



# REMIX

## Interreg Europe



European Union  
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# Environmental impact assessment procedures in mining

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# Environmental impact assessment

Regulations on procedures for environmental impact assessment are defined by,

**Act of 3 October 2008 on the provision of information on the environment and its protection, public participation and environmental impact assessments**

- The assessment of environmental impact of a project is carried out in procedure for issuing a **decision on environmental conditions**
- The decision on environmental conditions determines the environmental conditions of a project implementation

# Environmental impact assessment

The environmental impact assessment identifies, analyzes and evaluates:

- 1) Direct and indirect impact of a given project on:
  - a) the environment and the population, including the health and living conditions of people,
  - b) material goods,
  - c) monuments,
  - d) landscape, including cultural landscape,
  - e) interactions between abovementioned elements,
  - f) availability of mineral deposits,
  - g) risk of serious accidents and natural and construction disasters.
- 2) Means and ways to prevent and reduce the negative impact of project on the environment;
- 3) Required range of monitoring.

The impact assessment of the project on the Natura 2000 site identifies, analyzes and assesses impact (...) taking into account also the cumulative impact with other projects.

# The issue of decision on environmental conditions takes place before:

- ✓ decision on building permit, decision on approval of construction project, decision on permission to resume construction works and decision on permission to change the use of building
- ✓ Concession for prospecting or exploration of underground carbon dioxide storage complex,
- ✓ **Concession for extracting minerals from deposits,**
- ✓ Concession for underground storage of substances,
- ✓ Concession for underground storage of waste,
- ✓ Concession for underground storage of carbon dioxide.

**granted on the basis of the Act of 9 June 2011 - Geological and Mining Law**

# The issue of decision on environmental conditions takes place before:

- ✓ a decision approving a work plan for carrying out geological tasks related to hydrocarbon exploration and prospecting or investment decision for the purpose of realisation of concessions for hydrocarbon exploration and prospecting and extraction of hydrocarbons from deposits - issued pursuant to the Act of 9 June 2011 - Geological and Mining Law
- ✓ a water permit for water regulation, a water permit for water installations and a water permit for the extraction of stone, gravel, sand and other materials from the waters under special use of water - issued under the Act of 18 July 2001 - Water Law

# Classification of projects that may have significant effects on the environment

The basic criterion for applying for an environmental decision is defined by  
the project types listed in  
the Regulation of the Council of Ministers of 9 November 2010.

**on projects that may significantly affect the environment.**

Regulation contains list of projects that can have significant impacts on the environment and those that may have a significant impact on the environment.

(Dz. U. Nr 213, poz. 1397 z późn. zm.).

# Classification of projects that may have significant effects on the environment

- ✓ projects that can always significantly affect the environment  
(group I)
- ✓ projects that potentially have significant effects on the environment if the obligation to carry out an environmental impact assessment has been identified after screening (group II)

Projects mentioned above **are always required to obtain a decision on environmental conditions**

## SCREENING

- Are we dealing with a plan (project) that requires an assessment or project that may have a significant impact on the environment?
- Can significant environmental impacts occur?

## SCOPING

- Which impacts are the most relevant to the plan or project and most significant to its surroundings?

# Projects that can always significantly affect the environment (Group I)

- ✓ Installations for the processing of minerals other than natural gas, petroleum and its natural derivatives located in areas of open pits or quarries of an area not less than 25 hectares,
- ✓ extraction of minerals from deposits:
  - a) with open pit methods and mining ground area not less than 25 hectares,
  - b) With underground methods and production of minerals not less than 100 000 m<sup>3</sup> / year,
- ✓ Exploration, assessment and extraction of radioactive ores.



# Projects that potentially have a significant impact on the environment (Group II)

- ✓ Installations for processing of minerals other than those listed in Group I
  
- ✓ Open-cast extraction of minerals from deposits other than in Group I:
  - a) irrespective of the surface of the mining area:
    - if it concerns peat or chalk,
    - If in areas of nature protection in accordance with the Act of 16 April 2004 on protection of nature,
    - if mining is to be carried out using explosives,
    - If at a distance of no more than 0.5 km from the planned extraction of minerals another mining area established for the extraction of open-cast minerals is located,
  
  - b) from a mining area larger than 2 hectares or with an output of more than 20,000 m<sup>3</sup> / year
  
- ✓ extraction of minerals from deposits:
  - a) with underground method other than those listed in Group I,
  - b) in maritime areas other than those listed in Group I.

