

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 313 final

Brussels, 11th June 1980

PROPOSAL FOR A COUNCIL DIRECTIVE  
CONCERNING THE ASSESSMENT OF THE ENVIRONMENTAL EFFECTS  
OF CERTAIN PUBLIC AND PRIVATE PROJECTS

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(presented by the Commission to the Council)

COM(80) 313 final

EXPLANATORY MEMORANDUM

Re.: Proposal for a Council Directive concerning the assessment of the environmental effects of certain public and private projects.

I INTRODUCTION

1. The aim of this proposal is to introduce into the legislation and administrative practice of the Member States certain common principles for the prior assessment of the effect on the environment of public and private projects likely to have major effects on the environment and living conditions. The competent authority in the Member States would have the task of seeing to it that, before certain projects are authorized or approved, an appropriate assessment of the effects on the environment is made, so that its decision is taken on the basis of adequate information regarding major environmental aspects of the question.
2. This proposal for a Directive is made on the basis of the Programme of Action of the European Communities on the Environment (1). It is a response to the need increasingly felt notably by the industrialised countries, to foresee and take into account environmental aspects in the decisions concerning a large variety of public and private works. It is a fact that the various economic activities and the population put a growing pressure on environmental resources. This pressure results not only in pollution and nuisances, inappropriate and conflicting uses of land, congestion of certain areas, in particular urban centres, unhealthy living conditions, industrial accidents, but also in catastrophes which are often caused by poor land management. Such impacts frequently result in damage to human health and to resources, and entail economic losses. To this must be added a greater social awareness and a demand for more acceptable living and working conditions, which are frequently behind the opposition to public or private initiatives.
3. To date, a system of standards and administrative controls has been the principal instrument used, mainly in an attempt to repair the worst of the damage done. Those controls have often remained limited to the pollution effects or to specific sectors of activity and to the protection of certain environmental media, essentially water and air.

Standards will, of course, continue to be as important an instrument as ever. However, a number of Member States, as well as several other industrialized countries, have felt it necessary to reinforce the traditional mechanisms of legislative and administrative controls, in particular by introducing measures which are more specifically preventive, that is to say able to include all relevant environmental considerations in the decisions of the public and private sectors and apt to prevent the major negative effects of development activities.

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1) OJ C 112 of 20.12.1973 and OJ C 139 of 13.6.1977.

4. The appropriate assessment of environmental effects of a project at the earliest planning stage aims at meeting these needs. It consists in the preparation through the cooperation of the developers of the project, the authorities and the public, of the most complete information possible on the major effects of a project on the environment, to assess the magnitude of these effects and to examine possible alternatives to the proposed project and lastly to provide the measures to minimize the adverse impacts. Such a procedure would be introduced in the wider framework of planning permission procedures.

The assessment is thus designed above all as an instrument of knowledge and information for both developers and decision-makers. Its aim is on the one hand, to raise developers' awareness of the essential environmental interests which deserve careful attention. On the other hand, thanks to the data provided by the developer, the assessment process aims at informing the competent authority of the likely effects of the project on the environment, before it decides to allow it to proceed and the conditions under which it should be allowed.

One of the main advantages of such an instrument alongside the traditional control mechanisms, is that it adds an element of flexibility. It does not aim at setting up new environmental standards but rather at ensuring that existing standards and protective measures are well adapted to the specific conditions of the site in question on the basis of complete advance information.

Environmental impact assessment is thus an instrument of good administrative management: because of the close association of the authorities involved and the public, it can efficiently coordinate administrative action while securing larger support from public opinion for administrative action. This, together with advance information and consultation, can help rationalize decision-making and shorten the time taken to reach decisions.

5. Over the last few years specific legislation on the assessment of environmental effects has been introduced in various forms in some Member States (Ireland, France, the Federal Republic of Germany, Luxembourg), although some features of it can be found in the legislation and practice of other Member States. This proposal for a Directive which is the result of numerous studies carried out by Commission departments (1) largely takes account of these national measures and of numerous consultations with the administrative authorities of the Member States, industry, the trade unions and a group of experts.

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- 1) The introduction of environmental impact statements in the E.C., May 1976 (Lee and Wood).  
Environmental impact assessment of physical plans in the E.C., December 1977 (Lee and Wood).  
Methods of environmental impact assessment for major projects and physical plans, December 1977 (Lee and Wood).

"Les établissements classés en droit comparé", December 1977 (Kiss).

The selection of projects for environmental impact assessment, July 1978 (Battelle  
Citizen participation in decisions of public authorities within the Member States of the E.C., February 1979 (Timmermans).

## II REASONS FOR COMMUNITY ACTION

6. This proposal for a Directive meets essential objectives of Community environmental policy.

In the first place, it represents an initial application of the principles of a prevention policy as these are set out in the Programme of Action of the European Communities on the Environment, which states that "the best environment policy consists in preventing the creation of pollution or nuisances at source, rather than subsequently trying to counteract their effects".

The Programme of Action states that "effects on the environment should be taken into account at the earliest possible stage in all technical planning and decision-making processes" and that it is necessary to "evaluate the effects on the quality of life and on the natural environment of any measure that is adopted or contemplated at national or Community level".

Assessment of the effects on the environment is thus considered as a means of implementing a policy of prevention. The 1977 Action Programme (1) declares that "the application at the appropriate administrative levels of procedures for assessing environmental impact meets the need to implement the objectives and principles laid down in the 1973 Action Programme".

7. More generally speaking, the systematic obligation to assess in advance the possible effects on the environment of the activities envisaged and the search for acceptable alternative solutions represent a constant incentive to integrate environmental criteria from the very beginning of the planning process, contributing in this way to good management of the resources of the environment in all their many uses: production of economic goods, protection of the biological basis of ecosystems and of living conditions.

This meets one of the objectives of the Programme of Action, which is "to ensure that more account is taken of environmental aspects in town planning and land use".(2) In this sense impact assessment can also be seen as an instrument of integrated planning and management of environmental resources and can make a powerful contribution toward ensuring a balanced development of economic activities and living conditions for the inhabitants of the Community.

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1) OJ C 139 of 13.6.1977, Title IV, Chapter 1, par. 207

2) OJ C 139 of 13.6.1977, Title I, par. 12.

