

Horizontal Environmental Issues

Update of 2018 State of the Environment Report



NCESD

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& Sustainable Development

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Foreword

The National Centre for Environment and Sustainable Development (NCECD) was established in 2000 with the aim of contributing to the integration of the environmental dimension into broader development policy, sub-sectors and strategic planning, providing adequate know-how and objective information.

According to the Presidential Decree 325/2000 (Government Gazette A' 266) establishing the NCECD, and particularly point (e) of par. 2 of Article 3 thereof, it is provided that the NCECD "draws up an annual report assessing the state of the environment in the country and estimating the environmental policy goals, directions and measures."

In November 2018, the NCECD published the 2018 State of the Environmental Report ([SoER 2018](#)), the first edition since 2013 (for the period 2008-2011), representing the 4th State of the Environment Report of Greece. SoER 2018 stands as a comprehensive overview of developments and challenges registered in the main environment fields and aims at providing detailed information to the citizens and the state as well as linking it to the corresponding report of the European Environment Agency. For the preparation of this Report, the NCECD had cooperated with academic institutions, research centres and technical consultancy companies. SoER 2018 includes detailed information for the state of the environment in Greece in the fields of climate change, air quality, noise, nature, water, waste and horizontal environmental issues, thus providing to all interested stakeholders with an objective source of knowledge.

The present update of SoER 2018 on horizontal environmental issues has been compiled on the basis of the most recent available data. The scope of this update is to provide objective information and to contribute to public discussion on directions and policy measures in the field of horizontal environmental issues, especially for environmental permits and environmental inspections.

The project team of SoER 2019 on horizontal environmental issues was composed of P. Varelidis, Ang. Kalliontzis and K. Korizi.

We owe special thanks to the competent Directorates of the Ministry of Environment and Energy (MoEE) for their cooperation in providing seamless information.

Petros Varelidis

Executive Director of NCESD

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President of the
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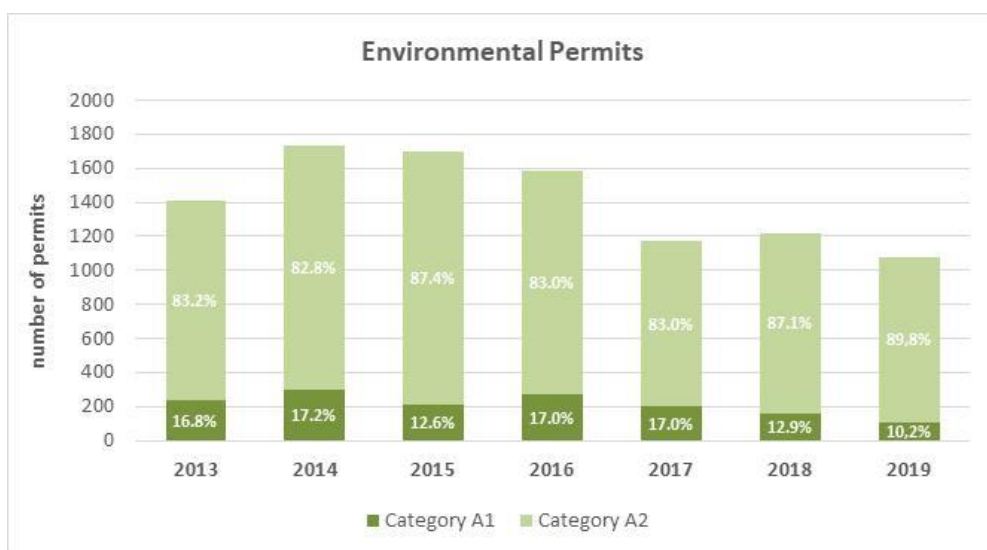
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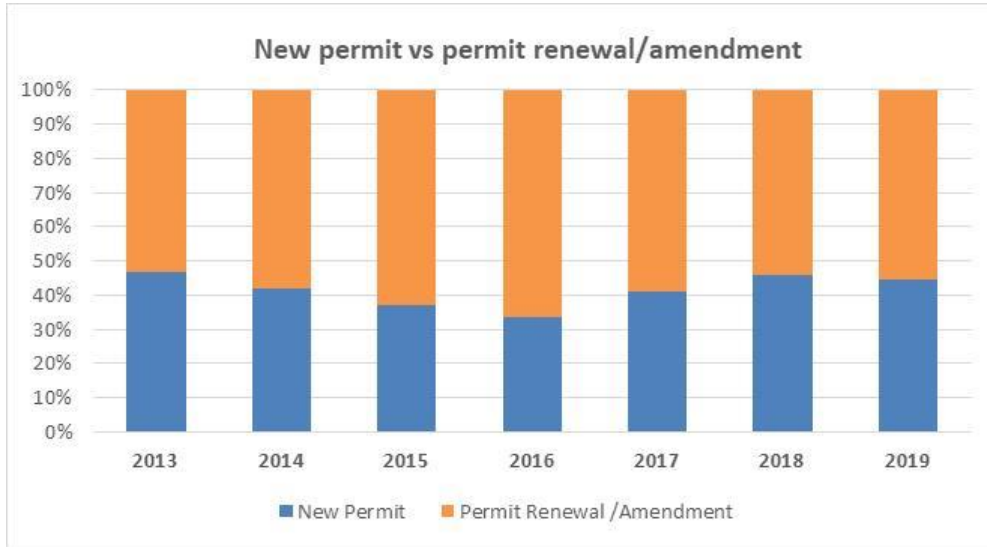
Environmental Permitting

Source: Environmental Permitting Register, Environmental Permitting Directorate of MoEE

1. Aggregated data on environmental permitting

According to the statistics of environmental permits (so called Environmental Terms Approval Decisions), as derived from the Environmental Permitting Register of MoEE (<http://aepo.ypeka.gr>), a stabilization of the number of permits over the last three years is observed, which was steadily decreasing compared to previous years, with the bulk of permits (more than 80%) issued by the Decentralized Administrations (category A2), while permits for new projects reached a five-year average of 40% of the total permits.





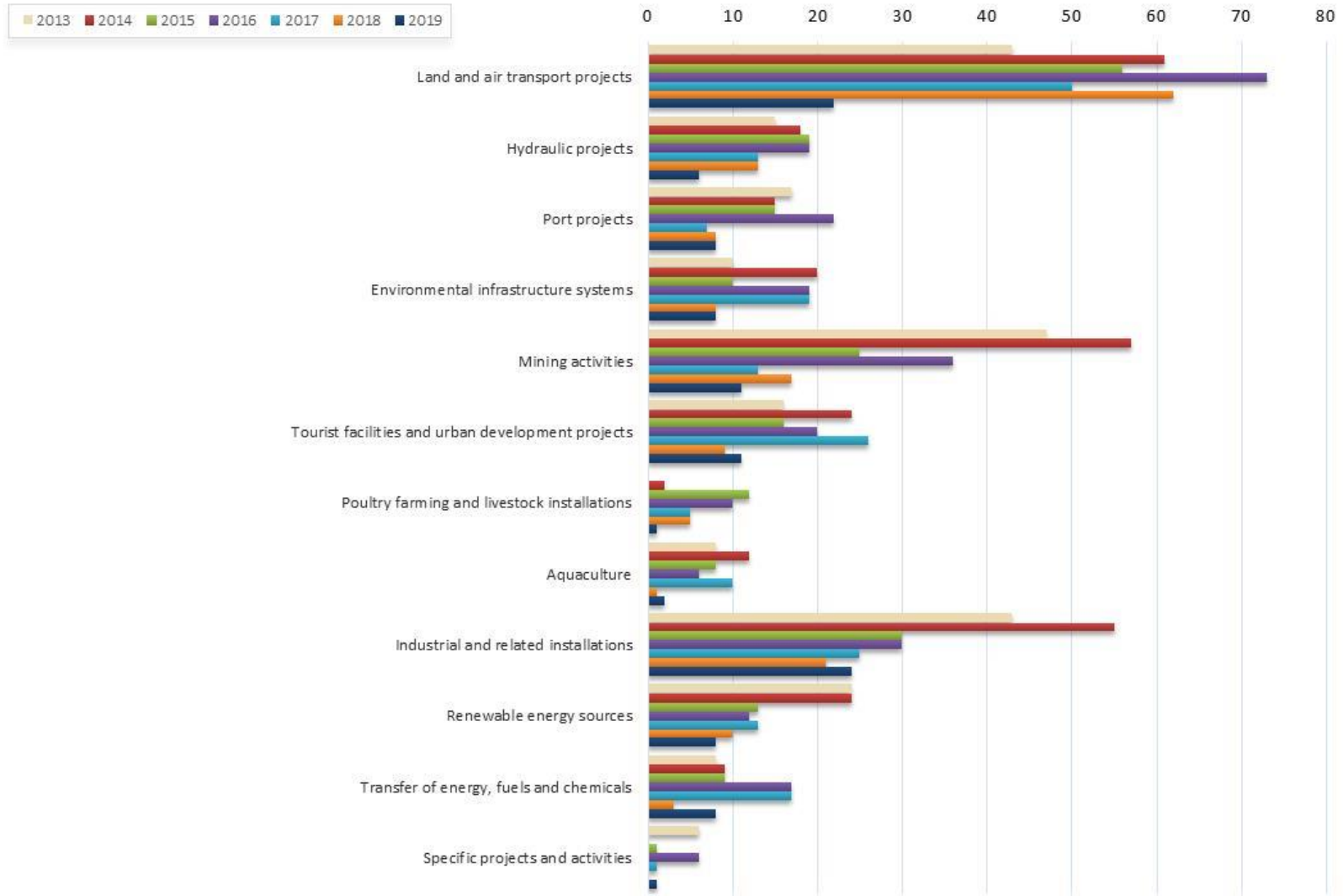
The environmental permits issued by the Environmental Permitting Directorate of MoEE (category A1) are associated mostly with land and air transport projects (27.7%*) and industrial activities (13.7%*), followed by mining activities (10.7%*) and tourist facilities and urban development projects (8.6%*). Projects with lower permitting rates are those associated with hydraulic projects (7.4%*), environmental infrastructure systems (6.7%*), port projects (6.3%*) and renewable energy sources (RES) projects (5.9%*).

