

Before the EIA procedure in the form defined in the Law of Ukraine on Environmental Impact Assessment was introduced in Ukraine, the country had the institute of ecological examination.

In some cases, ecological examination was supplemented with assessment of impact on environment (AIE) required by DBN A.2.2-1-2003 "Design. Composition and content of materials concerning assessment of impacts on the environment (AIE) in design and construction of enterprises, buildings and structures"¹. Annex E to DBN A.2.2-1-2003 contains a list of the types of activity for which formation of these materials as part of design documentation is obligatory. The said list refers to the Resolution N554 of the Cabinet of Ministers of Ukraine from 27.07.1995 on the list of the types of activity and objects posing elevated ecological hazard", which as of today is no longer valid².

Directive 2011/92/EU states that for projects listed in Annex II, the states shall determine whether the project shall be made subject to an EIA through a case-based examination or through thresholds or criteria set by the state. At the same time, when a case-by-case examination is carried out or thresholds or criteria are set, the relevant selection criteria set out in Annex III shall be taken into account. In Ukraine, these criteria are approved by the Resolution 1010 of the Cabinet of Ministers of 13.12.2017³.

The fee for the EAI report preparation service is commercial information which companies do not disclose. However, we know from public sources that the price of producing one EIA report ranges from 150 to 650 thousand hryvnas⁴.

The Directive 2011/92/EC has been implemented since December 18, 2017, when the Law "On Environmental Impact Assessment"⁵ came into force. According to the law, the unified ecological impact assessment register is maintained⁶.

On July 5, 2019, the Ministry of Ecology and Natural Resources released for discussion the draft guidelines for elaborating an environmental impact assessment (EIA) report in the field of forestry⁷. What types of the planned forestry activities shall be assessed for the environmental impact, some special considerations related to determining the time for EIA when planning the forestry activities, as well as elaborating the stages of an EIA report are indicated in the guidelines. The guideline, among other things, include the requirements to each EIA report section.

On September 11, 2019, the draft law on amendments to certain legislative acts to improve the procedure for the construction sector administrative services' provision and establishment of the unified state electronic system in the construction sector⁸ was adopted in the first reading. In accordance with its provisions, amendments to the Law "On Environmental Impact Assessment" shall be made with regard to the EIA register compatibility with the single state electronic system in the development sector.

¹ DBN A.2.2-1-2003 "Design. Composition and content of materials concerning assessment of impacts on the environment (AIE) in design and construction of enterprises, buildings and facilities" [Electronic resource] – Access mode: https://dnaop.com/html/29815/doc-%D0%94%D0%91%D0%9D_%D0%90.2.2-1-2003

² Resolution 554 of the Cabinet of Ministers of Ukraine of 27.07.1995 on the list of the types of activity and objects posing heightened environmental hazard" [Electronic resource] – Access mode: <https://zakon.rada.gov.ua/laws/show/554-95-%D0%BF>

³ Resolution 1010 of the Cabinet of Ministers of Ukraine of 13.12.2017 approving the criteria for definition of the planned activities for which an environmental impact assessment is not required, and the criteria for definition of the extensions of and changes in activity and objects for which environmental impact assessment is not required [Electronic source] – Access mode: <https://zakon.rada.gov.ua/laws/show/1010-2017-%D0%BF>

⁴ *Ekonomichna Pravda*. What's wrong with the environmental impact assessment law? [Electronic resource] – Access mode: <https://www.epravda.com.ua/columns/2018/06/11/637661/>

⁵ <https://zakon.rada.gov.ua/laws/show/2059-19>

⁶ <http://eia.menr.gov.ua>

⁷ https://menr.gov.ua/files/docs/Proekt/05072019/Proekt_Lis_.pdf

⁸ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66313