8. Furthermore, a preventive assessment of environmental effects presents undoubted economic advantages.

The inclusion of environmental considerations from the very beginning of the planning of development projects makes it possible to foresee major adverse effects and measures to minimize them. A large number of experiments and studies has shown that the cost of preventive action, including assessment studies, is lower than that which would have to be borne subsequently. There would thus be an advantage for the economic operators, who are more frequently being required to bear the costs of the measures needed for the reduction or elimination of impacts (reduction of pollution, compensation, restoring of sites, etc.), just as there would be advantages for the general public, which is often obliged to bear the external costs of economic activities and wrong decisions.

As for the costs incurred in making the assessments, experience shows that they are usually low. For example, the pilot experimental studies carried out in the Netherlands show that the cost of carrying out assessment studies is, on average, 0.25 % of the total cost of development projects; in France, a study by the Ministry for the Environment and the Quality of Life shows an average cost of 0.25 to 0.75 %. In the USA a study by the Environmental Protection Agency puts the percentage at 0.19 % and an enquiry by 18 countries states that the cost of impact studies is, on average, 0.5 % of the total cost of development projects. At any rate, we must bear in mind the fact that these costs are destined to diminish in line with the development of know-how and of available data (data services, technical expertise, qualification of specialized staff) and as a result of repeating assessment operations in similar cases. Furthermore, the costs of assessment are not meant to be borne exclusively by the economic operators. On the contrary, under the system provided for in the proposed Directive cooperation between developers and public authorities in getting together the necessary information on a development project makes it possible to reduce the costs to the developer of assessment operations.

9. Moreover, the cost of development projects is substantially influenced by the time needed to plan, authorize and carry out development projects. This time may be shortened by planning a project correctly from the environmental point of view and thus anticipating, reducing or avoiding delays and opposition on the part both of the competent authorities and of the public. A recent study by British Gas, for example, showed the considerable financial advantages derived from shortening the time needed for the granting of authorization by using assessment procedures.

Emphasis should be laid on the very tangible advantages which may be derived from appropriate recourse to impact assessments as a way of dealing with the opposition increasingly expressed by local populations either violently or by legal or administrative action, opposition which

causes highly expensive delays, even blockages, of projects already under way. In so far as assessment procedures involve close participation by the public, they help to make the decision-making process more transparent and therefore facilitate a wider social consensus for action by the public authorities.

That things do in fact develop along those lines has been proved by the highly positive experience of those countries where coherent assessment systems have been introduced. In those countries there has been a considerable fall in court actions, and these actions are nowadays limited to genuinely controversial cases.

10. Beyond the merit of an assessment system from an environment policy point of view, there is a particular reason for Community action in this area, for significant divergence in the principles and criteria of assessment existing at present in the Community may well produce disparities in investment conditions between one region of the Community and another and thus create distortions of competition, with negative effects on the functioning of the common market.

The assessment systems which have been set up in the Member States or which are being proposed seem fairly disparate, particularly as regards their scope and the obligations on the economic operators. For instance, different sectors are submitted to the obligation of an advance assessment. The environmental features which must be considered and the impacts which have to be taken into account differ a great deal, thus resulting in different investment conditions.

This means that a branch of industry might be obliged to observe one set of restrictions in one Member State and a different set in another, depending on the scope of the impact studies required and on the features of the environment for which protection is demanded. Admittedly, it is not the purpose of impact assessments to impose the same level of protection in all parts of the Community for the same features of the environment, for the importance of these in relation to other interests will vary in relation to the priorities established in each Member State. However, this in no way diminishes the need to make sure that the assessments on which judgement of a development project is made should be made according to common criteria and principles.

It is, therefore, proving necessary to harmonize certain features and principles of the assessment procedures used in the Member States, so as to avoid distortions of competition and thereby promote a balanced development of economic activities throughout the Community.

11. Finally, a particular advantage may be derived from assessment of new development projects likely to have cross-frontier impacts, for the consultations which might be held between the authorities of neighbouring Member States in connection with an assessment procedure could make it easier to solve environmental problems in border areas.

### III LEGAL SITUATION IN THE MEMBER STATES

12. In all the Member States the building and operation of large-scale development projects are regulated by means of administrative procedures. These are usually procedures for authorizing individual development projects and in some Member States, land use plans which define the siting of several projects.
13. Admittedly, embryonic features of an assessment procedure have been developed, to a greater or lesser degree, as part of existing authorization or planning procedures and in the environmental legislation relating thereto. One example is the United Kingdom's Town and Country Planning Act of 1972, which requires that particular attention be paid to effects on the environment when drawing up plans and when granting permissions, and which provides for a system of public enquiries with a wide consultation of the public. Danish law likewise requires that ample documentation be provided on environmental aspects when land use plans are drawn up.

However, generally speaking, it is true that the extent to which the environment is taken into account varies considerably and, also that legislation and controls often concentrate on specific environmental media and are limited mainly to pollution and nuisance control. This does not enable the authority to take comprehensive and effective account of the wider range of effects including those on the use of land in built-up areas and those on living conditions.

14. Recently, several Member States have felt the need to strengthen the mechanisms of control by introducing the obligation to assess in advance the environmental effects of projects and steps have been taken in that direction. However, the assessment systems which have been set up vary in scope from Member State to Member State, particularly in so far as they are concerned with disparate activities and involve different obligations.
15. In France, impact assessment has been made a mandatory feature of the procedures for the authorisation of projects. The French law on the protection of nature of 1 July 1976 lays down that an impact study must be carried out before deciding to allow public or private projects which might attack the natural environment by reason of their size or the scale of their impact.

Pursuant to the decree of 12 October 1977, one of the bases for a decision on authorizations in respect of projects - in particular, classified installations and infrastructure projects - must be an impact study covering, in particular :

- an analysis of the initial state of the site and its environment;
- an analysis of the effects on the environment;
- the reasons why the project was adopted;
- the protective measures envisaged.

In conformity with the general aims of the law, the impact studies have to take account of the need to protect natural areas and landscapes, to conserve animal and plant species, to maintain the biological equilibrium to protect natural resources against causes of degradation and and to protect the harmonious balance of the populations of town and country areas.

In the cases where a project belongs to the list of installations classified for the purpose of environmental protection, public enquiry procedures are provided for the impact studies.

In respect of physical planning, on the other hand, the law contains only the simple instruction to "respect environmental considerations".

16. In Ireland, a flexible system of impact assessment was brought in with the Local Government (Planning and Dvelopment) Act of 1976 and the regulation relating to it. The 1976 Act requires impact studies only for private industrial projects, public projects remaining exempt.

