

**20 Annex - Enterprise and industrial policy**

**156. DECREE ON PROJECTS THAT ARE MADE SUBJECT  
TO ENVIRONMENTAL IMPACT ASSESSMENT**

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Pursuant to Article 5 paragraph 1 of the Law on Environmental Impact Assessment (Official Gazette of the Republic of Montenegro 80/05) at its session held on 1 March 2007 the Government of the Republic of Montenegro adopted the following

**DECREE**

**ON PROJECTS THAT ARE MADE SUBJECT TO ENVIRONMENTAL IMPACT ASSESSMENT**

**(Official Gazette of the Republic of Montenegro 20/07 of 4 April 2007)**

**Article 1**

**Subject matter**

This Decree shall prescribe the projects for which an environmental impact assessment is mandatory as well as the projects that may require an environmental impact assessment.

**Article 2**

**Lists of projects**

Projects for which an environmental impact assessment is mandatory are set forth in List I of this Decree.

Projects that may require an environmental impact assessment are set forth in List II of this Decree.

Lists referred to in paragraphs 1 and 2 of this Article are annexed to this Decree and shall form an integral part thereof.

**Article 3**

**Repealing of the former regulation**

The Decree on Environmental Impact Assessment (OGRM 14/97) shall cease to have effect as from the date on which this Decree is applied.

**Article 4**

**Entry into force**

This Decree shall enter into force on the eight day following that of its publication in the Official Gazette of the Republic of Montenegro and it shall apply from 1 January 2008.

No 03-1369

Government of the Republic of Montenegro

Podgorica, 1 March 2007

President,

Željko Šturanović, m.p.

**LIST I**

**PROJECTS FOR WHICH AN ENVIRONMENTAL IMPACT ASSESSMENT IS MANDATORY**

**1. Agriculture**

Facilities for intensive poultry, pig and beef cattle rearing with the capacity over:

- (a)** 5 000 places for broiler rearing;
- (b)** 6 000 places for chicken and turkeys;
- (c)** 2 000 places for fattening pigs (pigs weighted over 30 kg);
- (d)** 500 places for sows and piglets (pigs weighted up to 30 kg);
- (e)** 200 places for beef cattle.

**2. Extractive industry**

- (a)** Petroleum and natural gas exploitation for the commercial purposes with petroleum production exceeding 500 tonnes per day and natural gas production exceeding 500 000 cubic metres per day;

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- (b) Quarries and open cast mining where the surface of the site exceeds 25 ha, or peat extraction where the surface of the site exceeds 150 ha.

### 3. Energy industry

- (a) Industrial installations for the production of electricity, steam, hot water, process steam or heated gas, using all types of fuels, as well as the installations for the operation of working machines (thermo-electric power plants, heating plants, gas turbines, installations with internal-combustion engine and other combustion installations), including steam boilers, with the power of 300 MW or more.

### 4. Pipelines for transportation, with or without pertaining structures

- (a) Pipelines, with or without pertaining structures, for transportation of gas, hazardous water pollutants, chemicals, steam or hot water, drinking water, waste water, petroleum and petroleum derivatives, with a diameter over 800mm and a length of more than 40 km;
- (b) Overhead transmission lines with the voltage of 220 kV or more and a length of more than 15 km.

### 5. Storage

- (a) Storage facilities for combustible liquids and gases, natural gas, fossil fuels, petroleum and petroleum derivatives and chemicals with a capacity of 200 000 tonnes or more.

### 6. Production and processing of metals

- (a) Integrated works for the initial melting of cast-iron and steel;
- (b) Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.

### 7. Industrial processing of minerals

- (a) Installations for the extraction of asbestos and for the processing and transformation of asbestos and asbestos-based products:
  - for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products,
  - for friction materials, with an annual production of more than 50 tonnes of finished products,
  - for other uses of asbestos, utilisation of more than 200 tonnes per year.

### 8. Chemical industry

- (a) Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude-oil);
- (b) Integrated chemical installations, i.e., installations for the manufacture of substances on an industrial scale through chemical conversion, in which different units are juxtaposed and are functionally interrelated, intended for the manufacture of:
  - base organic chemicals;
  - base inorganic chemicals;
  - phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers);
  - base plant health products and of biocides;
  - basic pharmaceutical products using a chemical or biological process;
  - explosives;
- (c) Installations for gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.

