
**ENVIRONMENTAL IMPACT ASSESSMENT
(AMENDMENT) ORDINANCE 2014**

An Ordinance to amend the Environmental Impact Assessment Ordinance 2010

R.J. CRIPWELL

10 June 2014

ADMINISTRATOR

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:

Short title and commencement

1.—(1) This Ordinance may be cited as the Environmental Impact Assessment (Amendment) Ordinance 2014.

(2) This Ordinance comes into force on the day after it is published in the Gazette.

Environmental Impact Assessment Ordinance 2010 amended

2. The Environmental Impact Assessment Ordinance 2010(a) (the “principal Ordinance”) is amended in accordance with sections 3 and 4.

Section 2 (Interpretation amended)

3.—(1) Section 2 is amended by omitting—

- (a) ““Schedule 1” means the first Schedule to the corresponding Republican Law;
- (b) ““Schedule 2” means the second Schedule to the corresponding Republican law;”;
- (c) ““Schedule 3” means the third Schedule to the corresponding Republican law;”;
- (d) ““Schedule 4” means the fourth Schedule to the corresponding Republican law.”.

(2) Section 2 is amended by inserting in the appropriate alphabetical order—

““carbon dioxide stream capture” means the separation of carbon dioxide from other gas emissions and its capture in any manner that is required for the transport of carbon dioxide to carbon dioxide storage sites;

“carbon dioxide storage site” means a specific area by volume used for the storage of carbon dioxide in geological formations and associated surface and injection facilities;

(a) Ordinance 26/2010.

“carbon dioxide stream” means a flow of substances that results from the carbon dioxide capture processes;

“geological formation” consists of a number of rock strata that have comparable lithology, facies or other similar properties;

“storage of carbon dioxide in geological formations” means the injection and storage of carbon dioxide streams in underground geological formations.”.

Schedule added

4. The principal Ordinance is amended by adding after section 22 the following schedules—

SCHEDULE 1

(section 3(1))

Description of projects for which an environmental impact assessment is prepared

<i>Serial No.</i>	<i>Description of development</i>
1.	Crude oil refineries including undertakings manufacturing lubricants from crude oil, and installations for the gasification and liquefaction of coal or bituminous shale.
2.	Thermal power stations and other combustion installations with a heat output of 50 megawatts or more and nuclear power stations and other nuclear reactors including their dismantling or disarmament but not including nuclear power stations or nuclear reactors which cease to be defined as such if all nuclear fuel and other materials affected with radiation are permanently removed from the installation site.
3.—(1)	Installations for the processing of radiated nuclear fuel;
(2)	installations designed— (a) for the production or enrichment of nuclear fuel; (b) for the processing or re-processing of irradiated nuclear fuel or highly radioactive waste; (c) for the final disposal of irradiated nuclear fuel; (d) exclusively for the final disposal of radioactive waste; (e) exclusively for the storage (where this is planned for more than 10 years) of radiated nuclear fuel or radioactive waste at a place other than the production site.
4.—(1)	Integrated works for the initial smelting of cast iron, copper or steel;
(2)	installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.
5.	Dismantling of factories or storage places which process or contain hazardous chemical substances or hazardous waste.
6.	Drillings for the storage of nuclear waste.
7.	Installations for the temporary storage or final disposal of asbestos waste.
8.	Integrated chemical installations being installations for the manufacture on an industrial scale of substances, using chemical conversion processes in which several