When authorization is sought for a project, the relevant authority must be furnished with an impact study if, in this authority's view, the project involves a cost of more than £ 5 million and seems likely to cause pollution. Impacts other than pollution do not appear to be regarded as criteria for requiring impact studies to be carried out. The regulation of 1977 gives discretionary powers to the public authorities to request the interested party to carry out an impact study as described above.

17. In Luxembourg, recent legislation introduced assessment of the impact on the environment of projects. The law of 27 July on protection of the natural environment lays down that physical planning or individual projects outside conurbations shall be subject to an impact study, if their size or the scale of effects on the natural environment could have an adverse effect upon the latter.  
Furthermore, the law of 16 April 1979 on buildings which are dangerous, unhealthy or used for noisy or noxious trades stipulates that impact assessment may be required in respect of any public or private industrial, trade or commercial building or manufacturing process, the existence, operation or implementation of which may endanger or have an adverse effect on the environment. Luxembourg law provides for participation by the public and by associations.

18. In the Federal Republic of Germany, a June 1976 decision by the Federal Government provides that the federal authorities must examine whether "public measures" taken by the Federal authorities and government-owned corporations, institutes or trusts subject to federal public law are compatible with the environment. Public measures can include draft legal provisions and general administrative provisions, administrative acts, programmes and plans established in fulfilment of a public duty. This examination must aim at protecting human beings, animals, plants and all materials worthy of protection against degradation of the environment. Although such examinations of compatibility are left to the discretion of each federal department, the field of application of the decisions is nevertheless extremely wide. A number of Länder are at present studying ways of introducing these principles in their administrative practices. The States of Saarland and Berlin have adopted administrative regulations for the introduction of such principles for the examination of compatibility in their own jurisdictions.
  
19. In the other Member States projects are subject to the classic control procedures: planning permission procedures, licensing procedures or land use planning. In some cases assessment requirements are indeed included in those procedures for a limited number of projects. Examples can be found in Italy, the United Kingdom, Denmark. But such a requirement is by no means systematically observed. The Netherlands and Belgium have announced their intention of introducing legislation on impact assessment.

#### IV COMMENTS ON THE PROPOSAL FOR A DIRECTIVE

##### What is the scope of assessment

20. The potential range of activities likely to have significant effects on the environment and thus requiring prior assessment is very wide. Such activities may include public or private individual projects (e.g. industrial residential or commercial complexes and infrastructures); but also regional programmes, land use plans and economic programmes which usually should condition the siting of projects, as well as new technologies and products.

In a coherent system, provisions for the advance assessment of environmental effects should obviously be present at all the administrative levels at which these activities are controlled, given the interrelationship existing between them; at the level of authorization procedures for projects, for the preparation of regional programmes, land use or economic plans and the procedures for licencing certain products. However, despite all the advantages inherent in introducing assessment principles at the various levels of administrative action, care should be taken that this does not result in overburdening administrations, thus slowing down their work and causing delays in reaching decisions. Assessment requirements should, therefore, be introduced step by step, allowing technical and administrative methods time to adapt.

21. That is why the Commission's initiatives which so far have been aimed at introducing some features of assessment procedures are concerned with specific fields and not the whole field of potential application.

As regard products, the Directive of 18 September 1979 (1) introduced rules concerning the study of the effects on man and the environment of new substances before they are marketed.

The proposal for a Directive of 19 July 1979 (2) provides that, where certain industrial activities are capable of causing major accidents, the manufacturer must make a prior assessment of such hazards.

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- 1) Council Directive of 18 September 1979 amending Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 259 of 15 October 1979).
- 2) Proposal for a Council Directive of 19 July 1979 on the major accident hazard of certain industrial activities (OJ C 212 of 24 August 1979).

By the same token, the present proposal for a Directive limits the assessment requirements to certain individual projects. In particular, consideration of assessment procedures for land use plans and other actions has been postponed until a later stage.

This decision was justified essentially by the fact that, in most cases, the control of development activities takes place really at the stage of project authorization procedures, for not all Member States have brought in coherent legislation on land use planning. Even in those Member States where such legislation is in force, land use plans have not always been drawn up. In other cases, the plans in force can subsequently be modified or contradicted by decisions to authorize a project. It is, therefore, in these decision-making processes that the most urgent need to apply assessment principles is seen. Furthermore, the fact that project authorization procedures exist in all the Member States makes it possible to introduce assessment procedures without requiring the creation of new procedures.

22. However, it must be borne in mind that the assessment of projects is not seen as an alternative to assessment of land use plans or other activities but, rather, as a complement, each of them performing different tasks. As regards plans, for example, the assessment would inevitably be of a general character and would be concerned, principally, with the major options of land utilization, while in respect of projects it would be more precise and would be concerned with the specifications of the projects in question. Clearly, the forms and content of assessment procedures in this field would have to be adapted to the particular features of land use planning processes.

#### What projects are to be made subject to an assessment

23. This proposal for a Directive makes it mandatory to carry out a prior assessment of environmental effects only in respect of certain new projects, those which appear likely to have significant effects on the environment. These can be public or private projects and are normally subject in the Member States to some form of authorization or approval. They include industrial, mining, energy, commercial, residential, agricultural or infrastructure projects.

The effects of the various projects to be submitted to an assessment procedure differ considerably. In order to take due account of these differences, the proposal has identified three groups of projects and two types of assessment procedure : a "full" assessment and a "simplified" assessment.

The first group (Annex 1) includes projects that, by reason of their size and/or the amount of pollution they cause, are likely to significantly affect the environment under any circumstances, regardless of their scale or site. The proposal, therefore, requires that such projects are made subject to what may be described as a "full assessment", that is in accordance with the provisions of Articles 6 to 11. It is envisaged that exemptions may be made by Member States for some of these projects, but only in exceptional cases to be agreed by the Commission.

Other classes of development projects - those listed in Annex 2 - are likely to produce significant effects on the environment only under certain conditions : for example, when they reach a certain size or produce a specific amount of pollution. As regards these classes, the competent authority in Member States will have to set up criteria for the selection of those projects which actually deserve to be subjected to a full or a simplified assessment. The Commission does not consider necessary, at this stage, to present Member States with a set of common criteria for project selection. The potentially great variety of local situations which will in practice command the exclusion or the inclusion of a given project belonging to the classes in Annex 2, coupled with the need to built up experience progressively in the management of the system, points to the need to rely on the competent authority of Member States both for the identification of selection criteria and for the actual selection of projects.

