

## DESCRIPTION OF PROCEDURE GOVERNING THE ACTIVITIES OF ENVIRONMENTAL IMPACT

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**ABSTRACT:** This paper describes the procedure for the activities for which an environmental impact environmental protection authority shall request the opinion, consent and/or environmental agreement.

**KEY WORDS (TNR 10 pt Bold):** environmental impact,

### 1. INTRODUCTION

Regulatory procedure is conducted with the following principles:

- The precautionary principle to making the decision;
- The principle of prevention of environmental risks and damage occurrence;
- The "polluter pays" principle.

After the environmental assessment of certain plans and programs, their approval at any hierarchical level is conditional on the environmental.

Applying for and obtaining environmental approval for setting binding environmental obligations if holders of activities possible significant environmental impact, will be subject to further or procedures:

- Sale of the stake;
- Sale of assets;
- Merger;
- Division;
- Concession;
- Dissolution followed by liquidation;
- Liquidation;
- Bankruptcy;
- Closure under the law.

The environment represents the technical - legal issued in writing by the environmental

protection authority confirming that the issue of environmental protection plan or program subject to adaption.

The competent authority for environmental issues:

- The environmental plans and programs;
- The environmental permit for the establishment of environmental liabilities;
- The environmental permit for plant protection products;
- Natura 2000 opinion.

The environment for setting environmental obligations available to fulfill the purpose for which it was issued, unless a change of circumstances in which it was issued. [1]

Another document in the procedure governing the activities of environmental impact is environmental *agreement / integrated environmental* approval issued by the competent authority for environmental protection and the acceptance ratio analysis to the study of environmental impact assessment.

*Environmental agreement* is a technical document - issued legal writing, setting out the conditions of the project in terms of environmental protection, taking into account the relevant comments made by the public throughout the EIA .

## 2. CLASSIFICATION OF ACTIVITIES WITH ENVIRONMENTAL IMPACT

Activities and / or facilities with environmental impact and new investment projects or modifying existing ones, including decommissioning projects, related, are classified by their impact on the environment, as follows:

- Insignificant impact activities, for not issuing the environmental agreement;
- Activities with low environmental impact, which are issued only environmental permits for these activities and projects aimed at new or modifying existing investments, including decommissioning, are subject to a simplified approval procedure for obtaining the unique environmental;
- Activities and/or facilities with significant impact on the environment, environmental agreements are issued or, where appropriate, integrated environmental agreements.

The category of activities are insignificant environmental impact residential activities that are not located in areas with special protection.

Are considered low-impact activities after the screening stage was set that are subject to the environmental impact assessment of activities specifically listed in Annex 2 of the HG No. 445/2009.

Are considered significant environmental impact, the activities set out in Appendices 1 and 2 of the HG No. 445/2009, after the screening stage of the project, are subject to the environmental impact assessment.

The environmental permit is valid throughout the implementation of the project.

Environmental agreement is void if the investments for which it was issued not commenced within two years from the date of issue , except for projects with external funding for environmental agreement shall remain valid for the entire duration of their deployment, until the investment. Applying for and obtaining environmental permits, the procedural step to authorize

public or private projects, is required by law in the following cases related activities with significant environmental impact:

- For new investments;
- To have changed;
- Dismantling projects.

Additional documentation submitted for obtaining the environmental issue will be the basis authorization/the integrated environment, before the commissioning of the lens. [2]

The procedure for issuing the environmental agreement is governed by environmental authorities, with the participation of public or local authorities, as appropriate, with duties and responsibilities in environmental protection within the technical review (CAT ).

## 3. THE CONTENT OF THE TECHNICAL MEMORANDUM

The technical procedure according to Annex II.2 of environmental impact assessment and the issuance of environmental permits approved by Order No. 135/2010 is as follows:

### I. Background

- The name of the investment objective;
- Target location and address;
- The developer;
- The estimated amount of work;
- The proposed execution.

### II . Project specifics

#### 1. Investment opportunity

- Purpose and importance of the investment objective;
- Public unit and / or mode of employment in urban and spatial planning;

#### 2. Project description

- Description of the physical characteristics of the whole project and the needs for use during the construction and operational phases;
- Describe the main characteristics of the production processes;
- Description of the likely significant effects of the proposed project on the

environment resulting from the use of natural resources.

### ***III . Sources of pollution and protection of the environment***

#### ***1. Water protection:***

- Sources of pollutants;
- Stations and treatment plants;
- Concentrations and mass flows of pollutants discharged into the environment, the place of escape or emissary.

#### ***2. Air protection:***

- Sources of pollutants;
- Waste gas treatment plant;
- Concentrations and mass flows of pollutants discharged into the atmosphere.

#### ***3. Protection against noise and vibration:***

- Sources of noise and vibration;
- Facilities and equipment for protection against noise and vibration;
- Noise and vibration to limit industrial objective and the nearest protected receiver.