	<p>units are juxtaposed and are functionally linked to one another and which are intended for 1 or more of the following purposes—</p> <ul style="list-style-type: none"> (a) the production of basic organic chemical products; (b) the production of basic inorganic chemical products; (c) the production of phosphorous, nitrogen or potassium based fertilizers (simple or compound fertilizers); (d) the production of basic plant health products and of biocides; (e) the production of basic pharmaceutical products using a chemical or biological process; (f) the production of explosives.
9.—(1)	Airports being specific land or water areas including any buildings, installations or equipment intended to be totally or partially used for the arrival, departure or movement on the ground of aircraft;
(2)	<p>construction of roads—</p> <ul style="list-style-type: none"> (a) specifically designed and constructed for road traffic and not serving bordering properties; (b) which, in addition to specific or temporary places, have separate lanes for traffic to travel in both directions, separated by a traffic island which is not intended for traffic; or in exceptional cases, by other means; and (c) which do not cross at the same level with another road, railway, tramway or pavement;
(3)	express roads, being roads intended for road traffic which are accessible only from specific access points or controlled connections and on which parking on the road is prohibited;
(4)	construction of a new road of 4 or more lanes, or realignment or widening of an existing road of 2 lanes or less so as to provide 4 or more lanes, where such new road, or realigned or widened section of road is to be 4 kilometres or more in a continuous length.
10.—(1)	Inland waterways and ports for inland waterway traffic which permit the passage of vessels of over 1,350 tonnes;
(2)	trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.
11.	Waste disposal or recovery installations for the management of solid and hazardous waste in accordance with the relevant Schedule to the Republic's Waste Law (Law 185(I)/2011).
12.	Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 250,000 cubic metres.
13.—(1)	Works for the transfer of water resources, where the amount of water transferred exceeds 500,000 cubic metres per year;
(2)	works for the transfer of water resources between river basins, other than piped drinking water, where the annual average flow of the basin of abstraction exceeds 10,000,000 cubic metres per year and where the amount of water transferred exceeds 5% of this flow but not including transfers of piped drinking water.
14.	Dams and reservoirs.
15.	Water treatment plants with a capacity exceeding 2,000 population equivalent to an organic biodegradable load having a 5-day oxygen demand (BOD5) of 60 grammes of oxygen per day.
16.	Works for the management and use of treated waste water.

17.	Installations for— (a) the extraction of petroleum and natural gas for commercial purposes of a capacity exceeding 100 tons per day; (b) the extraction of natural gas for commercial purposes of a capacity exceeding 100,000 cubic metres per day; (c) the production of hydrocarbons in the sea.
18.	Water supply or irrigation pipelines exceeding 60 centimetres in diameter.
19.	Pipelines with a diameter exceeding 400 millimetres and a length of over 10,000 metres, for the transport of— (a) gas, oil or chemical substances; or (b) carbon dioxide streams for the purpose of storage of carbon dioxide in geological formations, including associated booster stations.
20.	Installations for the intensive rearing of poultry or pigs with capacity for more than— (a) 85,000 broilers or 60 000 hens; (b) 3,000 production pigs (weighing more than 30 kilogrammes each); or (c) 900 sows.
21.	Abattoirs with a daily production capacity exceeding 50 tonnes of carcasses per day.
22.	Fish farming with production exceeding 50 tonnes of fish per year.
23.	Industrial installations for the production of— (a) timber pulp or similar fibrous materials; (b) paper and paper board of a production capacity exceeding 25 tonnes per day.
24.	Manufacture and assembly of motor vehicles or motor bikes or manufacture of motor vehicle engines.
25.	Shipyards.
26.	Installations for the manufacture or repair of aircrafts.
27.	Mineral extraction, mines or peat extraction.
28.	Quarries which exceed 2 hectares in area.
29.	Constructions of air pipes for the transport of electricity with voltage exceeding 100 kilovolts and a length of more than 2,000 metres and substations for the transport of electricity.
30.	Storage facilities for petroleum, petrochemicals and chemical products with a total capacity of at least 2,500 tonnes.
31.	Wind generators producing more than 1 megawatt or photovoltaic systems producing more than 100 kilowatts.
32.	Installations for the production of hydroelectric energy.
33.	Stations for the desalination of sea water or brackish water of a capacity greater than 500 cubic metres per day.
34.	Jetties or breakwaters.
35.	Ski runs, ski lifts or other elevations mechanisms and relevant infrastructure.

36.	Leisure boat harbours, fishing ports or fishing shelters.
37.	Golf courses excluding mini golf.
38.	Installations in which genetically modified organisms are produced, used or intended to be produced or used.
39.	Buildings containing ground satellite stations including radio communication constructions or satellite stations located within a building.
40.	Buildings containing radio or television stations including constructions for the emission of radio or television signals from the building as well as constructions for the emission of radio or television analogue signals.
41.	Oil presses.
42.	Shooting grounds.
43.	Animal waste processing or final disposal installations.
44.	Energy co-production installations.
45.	Alterations or extensions of the projects listed in this Schedule, where the alteration or extension itself meets the threshold, if any, which is specified in this Schedule.
46.	Carbon dioxide storage sites.
47.	Carbon dioxide stream capture installations— (a) for the storage of carbon dioxide in geological formations; or (b) whose total annual carbon dioxide capture is equal or greater than 1.5 megatonnes.