However, it is envisaged that Member States will inform the Commission of the criteria and thresholds adopted and that the Commission will regularly review them with Member States, with a view to ensuring consistency in the application of the Directive.

It is important to note that the inclusion of one particular class of projects in Annex 1 or 2 does not necessarily indicate the significance of the environmental effects of each project belonging to this class. Thus, it may well be, under certain circumstances, that an individual project in Annex 2 has equal or greater effects than a certain other project in Annex 1.

Finally, there are other projects which can be described a priori as unlikely to produce significant effects on the environment. As a general rule, such projects do not require an assessment. This could be required only if a project were located at a site with a particularly sensitive environment. The proposal provides that the competent authorities of Member States should determine whether such projects should be made subject to an assessment and whether this should be in full or in simplified form.

#### What are the components of an assessment

24. An assessment of the effects on the environment, as envisaged in this proposal for a Directive, is made up of a number of steps taken by the various parties concerned by the implementation of a project: the collection and supply of the relevant information on the likely effects on the environment by the developer of the project; the consultation of governmental departments and bodies and of the public by the competent authority; and the drawing up of an assessment document by the competent authority.

In the case of projects included in Annex 1, the assessment must include all the steps referred to above, although such obligations must be interpreted with the appropriate flexibility (see comments on Article 6 below). In respect of the other types of project, the assessment may take a simplified form, as explained in para 23 above.

25. As in the classic authorization procedures, it is for the developer to provide the competent authority with the basic information on the proposed project. Thus, the draft Directive provides that the developer shall provide along with the application for authorization, in particular:

- a description of the proposed project and where applicable, of the reasonable alternatives for the site and/or design of the project;
- a description of the environmental features likely to be significantly affected by the proposed project, including where applicable, those located in another Member State;
- an assessment of the likely significant effects of the project on the environment, including, where applicable, effects on the environment of another Member State;
- a description of the measures envisaged to eliminate, reduce or compensate those impacts;
- review of the relationship between the proposed project and existing environmental and land-use plans and standards for the area likely to be affected;
- in the case of significant effects on the environment, an explanation of the reasons for the choice of the site and/or design of the proposed project, compared with reasonable alternative solutions having less effects on the environment, if any;
- a non-technical summary of the items above.

It seemed appropriate to entrust the preparation of the documentation to the developer and not to other bodies such as, for example, the public authorities - for a number of reasons. First of all, the developer knows the basic facts. This is certainly true as regards the technical specifications of his project but less so as regards the environmental data of the site in question, an area where collaboration with the relevant authorities could profitably be introduced, as the draft Directive provides.

Furthermore, making the developer responsible for drawing up the documentation would encourage him to adapt his project to environmental criteria - which would not only favour a more positive attitude towards the protection of the relevant environmental resources, but also save the developer future costs for environmental rehabilitation (see also par. 8).

26. The competent authorities, in turn, have a number of tasks. They must, first of all, see to it that the basic information provided by the developer is as complete as possible. To this end they may request the developer to supplement the information he has already provided or, if appropriate, add any information in their possession to the documentation provided by the developer.

27. Secondly, the competent authorities are required to obtain the opinions of the various parties which may be concerned in any way by the carrying out of the project and the effects it is likely to have: administrative authorities and the public.

The first series of consultations should concern the administrative authorities and bodies responsible for environmental matters. Frequently, different departments are responsible for different controls (for example, water pollution, air pollution, etc.) and for authorization of different parts of the project. The documentation drawn up by the developer should therefore be sent to these public authorities to enable them to give their opinion on the project in question. It is not to be excluded that an assessment process may thus in the medium term fulfil an important function of coordinating administrative action and help to shorten the time required for granting authorizations.

28. The authorities of a neighbouring Member State could likewise be concerned by the implementation of the project. Where a project is likely to have significant effects on the environment of a neighbouring Member State, the authorities of that State should be included in the consultations and be sent the documentation drawn up by the developer for comment.

It should be pointed out that this would not mean seeking the approval of another Member State for a project, but only enabling the competent authority in any given Member State to have at their disposal the opinions and information needed to assess the trans-frontier environmental effects of the project in question. It goes without saying that the competent authorities would keep their discretionary powers in respect of the final decision on the project.

29. Finally, the competent authorities would have to consult the public on the project by publishing the documentation provided by the developer. This consultation would take the form considered appropriate in each case: written consultation, public enquiry, public hearing, direct consultation of the public or of elected bodies, etc.

The provisions on the consultation of the public have a twofold intent. Firstly, from the technical point of view, the public is able to make an indispensable additional contribution to the assessment of those impacts which are mainly subjective (such as the congestion effects in town centres, visual intrusion, noise pollution and the like). It is generally recognized that there are no technically reliable methods to express in objective terms those effects (either physical or monetary). In such cases it is generally admitted that the most reliable assessment method is to allow the people directly affected to express their views on the likely effects on their environment and living conditions.

Secondly, this consultation could provide the public with additional opportunities to express an opinion and take a more constructive part in the action of public authorities. Experience in this field undoubtedly shows that a greater transparency of the public decision-making process improves the relations between administrations and the people while achieving at the same time a wider social consensus on the public authorities' action.

30. At the end of the consultations, it would then be up to the responsible authorities to make a final assessment of the effects of the proposed project on the environment. This assessment would be made on the basis of the information provided by the developer and that gathered in the course of the consultations. And it is this assessment which they will have to take into account when they come to make a decision on the application for a planning permission for the project. On the basis of this assessment, they may decide either to grant permission with or without conditions attached or to withhold it, as appropriate. A decision of this kind means, of course, that the competent authorities must weigh up the importance of the effects assessed and of the other economic and social factors related to implementation of the project.
31. In conclusion, it can be seen that, although the competent authorities are regarded as having the final responsibility for the definitive assessment, this is meant to be the outcome of collaboration between the various parties involved.
32. The point should be made that the aim of the assessment process is not to prejudice administrative decisions systematically in favour of environmental considerations, to the detriment of the economic and social advantages which might be derived from a project. The aim is simply to enable the public authorities to strike a proper balance between the various factors involved, environmental and others. To do that, the competent authorities must have a serious basis of information at their disposal - such as is provided by an assessment procedure - so that they can weigh up all the interests at stake when making their decision.
33. The assessment procedures do not aim at introducing new environmental standards. What makes this instrument different from the classic control procedures is that it does not limit itself merely to examining whether the project conforms to the environmental standards which may already exist but provides complete information on all those significant effects of the project on the environment which constitute factors in decision-making, so enabling the project to be adapted to the specific characteristics of the site. Furthermore, the comprehensive nature of the assessments would enable the authorities to cut across the sectoral approaches to control, something which would certainly benefit administrative management.

