

GOVERNMENT OF THE REPUBLIC OF ARMENIA

DECISION

No 43-N of 11 January 2024

ON APPROVING THE PROCEDURE FOR DEFINING THE NECESSITY
FOR ASSESSMENT AND EXPERT-EXAMINATION OF THE ENVIRONMENTAL
IMPACT OF THE RECONSTRUCTION OR EXPANSION OR TECHNICAL OR
TECHNOLOGICAL RE-EQUIPMENT OR RE-PROFILING OR CONSERVATION OR
RELOCATION OR TERMINATION OR CLOSURE OR DEMOLITION OR DESIGN
CHANGE OF THE TYPES OF THE PROPOSED ACTIVITY

Guided by point 5 of part 1 of Article 8 of the Law of the Republic of Armenia "On environmental impact assessment and expert-examination", the Government of the Republic of Armenia hereby *decides*:

1. To approve the procedure for defining the necessity for assessment and expert-examination of the environmental impact of the reconstruction or expansion or technical or technological re-equipment or re-profiling or conservation or relocation or termination or closure or demolition or design change of the types of the proposed activity in accordance with the Annex.
2. This decision shall enter into force on the day following its official promulgation.

Prime Minister
of the Republic of Armenia

N. Pashinyan

Yerevan

11 January 2024

CERTIFIED
BY ELECTRONIC SIGNATURE

Annex
to Decision of the Government
of the Republic of Armenia
No 43-N of 11 January 2024

PROCEDURE

**FOR DEFINING THE NECESSITY FOR ASSESSMENT AND EXPERT-EXAMINATION
OF THE ENVIRONMENTAL IMPACT OF THE RECONSTRUCTION OR EXPANSION
OR TECHNICAL OR TECHNOLOGICAL RE-EQUIPMENT OR RE-PROFILING OR
CONSERVATION OR RELOCATION OR TERMINATION OR CLOSURE OR
DEMOLITION OR DESIGN CHANGE OF THE TYPES OF THE PROPOSED ACTIVITY**

1. This procedure shall define the procedures related to determining whether or not the reconstruction or expansion or technical or technological re-equipment or re-profiling or conservation or relocation or termination or closure, in case of facilities important from the point of atomic energy safety — recommissioning (in case of a landfill serving as a facility important from the point of atomic energy safety — closure) or demolition or design change (hereinafter referred to as “a change”) of types of the proposed activity listed in Article 12 of the Law of the Republic of Armenia “On environmental impact assessment and expert-examination” (hereinafter referred to as “the Law”) are subject to environmental impact assessment (hereinafter referred to as “EIA”) and expert-examination.
2. Prior to implementing the change, the initiator shall submit electronically — and in case of impossibility to submit it electronically — in hard copy — an application to the public administration body developing and implementing the policy of the Government in the field of ensuring state expert-examination of the environmental impact (hereinafter referred to as the "authorised body").

3. The application shall include the following:
 - (1) name of the initiator and place of residence (location) thereof;
 - (2) name of the type of the activity proposed in accordance with Article 12 of the Law and name of the planned change;
 - (3) date, month, year and number of provision of state expert-examination opinion (if available);
 - (4) description of the area subject to the proposed activity, buildings and premises;
 - (5) characteristics of the proposed activity (production capacities, technical and technological solutions);
 - (6) comparative analysis of the current situation and the planned changes;
 - (7) table of this Procedure describing the possible impacts of the change on the environment, filled according to points 5-8 of this Procedure;
 - (8) a document attesting the fact that the state duty is paid.
4. In case of a change in the types of activities included in Annex 1 to the Convention "On Environmental Impact Assessment in a Transboundary Context", the authorised body may return the application for revision, requiring the initiator to submit also the analysis of the transboundary impact (including whether or not the impact is significant and dangerous (harmful)).
5. Both positive and negative possible changes to environmental components shall be filled in the table.
6. Both positive and negative possible changes to the environment shall be described in the "Description of the change if available" column of the table.
7. "Changes are available" and "No changes are available" columns of the table shall be filled in, using the conditional symbol "V". Data on all the components and factors of the environment shall be subject to be filled in, except for point 12 of the table,

which shall be filled in only in case of facilities important from the point of atomic energy safety.

8. Where the change has both positive and negative impact on the relevant component or factor of the environment, the column "Changes are available" shall be filled in, and in the column "Description of the change if available" both positive and negative impacts shall be described.
9. The authorised body shall — through the “Centre of Expertise for Environmental Impact Assessment” state non-commercial organisation operating in its system (hereinafter referred to as “the Centre of Expertise”) — examine the application and, in cases of inaccuracies or defects in it, or where the state fee has not been paid, or in cases prescribed by point 4 of this Procedure, within 10 working days upon receipt of the application, return the application to the initiator by a letter, for the purpose of revision, specifying the reasons for the return.
10. In case of a change in the activity of facilities important from the point of atomic energy safety, the authorised body shall – for obtaining a position — submit the application, by a letter, within 2 working days upon receipt thereof, to the authorised body conducting state regulation of the field of atomic energy use. The authorised body conducting state regulation of the field of atomic energy use shall submit a position to the authorised body within 8 working days upon receipt of the application.
11. In case of a change in the field of subsurface use, the authorised body shall — for obtaining a position — submit the application, by a letter, within 2 working days upon receipt thereof, to the authorised body in the field of subsurface use and preservation. The authorised body in the field of subsurface use and preservation shall submit its position to the authorised body within 8 working days upon receipt of the application.
12. In case of changes in the components and factors prescribed in points 9-11 of the table of this procedure in the application, the authorised body shall — for obtaining

a position — submit the application, by a letter, within 2 working days upon receipt thereof, to the authorised body of the relevant field. The authorised body of the relevant field shall submit its position to the authorised body within 8 working days upon receipt of the application.

