

**Unofficial translation, legally binding texts are those in Finnish and Swedish
Ministry of the Environment, Finland**

Decree on Environmental Impact Assessment Procedure (713/2006)
(amendments up to 359/2011 included)

Chapter 1 – Functions of Authorities

Section 1 – Functions of the Ministry of the Environment

The Ministry of the Environment provides guidance on, monitors and develops the environmental impact assessment procedure generally and performs the functions laid down in section 6(2), section 6 a(2), Chapter 3 and section 21(2) of the Act on Environmental Impact Assessment Procedure (*Laki ympäristövaikutusten arviointimenettelystä* 468/1994).

Section 2 – Functions of the Ministry of Trade and Industry¹

The Ministry of Trade and Industry decides on the application of the assessment procedure to individual cases and acts as the coordinating authority in projects involving nuclear power plants referred to in the Nuclear Energy Act (*Ydinenergilaki* 990/1987).

Section 3 – Functions of the Finnish Environment Institute

The Finnish Environment Institute:

- 1) is responsible for general training, information and research connected with environmental impact assessment in cooperation with other authorities, research institutes and universities;
- 2) assists in obtaining the expertise needed in the assessment procedure;
- 3) stores and keeps available the assessment programmes and assessment reports that have been prepared and the coordinating authority's statements on them;
- 4) monitors and gathers experiences on the application of the Act on Environmental Impact Assessment Procedure and this Decree;
- 5) performs other expert tasks connected with the environmental impact assessment procedure that are assigned to it by the Ministry of the Environment.

Section 4 – Functions of the Centre for Economic Development, Transport and the Environment

The Centre for Economic Development, Transport and the Environment:

¹ Now, Ministry of Employment and the Economy

- 1) oversees and supervises enforcement of the assessment procedure in its area of operation;
- 2) decides on the application of the assessment procedure in individual cases;
- 3) acts as the coordinating authority as provided in Chapter 2;
- 4) is responsible for any other tasks laid down for it in the Act and this Decree.

Section 5 – Functions of the coordinating authority

The coordinating authority:

- 1) coordinates the assessment procedure in accordance with other laws, in cooperation with the appropriate authorities;
- 2) sees to public notification and hearings in accordance with sections 8 a and 11 of the Act on Environmental Impact Assessment Procedure, and arranges the necessary public hearings;
- 3) as necessary delivers information to the Ministry of the Environment about the project for notification to another state referred to in section 14(2) of the Act on Environmental Impact Assessment Procedure;
- 4) examines the assessment programme and assessment report and provides its statement on them;
- 5) is responsible for organising the monitoring of the environmental impact of the project when necessary, in cooperation with other authorities and the developer;
- 6) submits the assessment programme and the assessment report and its statement on them together with any translations to the Finnish Environment Institute;
- 7) is responsible for any other tasks laid down for it in the Act and this Decree.

Chapter 2 – Application of the Assessment Procedure

Section 6 – List of projects

Projects to which the assessment procedure is applied under section 4(1) of the Act on Environmental Impact Assessment Procedure are:

- 1) animal husbandry:
 - poultry houses and piggeries with more than
 - a) 85,000 chickens or 60,000 hens,
 - b) 3,000 pigs (with a weight of over 30 kg/pig) or