Regarding the environmental permits issued by the Decentralized Administrations (category A2), the majority of permits were granted to industrial activities (19.3%*), followed by special projects and activities (14%*), RES projects (13.2%*) and mining activities (10.8%*).

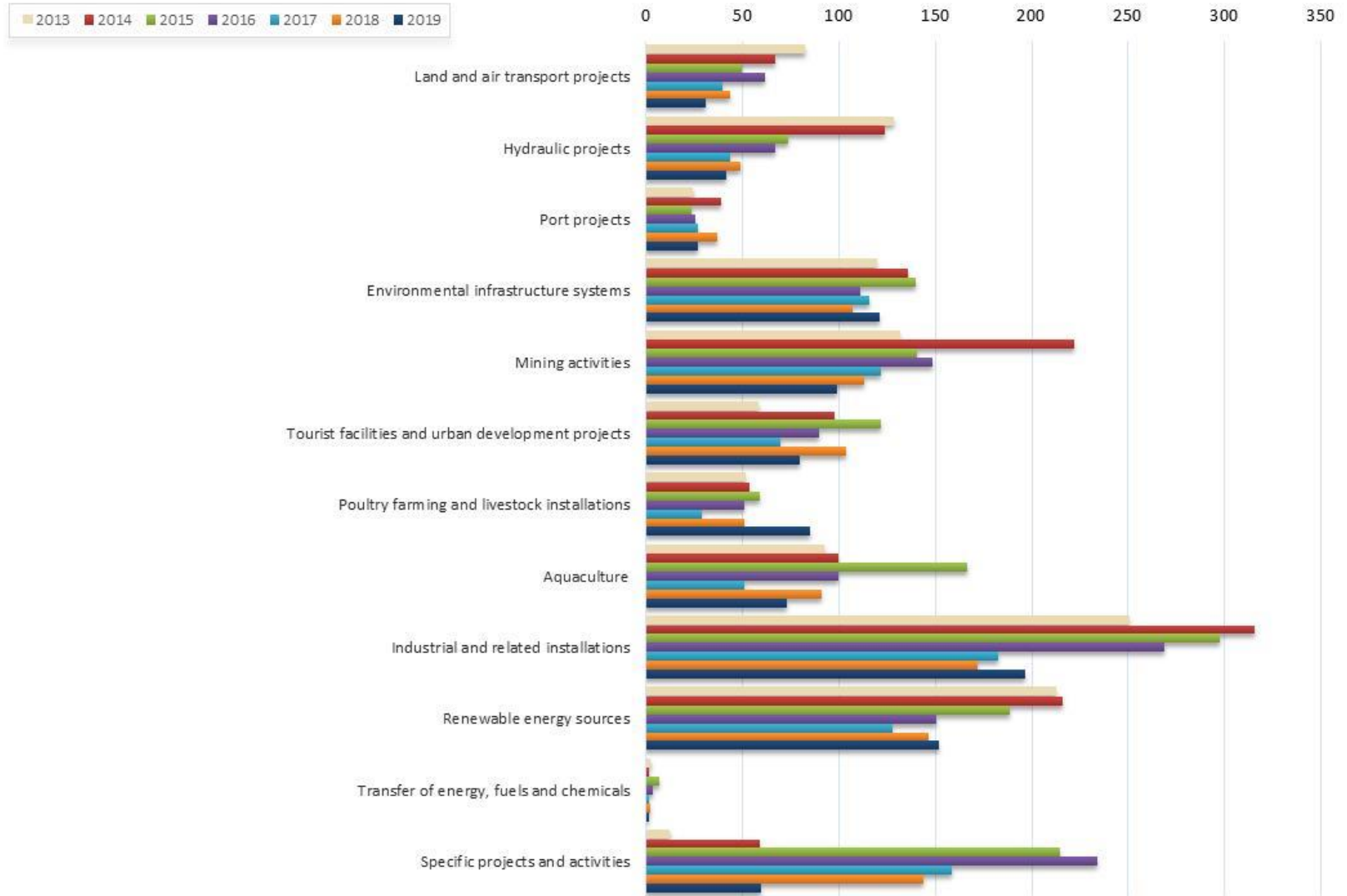
Overall, industrial activities represent the highest permitting rate among the 12 thematic groups (18%*), followed by RES projects (12%*), special projects and activities (12%*) and mining activities (11%*).

* 5 year average

Environmental permits of category A1 by project/activity group



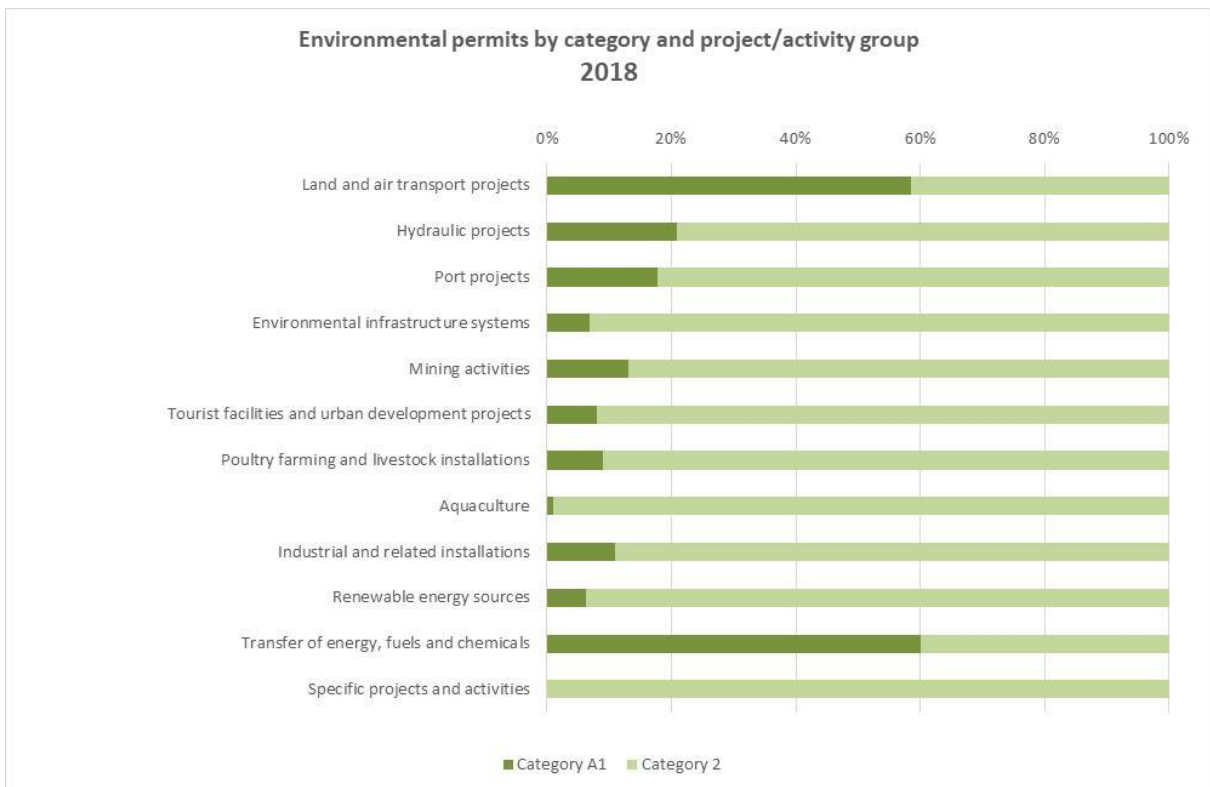
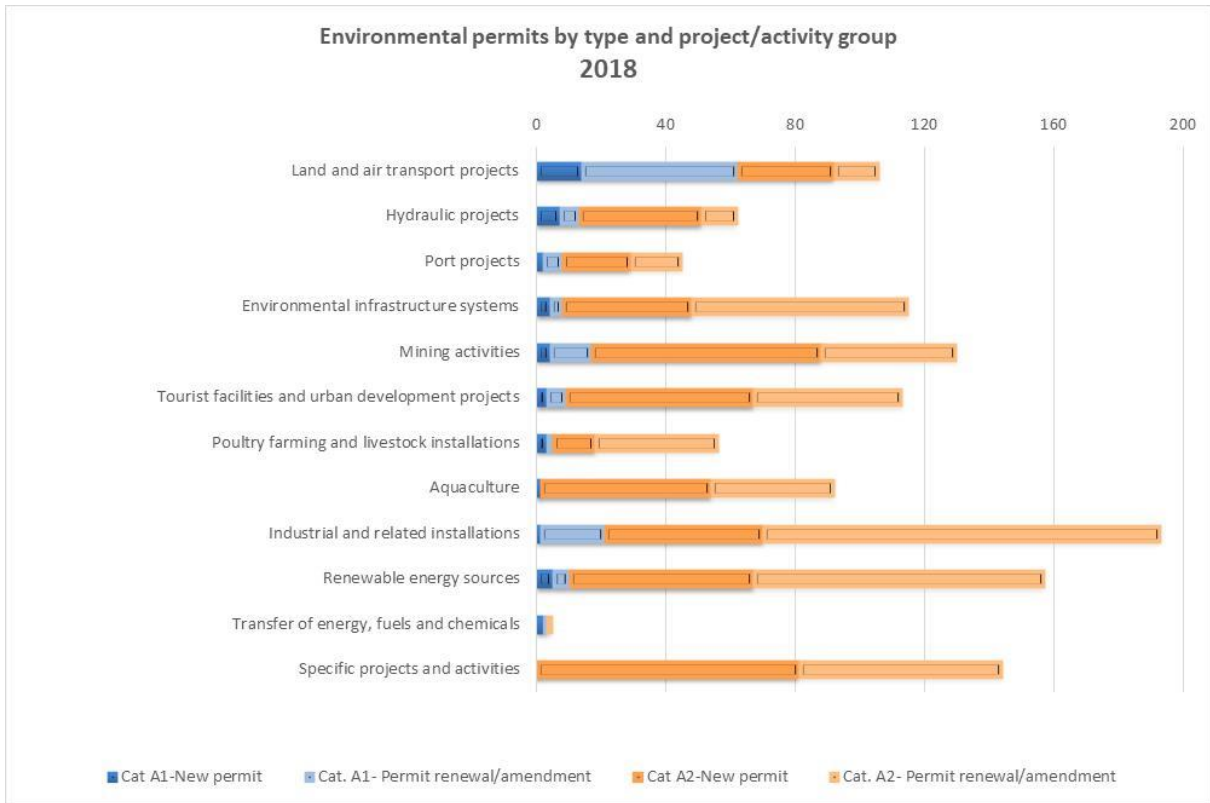
Environmental permits of category A2 by project/activity group



