "The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity." As a Party of origin, when do you notify the affected Parties?

- (a) During scoping
(b) When the environmental impact assessment report has been prepared and the domestic procedure has started
(c) After finishing the domestic procedure
(d) At other times (please specify): During screening

Your comments: As early as possible and no later than when informing its own public about that proposed activity.

Law no 22/2001 ensures the existence of such provision in national legislation.

Law 292/2018, art.17 stipulates: (1) If a project which will be made on the territory of Romania can have a significant effect on the environment of another member state of European Union or when another member state of European Union which is likely to be significantly affected requests information about the project, the public central authority for environmental protection transmits to the public central environmental authority from that EU member state as soon as possible, but not later than the moment when its own public is informed, at least the following information about the project:

a) a description of the project with the available information about its possible cross-border impact;

b) information about the type of decision which could be taken.

(2) If a project which will be made on the territory of Romania can have a significant effect on environment of a third-party state or when another third-party state, which is likely to be significantly affected, requests information about the project, the central environmental protection authority transmits through the Ministry of Foreign Affairs, as soon as possible, but not later than the moment when its own public is informed, at least the information set out by paragraph (1).

Also, for the implementation of this provision, article 9 of Order 864/2002 stipulates that the notification of the affected Party is done no later than the moment our own public is informed about the project. Therefore, the notification to the potentially affected Party is sent early in the EIA procedure, after the developer submits to the competent environmental authority the application for an environmental agreement and the technical memoir of the project.

I.3.2. Please define the format of notification used in your country:

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)
- (d) The country has its own format (please attach a copy)
- (e) No official format used

Your comments:

I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a))
- (b) The nature of the possible decision (art. 3 (2) (b))
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c))
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))
- (e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))
- (f) Other (please specify): Description of the proposed activity, Rationale for proposed activity (e.g. socio-economic, physical geographic basis), time- frame for the proposed activity (e.g. start and duration of construction and operation), maps and other pictorial documents connected with the information on the proposed activity, information on expected environmental impacts and proposed mitigation measures (scope of assessment, expected environmental impacts of proposed activity, inputs, outputs, transboundary impacts, proposed mitigation measures, proponent/developer, information regarding points of Contact for the possible affected Part or Parties, Information on the EIA process in the country where the proposed activity is located, Information on the public participation process in the country of Origin, expected start and duration of public consultation, deadline for response).

Your comments:

I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:

- (a) No, the time frame is not specified in the national legislation
- (b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days:

According to MO 864/2002, art.10, para.1, letter g, the notification specifies a deadline of 4 weeks for responding to it.

- (c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days:

Your comments:

I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:

Your comments: If a Party needs more time to respond to a notification, Romania usually agrees the possibility of extending the deadline.

If an affected Party does not comply with the specified time frame, the Romanian focal point for the Convention contacts the focal point of the Affected Party in order to clarify the situation.

I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:

- (a) Informing the point of contact for the Convention listed on the Convention website²
- (b) Other (please specify):

Your comments:

According to article 12, para. 2 of MO 864/2002, the environmental authority from the Party of origin informs the environmental authority from the affected Party (usually, the notification is sent to the point of contact for the Convention, and also a letter is sent to the national environmental authority from the affected Party, via diplomatic channels). The environmental authority from the affected Party, within 2 weeks from the notification, informs its own public from the potentially affected areas and its concerned authorities. The affected Party identifies its own potentially affected public. The public can send its comments to the national authorities or to the authorities from the Party of origin, unless the bilateral agreements stipulate differently. In 6 weeks from receiving the notification, the affected Party sends a summary of the public's and competent authorities' comments, in English, to the Party of origin.

I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:

- (a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin
- (b) Based on the opinion of the competent authorities of the affected Party
- (c) Based on the opinion of the competent authorities and of the public of the affected Party
- (d) Other (please specify):

Your comments:

According to article 17, para (5) of Law 292/2018, when a notification is received, the Ministry of Environment, Waters and Forests analyses it and consults the other competent authorities (usually LEPA, Water management authorities, Health authorities at central and/or local level, Administration of "Danube Delta" Biosphere Reserve and other concerned authorities). Also, the public is informed by publishing the notification on the environmental authority's website, and it is given the possibility to forward comments about the project. In practice, based on the comments of the public and of the competent authorities, the Ministry of Environment, Waters and Forests decides whether to participate in the EIA transboundary procedure or not.

² List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.

How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify):

Your comments: MO 864/2002 indicates the time frame for consultations and the deadlines for commenting. However, according to article 11, para. (3), if the affected Party indicates the intention to participate in the EIA procedure, the national environmental authority invites the affected Party to agree upon the involvement in the procedure, before the beginning of the assessment. Therefore, the two Parties enter into dialogue and agree upon the details of the participation in the EIA procedure.

Articles 2 (6), 3 (8) and 4 (2) Public participation

I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.”

How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?

- (a) **As an affected Party:**
 - (i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure
 - (ii) Specified in the national legislation as follows: X

Article 17 from Law 292/2018 provides: If Romania is a potentially affected state, the public central authority for environmental protection:

a) makes available to the public central or territorial authorities for environmental protection, the central public or local authorities, as applicable, who have specific assignments and responsibilities in environmental protection field as well as to own interested public, as soon as they come in its possession, the information set out by paragraph (1) and (3), received from the state of origin;

b) assure the authorities the public central or territorial authorities for environmental protection, the central public or local authorities, as applicable, who have specific assignments and responsibilities in environmental protection field and the interested public the opportunity to forward to the public central authority for environmental protection from the state of origin the opinions about the information set out by paragraph (1) and (3), as soon as they come in its possession, before issuing the development approval.

(6) The public central authority for environmental protection initiates consultations with the public environmental protection authorities from other states regarding the potential transboundary effects of the project and the measures envisaged to reduce or

eliminate such effects and establishes with these authorities a period of time for the consultations. These consultations can be organized by an adequate joint body.