SCHEDULE 2

(section 3(1))

Description of projects for which a preliminary environmental impact report is prepared

<i>Serial No.</i>	<i>Description of development</i>
1.	<i>Agriculture, silviculture and aquaculture—</i>
	<ul style="list-style-type: none"> (a) projects for the restructuring of rural land holdings; (b) projects for the use of uncultivated land or semi-natural areas of intensive agricultural cultivations; (c) water management projects for agriculture, including irrigation or land drainage projects; (d) projects for the diversion of water resources from 1 hydrological basin to another; (e) water supply or irrigation pipes when placed within areas protected for environmental or other purposes; (f) initial afforestation and deforestation for the purposes of conversion of another type of land use;

	<p>(g) intensive livestock installations (not included in Schedule 1);</p> <p>(h) intensive fish farming (not included in Schedule 1).</p>
2.	<i>Extractive industries—</i>
	<p>(a) quarries (not included in Schedule 1);</p> <p>(b) underground mining;</p> <p>(c) extraction of minerals by marine or fluvial dredging;</p> <p>(d) deep drilling, in particular geothermal drilling or drilling for water supplies, but which does not include drilling for investigating the stability of the soil;</p> <p>(e) surface industrial installations for the extraction of coal, petroleum, natural gas or ores, as well as bituminous shale.</p>
3.	<i>Energy industry—</i>
	<p>(a) industrial installations for the production of electricity, steam and hot water (not included in Schedule 1);</p> <p>(b) industrial installations for carrying gas, steam or hot water or transmission of electrical energy by overhead cables (not included in Schedule 1);</p> <p>(c) surface storage of natural gas;</p> <p>(d) underground storage of combustible gases;</p> <p>(e) surface storage of fossil fuels;</p> <p>(f) industrial briquetting of coal and lignite;</p> <p>(g) installations for the processing and storage of radioactive waste (not included in Schedule 1);</p> <p>(h) wind generators producing more than 30 kilowatts but less than 100 kilowatts;</p> <p>(i) construction of air pipes for the carrying of electricity with a voltage less than 100 kilowatts and electricity substations;</p> <p>(j) carbon dioxide stream capture installations for the purpose of storage of carbon dioxide in geological formations (not included in Schedule 1).</p>
4.	<i>Production and processing metals—</i>
	<p>(a) installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;</p> <p>(b) installations for the processing of ferrous metals with hot-rolling mills, smitheries with hammers, application of protective fused metal coats;</p> <p>(c) ferrous metal foundries;</p> <p>(d) installations for the smelting, including the alloyage of non-ferrous metals and recovered products (refining, foundry casting, etc.) but not including precious metals;</p> <p>(e) installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;</p> <p>(f) manufacture of railway equipment;</p> <p>(g) swaging by explosives;</p> <p>(h) installations for the roasting and sintering of metallic ores.</p>
5.	<i>Mineral industries—</i>
	<p>(a) coke ovens (dry coal distillation);</p> <p>(b) installations for the manufacture of cement;</p> <p>(c) installations for the production of asbestos and the manufacture of asbestos-</p>

	<p>based products (not included in Schedule 1);</p> <p>(d) installations for the manufacture of glass including glass fibre;</p> <p>(e) installations for smelting mineral substances including the production of mineral fibres;</p> <p>(f) manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.</p>
6.	<i>Chemical industries (projects not included in Schedule 1)—</i>
	<p>(a) treatment of intermediate products and production of chemicals;</p> <p>(b) production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;</p> <p>(c) storage facilities for petroleum, petrochemical and chemical products.</p>
7.	<i>Food industries—</i>
	<p>(a) manufacture of vegetable and animal oils and fats;</p> <p>(b) packing or canning of animal and vegetable products;</p> <p>(c) manufacture of dairy products;</p> <p>(d) brewing or malting;</p> <p>(e) confectionery or syrup manufacture;</p> <p>(f) abattoirs;</p> <p>(g) fish meal or fish oil factories;</p> <p>(h) sugar factories.</p>
8.	<i>Textile, leather, wood and paper industries—</i>
	<p>(a) industrial installations for the production of paper or board (not included in Schedule 1);</p> <p>(b) installations for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles;</p> <p>(c) installations for the tanning of hides or skins;</p> <p>(d) cellulose-processing or production installations.</p>
9.	<i>Rubber industry—</i>
	being the manufacture or treatment of elastomer-based products.
10.	<i>Infrastructure projects—</i>
	<p>(a) industrial estate development projects;</p> <p>(b) urban development projects including—</p> <p>(i) shopping centres or big supermarkets of more than 2,500 square metres;</p> <p>(ii) independent car parks with a capacity exceeding 300 vehicles;</p> <p>(iii) football fields or stadiums with a capacity exceeding 2,000 seated spectators;</p> <p>(iv) cinema complexes with more than 6 screens;</p> <p>(v) higher education schools with a capacity exceeding 500 students;</p> <p>(vi) university campuses;</p> <p>(vii) temples and religious places of worship;</p> <p>(c) construction of railways or intermodal trans-shipment facilities or intermodal terminals (not included in Schedule 1);</p>