2. Environmental permitting data for 2018

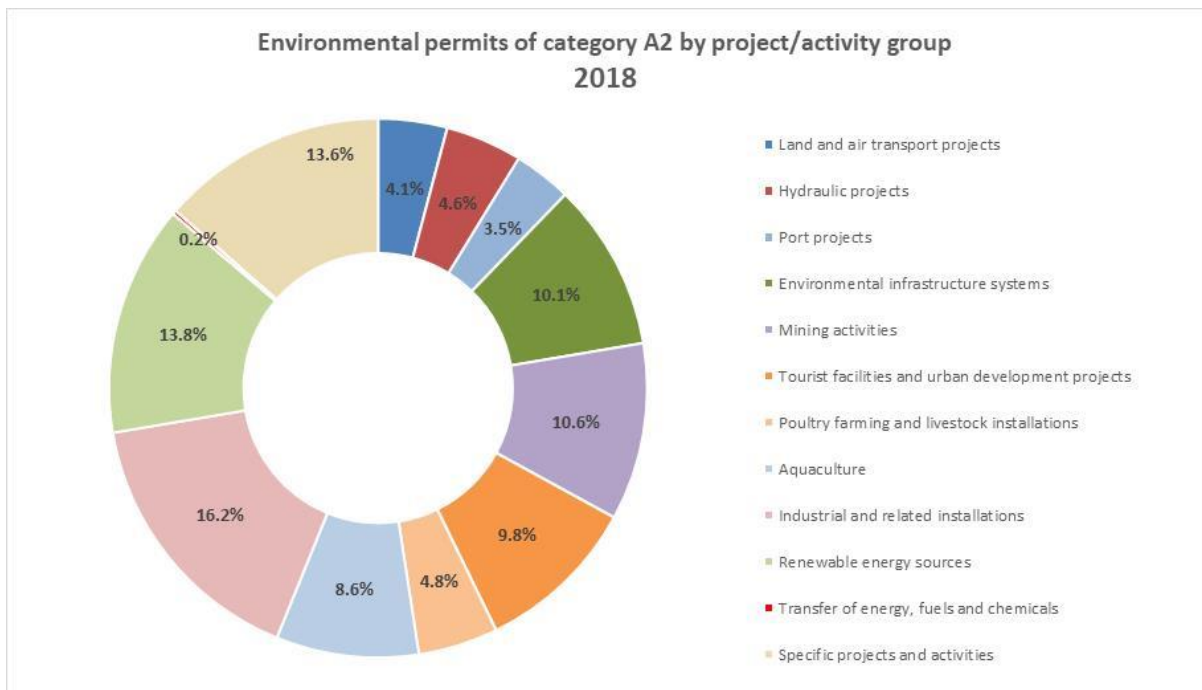
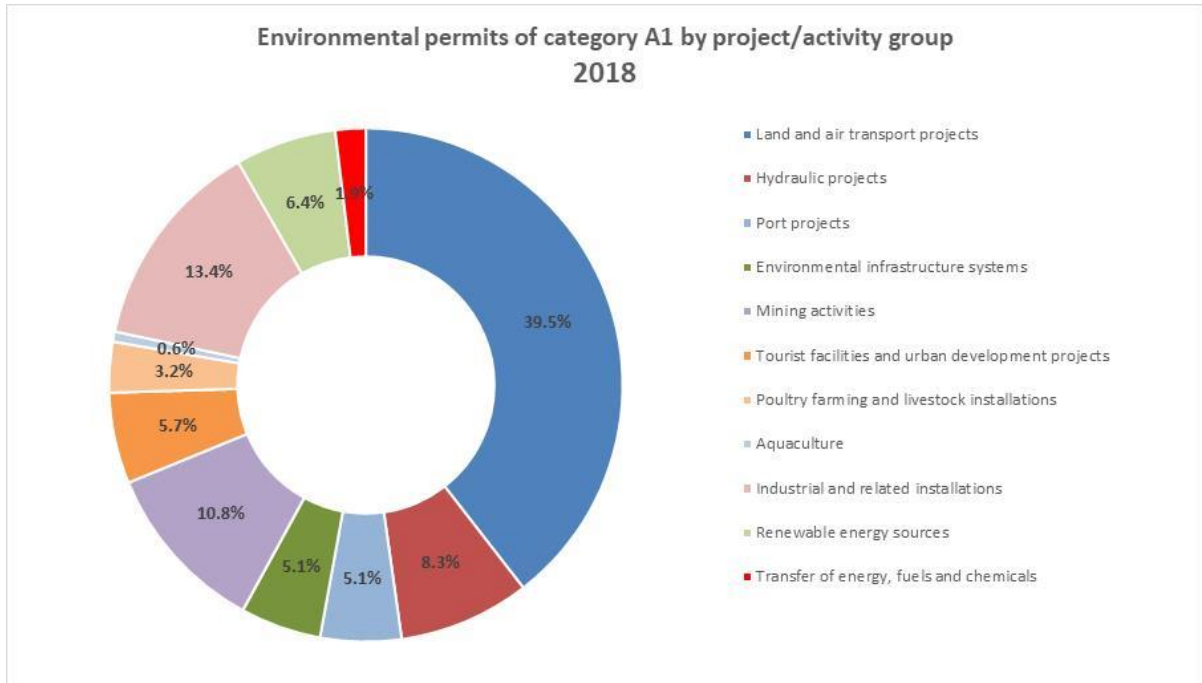
The following table lists analytically the number of environmental permits issued in 2018. Of the total 1218 permits, 157 permits (12.9% of total) are classified in category A1 projects, of which 46 (~ 30%) are new permits. Permits of category A2 projects numbered 1061 (87.1% of total), of which 511 (~ 50%) are new permits. The following graphs show that the thematic groups with the highest rates of new permit issuance are special projects and activities (14.5%), mining activities (13.5%), RES projects (11.1%) and tourism facilities and urban development projects (11.0%). It is worth noting that nearly 60% of permits for land and air transport projects and energy transport projects fall under category A1, the other thematic groups have permitting rates below 20%, while the “specific projects and activities” group is usually classified exclusively in category A2.