(7) The public central authority for environmental protection establishes with the competent authorities from the state possibly affected, measures which allow the effective participation of the interested public in the procedure set out by article 4 paragraph (1), including in case of projects with possible significant effects on the territory of Romania, initiated in other states.

(8) The public central authority for environmental protection can use both the mechanisms set out by Law no.22/2001 for ratification of Convention for assessment of impact on environment in cross-border context, adopted in Espoo on February 25th, 1991, as further supplemented, and those established by the Reunion of Parties in this Convention, to protect the rights and interests of the Romanian state in the environmental impact assessment procedures in transboundary context.

(9) The Ministry of Foreign Affairs supports at the request of the public central authority for environmental protection, its actions set out by paragraph (1) - (8), including by participation, as applicable, in the activity of the technical analysis commission.

Your comments:

(b) **As a Party of origin:**

(i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

(ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure

(iii) Specified in the national legislation as follows: X

Article 17 of Law 292/2018 provides: If a project which will be made on the territory of Romania can have a significant effect on the environment of another member state of European Union or when another member state of European Union which is likely to be significantly affected requests information about the project, the public central authority for environmental protection transmits to the public central environmental authority from that EU member state as soon as possible, but not later than the moment when its own public is informed, at least the following information about the project:

a) a description of the project with the available information about its possible cross-border impact;

b) information about the type of decision which could be taken.

(2) If a project which will be made on the territory of Romania can have a significant effect on environment of a third-party state or when another third-party state, which is likely to be significantly affected, requests information about the project, the central environmental protection authority transmits through the Ministry of Foreign Affairs, as soon as possible, but not later than the moment when its own public is informed, at least the information set out by paragraph (1).

(3) The public central authority for environmental protection communicates the state set out by paragraph (1) and (2) the period of time when it specifies that it wants to participate in the procedure set out by article 4 paragraph (1).

(4) If the potentially affected state which received the information set out by paragraph (1) communicates its intention of participation in the procedure set out by article 4 paragraph (1), the public central authority for environmental protection transmits the information about the project set out by article 15 paragraph (1), (2) and paragraph (3) let. a) and b) to that state.

Your comments:

As regards **the public debate** Order 864/2002 states at Art. 16 - (1) During the period of time referred to in Article 15 para. (1) [max. 8 weeks] the competent authority for environmental protection shall ensure compliance with the legal provisions in force on public participation in the quality review stage of the environmental impact assessment study report by organising public debate in the country of origin.

(2) During the same period of time, the central public authority for environmental protection shall participate together with the project holder in the public debate of the environmental impact assessment study organised in the territory of the affected parties on the basis of the provisions of the bilateral agreements or the discussions held in accordance with the provisions of Article 11 (3).

I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):

- (a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party
- (b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered
- (c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered
- (d) Other (please specify): by taking part in a public hearing on the territory of the Party of Origin or on the territory of the Affected Party.

Your comments: The public is invited to send its comments regarding the projects. Also, a public hearing is organized in the area of the project. If the affected Party finds it necessary, a public hearing is held on its territory, as well.

As an affected Party, Romania asks its own public to send its comments regarding the projects. These comments are sent to the Party of origin by the national environmental authority. Also, the competent authorities may participate at the public hearing organized on the territory of the Party of origin. If the Ministry of Environment, Waters and Forests finds it necessary, we ask for a public hearing to be held on our territory, as well, so that our public has a chance to be informed about the project and to express its opinion.

Article 4

Preparation of the environmental impact assessment documentation

I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (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 received 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): By using checklists. The MO 863/2002 contains guidelines for the EIA documentation. This normative act can be consulted by developers seeking advice on the EIA documentation. It also contains the 3 checklists for the

3 stages of the EIA procedure as provided by the European Commission guidelines and it explains the methodology to be followed within the EIA procedure.

Your comments: According to Section 3, article 15, para (3) of MO 864/2002, the Party of origin sends to the affected Party all information required under appendix II of the Espoo Convention, as a minimum.

I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:

- (a) The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments
- (b) By using quality checklists based on the requirements listed in appendix II
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

According to articles 11-14 of GD 445/2009, the EIA documentation must contain as a minimum all the information described in Annex 4 which corresponds to the information required by appendix II to the Convention. Also, the documentation is elaborated according to the guidelines made by the environmental authority. When establishing these guidelines, the environmental authority takes into account the comments and opinions of the public and of the concerned authorities.

Also, MO 863/2002 requests that the competent environmental authorities, together with the Technical Review Commission (TRC), must fill in the check list for the scoping stage, must request opinions from other concerned authorities represented within the TRC and must elaborate the guidelines, which are then forwarded to the developer. So, during the scoping stage are identified or emphasised certain/specific requirements that have to be included in the EIA documentation.

In case of transboundary procedure, according to article 13 of MO 864/2002, the guidelines for the content of the EIA documentation must include as well the opinions received from the affected Party.

I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):
- (c) Other (please specify):

Your comments: Determining “reasonable alternatives” is provided by Law no 22/2001, and also by Annex 4 of the Law 292/2018. More detailed provisions are provided by the MO 863/2002.

The "reasonable alternatives" are determined by the certified expert who elaborates the EIA documentation, based on the provisions stipulated in Annex 2, Part I of the Methodological guidelines for the scoping stage approved by MO 863/2002.

One reasonable alternative is also the zero alternative.

The reasonable alternative must take into consideration the requirements of the Habitats Directive, in case the project might have an effect on a Natura 2000 site.

The reasonable alternatives shall take into consideration the technical alternatives, the starting moment, the location, the use of resources, the measures taken for mitigating adverse effects, considering major concerns like climate change, Fukushima accident, etc.

The reasonable alternatives shall also consider the proportion of the impact, the duration, the reversibility, the viability and efficiency of the mitigation methods. According to the type of the project, there are different methods for analysing and comparing the alternatives (check lists, matrixes, maps, mathematical models, statistics, etc.).