- c) 900 sows;
- 2) the extraction and processing of natural resources:
- a) the extraction, dressing and processing of metal ores and other mined minerals when the total amount of the extracted material is at least 550,000 tonnes per year, or quarries and opencast mines with a surface area larger than 25 hectares;
 - b) the extraction of stone, gravel or sand when the surface area of the extraction or excavation site is larger than 25 hectares, or the amount of the extracted material is at least 200,000 solid cubic metres per year;
 - c) the extraction of asbestos and installations for the processing and transformation of asbestos or products containing asbestos;
 - d) the extraction, enrichment and processing of uranium with the exception of test extraction, test enrichment and other similar processing;
 - e) peat production when the production area that is regarded as connected is more than 150 hectares;
 - f) the permanent alteration of natural forest, peatland or wetland when the area that is regarded as connected is more than 200 hectares, by carrying out new ditching or by draining unditched peatland and wetland areas, by removing the tree stock permanently or by replanting the area with species of tree not indigenous to Finland;
 - g) the commercial production of crude oil and natural gas;
- 3) hydraulic engineering and regulation of water flow:
- a) dams and other structures where the dammed or stored volume of water or the increase in the volume of water is more than 10 million cubic metres; (359/2011)
 - b) reservoirs where the dammed or stored volume of new water or the increase in the volume of water is more than 10 million cubic metres;
 - c) water body regulation projects, if the mean flow in the water body is over 20 cubic metres per second, and the flow and water-level conditions will change materially compared with the initial situation;
 - d) the transfer of water from one river basin to another where the volume of water to be transferred exceeds 3 cubic metres per second;
 - e) flood prevention projects covering an area of at least 1,000 hectares;
- 4) the metal industry:
- a) foundries or smelting plants with an output of at least 5,000 tonnes per year;
 - b) iron and steel works, sintering plants and iron alloy manufacturing plants or calcining plants;

- c) metal works or calcining plants processing metals other than iron;
- 5) the forest industry:
- a) pulp mills;
- b) paper or board mills with a production capacity of more than 200 tonnes per day;
- 6) the chemical industry and the manufacture of mineral products:
- a) crude oil refineries;
- b) installations for the gasification and liquefaction of bituminous shale, coal or peat of at least 500 tonnes per day;
- c) factories manufacturing artificial fibres;
- d) plants using solvents or substances containing solvents and using at least 1,000 tonnes of solvents per year;
- e) plants manufacturing on a large scale dangerous chemicals referred to in the Act on the safe handling and storage of dangerous chemicals and explosives (*Laki vaarallisten kemikaalien ja räjähteiden käsittelyn turvallisuudesta* 390/2005);
- f) factories manufacturing mineral wool and cement;
- 7) energy production:
- a) boilers and power plants with a gross output of at least 300 megawatts;
- b) nuclear power plants and other nuclear reactors, including the dismantling or decommissioning of these plants and reactors, except for research facilities intended for the production and conversion of fissionable and fertile materials and with a maximum continuous heat output of one kilowatt; nuclear power plants and other nuclear reactors cease to be categorized as such when the nuclear fuel and other radioactively contaminated elements have been permanently removed from the plant site;
- c) plants in which irradiated nuclear fuel is reprocessed;
- d) plants designed for
- the production and isotopic enrichment of nuclear fuel;
 - the processing of irradiated nuclear fuel or high-level waste;
 - the final disposal of irradiated nuclear fuel;
 - the sole purpose of final disposal of radioactive waste; or
 - the sole purpose of storing irradiated nuclear fuels or irradiated waste outside the production site (planned to last for more than 10 years);
- e) wind farm projects where the number of wind turbines is at least 10 or the total power at least 30 megawatts; (359/2011)