**If, in connection with the planned investment, at least one of the  
aforementioned circumstances exists and investor will find  
planned venture on the list in Regulation**

—

**he should provide for the situation that it is necessary to obtain  
a decision on environmental conditions**

# Authorities responsible for issuing environmental decisions

(with respect to mining activities)

## 1) Regional director of environmental protection – in the following cases:

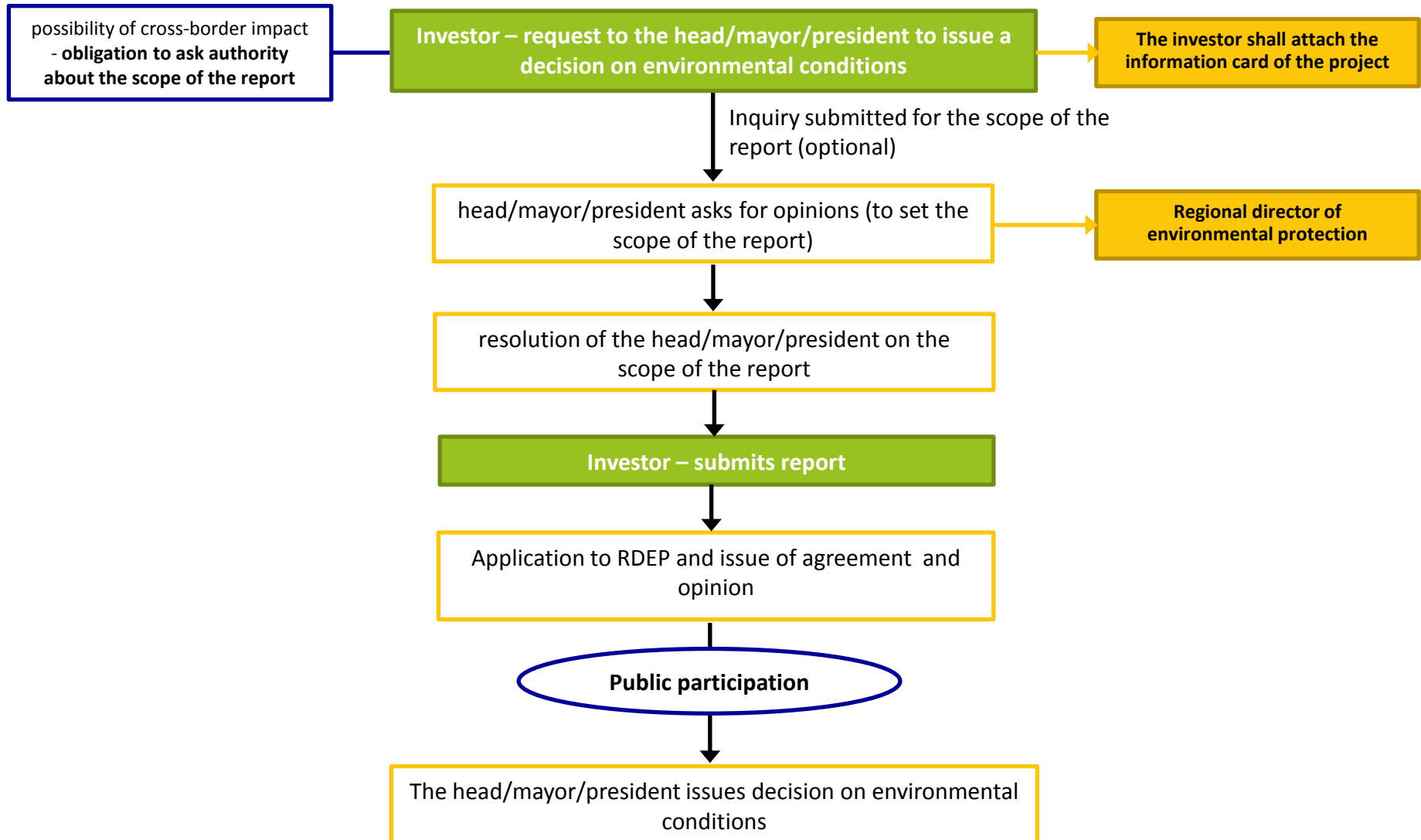
- a) projects that can always have a significant impact on the environment (group I),
- b) projects realised in closed areas,
- c) Projects being a change or development of an existing investment,
- d) Projects aimed at exploration and documenting mineral deposits or extraction of minerals from deposits (hydrocarbons, hard coal and lignite, metal ores, ores of radioactive elements, sulfur, rock salt, gypsum and anhydrite, precious stones) – covered by mining ownership