Article 5

Consultations on the basis of the environmental impact assessment documentation

I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?

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

Your comments:

The consultations between Parties are agreed at national level, through letters and e-mails between the focal points of both Parties. Thus, according to article 17, paragraph (6) of Law 292/2018, the national environmental authority initiates consultations with the national environmental authority from other Parties, regarding, inter alia, the potentially transboundary effects of the project, the mitigation measures and decides together with the other Party upon the reasonable time frame of consultations. Also, according to article 11, para. 3 of MO 864/2002, this dialogue starts before the environmental impact assessment, in order to agree upon the way in which the affected Party wishes to be involved in the procedure.

Usually, a 1-day meeting is held for consultations, the minutes of the meeting include all procedural matters, the affected Party's requests, the answers to them. At the end of the meeting, the Parties decide whether the consultations can be considered closed or not, and if not, they agree upon the following steps.

Article 6

Final decision

I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (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/ies
- (f) Mitigation measures
- (g) Other (please specify):

Your comments:

The results of the consultations and the information obtained during the EIA procedure are taken into consideration for the final decision.

The final decision contains all the elements mentioned above. According to section 5, article 18 para (3) of Law 292/2018, the final decision has to include, inter alia, the conclusions of

the EIA documentation, information regarding public participation, public's recommendations, outcomes of the transboundary consultations, mitigation measures.

Also, according to the article 18 of MO 864/2002, the comments of the affected Party and the outcome of the consultation are taken into consideration in the decision-making process. Moreover, all comments are taken into consideration starting with the scoping stage and are analysed and answered within the EIA documentation. Certain requirements of the affected Party are included in the EIA final decision, in case they were not addressed during the scoping stage, after the evaluation of all the received comments.

I.6.2. 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 (1))?:

- (a) Yes
- (b) No Please explain the differences

Your comments:

The final EIA decision takes into consideration the comments received from the affected Party the same way as those of the national public and authorities (the comments on the notification, and later, on the environmental impact assessment documentation made by the public and authorities of the affected Party, the comments from the public debates, the consultations with the competent authorities from the affected Party).

I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?

- (a) No
- (b) Yes, by legislation (please specify):
- (c) Yes, by other means (please specify):

Your comments:

According to article 20 of GD 864/2002, before work on that activity starts, one Party shall immediately inform the other Party about any new available additional information on the significant transboundary impact, which was unavailable at the time of the decision, but could have materially affected the decision. After that, The Party of origin shall decide upon holding consultations with the affected Party as to whether the decision needs to be revised or not.

I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?

- (a) Yes

All the activities listed in appendix I to the Convention are written in Annex 1 to Law 22/2001 for the ratification of the Espoo Convention.

However, appendix I to the Convention differs from Annex 1 to Law no.292/2018 containing the projects subject to an environmental impact assessment, which certainly require a final decision. The difference consists in the absence of 2 activities which are not listed in Annex 1 to Law 292/2018, that are: Deforestation of large areas and Major installations for the harnessing of wind power for energy production (wind farms). Still, these 2 activities

(deforestation and wind power facilities) are mentioned in Annex 2 to Law 292/2018, which includes the activities that might require a final decision, if the environmental authority decides so, based on a case by case assessment, taking into consideration the information provided by the holder. One of the criteria for deciding whether EIA should be carried or not is the size of the project, and that is why these 2 above-mentioned activities most likely need a final decision, as well.

Romania has ratified the second amendment of the Espoo Convention by Law no 289/2015 *for the acceptance of the Second Amendment to the Espoo Convention*, which include in the list of activities at point 17. Deforestation of a large areas as well as at point 22. Major installation for the harnessing of wind power for energy production (wind farms), and in this respect, the Romanian Party applies the provisions of these two normative acts in our national legislation.

(b) No

If “No”, please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

Article 7

Post-project analysis

I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?

(a) No

(b) Yes Please specify:

Your comments: Chapter 3, articles 21 and 22 of the MO 864/2002 represent the legal requirements for the implementation of art.7 para 1 of the Espoo Convention.

When an affected Party requests for a post-project analysis, the national environmental authority monitors the significant adverse transboundary impact of the activity for which EIA was undertaken. The monitoring shall respond to the objectives from appendix V of the Convention.

The national environmental authority sends the results of the monitoring, in writing, to the competent authority of the affected Party.

When the post-project analysis reveals a significant transboundary adverse impact, the authorities mentioned-above shall inform one another and consult upon the needed measures for reducing or eliminating the impact.

At present, Annex 4 of Law 292/2018, regarding the information requested from the beneficiary about the project for which the EIA procedure is carried, provides that information about post-project analysis must be submitted by the beneficiary. This information is included in the environmental agreement, issued by the environmental authority.

Article 8

Bilateral and multilateral cooperation

I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”

Has your country established any bilateral or multilateral agreements to implement the Convention?

- (a) No
- (b) Yes Please specify with which countries:

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

Your comments:

Romania is the depositary of the Multilateral Agreement among the Countries of South-Eastern Europe for Implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (between Romania, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Montenegro, Serbia, The Former Yugoslav Republic of Macedonia). Romania ratified this agreement by Law no.242/2011.

Also, Romania and Ukraine are in consultations regarding the elaboration of a bilateral agreement between the two countries on the implementation of the provisions of the Convention, according to decision VI/2 of the Meeting of the Parties to the Convention.