13. In the cases prescribed by points 10-12 of this procedure, where contradictions arise between the positions of the authorised bodies of the relevant field (including the authorised body), the authorised body shall make the decision on whether or not the planned change is subject to EIA and expert-examination.
14. As necessary, in cases not prescribed by points 10-12 of this procedure, the authorised body may submit the application to the public administration bodies for a position, indicating the reason for submitting the position. Public administration bodies shall submit their position to the authorised body within 8 working days upon receipt of the application.
15. In cases prescribed by points 10-12 of this procedure, the positions of the relevant bodies must contain an opinion or information on whether or not the planned change is subject to EIA and expert-examination.
16. In cases prescribed by points 10-12 of this procedure, the authorised bodies of the relevant field may indicate in their positions the fact of the change in the planned activity to be subject to EIA and expert-examination also in the case where the initiator has not indicated in the application the existence of changes to the environmental components or factors, but the study of the application has revealed that the change in the planned activity will have a negative impact on any component or factor of the environment, justifying such a point of view in the position.
17. For the purpose of verifying the reliability of the data of the application, the authorised body may take as a basis the data of cadastres, registries, registers, the

results of state accounting or state studies, the public administration system, the data processed by or received within the framework of powers of the National Academy of Sciences of the Republic of Armenia, territorial administration bodies, local self-government bodies, as prescribed by the legislation of the Republic of Armenia.

- 18 Within 15 working days upon receipt of the application prescribed by point 3 of this procedure or upon receipt of the revised application in the case prescribed by point 9 of this procedure, the authorised body shall examine it and the positions received regarding it through the Centre of Expertise and inform the initiator, in writing, of:
 - (1) whether the change is subject to EIA and expert-examination, where the change has a negative impact on any component or factor of the environment. The impact on the environment shall be considered negative where, as a result of the change, the use of environmental resources specified in the table of this procedure will increase or the emission, leakage of harmful substances, the amount of hazardous substances or waste into the environment will increase, or the components or factors of the environment described in the table of this procedure will be exposed to a negative change;
 - (2) whether the environmental change is subject to a transboundary environmental impact assessment and expert-examination, in case of a change in the types of activities included in Annex 1 to the Convention "On Environmental Impact Assessment in a Transboundary Context", where the change has a significant transboundary dangerous (harmful) impact;
 - (3) whether the change is not subject to EIA and expert-examination, where the change has no negative impact or has positive impact on any component or factor of the environment.
19. The authorised body shall be guided by sub-point 1 of point 18 of this procedure also in the event that the initiator has not indicated in the application the existence of

possible changes to the environmental components or factors, but the study of the application has revealed that the change to the planned activity will have a negative impact on any component or factor of the environment, justifying such position in the written notification.

20. Taking into account the criteria of this procedure, the initiator, where he/she finds that the change will have a negative impact on any component or factor of the environment, may submit, on his/her own initiative, the application for the change to the EIA and expert-examination.
21. In case of being subject to EIA and expert-examination, the EIA and expert-examination of the change shall be carried out as prescribed by the law.

TABLE

DESCRIBING POSSIBLE IMPACTS OF A CHANGE ON THE ENVIRONMENT

No i/s	Environmental components, factors	Impact of the proposed activity		Description of the change, if available
		Changes are available	No changes are available	
<i>1. Atmospheric air</i>				
(1)	Species composition of substances emitted to the atmospheric air			
(2)	Emission limit value of substances emitted to the atmospheric air			
(3)	Emission source of substances emitted to the atmospheric air			
(4)	Conditions for dispersion of substances emitted to the atmospheric air			
(5)	Conditions for pulse emissions			
(6)	Other requirements or conditions defined by limit values of the emission of pollutants into the atmosphere from stationary sources/emission permits			
(7)	Other requirements or conditions defined by the action plan for			