#### ***4. Radiation protection:***

- Sources of radiation;
- Endowments of Radiation Protection;
- To limit the radiation enclosure to the nearest target and protected receiver.

#### ***5. Soil and subsoil:***

- Sources of pollutants;
- Works and facilities for soil and subsoil.

#### ***6. Protection of terrestrial and aquatic ecosystems:***

- Description of the environmental issues that will be significantly affected by the proposed project, including: population, fauna, flora, soil, water, air, climate, landscape and the interrelationship between these factors;
- Pollutants and activities that may affect aquatic and terrestrial ecosystems;
- Measures for the protection of terrestrial and aquatic flora and fauna, biodiversity, natural monuments and protected areas.

#### ***7. Protection of human and public interest objectives:***

- Distance from human settlements and public interest objectives, namely investment, historical and architectural monuments, traditional areas of interest;
- Works, facilities and measures for the protection of human and protected targets and / or public interest.

#### ***8. Management of waste generated on site:***

- The types and quantities of waste of any kind results;
- The management of waste and ensuring environmental conditions.

#### ***9. Management of toxic and hazardous substances:***

- Toxic and hazardous substances used, sold ;
- The management of toxic and hazardous substances and ensuring the protection of the environment and human health.

### ***IV . Work rebuilding / restoring the site***

- Situations of potential risk identified, areas and environmental factors likely to be affected;
- Description of the measures envisaged to prevent, reduce and counteract adverse effects on the environment;
- Proposed works to rebuild / restoration site in case of accidents and / or closure.

### ***V. Provisions for environmental monitoring***

- Facilities and measures provided to control emissions of pollutants into the environment, monitoring environmental quality and monitoring for environmental protection.

### ***VI . Annexes - the drawing***

#### ***1. Admission Plan target area situation and plan how to use planning areas;***

#### ***2. Flow diagrams for:***

- Process and stages of work with balance quantitative and qualitative sources of pollutants, collection and management mode installations remediation;

- Technological processes to retain pollutants.

*3. Other parts books, established territorial public authority for environmental protection. [3 ]*

For existing activities with significant environmental impact as well as the commissioning of new targets that environmental agreement is necessary authorization/integrated environmental authorization.

For existing activities, complying with environmental rules and regulations in force, environmental authorization is subject to the conduct of an environmental assessment mandatory.

Environmental protection authority has the environmental performance within a maximum of one year from the date of failure to negotiate with the owner of these conditions and compliance program activities, based on the conclusions and recommendations provided by the average balance.

Environmental permit is issued, where appropriate after obtaining other approvals, agreements, according to the law and is valid for a maximum of 10 years.

A special category of environmental permit is the integrated environmental authorization to be obtained for new and existing installations used for certain categories of industrial activities celo consideration of best available technology not involving excessive costs easily.

A very important provision of the Ordinance No. 195/2005 on environmental protection is that opinion, agreement and / or permit shall be issued only if the projects that compliance programs on existing activities abolishing negative consequences on the environment in comparison with the applicable technical standards and regulations viguie.

The criteria underlying the decision establishing the validity of the environmental permit include:

- The degree of fluctuation of process parameters;
- Reliability and wear of facilities;

- The impact on human health and environmental factors;
- Self emissions.
- Following the issuance of the environmental permit, the holder shall inform the activity of territorial public authorities on environmental emissions of regulated pollutants results and on accidents or accident hazards.

#### 4. CONCLUSION

- Regulatory procedure is conducted with the following principles:
  - The precautionary principle to making the decision;
  - The principle of prevention of environmental risks and damage occurrence;
  - The "polluter pays" principle.
- The activities and / or facilities with environmental impact are classified as environmental impact, such as:
  - Insignificant impact activities, for not issuing the environmental agreement;
  - Activities with low environmental impact , which are issued only environmental permits for these activities and projects aimed at new or modifying existing investments, including decommissioning, are subject to a simplified approval procedure for obtaining the unique environmental;
    - Activities and/or facilities with significant impact on the environment, environmental agreements are issued or, where appropriate , integrated environmental agreements.
- Environmental permit is issued, where appropriate after obtaining other approvals, agreements, according to the law and is valid for a maximum of 10 years.
- Opinion, environmental approval and authorization are subject to revision if new elements of environmental impact, unknown at the time of their issue.

## REFERENCES

[1]. Daniela Marinescu, *Treaty of environmental law, third edition revised and enlarged*, Legal Publishing House, Bucharest, 2008, pp. 421-430.

[2]. Vladimir Rojanschi, Florian Gregory, Basil Ciomoş, *Assessor and auditor Guide Environmental*, Economic Publishing House, Bucharest, 2008, pp. 124-150.

[3]. Decision no. 445 of 08/04/2009 on the assessment of certain public and private projects on the environment