I.8.2. 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 environmental impact assessment
- (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 environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

Complimentary information related to legal implementation of the Convention

I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a transboundary procedure, if any:

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

Your comments:

Steps of the domestic EIA procedure, correlated with the transboundary procedure:

- the procedure starts when the beneficiary asks for an environmental agreement;
- the environmental authority's decides whether there is a need for an environmental impact assessment and requests a technical memoire;
- the beneficiary submits the technical memoire;
- the environmental authority notifies the potentially affected Party and sends the notification form and the technical memoire;
- the affected Party answers the notification and express its will to participate in the transboundary procedure;
- the screening and scoping stages take place, and the environmental impact assessment documentation is prepared, which includes the requests expressed by the affected Parties;
- the environmental impact assessment documentation is made available to the public and to the concerned authorities from both Parties;
- public hearings are held on our own territory and on the territory of the affected Party, if so agreed;
- the environmental authority issues the environmental agreement, taking into consideration the opinions expressed by the public and by the concerned authorities from both Parties;
- the environmental agreement is made available to the public and is sent to the affected Party.

I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input checked="" type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments:

According to Article 6 of the Multilateral Agreement among the Countries of South-Eastern Europe, for joint proposed activity (which means a proposed activity that is envisaged to take place under the jurisdiction of more than one Party), 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. Those Parties shall establish one or more joint working groups to determine the detailed arrangements for communication and consultations.

Even if the Romanian legislation does not contain other special provisions for joint cross-border projects, informal arrangements can be made in these cases, in order to decide upon notification, consultations under article 5, public hearing (place, date, interpretation services, etc.). These are made between focal points, usually through e-mails.

Romania and Ukraine is in progress to elaborate a bilateral agreement for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context, which include provision on joint proposed activities envisaged to take place under the jurisdiction of both Parties.

Part two

Practical application during the period 2019–2021³

Please report on your country's practical experiences in applying the Convention (not your country's procedures, as described in part one), whether as a Party of origin or as an 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. Please therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improving its application.

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)^a and issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”^c

^a United Nations publication, ECE/MP.EIA/32.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

A. List of transboundary procedures initiated during the period 2019–2021

II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.

Your comments:

³ Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

II. 2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.

Your comments:

II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:

(a) Yes (my country has an objection the compilation and posting of this information)

Please explain:

(b) No (no objection)

Your comments:

B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021

Please share with other Parties your country’s experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country’s general experience. You might also include examples of lessons learned in order to help others.

II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.

Your comments:

II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):

(a) In the official language(s) of the country Please specify:

(b) Information in English is acceptable

(c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments

According to article 10, para (3) of Order no. 864/2002, the documentation sent to the affected Party is translated in English, with the recommendation of the authority and by expense of the developer. Sometimes we translate in the official language of the Affected Party to facilitate and streamline the procedure (e.g. in Hungarian language for the project “Increasing the attenuation capacity of the Călinești accumulation and the transit of flashfloods to the border with the Republic of Hungary, Satu Mare County”, Bulgarian language for the investment proposed “Used oil recycling plant”, Ukrainian language for the project “Bridge over Tisa in Teplița area in Sighetu Marmăției”, etc.).

II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?

- (a) Experience with regard to translation of the environmental impact assessment documentation
 - (i) As a Party of origin: Some difficulties were related to the quality of translation.
 - (ii) As an affected Party: Also, another difficulty would be that the documents to which the EIA documentation makes reference (with the intention of explaining some aspects or offering further information or clarifications), are usually in the affected Party's language.
- (b) Experience with regard to interpretation during consultation meetings with authorities
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
 - (i) As a Party of origin:
 - (ii) As an affected Party:

Your comments:

II.7. Which Party covers the cost of translation of environmental impact assessment documentation?

- (a) As a Party of origin: As a Party of origin, the EIA documentation is translated into English and sometimes in the affected Party's language and the costs are covered by the developer.
- (b) As an affected Party: As an affected Party, we ask the Party of origin to send the EIA documentation in English. In some cases, the national environmental authority translates the EIA documentation in Romanian, to make it more available and understandable to our own public, on the expenses of the national environmental authority.

Also, there were some cases when we received the documentation in Romanian language, like environmental agreement for the construction of the section between Ökörítófülpös and the border of the M49 national high-speed road, Hungary.

- (c) Other, please specify:

Your comments:

II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?

- (a) As a Party of origin: We translate the entire EIA documentation into English (starting with the notification, technical memoire, environmental impact assessment report, appropriate assessment, Seveso report, public's and concerned authorities' comments, final decision). Also, for the Parties which are members of the Multilateral Agreement among the Countries of South-Eastern Europe, the developer translates into the language requested by the affected Party the description of the activity and its purpose, the non-technical summary, the description of the potential transboundary impact of the activity and its alternatives and an estimation of its significance, a description of the mitigation measures.
- (b) As an affected Party: As an affected Party, we ask the Party of origin to send the entire EIA documentation in English.

Your comments:

II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?

(a) Yes Please explain how it has been addressed:

The Multilateral Agreement among the Countries of South-Eastern Europe for Implementation of the Convention on Environmental Impact Assessment in a Transboundary Context addresses the translation issue as follows:

- the notification must be in English;
- comments and information on the likely affected environment are sent in English by the affected Party, if the Party of origin requests so;
- the developer is obliged to translate into the language requested by the affected Party the description of the activity and its purpose, the non-technical summary, the description of the potential transboundary impact of the activity and its alternatives and an estimation of its significance, a description of the mitigation measures.

(b) No

Your comments:

II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?

(a) A full set of environmental impact assessment documentation is translated into English

(b) Selected parts of the documentation are translated in English
Please specify which parts are translated and how they are selected

(c) A full set of environmental impact assessment documentation is translated into the affected Party's language

(d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party
Please specify which parts are translated and how they are selected

(e) Other (please specify)

Your comments:

The EIA documentation is always translated in English.

Sometimes, the developer translates the EIA documentation in the affected Party's language, as well. Another practice is to translate in the affected Party's language the non-technical summary of the EIA documentation.

For example, for the Used Oil Recycling Plant, from Oltenița, the environmental impact assessment report was translated both in English and Bulgarian.

II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:

(a) By the developer: Please explain: When Romania is Party of origin, at the public hearings, the interpretation costs are covered by the developer.