## Specific comments on certain articles of the proposal for a Directive

### Article 1

This article states the purpose of the Directive, which is to submit to an assessment of the environmental effects certain public or private projects, i.e. those likely to have significant effects on the environment. Article 4 indicates the projects which are to be considered likely to produce "significant" effects.

### Article 2

The general principle is then stated that a decision - negative or positive - on the authorization or approval of projects cannot be made without an assessment of their effects on the environment; an assessment whose form should be appropriate, for example, to their size and the effects they are likely to have.

### Article 3

The concept of "environmental effects" is defined, in order to supply a basis for the interpretation of the directive. To this end, the effects to be considered in an assessment are those which occur on the environmental media: water, air, flora, fauna, the built-up environment and the landscape. It is through these media that a pollution or a nuisance takes place. However, the protection of these media is not considered an end in itself. The importance of the effects on them is to be assessed by reference to :

- the need "to protect and improve human health and living conditions" and
- the need "to preserve the long term productive capacities" of the environmental media, which are to be considered as resources for the various uses by man: economic activities, leisure, biological support.

### Article 4

1. The field of application of the Directive is clearly indicated. In fact, the use of the concept of "projects likely to produce significant effects" in Article 1 would not allow a coherent identification of the projects without a further specification. Article 4 aims at that.

The projects included in the classes listed in Annex 1 are made subject to a mandatory "full" assessment, that is an assessment to be executed according to the provisions specified in Articles 5 to 11: that comprises the obligation on the developer to supply information on his projects, (Article 5), on the competent authority to carry out the appropriate consultation of the authorities concerned (Article 7) and of the public (Article 8), and to make an assessment of the environmental effects of the proposed project (Article 10).

The projects in Annex 1 have been included by reason either of their scale or of their effects or of both, and are to be made subject to an assessment, regardless of the site on which they are to be developed.

However, allowance is made for Member States to exempt from the obligation a specific project, if they consider that, below a given limit, it is unlikely to produce a significant effect on the environment. However, these exemptions must remain an exception and, in any case, will have to be agreed by the Commission.

2. The classes listed in Annex 2 include projects which are not always likely to produce significant effects on the environment. That might depend on their size and/or the nature of their environmental effects (e.g. pollution load). Therefore, it cannot be claimed a priori that such projects are to be submitted always to a full assessment as described under para 1. The competent authorities in Member States will have to identify the projects which will deserve the same treatment as any project in Annex 1, or alternatively which will have to undergo a simplified form of assessment. They will do so on the basis of the criteria that they will determine according to their legislation or practice.

The same applies to projects consisting in modifications of the projects included in Annexes 1 or 2.

3. Finally, outside the projects included in Annexes 1 and 2, there may exist a variety of other projects for which there is a presumption that they will not have significant environmental effects. These would be mainly projects of small size which might show significant impacts if located in environmentally sensitive areas. Although the draft Directive does not establish a priori a mandatory obligation, it nevertheless sets out the obligation on the competent authorities of Member States to review those projects with a view to determining if they will have to be made subject to an assessment, either full or simplified. In so determining, they will have regard, in particular, to the environmental characteristics of the location.

#### Article 5

At all events, the Member States are required to inform the Commission on the criteria and/or threshold adopted for the selection of the projects. That will enable the Commission to regularly review with the Member States those criteria, with a view to ensuring consistency in the application of the Directive.

#### Article 6

1. This article lays down the first stage of the assessment process which involves the supply by the developer of the information needed to assess the environmental effects of the proposed project.

2. The article sets out the content of the information which the developer is required to provide. In preparing this information the developer may, of course, call on the assistance of the competent authority, while remaining responsible for providing the facts and figures requested of him. It is to be noted that the developer is expected to supply, where appropriate, information on the likely transfrontier environmental effects.

The article refers to Annex 3, which gives a detailed breakdown of the subjects which the information provided by the developer should cover. However, the developer's obligation to provide such data is not an unlimited one: the facts he is required to provide must be relevant, that is to say, they must have a bearing on aspects of the environment or on effects which are expected to carry an important weight in the final decision. Also the developer is required to supply data in as much as he may reasonably be expected to obtain them, taking account of existing knowledge, in particular on assessment methods. In other words, the developer must carry out research to obtain the required data, using the best available means of analysis, but he should not be obliged to embark upon original research, although that is of course not to be ruled out.

3. The competent authority may require the developer to complete its information at the appropriate stages of the planning procedure. That may occur after the developer has supplied his information, or after the consultations referred to below. The competent authority also has the duty to complete this information itself, where that is appropriate.

Articles 7 and 8 are concerned with the second stage of the assessment process, which involves consultation of the various parties concerned.

Article 7 concerns consultation of the public administrative authorities or other statutory bodies with specific responsibility for environmental matters. This consultation is important since it may serve to coordinate the comments of the various administrations in respect of the project in question. This function is particularly relevant in those Member States where responsibility for environmental matters is spread among a multitude of bodies.

The draft directive provides that, where a project is likely to have significant environmental effects beyond the frontiers of its State, The competent authority should send to the appropriate authorities of the Member State likely to be affected the information on the project provided by the developer. The purpose of this provision is to give the competent authority of a Member State an opportunity to obtain data and comments from the authorities and the public of the Member State likely to be affected just as it obtains such opinions and data in consultations within its own country. At the same time, it is not meant to give a Member State the right of veto on administrative decision to be taken by another. In fact, the competent authority would obviously retain its discretionary powers in deciding upon the authorisation of the project.

Article 8 deals with consultation of the public concerned. The article covers the various steps which seem indispensable to an effective consultation of the public. To this end it requires that the responsible authority fully inform the public by publishing the fact that an application for a planning permission has been made and by making public the application as well as the information supplied by the developer. But, in addition, it requires that the responsible authority shall organize the consultation of the public, that is to say play an active part in ascertaining public opinion. Depending on the size and importance of the project, a consultation may be direct - as it generally is - or be carried out indirectly through elected bodies (for example, in the case of projects surpassing local interests). It is left to the Member States to determine the type of consultation, the appropriate means of information and the length of time allowed for replies from the public.