Project / activity group		Category A1			Category A2			Total
		New permit	Permit Renewal /Amendment	Total	New permit	Permit Renewal /Amendment	Total	
1st	Land and air transport projects	14	48	62	30	14	44	106
2st	Hydraulic projects	7	6	13	38	11	49	62
3st	Port projects	2	6	8	21	16	37	45
4st	Environmental infrastructure systems	4	4	8	40	67	107	115
5st	Mining activities	4	13	17	71	42	113	130
6st	Tourist facilities and urban development projects in building sector, sports and leisure	3	6	9	58	46	104	113
7st	Poultry and livestock installations	3	2	5	13	38	51	56
8st	Aquaculture	1	0	1	53	38	91	92
9st	Industrial and related installations	1	20	21	49	123	172	193
10st	Renewable energy sources	5	5	10	57	90	147	157
11st	Transfer of energy, fuels and chemicals	2	1	3	0	2	2	5
12st	Specific projects and activities	0	0	0	81	63	144	144
Total		46	111	157	511	550	1061	1218



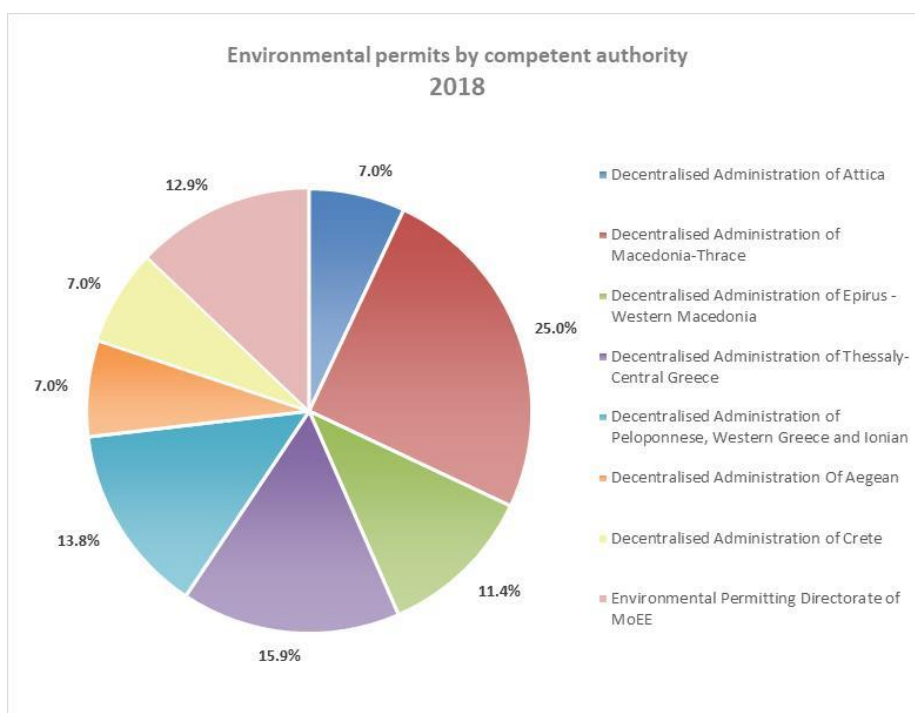
The graphs of environmental permits by category and thematic group for 2018 show that there are no significant differences in the classification of project permitting at the level of thematic group over the last five years. The majority of projects granted environmental permit by the Environmental Permitting Directorate of MoEE (category A1) are associated with land and air transport projects

(39.5%), followed by industrial activities (13.4%) and mining activities (10.8%). Most of the environmental permits issued by the Decentralized Administrations (category A2) refer to industrial activities (16.2%), RES projects (13.8%) and specific projects and activities (13.6%), followed by mining activities and environmental infrastructure systems (10.6% and 10.1%, respectively).



The following table presents the number of environmental permits granted by competent authority in 2018, which are analysed by project / activity group. The decentralized administrations of Macedonia-Thrace, Thessaly-Central Greece and Peloponnese-Western Greece-Ionion have issued the largest percentage of permits at decentralised level.

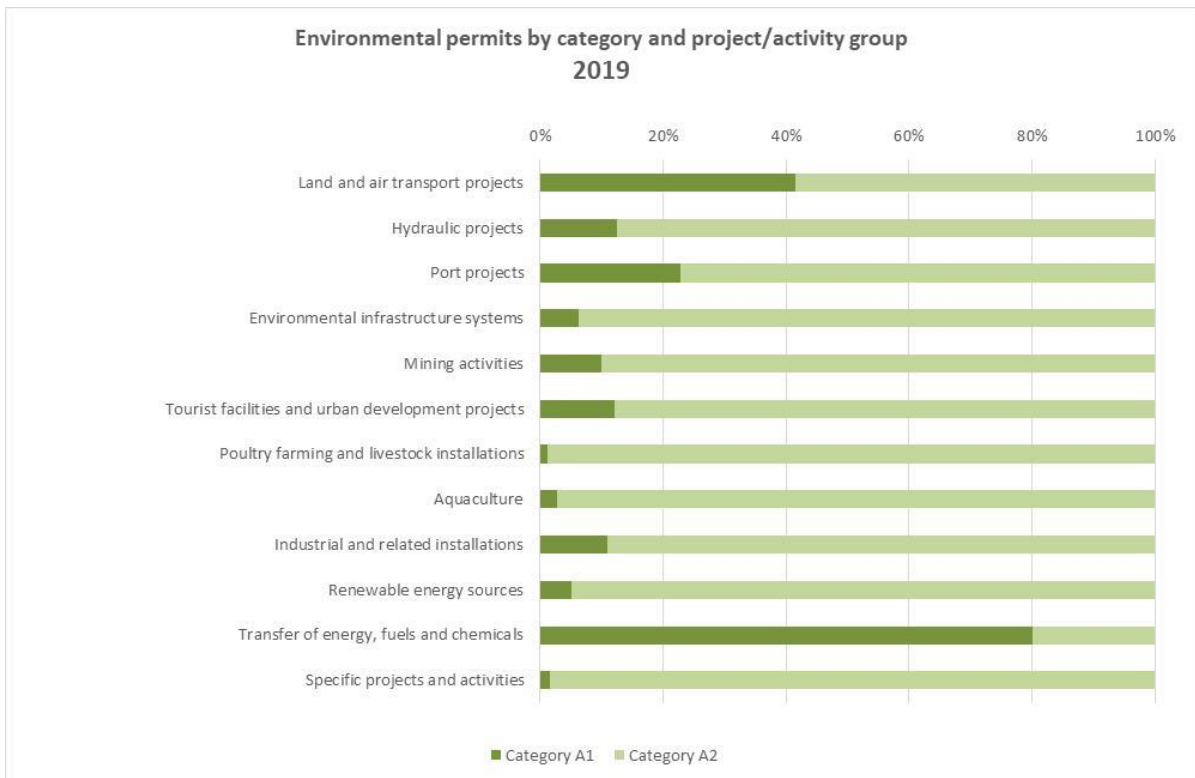
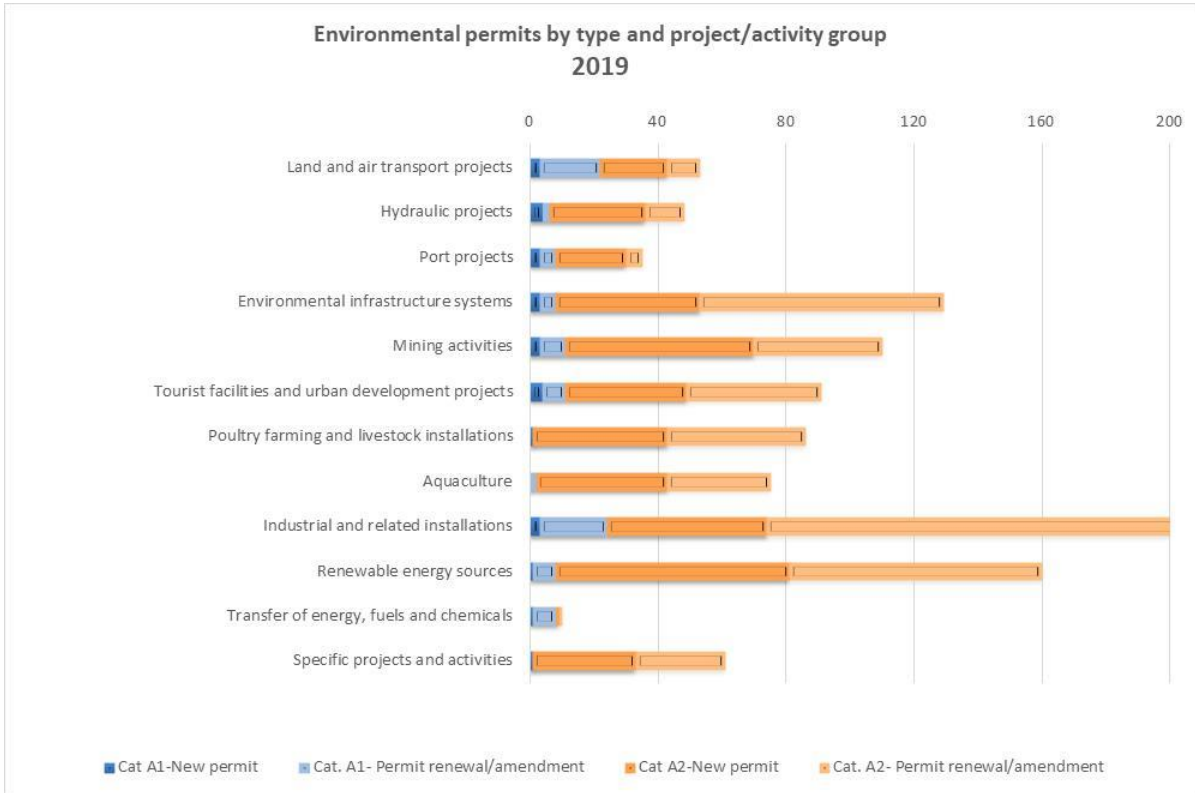
Project / activity group		Decentralized Administration							Environmental Permitting Directorate of MoEE	Total
		Attica	Macedonia-Thrace	Epirus - Western Macedonia	Thessaly- Central Greece	Peloponnese- Western Greece- Ionian	Aegean	Crete		
1st	Land and air transport projects	3	6	7	11	8	2	7	62	106
2st	Hydraulic projects	3	16	6	15	4	2	3	13	62
3st	Port projects	1	3	1	7	9	11	5	8	45
4st	Environmental infrastructure systems	11	29	10	13	23	12	9	8	115
5st	Mining activities		60	12	12	12	12	5	17	130
6st	Tourist facilities and urban development projects in building sector, sports and leisure	10	13	6	3	31	19	22	9	113
7st	Poultry and livestock installations	3	15	26	2	5			5	56
8st	Aquaculture	8	47	8	15	12	1		1	92
9st	Industrial and related installations	40	46	17	32	19	8	10	21	193
10st	Renewable energy sources	1	37	20	56	23	3	7	10	157
11st	Transfer of energy, fuels and chemicals			1		1			3	5
12st	Specific projects and activities	5	33	25	28	21	15	17		144
Total		85	305	139	194	168	85	85	157	1218