(b) By the Party of origin alone: Please explain: When Romania is an affected Party, the interpretation costs are covered by the Party of origin.

(c) By the affected Party alone: Please explain

(d) Shared by both Parties concerned upon an agreement:

(e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:

For consultation under article 5 of the Convention, the interpretation is ensured of both Parties.

(f) Other (please specify)

Your comments:

II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:

(a) As a Party of origin:

(i) Experience with public participation: At public hearings, the interpretation in national languages lengthens the duration of the event, sometimes to more than 4 hours.

(ii) Experience with consultations under article 5

Sometimes, the national EIA procedure is delayed because of the length of the consultations under article 5.

(b) As an affected Party:

(i) Experience with public participation

Romania participated in public hearing that were extremely vocal and stressful, especially in case of nuclear activities, for which the NGOs are very assertive.

(ii) Experience with consultations under article 5

Sometimes, the national EIA procedure is delayed because of the length of the consultations under article 5.

Your comments:

II.13. Has your country carried out post-project analyses in the period 2019–2021:

(a) No

(b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Romania is in the process of consultations with the Ukrainian Party regarding post-project monitoring for Danube- Black Sea Deep Water Navigation Route Project (Bâstroe project).

Your comments:

II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>

If “Yes”, please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

(a) For joint cross-border projects:

(b) For construction of nuclear power plants:

(c) For lifetime extension of nuclear power plants:

You may also wish to describe the example using annex III to the present questionnaire.

Your comments:

II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:

Your comments: We would like to mention the bilateral consultation meeting held in Ruse on the territory of Bulgaria. A bilateral expert meeting was conducted on the issue of “Long term operation of the nuclear power plant”, on 31st of January 2020. The meeting was agreed by the Ministries of Environment of Romania and Bulgaria as a results of the steps undertaken concerning LTO of U5 and U6 of Kozloduy NPP and the steps envisaged by Romania in the near future, for the national units of Cernavoda NPP. The meeting was well organised and facilitated the progress of the future procedures and good collaboration between two Parties.

II.16. The Long-term strategy and the action plan for the Convention and the Protocol⁴ recommends enhancing the use of the networks of national focal points for administrative matters⁵ and points of contact for notification⁶ published on the website of the Convention. Does your country use the networks for contacting the affected Parties’ authorities?

- (a) Yes, my country makes use of the networks
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments:

II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.

Your comments:

II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both

Your comments:

II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:

- (a) Biodiversity
- (b) Climate change
- (c) Circular economy
- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure

⁴ ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

⁵ List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

⁶ List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

- (g) Renewables
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

You may wish to use the template in annex III to the questionnaire.

Your comments:

II.20. Please indicate whether, in your country’s practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:

- (a) No
- (b) Yes

If “Yes”, please provide at least one example of how cumulative impacts are considered.

Your comments:

II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:

- (a) No
- (b) Yes

If “Yes”, please provide at least one example of how health issues are taken into account

Your comments:

II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

- (a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals
- (b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals
- (c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals

If “Yes”, please list the most relevant Sustainable Development Goals⁷ (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed to their attainment.

⁷ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);

Your comments:

C. Experience in using the available guidance documents in 2019–2021

II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

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- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).
- For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16_Sustainable_Development_Goal_Mapping.pdf.

Title of guidance document	Use of guidance	Your comments and/or suggestions for improving or supplementing the guidance
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

Your comments:

D. Clarity of the Convention

II.24. 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:

Your comments:

E. Contributions to the funding of the workplans

II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:

(i) Yes

(ii) No

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments:

II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.⁸ For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.⁹

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

(i) My Government made a multi-year contribution for the period 2017–2020

⁸ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁹ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

Please indicate when the contribution was provided (year), amount and currency:

(ii) Individual contribution in 2019

Yes Amount and currency: 5000 USD

No Please explain the reason:

(iii) Individual contribution in 2020:

Yes Amount and currency: 6000 USD

No Please explain the reason:

(iv) Individual contribution in 2021:

Yes Amount and currency: 5000 USD

No Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023 15000 USD (5000 USD/year) for the intersessional period 2021 - 2023

(b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how:

Romania has paid, in addition to the annual fixed amount of 5000 USD, an additional voluntary contribution of 1000 USD 1000 for the year 2020.

No Please explain the reason

F. Suggested improvements to the report

II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved. -

Annex I

Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
1.	Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a)	Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b)	Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		1
3. (a)	Installations for the reprocessing of irradiated nuclear fuel;		
3. (b)	Installations designed: <ul style="list-style-type: none"> - For the production or enrichment of nuclear fuel; - For the processing of irradiated nuclear fuel or high-level radioactive waste; - For the final disposal of irradiated nuclear fuel; - Solely for the final disposal of radioactive waste; or - Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site. 		
4.	Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		
5.	Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6.	Integrated chemical installations.	1	

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
7. (a)	Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;	1	1
7. (b)	Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.		
8.	Large-diameter pipelines for the transport of oil, gas or chemicals.		
9.	Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.		2
10.(a)	Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;		
10.(b)	Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.		
11.	Large dams and reservoirs.		
12.	Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.		
13.	Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.		1
14.	Major quarries, mining, on-site extraction and processing of metal ores or coal.		
15.	Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.		
16.	Major storage facilities for petroleum, petrochemical and chemical products.		
17.	Deforestation of large areas.		
18.(a)	Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);		
18.(b)	In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).		
19.	Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.		

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
20.	Installations for the intensive rearing of poultry or pigs with more than: - 85 000 places for broilers; - 60 000 places for hens; - 3 000 places for production pigs (over 30 kg); - 900 places for sows.	1	
21.	Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.		
22.	Major installations for the harnessing of wind power for energy production (wind farms).		

Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period

- 1.PoO Project "Construction of Heavy Water Tritium Removal Facility" (referred to as CTRF) will be developed on Cernavoda Nuclear Power Plant site. CTRF's scope is included in Appendix no. III point 2 – located close to an international frontier; the project is associated to the Cernavoda Nuclear Power Plant (Cernavoda NPP), an activity listed in Appendix I item 2 (b) to Law 22/2001, which ratifies (endorses) the Espoo Convention.
- 2.PoO Project "Increasing the attenuation capacity of the Călinești accumulation and the transit of flashfloods to the border with the Republic of Hungary, Satu Mare County" – Annex 2 – point 10 f, g and 13 a of Law 292/2018.
 3. PoO Project "Bridge over Tisa in Teplița area in Sighetu Marmăției" - The proposed activity it is not listed in Appendix I to the Convention. The project aims to achieve a road connection between Maramures County and Ukraine by building a bridge over Tisa river and a connection road.
 4. AP Project" Upgrade of the navigation lock at Hydro Power Djerdap 2" – Rep. of Serbia
 5. AP 6. Project "Revitalization, modernization, capacity and efficiency level increase of the Hydroelectric Power Plant (HPP) Djerdap 2 generating units- Rep of Serbia

^a Party of origin.

^b Affected Party.

Annex II

A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

				<i>Please use as checkbox for referring to the progress and indicate the date, if available</i>			
<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
For example, Project "A"	Date	Party A Party B	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation: Date	Date	Date from: to:	Date from: to:	Date
1. Project "Pig fattening farm located inside the build-up area of Pecica city, Arad county", in Romania, developed by SC VR ROM MEAT SRL.	Notification and Presentation Memoir were sent on 03.02.2021	Hungary	Hungary decided not to participate in the EIA procedure, due to no transboundary significant impact on the environment				

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
2. Project "Construction of Heavy Water Tritium Removal Facility" (referred to as CTRF) will be developed on Cernavoda Nuclear Power Plant site.	Notification and Presentation Memoir was sent on 21 October 2019	Bulgaria Ukraine Rep of Moldova	Response indicate participate to the procedure until: 18 November 2019 Response for comments on EIA documentation until: 16 December 2019	Follows that the EIA study to be submitted to the Affected Parties, as soon as its finalised	Bulgaria express its willingness to participate at the transboundary EIA on: 15 November 2019. Bulgaria transmitted Comments need to be clarified in the EIA report on: 10 December 2019. Ukraine response by e-mail to participate at the EIA procedure on: 22 November 2019. Moldova response on: 21 November 2019 – not participate	Notification, Presentation Memoir, public announcements, Screening Decision were published on the WEF website.	

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
3. Project "Increasing the attenuation capacity of the Călinești accumulation and the transit of flashfloods to the border with the Republic of Hungary, Satu Mare County"	Notification and Presentation Memoir were sent on 05 March 2020	Hungary Ukraine	reviewing the environmental impact assessment documentation	The EIA documentation (the environmental impact assessment report, the appropriate assessment and the study for water bodies impact assessment) was sent to the Affected Parties on 13 October 2021	Considering the request made by Hungary on 19 November 2021, written consultations were carried on.	Hungary decided that no public hearing is necessary on its territory.	-
4. Project "Bridge over Tisa in Teplița area in Sighetu Marmăției"	Notification and Presentation Memoir were sent on 02.08.2019.	Ukraine	Finalised procedure	The EIA documentation was sent on 4 December 2019.		No public hearings was requested on the Ukrainian territory	3 March 2020

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
5. Project "Waste Oil Recycling Plant places in Oltenita Municipality, Calarasi County, Romania"	Notification and Presentation Memoir were sent on 08.06.2017.	Bulgaria	Finalised procedure	The EIA documentation	Written consultation were carried on during 2018-2020.	A public hearing took place in Romania, on 31 August 2018, in the presence of Bulgarian representatives	19.04.2021
6. Project "Express Road Satu Mare Connection (VO Satu Mare)-Oar (Romanian-Hungarian Border - Express Road M49 Hungary)"	Notification and Presentation Memoir were sent on 13.10.2021	Hungary	Hungary decided not to participate in the EIA procedure, due to no transboundary significant impact on the environment	-			

Table 2

Transboundary environmental impact assessment procedures as an affected Party

Please find below an example of expected types of answers in each column, and feel free to add additional rows as needed

				<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>
For example, Project A	Notification received: date Response sent: date Stage of the procedure (select as appropriate) -screening -scoping -reviewing the environmental impact assessment documentation	Party A	Date	Date	Time from: to:	Yes/No Written comments: time interval Event(s) organized: date(s)	Date
1. Project „Arrangement of the deep-water navigable channel Danube river – Black Sea within the Ukrainian part of the delta”	Notification received on 22 June 2020 Response sent: 6 July 2020	Ukraine		RO waiting from UA to submit the EIA documentation			

				<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>
	RO submitted to UA comments and proposals on the Notification as well as for the containing of the EIA documentation on: 4 August 2020						
2. Project “Construction of new port capacities of the Port of Prahovo, on the territory Negotin municipality”	Notification received on 19 April 2021	Rep. of Serbia	EIA study received on 31 August 2021	RO’s Comments to the EIA study were sent on: 11 November 2021	Final version of the amended EIA study with RO comments included on: 9 December 2021	Notification as well as EIA study were posted on MEWF website for comments and proposals Public debate: not necessary	RO are waiting from Serbia final decision
3. Project” Upgrade of the navigation lock at Hydro Power Djerdap 2”	Notification received on 25 February 2021 Response to the Notification on: 2 March 2021	Rep. of Serbia	EIA study received on: 13 April 2021		Updated EIA study on: 17 May 2021 RO comments to the updated EIA study on: 3 June 2021	Notification, EIA study, the updated EIA study were posted on the MEWF website	15 July 2021 RO letter to Rep. of Serbia, waiting for final decision