#### Article 10

In the light of the initial information received from the developer and of the information and comments received during the consultation the competent authority is expected to make its own assessment of the importance of the likely environmental effects of the proposed project. This assessment will form the basis for the decision on the planning application, along with other considerations of a different nature (economic, social, technical). The competent authority is required to make public the elements of the assessment, but no further public consultation is envisaged.

#### Annex 1 (See Article 4.1)

This Annex lists the classes of projects subject to a full assessment, as set out in Articles 6 to 11, whatever their size or site. These classes were determined on the basis of their technical specifications (in particular, pollution and nuisance) and/or their scale.

Assessment is regarded as mandatory for any new project falling within the classes set out in this Annex, while modifications of new or existing projects should be subject to assessment only in cases determined by the competent authorities (Article 4.2).

#### Annex 2 (See Article 4.2)

This Annex lists those classes of projects regarded as capable of having significant environmental effects only under certain conditions deriving from their own characteristics: when they are larger than a given size or cause a given amount of pollution. The competent authorities in the Member States will, therefore, have to consider which of these development projects should be subject to a full assessment within the meaning of Articles 6 to 11. To this end they will have to determine the criteria for fixing the technical thresholds (size, production, emissions, etc.) or financial thresholds (construction costs, etc.) beyond which a project becomes subject to an assessment and finally, on the basis of those criteria and thresholds, actually select the projects.

### Annex 3

This Annex deals with the details of the information which the developer must submit to the responsible authority along with his application for authorization or approval of a project. The most important features are those describing the environment likely to be affected, those assessing the most significant effects of the proposed project and those explaining the reasons for choosing that project among other alternatives which might reasonably have been considered.

Particular importance is attached to this last piece of information, for it should enable the competent authority and the other administrative authorities and the public which have been consulted, to make a choice representing the best compromise between environmental considerations and the other economic and social interests at stake. In this regard, a complete description of the various alternatives - desirable as this might be - does not seem to be a reasonable requisite, as it would swell the information considerably. However, the developer is required to state the reasons for his choice among the available alternatives, which implies a brief summary of these.

Finally it is to be noted that among the possible effects on the environment, information must be given where appropriate on the risk of accident that a given project may present. Such a project would also be subject to the provisions envisaged by the proposal for a Directive on "the major accident hazard of certain industrial activities" presently under discussion in the Council (J0 C 212 of 14.8.79). The two groups of provisions are compatible with each other.

### V CONSULTATION OF THE EUROPEAN PARLIAMENT AND THE ECONOMIC AND SOCIAL COMMITTEE

Since this proposal for a Directive is based on Article 100 of the Treaty establishing the European Economic Community, the European Parliament and the Economic and Social Committee must be consulted.

Proposal for a Council Directive concerning the assessment of the environmental effects of certain public and private projects.

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community and in particular to Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the 1973 and 1977 Action Programmes of the European Communities on the Environment (1) provide that "the best environmental policy preventing the creation of pollution or nuisances at source rather than subsequently trying to counteract their effects"; whereas they affirm that "effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes" and that "it is therefore necessary to evaluate the effects on the quality of life and on the natural environment of any measure that is adopted or contemplated at national or Community level";

Whereas the 1977 Action Programme acknowledges (2) that "the application at the appropriate administrative levels of procedures for assessing environmental impact meets the need to implement the objectives and principles laid down in the 1973 Action Programme"; and whereas it envisages the submission by the Commission to the Council of proposals on environmental impact assessment;

Whereas it is desirable that there should be a harmonious development of economic activities while ensuring that full account is taken of the effects on the environment;

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(1) Official Journals C 122 of 20 December 1973 and C 139 of 13 June 1977

(2) Official Journal C 139 of 13 June 1977, Title IV, Chapter 1.

Whereas to this end, and in accordance with the Action Programme, general principles for the assessment of environmental effects should be introduced, with a view to improving good management of planning procedure governing private and public activities likely to have significant effects on the environment: in particular, planning and decision-making with respect to individual projects, land use plans, regional development programmes, economic programmes including those in particular sectors;

Whereas, however, it is appropriate to introduce principles of assessment step by step in order to avoid an excessive burden on administrations;

Whereas priority has to be given, as a first step, to the introduction of assessment principles in planning and decision-making procedures for allowing projects, in view of the urgency of preventing the most significant negative effects, and because the availability in all Member States of procedures for the control of projects permits the introduction of assessment principles without requiring the creation of new procedures;

Whereas to this effect planning permission for projects which are likely to have significant effects on the environment should be granted only after an appropriate prior assessment of the likely significant environmental effects of these projects has been carried out; and whereas, therefore, competent authorities and developers should cooperate in order to provide the appropriate information on the possible range of environmental effects of the envisaged project, as well as on the reasonable alternatives to it;

Whereas, moreover, over the last few years Member States have adopted a considerable body of laws and regulations in the general field of environmental protection and a number of them specifically in the field of the assessment of environmental effects;

Whereas a significant disparity between measures in force in the various Member States with regard to the assessment of environmental effects may

create unfavourable competitive conditions and thereby directly affect the functioning of the common market and whereas, therefore, it is necessary to undertake the approximation of national laws in this field pursuant to Article 100 of the Treaty;

Whereas, therefore, the general principles of assessment should be harmonized, as regards in particular the main obligations of the developers, the projects which should be submitted to the assessment, the content of the assessment and the environmental features which ought to be taken into consideration in an assessment;

Whereas such assessment is a comprehensive process and requires that the whole range of relevant sectorial environmental effects be taken into account; and whereas, to this end, it is necessary that all statutory bodies which carry a sectorial or an overall responsibility for environmental matters are properly consulted during the assessment process;

Whereas the public at large has a basic interest in the correct assessment of the likely environmental effects; whereas it can supply essential information to the competent authorities, and whereas, it can therefore, the competent authorities should see that the public is given the opportunity to make its views known so that due account is taken of them in the assessment process;

Whereas it appears necessary, where important trans-frontier effects of a project might arise, to extend consultations to competent authorities of other Member States, thus assuring equality of treatment of projects located in frontier regions with those in other regions;

HAS ADOPTED THIS DIRECTIVE

Article 1

1. This Directive shall apply to the assessment of the environmental effects of those public and private projects which are likely to have significant effects on the environment.