3. Environmental permitting data for 2019

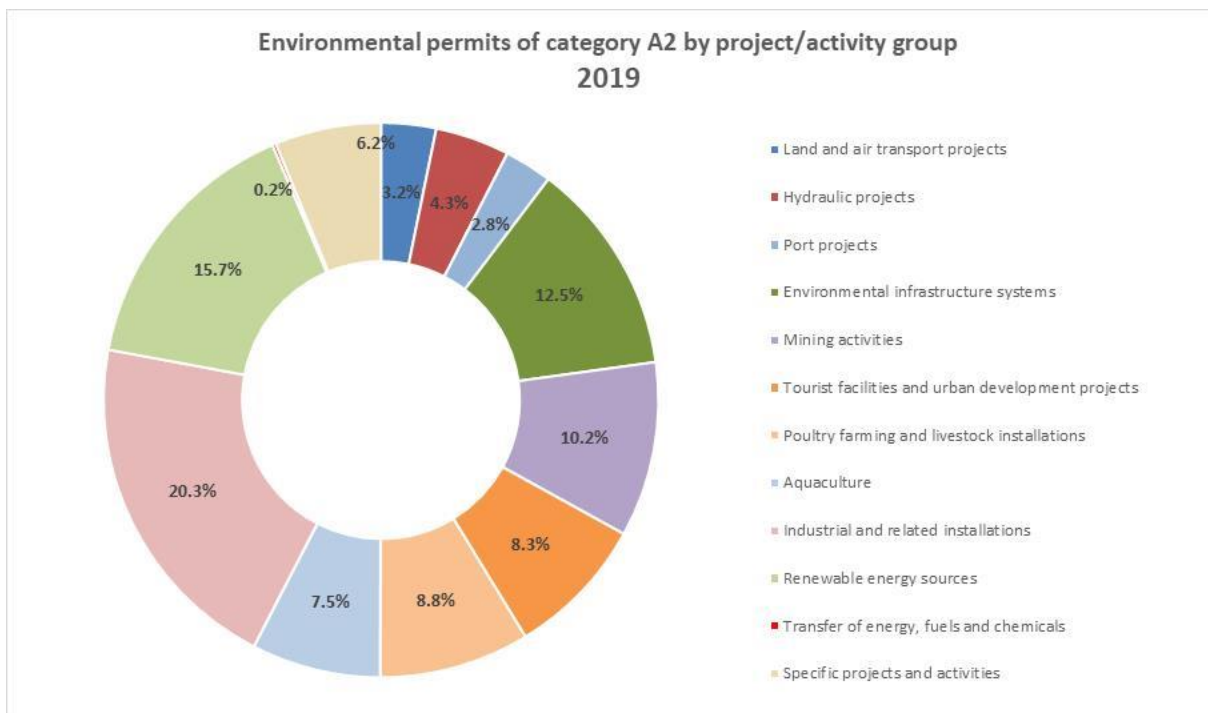
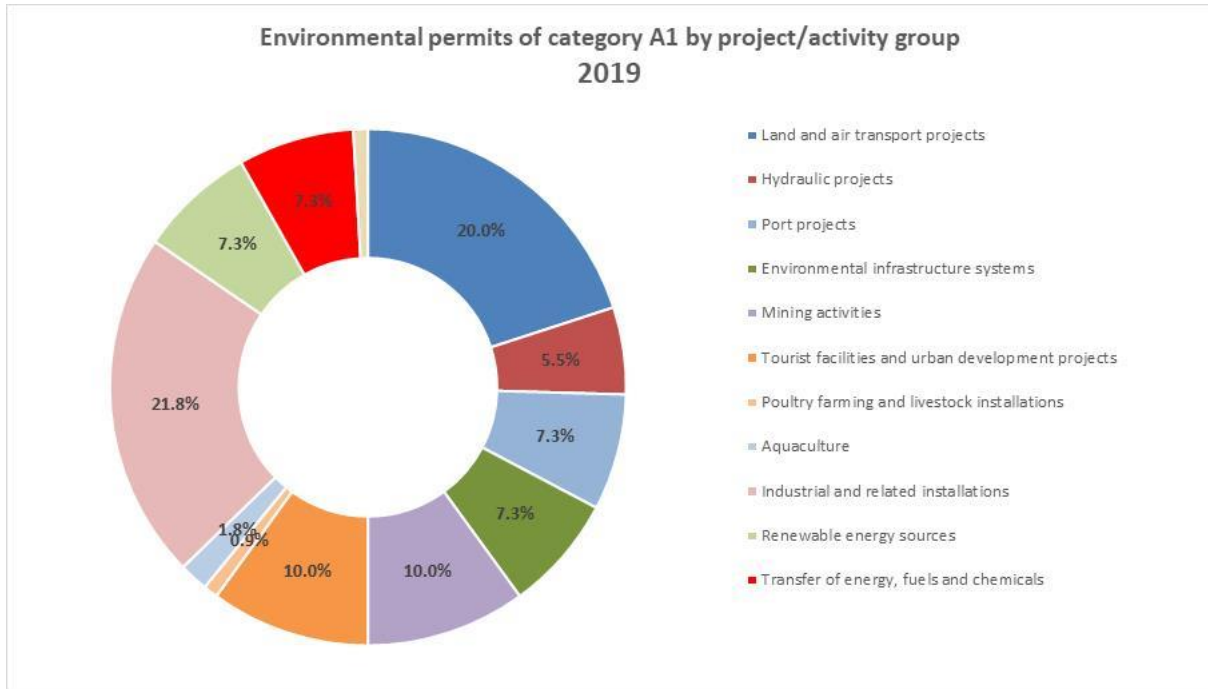
The following table presents analytically the number of environmental permits issued in 2019. Of the total 1079 environmental permits, 110 (10.2% of the total) are classified in category A1 projects, of which 27 (~ 25%) are new permits. Permits of category A2 projects numbered 969 (89.8% of the total), of which 454 (~ 47%) are new permits. From the following graphs it seems that the thematic groups with the highest rates of new permit issuance are the industrial and related installations (20%), RES projects (15%), environmental infrastructure systems (12%) and mining activities (10%). It is worth noting the difference in permit distribution of land and air transport projects by category between the last two years (60% of permits were under category A1 projects in 2018), as for 2019 the total number of permits as well as the number of permits of category A1 projects were reduced by half. The majority of “energy transfer” projects continue to be in category A1 projects, whereas the share of category A1 of most of other project categories is less than 20% excluding industry projects and land and air transport projects, while the “specific projects and activities” group is usually classified exclusively in category A2.