	<ul style="list-style-type: none"> (d) construction of airfields (not included in Schedule 1); (e) construction of harbours or port installations (not included in Schedule 1); (f) inland-waterway construction (not included in Schedule 1), canalization or flood-relief works; (g) construction of a new road of 4 or more lanes, or realignment or widening of an existing road of 2 lanes or less so as to provide 4 or more lanes (not included in Schedule 1); (h) widening or general upgrading of roads— <ul style="list-style-type: none"> (i) in rural areas where there is more than 50% surrounding natural vegetation at a continuous road length of at least 1,000 metres; (ii) within seashore protection zones or areas or landscapes which have been declared or defined as protected in accordance with legislation and any international instruments; (iii) where the work is reasonably expected to have an impact on the river bed or river banks or characteristic features of the natural, historical, cultural or archeological heritage or natural corridors of flora and fauna or habitats of migrating species or areas with endemic flora and fauna species, wetlands, dunes, cliffs, caves, significant geomorphological and fossiliferous formations, canyons, estuaries, shores or the natural coastline; (i) small replenishment embankments or weirs manufactured in rivers with gabions in order to replenish aquifers if these are constructed in mountain or forest areas; (j) construction to change or regulate the river bed or water flow; (k) tramways, elevated or underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport; (l) oil and gas pipeline installations and pipelines for the transport of carbon dioxide streams for the purposes of geological storage (not included in Schedule 1); (m) water pipes exceeding 2,000 metres in length; (n) coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties or other sea defence works, (not included in Schedule 1) excluding the maintenance and reconstruction of such works; (o) reclamation of land from the sea; (p) groundwater abstraction and artificial groundwater recharge schemes (not included in Schedule 1); (q) works for the transfer of water resources between river basins (not included in Schedule 1); (r) mobile stations for the desalination of sea water or brackish water, of a capacity greater than 500 cubic metres but not exceeding 1,500 cubic metres per day; excluding hotels and tourist developments which are in operation as at 1 September 2014 which may obtain the water for their own use under the condition that the desalination stations are installed within the limits of the hotel or tourist development as determined by legislation; (s) permanent stations for the desalination of sea water or brackish water of a capacity of up to 500 cubic metres per day.
11.	<i>Tourism and leisure projects—</i>
	(a) holiday residential areas and hotel complexes outside residential zones or

	<p>relevant infrastructure projects;</p> <p>(b) permanent camping places or caravan parking areas;</p> <p>(c) theme parks;</p> <p>(d) zoos.</p>
12.	<p><i>Other projects—</i></p> <p>(a) permanent racing or test tracks for motorized vehicles;</p> <p>(b) installations for the disposal of waste (not included in Schedule 1);</p> <p>(c) waste water treatment installations (not included in Schedule 1);</p> <p>(d) water treatment stations (not included in Schedule 1);</p> <p>(e) sludge deposition sites for the treatment of waste or waste water (not included in Schedule 1);</p> <p>(f) storage of scrap iron, including scrap vehicles;</p> <p>(g) test benches for engines, turbines or reactors;</p> <p>(h) installations for the manufacture of artificial mineral fibres;</p> <p>(i) installations for the recovery or destruction of explosive substances;</p> <p>(j) knackers' yards;</p> <p>(k) mobile telephony antennae in protected or forest areas;</p> <p>(l) water bottling plants;</p> <p>(m) game breeding farms;</p> <p>(n) division of immovable property into more than 50 plots.</p>
13.	<p>Any alterations or extensions of the projects listed in Schedule 1 or in this Schedule which have been authorised, executed or in the process of being executed and which are likely to have an important negative impact on the environment.</p>
14.	<p>Any projects in Schedule 1 which are exclusively or mainly undertaken for the development or testing of new methods or products and are not intended to be used for more than 2 years.</p>