2. For the purposes of this Directive :

development project means a proposal :

- (a) to construct buildings, installations or facilities;
- (b) to extract minerals;
- (c) to make substantial changes in the landscape;

modification project means a proposal :

- (a) to construct an extension or modification of buildings, installations or facilities;
- (b) to make a substantial change in the use of buildings, installations or facilities;
- (c) to extend or modify mineral workings;

project means either a development project or a modification project;

competent authority means the authority or the authorities responsible in each Member State for executing the tasks set out in the present Directive in respect of a given project;

developer means the applicant for planning permission for a private project or the public authority which proposes a project;

planning permission means the decision of the competent authority to permit a project in the private sector or the corresponding decision to proceed in the case of a project in the public sector;

Article 2

Member States shall adopt all necessary measures to ensure that, before any planning permission is given, projects likely to have a significant effect on the environment by virtue of their nature, size and/or location are made subject to an appropriate assessment of these effects, in accordance with the following Articles.

Article 3

1. The assessment provided for in Article 2 shall consider the effects of projects on :

- water, air, soil, climate, flora, fauna and their interrelationships;
- the built-up environment, including the architectural heritage, and the landscape.

2. The effects on these resources shall be assessed by reference to the need to protect and improve human health and living conditions as well as to preserve the long term productive capacities of the resources.

Article 4

1. Development projects of the classes listed in Annex 1 shall be made subject to an assessment in accordance with Articles 6 to 11.

For the purpose of excluding exceptional cases which are unlikely to have any significant effect on the environment, the competent authority may, with the agreement of the Commission, exempt a particular project below a specified threshold from the assessment mentioned above and, where appropriate, make it subject to a simplified form of assessment.

2. Projects of the classes listed in Annex 2 and modification projects of the classes listed in Annex 1 shall be made subject to an assessment in accordance with Articles 6 to 11, whenever their characteristics so require.

The competent authority shall establish the criteria and thresholds necessary to determine which of those projects are to be made subject to an assessment in accordance with Articles 6 to 11 or, where appropriate, to a simplified form of assessment.

3. The competent authority shall examine which projects other than those mentioned above are likely to have a significant effect on the environment, having regard in particular to the environmental sensitivity of the site of the projects with a view to determining which projects should be made subject to an assessment in accordance with Articles 6 to 11 or, where appropriate, to a simplified form of assessment.

Article 5

Member States shall inform the Commission of the criteria and thresholds adopted for the selection of projects referred to in Article 4(2) and(3). The Commission shall regularly review with Member States these criteria and thresholds, with a view to ensuring consistency in the application of the Directive.

Article 6

1. The Member States shall adopt the necessary measures to ensure that the developer prepares, with the assistance of the competent authority when necessary, and supplies with his application for planning permission the following information in an appropriate form:

- a description of the proposed project and, where applicable, of the reasonable alternatives for the site and design of the project;
- a description of the environment likely to be significantly affected by the proposed project, including where applicable, the environment in other Member States;
- an assessment of the likely significant effects on the environment, including, where applicable, effects on the environment in other Member States;
- a description of the measures envisaged to eliminate, reduce or compensate adverse effects on the environment;
- a description of the relationship between the proposed project and existing environmental and land-use plans and standards for the area likely to be affected;
- in the case of significant effects on the environment, an explanation of the reasons for the choice of the site and design of the proposed project, compared with reasonable alternative solutions which might have less adverse effects, if any, on the environment;
- a non technical summary of the items above.

2. The information to be supplied in accordance with paragraph 1 shall also contain the data referred to in Annex 3 to the extent that they are relevant to the stage of the planning procedure and to the specific characteristics of the project and of the environment likely to be affected, and to the extent that the developer can reasonably be expected to be able to obtain them, taking into account existing knowledge and assessment methods.

3. At the appropriate stages of the planning procedure, the competent authority shall require completion of, or assist in completing when appropriate, the information to be supplied by the developer.

#### Article 7

1. The competent authority shall send for opinion the application for a planning permission as well as the information gathered pursuant to Article 6 to all relevant administrative authorities and other statutory authorities or bodies with specific responsibility for environmental matters. The competent authority shall determine the authorities and bodies to be consulted and shall fix, where necessary, a suitable time limit within which comments shall be delivered.

2. If the project is likely to produce a significant effect on the environment in another Member State, the competent authority shall also ensure that the information gathered pursuant to Article 6 is sent for comment to the competent authority in that Member State and fix a suitable time limit within which comments should be returned.

#### Article 8

The competent authority shall publish the fact that the application for planning permission has been made, shall make publicly available the application for planning permission, as well as the information gathered pursuant to Article 6, and shall arrange appropriate consultation with the

public concerned. In the light of the importance of the likely environmental effects and of the number of persons likely to be affected, the competent authority shall decide the best means for giving the information to the public within a suitable time limit and for ascertaining the views of the public.

Article 9

The provisions of Articles 7 and 8 do not affect the obligation of the competent authority to respect the limitations imposed by national laws, regulations, administrative provisions and accepted practices with respect to industrial and commercial secrecy, as well as to the public interest;

Article 10

1. The competent authority in its decision on an application for planning permission shall take into consideration the information gathered pursuant to Articles 6, 7 and 8, and shall, to that end, make an assessment of the likely significant effects of the proposed project.

2. The competent authority, except when the planning permission is refused on grounds other than environmental, shall make publicly available, either in a separate document or as part of the decision on application for planning permission, the following:

- its assessment of the likely significant effects on the environment of the proposed project;
- a synthesis of the main comments and opinions received pursuant to Articles 7 and 8;
- the reasons for granting or refusing the planning permission;
- the conditions, if any, to be attached to the planning permission.

Article 11

The competent authority shall check periodically whether the conditions attached under Article 10 to a planning permission are being complied with, whether they are still adequate, whether other provisions to protect the environment are being obeyed and whether it needs to take further measures to protect the environment from the effects of the project.

Article 12

1. The Member States and the Commission shall exchange information on experience in the field of assessment of environmental effects, in particular on the functioning of the procedures laid down in this Directive and on the improvement of assessment methods.

2. Five years after the adoption of the present Directive, the Commission shall send to the Council, and to the European Parliament a report on the operation and effectiveness of the Directive, based on this exchange of information.