				<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>
	Response to the Notification: 2 March 2021					for comments and proposals No public debate	
6. Project "Revitalization, modernization, capacity and efficiency level increase of the Hydroelectric Power Plant (HPP) Djerdap 2 generating units"	Notification received on 11 October 2021 Response to the notification on: 18 November 2021 – not going to participate at the EIA procedure	Rep. of Serbia	NA	NA	NA	Notification posted on MEWF website. No comments received.	NA
5. Project "M49 Expressway M3 Highway, Section between Ökörítófülpös – Country Border"	Notification received on: 25 July 2019		NA	NA	NA	Notification as well as final decision posted on WEWF	Final decision received on: 31 October

				<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>
	Response to the Notification on: 30 September 2019 – RO not participate in the transboundary procedure					website for comments. No public debate.	2019 – Environmental permit
6. Project “Rivne NPP”	Continuation of the procedure		Chapter 6 of the EIA Report and answers to the comments of RO to the EIA report on: 16 November 2020		Between 2020-2021 by exchange of letters	All the documents received were posted on the MEWF website, including the answers of Ukraine to the Romanian comments on the EIA report	No. Romania ask Ukraine to provide the final decision.
7. Project PJSC “Izmail Pulp and Cardboard Mill”	Notification received on: 18 June 2021	Ukraine	On 17 August 2021 RO submitted to Ukraine the aspects that the EIA			Notification published on MEWF website	

				<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>
	Response to the notification on: 5 July 2021		documentation should address.			for comments and proposals	

Annex III

Template to describe an example of application of a transboundary procedure in accordance with the Convention in the reporting period

Please provide at least one example of application of a transboundary environmental impact assessment procedure in accordance with the Convention in the reporting period using the template and reflecting on the priorities of the 2021–2023 workplan and the long-term strategy. Should you wish to share more examples, please copy the template, as needed.

I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure: **"Waste Oil Recycling Plant", placed in Oltenita Municipality, Calarasi County"**
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: Romania	Affected Party: Bulgaria
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation: 2018-2019
4. Stage(s)/step(s) of the procedure presented in this example:
 The entire procedure
 Notification (art. 3):
 Preparation of the environmental impact assessment documentation (art. 4):
 Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c))
 Final decision (art. 6):
 Post-project analysis (art. 7, if applicable)
 Other , please specify:

II. BACKGROUND

Please provide a short description of the activity, the context of its development and general information about the environmental impact assessment procedure

The project's main objective and purpose:

The waste oil recycling plant will have a processing capacity of 200 tons / day, which implies, according to the technological flow presented by the beneficiary, an annual processing quantity of approximately 66.000 tons of oils. The technology will be a cutting-edge one, by combining the advanced distillation technology with the catalytic hydro-treatment under high pressure of the oil base recovered. Overall, the plant will lead to the environment protection, by processing approximately 66.000t/year of hazardous and toxic waste, producing the base for the high quality lubricating oil.

Proposed activity of the plant:

Technological process and effluents at each stage:

1. Dehydration

Dehydration is achieved by heating the waste oil in specialized equipment. This process results in 3,986 t/year of vapour, consisting of a mixture of steam and volatile components. Water is subsequently condensed and sent to the chemically impure water collection system. Volatile components are used as low calorific value gaseous fuel in the furnace of the plant or flared.

Input: 66,666 t/year of waste oil

Utilities: heat in the form of recirculated hot oil and cooling water

Products: 62,680 t/year of dehydrated waste oil, 3,986 t/year of wastewater

2. Separation of liquid fuel (diesel)

The installation consists of a vacuum evaporator. A quantity of 6,680 tonnes of fuel will be extracted from the waste oil. This will be used in the furnace, but will also supply the hydrotreatment facility.

Input: 62,680 t/year of dehydrated waste oil

Utilities: heat in the form of recirculated hot oil and cooling water

Products: 56,000 t/year of supply of film evaporator, 6,680 t/year of liquid fuel

3. Oil separation

The product at the basis of the fuel separator will supply the film evaporators (Falling Film Evaporator & Wiped Film Evaporator). Separation is done under vacuum.

The residue (bitumen) from the film evaporator, 9,320 t/year, will be sold as road pavement bitumen.

Input: 56,000 t/year

Utilities: heat in the form of recirculated hot oil and cooling water

Products: 46,680 t/year from the film evaporators, 9,320 t/year bitumen

4. Hydrotreatment

The oil recovered from film evaporators is treated with hydrogen in this plant to produce high quality base oil. The oils resulting from the evaporators are treated in the presence of a special catalyst at a temperature of 360° and pressure of 96 bar. The main resulting product is base oils. The sulfide present in the raw material is extracted as hydrogen sulfide (H₂S). This will be extracted from the hydrogen stream by means of the amine plant. A part of the recirculated hydrogen stream will be burnt as fuel in the furnace, in order to maintain the desired concentration of light hydrocarbons.

Input: 46,680 t/year from the film evaporators, 3,624 t/year hydrogen

Utilities: heat in the form of recirculated hot oil and cooling water

Products: 45,624 t/year hydrotreated base oil, 680 t/year hydrogen-rich gas, used as fuel in the technological furnace

5. Final fractionation

Hydrotreated oil is fractionated in the vacuum distillation column in order to produce base oils of SN-150 or SN-500 grades. In the same fractionation column, light fractions are extracted in order to comply with the specifications of the products SN-150 and SN-500.

6. Hydrogen plant

The hydrogen required for the hydrotreatment plant is produced by water electrolysis. The oxygen produced will be released into the atmosphere.

Input: 4,285 t/year of demineralised water

Utilities: electricity, cooling water

Products: 360 t/year of hydrogen

7. Amine plant

The mixture of hydrogen-rich gas, produced in the hydrotreatment reactors also contains H₂S. The gas is sent to the amine plant for the disposal of H₂S. The mixture of hydrogen-rich gas thus filtrated is recirculated in the hydrotreatment plant, while H₂S is burnt in the furnace or flared. The maximum quantity of (H₂S) is 24kg/h (192 t/year).