- 8) the transmission, transport and storage of energy and materials:
 - a) main pipelines intended for the long-distance transport of oil and liquids other than water or wastewater;
 - b) gas pipelines with a diameter of more than DN 800 millimetres and a length of more than 40 kilometres;
 - c) overhead power lines of at least 220 kilovolts and a length of more than 15 kilometres;
 - d) installations for storage of oil, petrochemical products or chemical products when the total volume of the storage tanks for these substances is at least 50,000 cubic metres;
 - e) installations designed for the recovery of carbon dioxide streams, for the purpose of geological storage, from plants included in the scope of application of this list of projects or other installations where the total volume of recovered carbon dioxide is at least 1.5 megatonnes per year; (359/2011)
 - f) pipelines required for the transport of carbon dioxide from recovery facilities to storage sites, where the diameter is more than DN 800 millimetres and the length is more than 40 kilometres, including any associated pressure boosting stations; (359/2011)
 - g) geological storage of carbon dioxide, with the exception of research, development and testing activities where the total volume of stored carbon dioxide is less than 100,000 tonnes; (359/2011)
- 9) transport:
 - a) the construction of motorways and expressways;
 - b) the construction of a new road with four or more lanes of at least 10 kilometres of continuous length;
 - c) the realignment or widening of a road so that the resulting continuous section with four or more lanes is at least 10 kilometres in length;
 - d) the construction of long-distance railway tracks;
 - e) the construction of airports if the main runway is at least 2,100 metres long;
 - f) shipping lanes, ports and loading and unloading facilities primarily intended for merchant ships of over 1,350 tonnes;
 - g) canals and inland shipping lanes and ports for ships of over 1,350 tonnes;
- 10) water supply and sewerage:
 - a) groundwater abstraction or groundwater recharge of an annual volume of at least 3 million cubic metres;

b) large tunnels for raw water or wastewater;

c) sewage treatment plants designed for a population equivalent of more than 100,000;

11) waste management:

a) hazardous waste treatment plants that receive hazardous waste for incineration, physio-chemical treatment or disposal in landfills, and biological treatment plants designed for a hazardous waste volume of at least 5,000 tonnes per year;

b) incineration plants for other than hazardous waste, or physio-chemical treatment plants designed for a waste volume of more than 100 tonnes per day and biological treatment plants designed for a waste volume of at least 20,000 tonnes per year;

c) landfills for municipal waste or sludge designed for a waste volume of at least 20,000 tonnes per year;

d) landfills for waste other than that referred to in subparagraphs a and c and designed for a waste volume of at least 50,000 tonnes per year;

12) alterations to projects equivalent in size to projects referred to in paragraphs 1–11.

Section 7 – Applying the assessment procedure to individual cases

In considering how to apply the assessment procedure to individual cases of projects referred to in section 4(2) of the Act on Environmental Impact Assessment Procedure, special consideration shall be given to:

1) the characteristics of projects, such as

a) the size of the project;

b) the cumulation with other projects;

c) the use of natural resources;

d) the production of waste;

e) pollution and other nuisances;

f) the risk of accidents, with particular regard to substances or technologies used;

2) the location of projects, such as

a) the existing land use;

b) the relative abundance, quality and regenerative capacity of natural resources in the area;

c) the absorption capacity of the natural environment, with particular regard to

- wetlands,

- coastal zones,
- mountain and forest areas,
- nature reserves and landscape protection areas,
- areas classified or protected under law,
- areas in which the environmental quality standards laid down in Community legislation have already been exceeded,
- densely populated areas, and
- landscapes of historical, cultural or archaeological significance;

3) characteristics of the potential impact, such as

- a) the extent of the impact considering the size of the affected population;
- b) the transboundary impact;
- c) the magnitude and complexity of the impact;
- d) the probability of the impact;
- e) the duration, frequency and reversibility of the impact.

Section 8 – Coordinating authority

The coordinating authority is:

- 1) the relevant Centre for Economic Development, Transport and the Environment for the projects referred to in section 6, paragraphs 1–6, paragraph 7(a) and paragraphs 8–11, and for the projects referred to in section 4(2) of the Act on Environmental Impact Assessment Procedure;
- 2) the Ministry of Trade and Industry for the projects referred to in section 6, paragraph 7(b–d), and for projects involving nuclear power plants referred to in section 4(2) of the Act on Environmental Impact Assessment Procedure.