No i/s	Environmental components, factors	Impact of the proposed activity		Description of the change, if available
		Changes are available	No changes are available	
	reduction of emissions of atmospheric pollutants			
<i>2. Water resources</i>				
(1)	Water resources available and their distance from the proposed activity			
(2)	Water intake place			
(3)	Purpose of water use			
(4)	Water intake volume			
(5)	Period and regime of water use			
(6)	Water disposal place			
(7)	Permissible volumes of waste water			
(8)	Description of leakage			
(9)	Quantities of maximum permissible leakage of harmful substances in waste water			
(10)	ecological flow			
(11)	Aquatic ecosystems protection zones			
(12)	Other requirements or conditions defined by water use permit			
<i>3. Wastes and hazardous substances</i>				
(1)	Type and class of hazard of wastes			
(2)	Quantity of wastes			
(3)	Conditions of the licence, where there is a licence for hazardous waste use activities			
(4)	Type and class of hazard of hazardous substances			
(5)	Quantity of hazardous substances			
<i>4. Soil and subsurface</i>				
(1)	Designated purpose of the soil			
(2)	Operational significance			
(3)	Category, quality, quantity of the soil, soil type			
(4)	Condition, degradation of the soil			

No i/s	Environmental components, factors	Impact of the proposed activity		Description of the change, if available
		Changes are available	No changes are available	
(5)	Composition of the soil (granulometric, organic and inorganic)			
(6)	Pollution of the soil, composition and quantities of soil polluting chemicals			
(7)	Use of fertile layer			
(8)	Conditions and requirements of subsurface use, including the liabilities assumed under the contract for subsurface use			
(9)	Minerals			
(10)	* Subsurface use waste management and re-processing plans			
(11)	** Monitoring programme			
(12)	Geomorphology, slope inclination, geological and tectonic structure, external geological phenomena;			
<i>5. Protected areas</i>				
(1)	Relief, landscape			
(2)	Specially protected areas of nature or environmental lands			
(3)	Migration routes of animals and habitats			
(4)	Growing areas of plant species			
<i>6. Flora and fauna</i>				
(1)	Flora (except for forests, forest lands and green zones of the settlements), composition of species thereof, growing areas of objects of flora, utilisation of objects of flora, the use of live modified organisms, the presence of invasive — strange — plant species, plants registered in the Red Book of Plants of the Republic of Armenia			
(2)	Fauna, composition of species thereof, life environments of objects of fauna, utilisation of the objects of fauna, the use of live modified organisms, the presence of invasive — strange — animal species, animals registered in			

No i/s	Environmental components, factors	Impact of the proposed activity		Description of the change, if available
		Changes are available	No changes are available	
	the Red Book of Animals of the Republic of Armenia			
<i>7. Forests, forest lands and green zones of the settlements</i>				
(1)	Designated and operational purpose of forests;			
(2)	Conditions of and requirements for sustainable forest management			
(3)	Fire-safety rules of forests			
(4)	Composition of species of forests, growth class			
(5)	Forest fells, uprooting or damaging trees, damaging or destroying the fertile layer of forest lands			
(6)	State of forests (viability, infection with pests, age composition)			
(7)	Polluting the forests with chemical and radioactive substances, production waste waters, industrial emissions, domestic residues and production wastes;			
(8)	Afforestation measures			
(9)	Green zones of the settlements			
<i>8. Climate</i>				
(1)	Factors causing possible climate changes			
(2)	including greenhouse gas emissions or absorption, nature and volume thereof			
(3)	Measures aimed at mitigation and adaptation of the climate change			
<i>9. Historical and cultural monuments and infrastructures</i>				
(1)	Historical and cultural monuments (proposed activities that do not refer to the fixing, repair, restoration or improvement of the immovable historical and cultural monuments of the given area), structures, cemeteries, infrastructures, overburdened state of roads with vehicles			

No i/s	Environmental components, factors	Impact of the proposed activity		Description of the change, if available
		Changes are available	No changes are available	
<i>10. Healthcare and social factors</i>				
(1)	Healthcare factors connected with the impacts;			
(2)	Physical impacts — noise, vibrations, ionising and non-ionising radiations;			
(3)	Social factors, demographic composition and the population;			
<i>11. Emergency Situations</i>				
(1)	Probability of emergency situations, accidents, dangerous natural phenomena.			
<i>12. Atomic energy (filled in only in case of facilities important from the point of the atomic energy safety)</i>				
(1)	The characteristics approved by the decision prescribed by point 9 of part 1 of Article 8 of the Law of the Republic of Armenia "On environmental impact assessment and expert examination"			

1. *Pursuant to parts 4 and 5 of Article 60.3 of the Code of the Republic of Armenia "On subsoil", the mining waste management and mining waste re-processing plans shall be subject to mandatory review once in every 5 years. The proposed modified plans shall be submitted to the public administration authorised body in the field of environment related to subsoil use for approval (in accordance with Decision of the Government of the Republic of Armenia No 674-N of 15 June 2017).
2. **Pursuant to point 21 of part 3 of Article 59 of the Code of the Republic of Armenia "On subsoil", the work plan scheduled for the purpose of reducing environmental losses as a result of subsoil use, preventing irrevocable effect and indicators for monitoring their implementation shall be subject to revision once in every 5 years.

I certify that the information contained in this document is reliable and complete. We fully acknowledge that any false information shall entail administrative and criminal

liability as prescribed by law.

Signature of the applicant _____

Date _____
(day, month, year)

**Chief of Staff
to the Prime Minister
of the Republic of Armenia**

A. Harutyunyan

11 January 2024

CERTIFIED
BY ELECTRONIC SIGNATURE

Date of official promulgation: 11 January 2024.