## 2) Commune or town mayor, president of a city – in cases of other projects

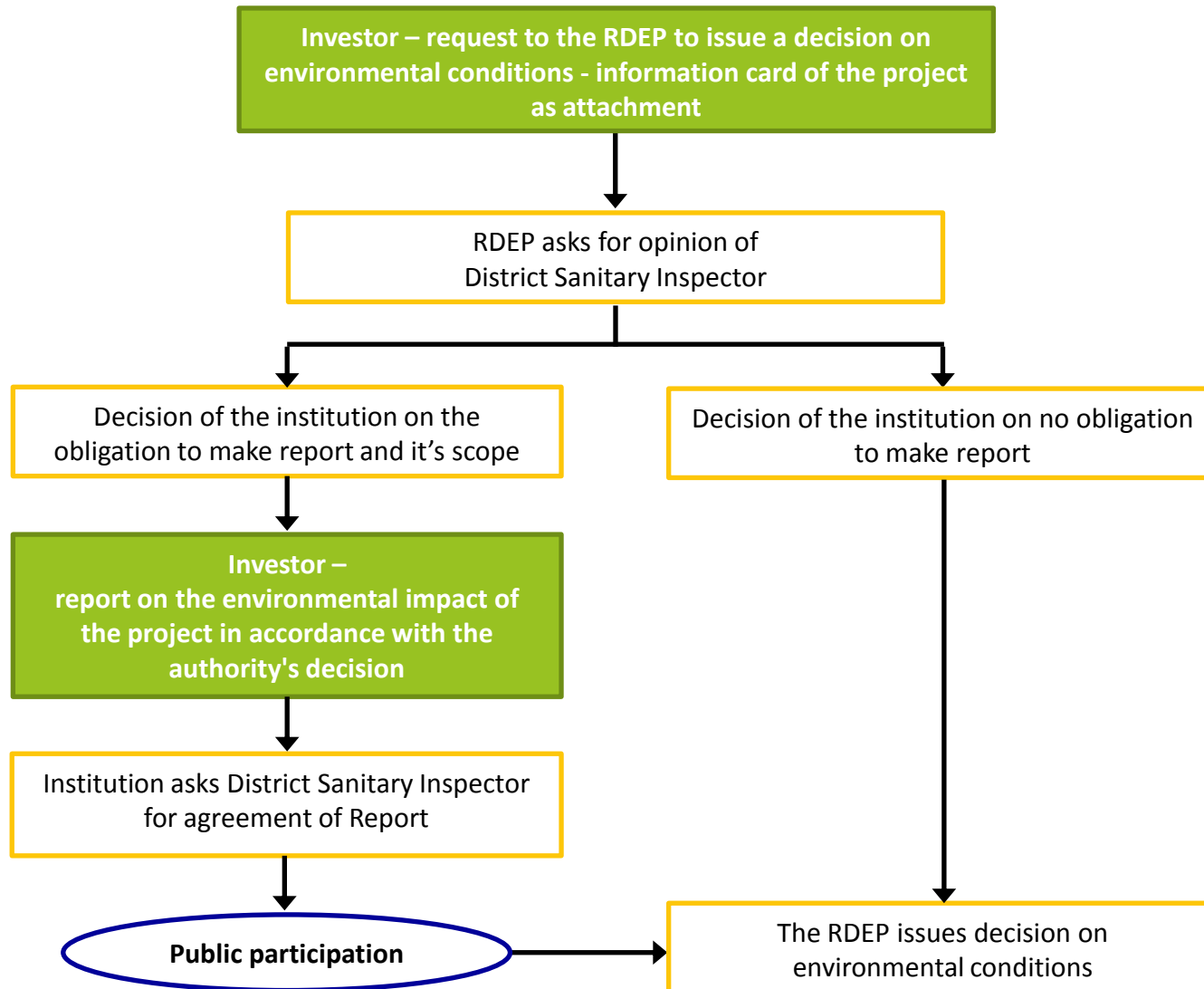
# The application for a decision on environmental conditions should be accompanied by:

- 1) in case of projects that can always have significant environmental impact - **the report on the environmental impact of the project**, and if the applicant has requested to determine scope of the report - **the information card of the project**
- 2) in case of projects that potentially have a significant impact on the environment - **the information card of the project**

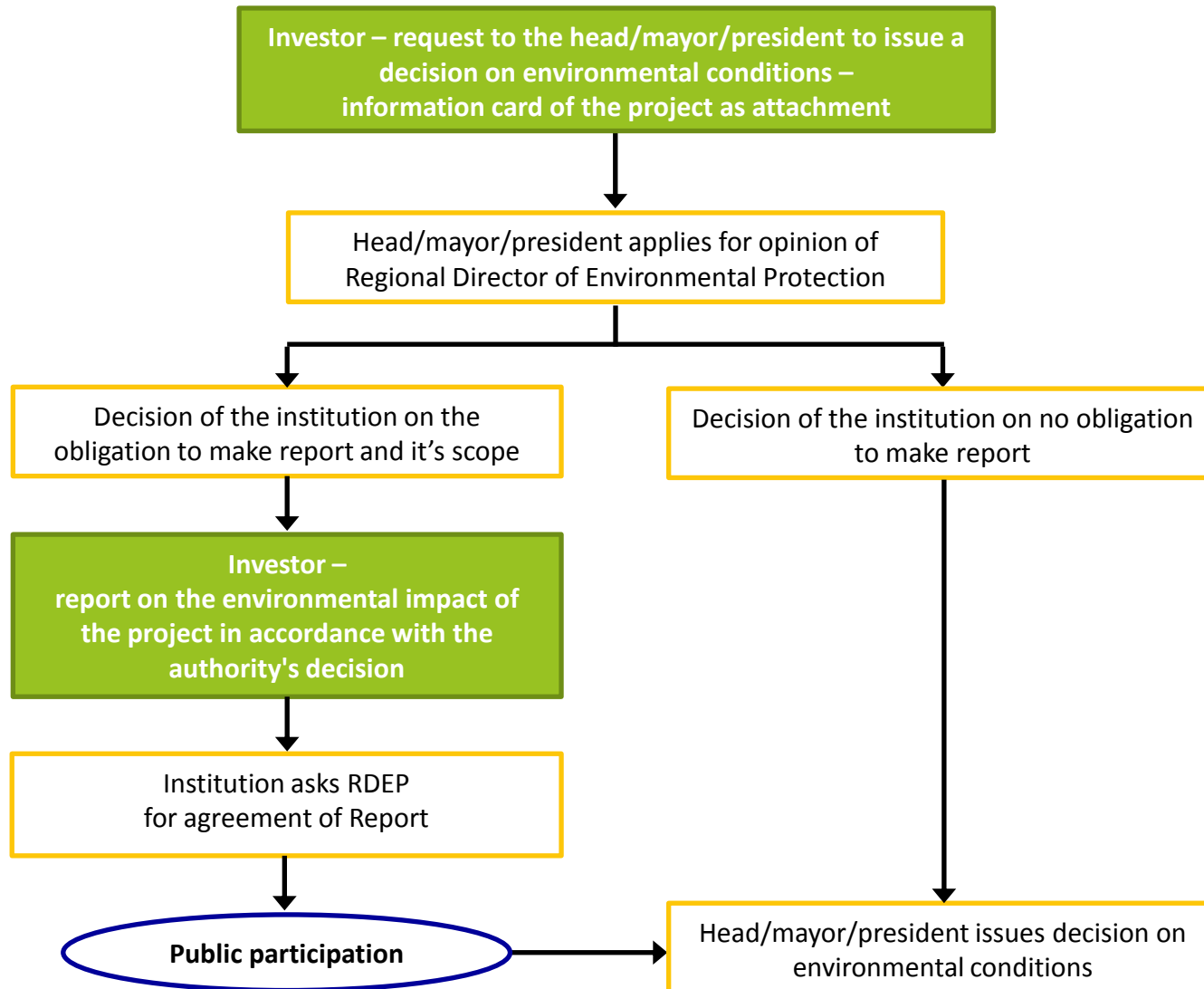
# EIA Procedure conducted by the commune head, mayor or city president for **Group I** projects



# EIA Procedure conducted by the commune head, mayor or city president for **Group I** projects



# EIA Procedure conducted by the commune head, mayor or city president for **Group II** projects





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# Thank you!



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