Chapter 3 – Assessment programme and assessment report

Section 9 – Assessment programme

The assessment programme shall contain, on a sufficient scale:

- 1) information on the project, its purpose, planning stage, location, land use needs and connections with other projects, and information on the developer;
- 2) alternatives to carrying out the project, one of which is the no-action alternative, unless for specific reasons this alternative is unnecessary;
- 3) information about the plans, permits and comparable decisions required for implementation of the project;

- 4) a description of the environment, information on the studies on environmental impact already carried out and planned, and information on the methods to be used in the acquisition and assessment of the material and on assumptions related to the methods;
- 5) a proposal for determining the area of impact;
- 6) a plan for arranging the assessment procedure and the related participation; and
- 7) an estimate of the project planning and implementation schedule and of the date when the studies and assessment report will be completed.

Section 10 – Assessment report

The assessment report shall contain, on a sufficient scale:

- 1) the information in section 9 as revised;
- 2) an account of how the project and its alternatives relate to land use plans and such plans and programmes for the use of natural resources and environmental protection which are relevant in regard to the project;
- 3) the main characteristics and technical solutions of the project, a description of operations, such as products, outputs, raw materials, transport, other materials, and an estimate of the types and amounts of waste, discharges and emissions, taking into account the planning, construction and operational stages of the project, including possible dismantling;
- 4) the main information used in the assessment;
- 5) an account of the environment, and an assessment of the environmental impact of the project and its alternatives, any deficiencies in the data used, and the main uncertainty factors, including an assessment of the possibility of environmental accidents and their consequences;
- 6) an account of the feasibility of the project and the alternatives;
- 7) a proposal for action to prevent and mitigate adverse environmental impact;
- 8) a comparison of the project alternatives;
- 9) a proposal for a monitoring programme;
- 10) a description of the various stages of the assessment procedure, including the participation procedure;
- 11) an account of how the coordinating authority's statement on the assessment programme has been taken into account; and
- 12) a non-technical, clearly presented summary of the information in paragraphs 1–11.

Section 11 – Public notice

- (1) The public notice concerning the assessment programme shall present sufficiently specified information on the project, the location, the developer and the procedure for expressing opinions and giving statements on the assessment programme. In addition, the public notice shall mention where the assessment programme and the subsequent statement by the coordinating authority are available for viewing during the assessment procedure. If the transboundary assessment procedure applies, this shall be mentioned in the public notice.
- (2) As applicable, the provisions laid down in subsection 1 apply to the public notice on the assessment report.

Chapter 4 – Entry into force

Section 12 – Transitional provisions and entry into force

- (1) This Decree enters into force on 1 September 2006.
- (2) This Decree repeals the Decree on Environmental Impact Assessment Procedure (*Asetus ympäristövaikutusten arviointimenettelystä* 268/1999) issued on 5 March 1999.
- (3) Provisions of the Decree in force at the time of the entry into force of this Decree concerning the contents of the assessment programme and assessment report continue to apply, however, to assessment programmes and assessment reports submitted to the coordinating authority before 1 January 2007.
- (4) Section 6, paragraph 2(d), of this Decree and, in the case of flammable or explosive chemicals, section 6, paragraph 6(e), of this Decree shall not apply to a project where the permit application has been publicly announced or where the interested parties have been heard, before the entry into force of this Decree, in accordance with the Environmental Protection Act (*Ympäristönsuojelulaki* 86/2000), the Chemicals Act (*Kemikaalilaki* 744/1989) or the Act on the safe handling and storage of dangerous chemicals and explosives.

Entry into force and application of 359/2011:

- (1) This Decree enters into force on 1 June 2011.
- (2) Section 6, paragraph 7(e), and section 6, paragraph 8(e), (f) and (g) of this Decree shall not apply to a project where the permit application has been publicly announced or where the interested parties have been heard, before the entry into force of this Decree, in accordance with the Land Use and Building Act (*Maankäyttö- ja rakennuslaki* 132/1999), the Water Act (*Vesilaki* 264/1961) or the Environmental Protection Act (*Ympäristönsuojelulaki* 86/2000), or where a decision has been taken on applying the assessment procedure in individual cases in accordance with section 6 of the Act on Environmental Impact Assessment Procedure.