Project / activity group		Category A1			Category A2			Total
		New permit	Permit Renewal/ Amendment	Total	New permit	Permit Renewal/ Amendment	Total	
1st	Land and air transport projects	3	19	22	21	10	31	53
2st	Hydraulic projects	4	2	6	30	12	42	48
3st	Port projects	3	5	8	22	5	27	35
4st	Environmental infrastructure systems	3	5	8	45	76	121	129
5st	Mining activities	3	8	11	59	40	99	110
6st	Tourist facilities and urban development projects in building sector, sports and leisure	4	7	11	38	42	80	91
7st	Poultry and livestock installations	1	0	1	42	43	85	86
8st	Aquaculture	0	2	2	41	32	73	75
9st	Industrial and related installations	3	21	24	50	147	197	221
10st	Renewable energy sources	1	7	8	73	79	152	160
11st	Transfer of energy, fuels and chemicals	1	7	8	1	1	2	10
12st	Specific projects and activities	1	0	1	32	28	60	61
Total		27	83	110	454	515	969	1079



The graphs of environmental permits by category and thematic group show that there are differences in the classification of project permitting at thematic group level between 2018 and 2019. There is an almost equal distribution of permits issued by the Environmental Permitting Directorate of MoEE (category A1 projects) between industrial activities (21.8%) and land and air transport

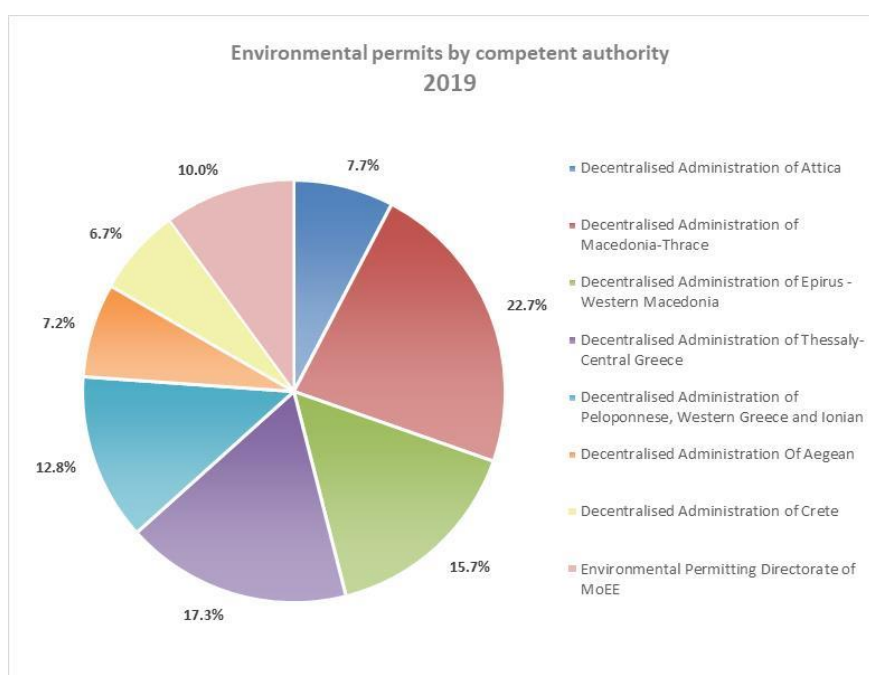
projects (20%). Most of the environmental permits issued by the Decentralized Administrations (category A2 projects) involve industrial activities (20.3%) and renewable energy sources (15.7%), followed by environmental infrastructure systems and mining activities (12.5% and 10.2% respectively). The environmental permits of RES projects were reduced by half in 2019 compared to 2018.



The following table presents the environmental permits granted by competent authority in 2019, which are analysed by project / activity group. As shown in the graph, the decentralized

administrations of Macedonia-Thrace, Thessaly-Central Greece and Epirus-Western Macedonia have issued the highest percentage of permits at decentralized level.

Project / activity group		Decentralized Administration							Environmental Permitting Directorate of MoEE	Total
		Attica	Macedonia-Thrace	Epirus - Western Macedonia	Thessaly-Central Greece	Peloponnese-Western Greece-Ionian	Aegean	Crete		
1st	Land and air transport projects	2	3	7	5	4	2	10	22	55
2st	Hydraulic projects	4	13	8	6	4	2	7	6	50
3st	Port projects	3	7	1	3	6	6	1	8	35
4st	Environmental infrastructure systems	12	23	16	20	20	16	14	8	129
5st	Mining activities	0	57	11	9	11	6	5	11	110
6st	Tourist facilities and urban development projects in building sector, sports and leisure	10	12	4	12	16	13	13	11	91
7st	Poultry and livestock installations	2	19	45	15	4			1	86
8st	Aquaculture	4	12	15	21	12	9	0	2	75
9st	Industrial and related installations	37	52	18	39	25	13	13	24	221
10st	Renewable energy sources	7	32	40	51	17	2	3	8	160
11st	Transfer of energy, fuels and chemicals		1	1					8	10
12st	Specific projects and activities	3	18	6	9	21	10	7	1	75
Total		84	249	172	190	140	79	73	110	1079



Environmental Inspections

Source: General Directorate of Inspectorate of MoEE

1. Environmental inspections of the Environmental Inspectorate

The data on environmental inspections carried out by the Environmental Inspectorate of MoEE (Northern and Southern divisions) for the period 2004-2018 are summarized in the table below.

Year	No of Inspections	Majority (%) of inspections ¹	No of Acts of infringement certification	No of Cases of proposed administrative sanctions	Amount of proposed fines (€)
2004	142	50% ²	551 ⁴	551	19,657,204
2005	145				
2006	159				
2007	212				
2008	313				
2009	223	50% ²	123 ⁴	123	3,195,085
2010	230	64%	128 ⁴	128	5,521,035
2011	249	70%	69	67	NA
2012	235	66%	66	65	NA
2013	164	62%	38	32	1,051,000
2014	145	67%	46	39	2,046,650
2015	137	50%	68	50	4,208,200
2016	58	75%	68	38	2,910,650
2017	71	35% ³	34	23	672,250
2018	88	53%	89	83	1,793,280

Note:

¹ Percentage of inspections related to project & activities of Group 4 (environmental infrastructure systems) and Group 9 (industrial and related installations).

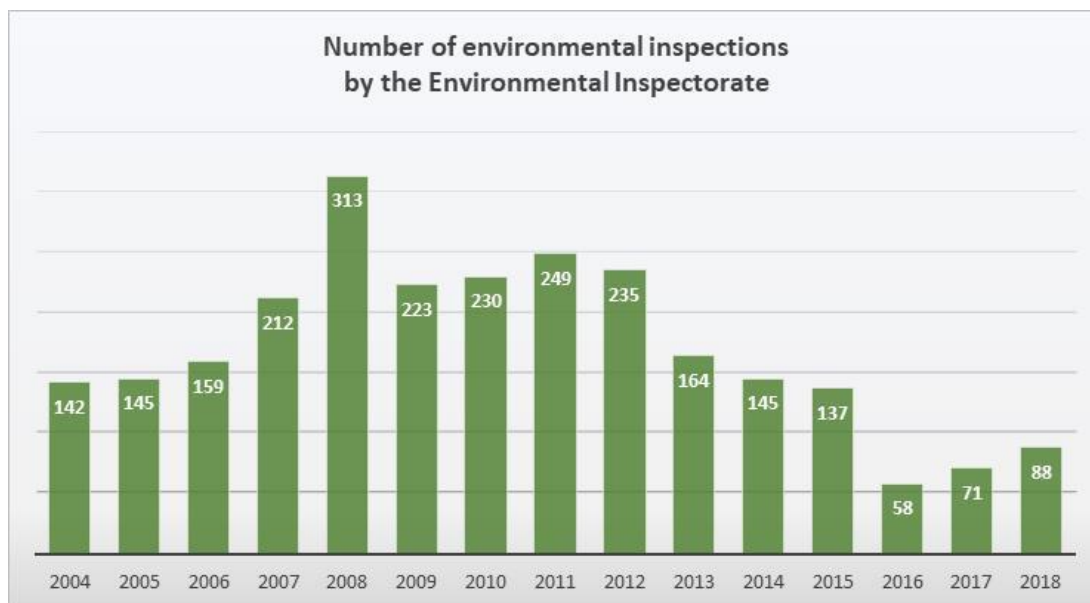
² Percentage related to project & activities of Group 9 (industrial and related installations).

³ The Environmental Inspectorate of Northern Greece performed 50% of the inspections on mining activities.