III. PROCEDURE UNDER THE CONVENTION AND ELEMENTS OF GOOD PRACTICE

Please describe, in more detail, using the subsections below, the procedural step(s) considered to represent good practice and then explain why that is.

1. **Notification** (art. 3): Notification was sent to Rep. of Bulgaria.
2. **Preparation of the environmental impact assessment documentation** (art. 4):

In addition, were submitted to the Bulgarian Party: the presentation Memoire (in English and Bulgarian language), technical report, the EIA Study (in EN and BG language), Seveso notification with related calculations and safety data sheets (in EN and BG language) accompanied by the pollutant dispersion study. Supplementary, Romania have transmitted the noise level assessment study and noise propagation maps.

In addition to the description above regarding the preparation of the environmental impact assessment documentation, please indicate the following:

- (a) What alternatives were assessed and presented in the environmental impact assessment documentation?

The main alternatives and the motivation for choosing one of them:

"Zero" alternative or "no action"

The „zero” alternative was taken into consideration as a reference element for the comparison with the other alternatives for the different elements of the project.

The main forms of impact associated with the „zero” alternative are:

- *losing important job opportunities;*
- *losing the investments made until the present moment, having as a result the loss of interest from private investors, commercial banks and international financing institutions regarding the future industrial development projects in the region and in Romania;*
- *losing the support for the development of a modern installation, according to the regulations, which is in the field of the reducing waste quantities at national level - recycling the waste oil;*

The most favourable situation for the area would be:

- *to have solid economic opportunities and jobs;*
- *the impact on the environment and the social one generated by the activity that is to be developed and the other major economic developments has to be at a minimum level;*
- *to have the technical capacities and resources necessary to remedy the occurrence of pollution.*

Alternatives:

The proposed option leads to the following advantages:

- *new jobs will be created;*
- *the extension of the city water distribution network;*
- *creating a sewage system to direct the wastewater towards the treatment plant;*
- *the power supply network will be developed in order to ensure a high reliability degree and a good quality exploitation;*
- *applying a modern and efficient system in waste management;*
- *introducing new source sorting systems and selective collection of recyclable materials.*

The following consideration have been taken into account:

-Economic criteria (efficiency respectively). The proposed solution has the best results from the cost point of view, which is smaller in comparison with other options; similarly, the maintenance costs are reduced.

-Social criteria (social acceptability respectively). The proposals have the best results from the human factor protection point of view; the positive impact on the inhabitants is significant.

- Environment criteria (the environment sustainability respectively) The proposals have insignificant effects on biodiversity, which has been developed in the Study for the Adequate Assessment, approved by APM Calarasi. It is true that, at first sight, it is an act of courage to build a waste oil recycling plant in the neighbouring area of the Nature 200, but the environmental monitoring has shown that there are no priority habitats in the area, so no habitats are destroyed, the identified bird species are not resident on the site, they have been observed only in transit and most of the technological processes have a closed circuit. The investment also brings benefits to the environment by creating a facility that will reduce the amount of waste oil used nationwide. A strict monitoring program will ensure the fact that there will be no significant or negative effects on the environment.

The work proposals comply with the technical regulations on force. A different design option would not have had additional environment benefits compared to the option chosen.

The building materials will include simple materials, generally used in such works. It is anticipated that traditional building materials and techniques will be used, although the final details depend on the builder's technology. The technical solutions that will be further proposed will have to take into consideration:

- environment conditions;*
- type and nature of works;*
- the possibility to use local materials;*
- technical and functional utility and the security of the proposed development;*
- facilities, functional, geological, hydro-geological, hydrological and institutional characteristics of the area;*
- the existing neighbouring areas.*

The tender books will contain a recommendation for the builder to use modern equipment that complies with the technical prescriptions, as well as with the European regulations in force in the field of the environment protection. There is also the recommendation that where the work spaces are limited, manual work should be used mainly, to reduce as much as possible the impact of the execution works.

- (i) At what level of detail were the alternatives described?
- (ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?

(b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:

- (i) Biodiversity yes
- (ii) Climate change yes
- (iii) Circular economy
- (iv) Sustainable Development Goal implementation
- (v) Smart and sustainable cities
- (vi) Sustainable infrastructure
- (vii) Renewables

(viii) Other issues not listed above: water (groundwater –pollutant emission in water and water quality protection; water supply; waste water management); potential accidental discharge of polluting substances, transboundary impact; climate and weather conditions, air temperature regime (rain fall regime, wind regime); soil pollution sources, cultural and ethnic conditions, cultural heritage; risk situations.

3. Consultations on the basis of the environmental impact assessment documentation (art. 5 (a)–(c)): Yes consultation were conducted between Romania and Bulgaria. Rep. of Bulgaria sent comments on the EIA study related to impact on human health on the territory of the Republic of Bulgaria (e.g. noise level of the installation operation). Romania responded to all comments raised by the Bulgarian party and additionally have submitted the noise level assessment study and noise propagation maps.

4. Final decision (art. 6): yes

5. Post-project analysis (art. 7, if applicable): no

IV. LESSONS LEARNED AND ADVICE TO OTHER PARTIES:

1. Please indicate:

Challenges in carrying out the procedure, if any, and how they were tackled

Lessons learned and advice to other Parties:

The transboundary consultations held with the Bulgarian party has improved the quality of the EIA study (by elaborating the Noise Level Assessment study and Noise Propagation maps).

2. As relevant, please also refer to the contribution of the above application of environmental impact assessment procedure towards the attainment of Sustainable Development Goals¹ or climate objectives:

¹ In 2017, the Meetings of the Parties acknowledged that the Convention and in particular the Protocol contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

**V. ANY OTHER INFORMATION NOT INCLUDED ABOVE
THAT YOU MAY WISH TO SHARE:**

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at
http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.