Article 13

1. The Member States shall take the measures necessary to comply with this Directive within two years of its notification.

2. The Member States shall communicate to the Commission the texts of the relevant national law which they adopt in the field governed by this Directive.

Article 14

This Directive is addressed to the Member States.

ANNEXE 1

Development projects (1) referred to in Article 4.1

1. Extractive industry

- Extraction and briquetting of solid fuels (11)
- Extraction of bituminous shale (133)
- Extraction of ores containing fissionable and fertile material (151)
- Extraction and preparation of metalliferous ores (21)

2. Energy industry

- Coke ovens (12)
- Petroleum refining (140.1)
- Production and processing of fissionable and fertile materials (152)
- Generation of electricity from nuclear energy (161.3)
- Coal gasification plants
- Disposal facilities for radioactive waste.

3. Production and preliminary processing of metals (22)

- Iron and steel industry, excluding integrated coke ovens (221)
- Cold rolling of steel (223)
- Production and primary processing of non-ferrous metals and ferro-alloys (224)

4. Manufacture of non-metallic mineral products (24)

- Manufacture of cement (242.1)
- Manufacture of asbestos-cement products (243.1)
- Manufacture of blue asbestos.

5. Chemical industry (25)

- Petrochemical complexes for the production of olefins, olefine derivatives, bulk monomers and polymers
- Chemical complexes for the production of organic basic intermediates
- Complexes for the production of basic inorganic chemicals.

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1) Development projects are classified, as far as possible, in the classes, groups and sub-groups of the "General Industrial Classification of Economic Activities" within the European Community adopted by the Statistical Office of the European Communities, 1970. Reference numbers of the classification are indicated, where applicable.

6. Metal manufacture (3)

Foundries (311)

Forging (312.11)

Treatment and coating of metals (313.5)

Manufacture of aeroplane and helicopter engines (364.1)

7. Food industry (41/42)

Slaughter-houses (412.1)

Manufacture and refining of sugar (420.1, 420.2)

Manufacture of starch and starch products (418)

8. Processing of rubber (48)

Factories for the primary production of rubber

Manufacture of rubber tyres (481.1)

9. Building and civil engineering (50)

Construction of motorways

Intercity railways, including high speed tracks

Airports

Commercial harbours

Construction of waterways for inland navigation

Permanent motor and motorcycle racing tracks

Installation of surface pipelines for long distance transport.

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ANNEX 2

Projects (1) referred to in Article 4.2

1. Agriculture

Projects of land reform

Projects for cultivating natural areas and abandoned land

Water management projects for agriculture (drainage, irrigation)

Intensive livestock rearing units

Major changes in management plans for important forest areas

2. Extractive industry

Extraction of petroleum (131)

Extraction and purifying of natural gas (132)

Other deep drillings

Extraction of minerals other than metalliferous and energy-producing minerals (23)

3. Energy industry

Research plants for the production and processing of fissionable and fertile material

Production and distribution of electricity, gas, steam and hot water (except the production of electricity from nuclear energy) (16)

Storage of natural gas.

4. Production and preliminary processing of metals

Manufacture of steel tubes (222)

Drawing and cold folding of steel (223)

5. Manufacture of glass fibres (247.5) glass wool and silicate wool

6. Chemical industry

Production and treatment of intermediate products and fine chemicals;

Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and paroxides;

storage facilities for petroleum, petrochemical and chemical products.

- 
- 1) The projects are classified, as far as possible, in the classes, groups and sub-groups of the "General Industrial Classification of Economic Activities" within the European Community adopted by the Statistical Office of the European Communities, 1970. Reference numbers of the classification are indicated, where applicable.

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7. Metal manufacture (3)

Stamping, pressing (312.2)

Secondary transformation treatment and coating of metals (313)

Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers (315)

Manufacture and assembly of motor vehicles (including road tractors) and manufacture of motor vehicle engines (351)

Manufacture of other means of transport (36)

8. Food industry (41/42)

Manufacture of vegetable and animal oils and fats (411)

Processing and conserving of meat (412.2)

Manufacture of dairy products

Brewing and malting (427)

Fish-meal and fish-oil factories

9. Textile, leather, wood, paper industry

Wool washing and degreasing factories

Tanning and dressing factories (441.1)

Manufacture of veneer and plywood (462.1)

Manufacture of fibre board and of particle board (462.2)

Manufacture of pulp, paper and board (471)

Cellulose mills

10. Building and civil engineering (30)

Major projects for industrial estates

Major urban projects

Major tourist installations

Construction of roads, harbours, airfields

River draining and flood relief works

Hydroelectric and irrigation dams

Impounding reservoirs

Installations for the disposal of industrial and domestic waste

Storage of scrap iron

11. Modifications to development project included in Annex I

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ANNEX 3

Content of the information required under Article 6

1. The description of the proposed project and, where applicable, of the reasonable alternatives for the site and design of the project, including in particular :
  - the description of the physical characteristics of the main and the associated proposed projects and the land-use requirements during the construction and operational phases;
  - The description of the main characteristics of the production processes and the processing materials expected to be used (type and quantity), including water and energy;
  - the forecast, by type and quantity, of the expected residual liquid, solid and gaseous pollutants, radiation, noise, vibration and odours, resulting from the operation of the proposed project;
  - the envisaged contribution to employment, temporary and permanent;
  - the outline of the main alternatives as to the site or the design of the proposed project, which can reasonably be envisaged.
2. The description of the environment likely to be significantly affected by the proposed project, including, in particular, water, air, soil, climate, flora and fauna, the built-up environment and the landscape, taking into account the existing use of these resources.
3. The assessment of the likely significant effects of the proposed project on the environment (direct and indirect, cumulative, short- medium- and long-term, permanent and temporary, positive and negative) resulting from:
  - the physical presence of the main and associated projects,
  - the use of the resources of the environment,
  - the emission of pollutions, nuisances and waste, as well as the secondary effects linked to their elimination
  - the risk of accidents.
4. A description of the measures envisaged to eliminate, reduce or compensate adverse effects on the environment;

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5. The description of the relationship between the proposed project and existing environmental and land-use plans and standards for the areas likely to be affected
  
6. An explanation of the reasons for the choice of the site and design of the proposed project in preference to the other reasonable alternatives, having regard, in particular, to the technical and economic characteristics of the main and associated project and to the characteristics of the environment likely to be affected.
  
7. A non-technical summary of abovementioned headings.