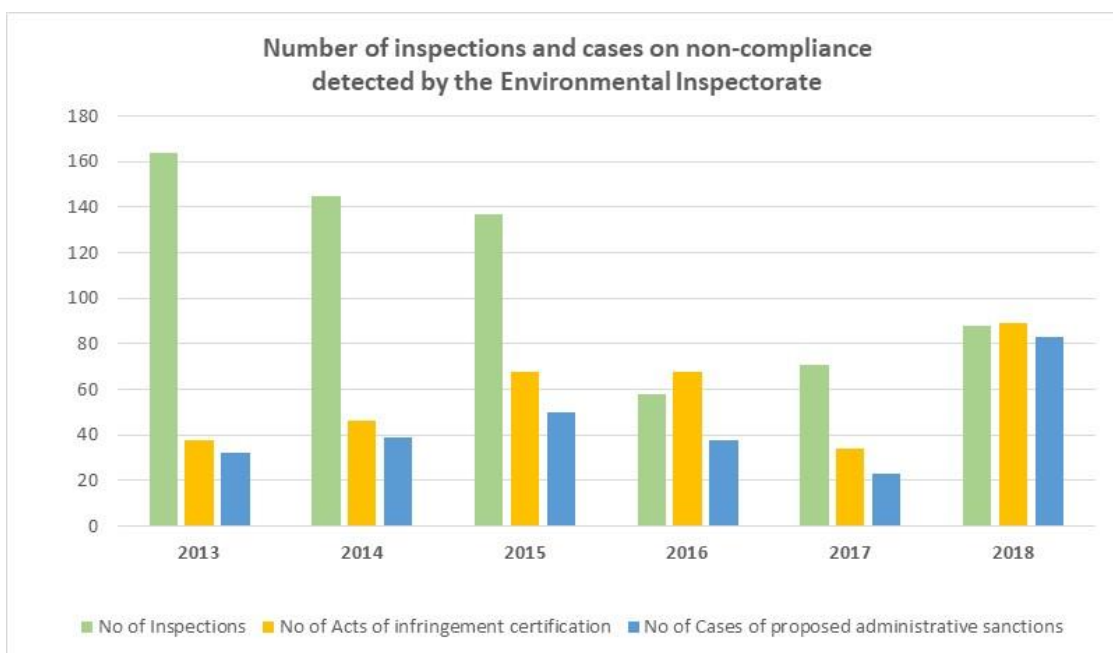
⁴ There are no accurate data for that period.

NA: Not available data

The following graph illustrates the total number of inspections of Northern and Southern Greece Environmental Inspectors from 2004 to 2018. Since 2012 there has been a significant drop in the number of inspections mainly due to the gradual reduction in the number of inspectors. The inspectors of Environmental Inspectorate fell from 32 in 2013 to 15 in 2018.

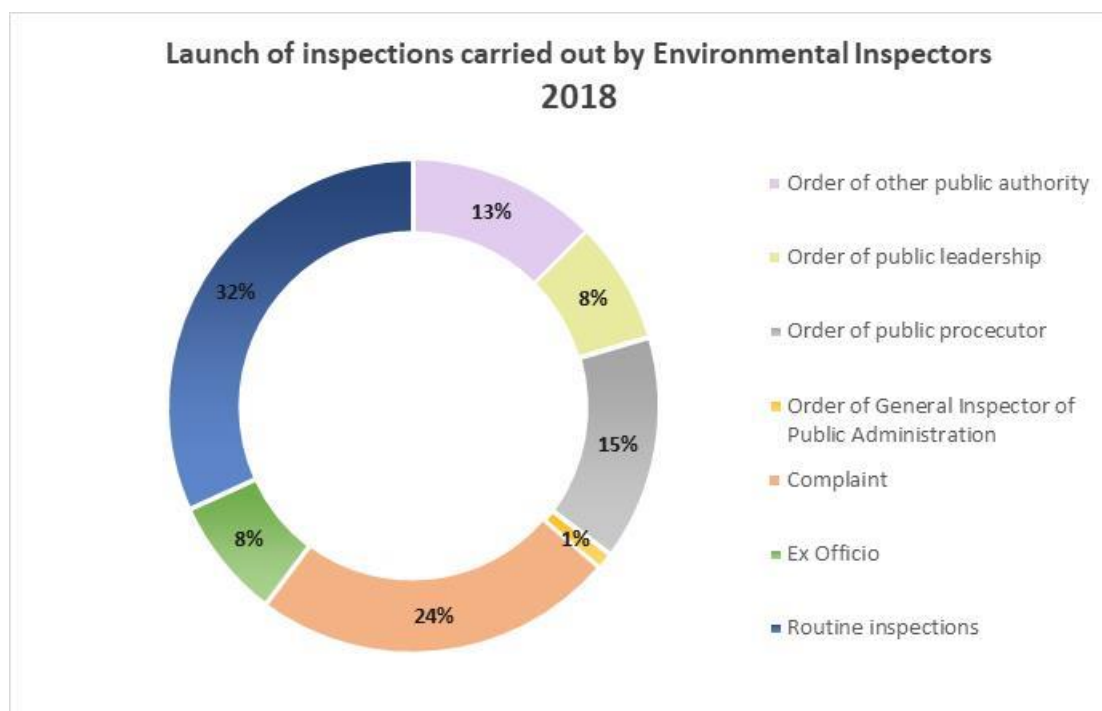


The number of environmental inspections and the cases of non-compliance (acts of infringement certification and proposed administrative sanctions)[†] for the period 2013-2018 are presented schematically below.



[†] The acts of infringement certification and the cases of proposed administrative sanctions ascertained each year relate not only to inspections conducted within the corresponding year, but also to inspections performed in preceding years.

The environmental inspection process varies depending on whether the inspection is routine or non-routine (ex officio, on the order of the public prosecutor, the General Inspector of Public Administration and the political leadership or upon order of other public authority). The launch of environmental inspections is analysed in the following graph for 2018, where it appears that a significant proportion of inspections are conducted on the basis of routine inspections (32% in 2018 versus 28% in 2017 and 13% in 2016). Non-routine environmental inspections, upon order of the public prosecutor, the political leadership, the General Inspector of Public Administration and other public authorities, reached 36% in 2018 (versus 46% in 2017), while the inspections due to complaints corresponded to 24% (versus 20% in 2017).



Order of public authority	Order of political leadership	Order of public prosecutor	Order of General Inspector of Public Administration	Complaints	Ex officio (exceptionally)	Routine inspections
11	7	13	1	21	7	28

2. Environmental inspections of the Regional Authorities

The number of environmental inspections and cases on non-compliance[‡] detected by the Regional Authorities in the period 2013-2018 are given in the table below and are reflected in the corresponding graph. The current number of environmental inspectors in all thirteen Regions is 210. Attica's Regional Authorities had additional inspectors seconded from the Environmental Inspectorate of MoEE and thus the number of environmental inspections increased significantly.

Year	No. Inspections	Projects/Activities of Group 4 & 9		No. Acts of infringement certification
		No. Inspections	Percentage	
2013	2770	523	19%	593
2014	3158	841	27%	737
2015	3409	1002	29%	724
2016	3130	954	30%	868
2017	3031	812	27%	693
2018	3038	1165	38%	896



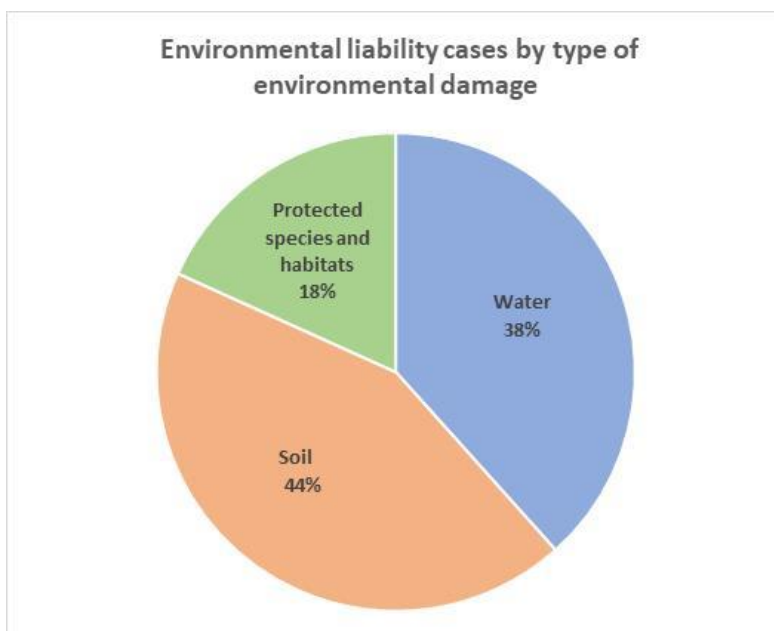
[‡] The acts of infringement certification ascertained each year relate not only to inspections conducted within the corresponding year, but also to inspections performed in preceding years.

3. Environmental Liability Cases

According to the Register of Environmental Liability Cases maintained by the Coordination Office for Mitigation of Environmental Damage (so called SYGAPEZ in greek), the environmental liability cases from 2011 to 2018 are as follows:

Reporting Period 2011-2018	2011-2018
Closed Cases that remediation measures have been completed	26
Open cases that are under the provisions of PD 148/2009 on environmental liability	91
Cases under Investigation for which it is being examined whether or not they are under the provisions of PD 148/2009 on environmental liability	28
Total	145

In most of the cases, the environmental damage was a result of activities of the manufacturing industry especially for their waste treatment. The graph below illustrates the distribution of cases to types of environmental damage (protected species and natural habitats, water and soil).