SCHEDULE 3

(section 7(2)(a))

Information required for an environmental impact assessment

1. Description of the project, including in particular—
 - (a) a description of the physical characteristics of the whole project and the land use requirements during the construction and operational phases;
 - (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
 - (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed project.
2. An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account the environmental effects.
3. A description of the aspects of the environment likely to be significantly affected by the proposed project, and the alternative solutions, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.
4. A description of the likely significant direct, indirect, secondary, cumulative, short term, middle term and long term, permanent and temporary, positive and negative effects of the proposed project on the environment resulting from—
 - (a) the existence of the project;
 - (b) the use of natural resources;
 - (c) the emission of pollutants, the creation of nuisances and the elimination of waste; and
 - (d) the description by the developer of the forecasting methods used to assess the effects on the environment.
5. A description of the measures which were examined, taken or are proposed to prevent, reduce or offset any significant adverse effects on the environment and, where possible, counterbalance or compensate either naturally or financially any damages to the environment and the significant adverse effects of the projects on the environment.
6. Non-technical summary of the information provided under the above headings including a visual presentation with maps, designs and diagrams, tables, graphics, photographs etc where required.
7. A detailed presentation and determination of the estimation methods followed to assess the environmental impact as well as the main admissions and hypotheses adopted and the relevant environmental data used and the measurements, models and methods to predict and estimate in order to assess the possible impact on the environment and the consequences, as well as the data and their sources.
8. An indication of any difficulties (technical deficiencies, unknown data or lack of know-how) encountered when collecting and compiling the required information.
9. Where relevant, details and specific observations and management programmes as well as suggestions to analyse the situation on the completion of the project and for the examination of the long term environmental and social effects from the impact identified.

10. If the time period for the operation of the project is estimated to be limited, an accurate determination of such period and information regarding the consequences on the termination of its operation or if it is abandoned.

11. If the project will be used for the keeping or use of genetically modified organisms or for the keeping, development or use of non-endemic or non-indigenous fauna and flora species, their scientific description and analysis of their origins and means and measures for their containment.

12. A description of the possible direct or indirect parameters which may affect detrimentally those in the vicinity as result of the construction, operation, maintenance or abandonment of the project; the study must include measures for the management of possible risks as well as the probability of them occurring.

SCHEDULE 4

(section 11(4))

Criteria for examining a request for directions

1. Characteristics of projects—

The characteristics of projects must be considered having regard, in particular to—

- (a) the size of the project;
- (b) the cumulative effect in conjunction with other projects;
- (c) the use of natural resources;
- (d) the production of waste;
- (e) pollution and nuisances.

2. Location of projects—

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, having regard, in particular, to—

- (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, paying particular attention to the following areas—
 - (i) wetlands;
 - (ii) coastal zones;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) preserved or protected areas under any legislation in force;
 - (vi) areas in which the standards for the quality of the environment determined by the legislation have already been exceeded;
 - (vii) densely populated areas;
 - (viii) landscapes of historical, cultural or archaeological significance.

3. Characteristics of the potential impact—

The potential significant effects of projects must be considered in relation to criteria set out under 1 and 2 above, and having regard in particular to—

- (a) the extent of the impact (geographical area and size of the affected population);
- (b) the transboundary nature of the impact;
- (c) the magnitude and complexity of the impact;
- (d) the probability of the impact;
- (e) the duration, and frequency and the potential for reversal of the impact.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. The explanatory note relates to the Environmental Impact Assessment (Amendment) Ordinance 2014. It is prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So, when a section or part of a section does not require any explanation or comment, none is given.
3. The Ordinance amends the Environmental Impact Assessment Ordinance 2010 (the “principal Ordinance”) so that, where previously the principal Ordinance adopted the schedules to the Republic’s Environmental Impact Assessment of Certain Projects Law 2005 (Law 140(I)/2005), as amended, in their original Greek without further enactment, the Ordinance mirrors the schedules, where relevant, and adds them to the principal Ordinance.

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