EMAS Certification

Source: Department of Environmental Certifications of MoEE

The statistics from the Eco-Management and Audit Scheme (EMAS) Register, following EMAS Commission reopening in 2016, are listed in the table below.

Year	Organisations	Facilities
2016	41	1442
2017	35	1330
2018	36	1333
2019	37	1334

It is noted that the reduction of recordings observed after the EMAS Commission reopening may be due to financial difficulties that many businesses faced during the recession. Since then there has been a stabilisation in the number of registrations, while there is a small number of applications for new registrations.

EMAS is regarded as a particularly demanding environmental management system and this creates a hesitation for organizations to adopt it if it is not an essential part of their commercial strategy.

Certification of products / services with EU Eco-label

Source: Department of Environmental Certifications of MoEE

Certification statistics of products / services with the EU Ecolabel label for the last three years are listed in the following table:

Category of products/ services	2017	2018	2019
	<i>number of products (number of producers / companies)</i>		
Paints and varnishes	278 products (12 companies)	288 products (13 companies)	324 products (17 companies)
Cleaning up products / detergents	13 products (2 companies)	—	2 products (1 company)
Textiles	1 product (2 companies)	1 product (2 companies)	1 product (2 companies)
Growing media, soil improvers and mulch	—	—	1 product (1 company)
Tourist accommodation	12	—	—

The following is noted:

- The category "*Textiles*" refers to the finished product (derived from 2 ginning mills), which are parcels of 210-240 Kg of ginned cotton fibre under the AGRO 2 integrated management system.
- The product of the category "*Growing media, Soil improvers and Mulch*" relates to pumice stone of particular granulation which serves as a hydroponic crop substrate, intended for professional farmers / producers of agricultural products and falls under the sub-category "*Growing media*".
- By order of the European Commission since 2017 (with effect from 2018) in the calculation of the number of paints and varnishes, pigments should also be taken into account. Based on the number of pigments per each paint, the total number of pigments is 3304 (288 products) for 2018, while is 3520 (324 products) for 2019.
- For both the "*Cleaning up products / detergents*" category and the "*Tourist accommodation*" category, new criteria have been applied since 2018.
- In general, the criteria for all categories of products and services are updated every 5 years (approximately). The interested parties should re-submit technical files (with new laboratory tests where required) to the competent service for evaluation.

Conclusions and assessments on environmental policy goals, directions and measures

Regarding environmental permitting, Law 4014/2011 has brought about a significant reduction in the number of EIA applications submitted and environmental permits issued each year approaching now EU averages. At the same time, the provision of specifications for the content of the EIA study and the EIA application file, the specialised ecological assessment study, the content of the environmental permits etc., the designation of the authorities to be consulted, the operation of the Digital Environmental Register, including the more general standardisation of both the EIA process and the environmental permitting process have improved the quality of the EIA applications and the environmental terms and conditions in the environmental permits respectively. In addition, the aforementioned Law has contributed to the increase in transparency while ensuring fair competition. A significant positive development is also the recent institutionalization of the issuance of the environmental permit by the General Director (instead of the Minister or the Coordinator of Decentralized Administration).

However, there are still significant delays in the environmental permitting process (mainly due to the burden imposed on the competent authorities) as well as complaints about an excessively bureaucratic approach and an abusive interpretation of the provisions of the legislation by the permitting authorities, particularly in cases of permit amendment or renewal of existing projects and activities. Likewise, the permitting authorities have often expressed the opinion that, in several cases, the EIA studies do not meet the provisions of legislation and in particular the specifications of the EIA content.

It is noted that today, the Environmental Permitting Directorate of MoEE has a dual role, i.e. it functions both as a permitting authority and as an executive authority responsible for the strategic planning of environmental permitting, the specialisation of processes and specifications, the provision of guidelines, etc., without having the required human resources to fully meet both roles.

It is also noteworthy that, although the vast majority of envisaged secondary legislation required to fully implement Law 4014/2011 has been already issued, there are still some gaps in the implementation of the Law, notably the non-issuance of the Presidential Decrees (PD) for the Register of Certified EIA Assessors and the Register of Certified Environmental Auditors, as well as the non-activation of the provision for the "EIA application file manager". Their activation would allow a more complete assessment of Law 4014/2011.

As regards the quantitative data of environmental permitting process, it appears that over the last 5 years:

- 85% of projects are classified as category A2 projects
- 40% of environmental permits are new projects, with the remaining 60% being permit renewals or amendments

With regard to environmental inspections, which should be a key pillar of the country's environmental protection, although there was a slight increase in inspections in 2018 compared to 2017, the inspections continue to remain at very low levels and only 1/3 of them are routine inspections, although both national and EU legislation provide for systematic routine inspections at regular intervals.

Finally, as regards the environmental certifications (EMAS and ECOLABEL), no changes were recorded compared to 2017.

To further improve the environmental permitting process, in particular in terms of its acceleration, reducing the bureaucratic burden for the administration and the applicants (whether of the public or the private sector), increasing transparency, ensuring harmonised treatment of all requests and improving the quality of EIA studies as well as enhancing environmental audits, the following measures could be considered:

- the full implementation of Law 4014/2011 on environmental permitting by activating the provision for the “EIA application file manager”, the register of certified EIA Assessors (PD issuance), the register of certified Environmental Auditors (PD issuance), including the introduction of specific accounting line (code) required in the Green Fund (JMD issuance),
- the focus of the Environmental Permitting Directorate of MoEE on its executive role with a corresponding reduction of projects classified under category A1 in order to reduce the permitting burden,
- the further rationalization and standardization of the accompanying documents, opinions, certificates, technical drawings required when submitting the EIA application file, including for the content of the EIA study, while enhancing the dimension of climate change (possibly with a gradual introduction of a zero-carbon requirement for new major-category A1- projects by taking compensatory measures, where appropriate),
- the further specialization of Standard Environmental Obligations (SEO),
- the radical simplification of the process for granting SEO (according to article 8 of Law 4014/2011 it must be given “automatically”),
- the integration of the SEO process into the notification process,
- the inclusion of more projects in category B within the framework set out in Directives 2011/92 and 2010/75 (on the basis of EU legislation e.g. no EIA is required for residential hotels, office buildings, educational facilities, sports facilities, photovoltaic stations, research drilling, etc.),
- the introduction of the option to simply updating the EIA file for minor changes (technical or operational details), which will be described in detail to ensure legal certainty (maintenance/repair of machinery, building renovation without change of use, replacement of mechanical equipment without capacity increase, installation of auxiliary equipment such as overhead travelling cranes, weighbridges, electricity substations, etc., changes in the layout of equipment or construction site, etc.),

- the introduction of analytical qualitative and, where possible, quantitative objective criteria as to when any changes are not considered to be “substantial changes” and therefore no amendment of the EIA study is required for permit renewal / amendment such as:
 - when environmental impacts are reduced by e.g. anti-pollution measures, shift to fuel with less air pollutant and/or CO₂ emissions, energy efficiency improvements, reduction of raw materials use (e.g. by increasing recycling),
 - any change or extension of projects that as an independent project would not require EIA process or would be classified as category B without however leading to a change in the category or subcategory of the total project, etc.⁵
- the simplification of the permit renewal process for EMAS registered companies,
- the provision of seminars to create a common understanding between different competent authorities and consultants,
- the possibility of drafting the EIA study of a private project by the technical staff of the private developer,
- the simplification of the JMD 172058/2016, transposing the SEVESO Directive 2012/18/EU into Greek law, with the repeal of the additional provisions established,
- the emphasis on periodic routine inspections, based on the annual program for routine environmental inspections in accordance with article 20 of Law 4014/2011,
- the modernization / codification of legislative framework of environmental inspections by providing for a simple notification rather than imposing a penalty in certain cases and the option of imposing remedial actions instead of fines in others,
- the creation of an electronic application, by means of social media, which allows the citizens to record in real-time environmental violations via smartphone and to inform the administration,
- the provision of mandatory insurance in accordance with the provisions of Presidential Decree 148/2009 of projects and activities of category A of Groups 4, 5, 7, 8, 9 and 11 of the Ministerial Decision 1958/2012, as amended, with the exception of those already covered by legal provisions (hazardous waste management operations), and its connection with the operating licence / notification,
- the establishment of a surveillance system for eco-labeled products.

⁵ According to Directive 2011/92/EU, EIA is required for:

- “Any change to or extension of projects listed in this Annex where such a change or extension itself meets the thresholds, if any, set out in this Annex” (par. 24 of Annex I).
- “(a) Any change or extension of projects listed in Annex I or this Annex, already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment (change or extension not included in Annex I)” (par. 13 of Annex II)