### 9. Textile, leather, wood and paper industries

Industrial plants for the production of:

- (a) Pulp from timber, straw or similar fibrous materials;
- (b) Paper and paper board with the production over 200 tones per day.

### 10. Infrastructure projects

- (a) Construction of lines for railway traffic;
- (b) Construction of airports with a basic runway length of 2 100 m or more;

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- (c) Construction of motorways;
- (d) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road would be 10 km or more in a continuous length.
- (e) Trading ports and piers, with pertaining structures, for loading and unloading, connected to land and outside ports (excluding ferry piers) which take vessels of over 1 350 tonnes.
- (f) Installations for the transfer of water resources between river basins intended for preventing possible water shortages where the amount of water transferred exceeds 100 million cubic metres per year;

In all other cases, installations for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres per year and where the amount of water transferred exceeds 5% of this flow;

In both cases, transfers of piped drinking water are excluded.

- (g) Dams and other installations designed for holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres;
- (h) Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.

### 11. Other projects

- (a) Installations for the treatment of hazardous waste by incineration, chemical or biological treatments as well as landfills for temporary and permanent storage of hazardous and radioactive waste.
- (b) Waste disposal installations for the incineration or chemical and biological treatments, temporary storage and permanent disposal of non-hazardous waste, including municipal and inert waste, with a capacity exceeding 100 tonnes per day;
- (c) Waste water treatment plants treating water polluted by the organic biodegradable load having a five day biochemical oxygen demand of 9 000 kg per day or effluent polluted by a inorganic waste, with a capacity of 4 500 m<sup>3</sup> or more of effluent during two hours.

## LIST II

### PROJECTS THAT MAY REQUIRE AN ENVIRONMENTAL IMPACT ASSESSMENT

#### 1. Agriculture, forestry and aquaculture

- (a) Restructuring of land areas, excluding a change of ownership;
- (b) Projects intended for using of uncultivated land or semi-natural areas for intensive agricultural purposes;
- (c) Water-management projects for agriculture, including irrigation and land drainage projects;
- (d) Afforestation and deforestation for the purposes of conversion to another type of land use;
- (e) Installations for the intensive rearing of poultry, pigs and beef cattle:
  - with a capacity of less than 5 000 places for broilers;
  - with a capacity of less than 6 000 places for chicken and turkeys;
  - with a capacity of less than 2 000 places for fattening pigs (over 30 kg);
  - with a capacity of less than 500 places for sows including piglets (pigs below 30 kg);
  - with a capacity of less than 200 places for beef cattle;
  - Fur animals and ostriches farming;
  - rearing of livestock and other animals;
- (f) Intensive fish and shell farming;
- (g) Drainage of land by sea, lake or river coasts.

#### 2. Extractive industry

- (a) Quarries and open cast mining where the surface of the site is less than 25 ha;
- (b) Peat extraction where the surface of the site is less than 150 ha.

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- (c) Surface and underground extraction of coal, metal and non-metal ores as well as bituminous shale;
- (d) Extraction of minerals by marine or fluvial dredging;
- (e) Deep drillings, in particular:
  - geothermal drilling,
  - drilling for water supplies, with the exception of drillings for investigating the stability of soil;
  - drilling for the purpose of discovering and exploiting petroleum and natural gas;
- (f) Petroleum exploitation for the commercial purposes with petroleum production not exceeding 500 tonnes per day;
- (g) Natural gas exploitation for commercial purposes and natural gas production not exceeding 500 000 cubic metres per day;
- (h) Surface installations for the extraction of coal, petroleum, natural gas and metal and non-metal ores, as well as bituminous shale.

**3. Energy industry**

- (a) Industrial installations for the production of electricity, steam, hot water, process steam or heated gas, by using all types of fuels, as well as the installations for the operation of working machines (thermo-electric power plants, heating plants, gas turbines, installations with internal-combustion engine and other combustion installations), including steam boilers, with power of 300 MW or more.
- (b) Installations for hydroelectric energy production;
- (c) Installations for the harnessing of wind power for energy production.

**4. Pipelines for transportation, with or without pertaining structures**

- (a) Pipelines for transportation of gas, hazardous water pollutants, chemicals, steam or hot water, drinking water, waste water, petroleum and petroleum derivatives, with diameter over 800 mm and a length not exceeding 40 km;
- (b) Overhead transmission lines with the voltage of 220 kV or less and of length not exceeding 15 km.

**5. Storage**

- (a) Storage facilities for combustible liquids and gases, natural gas, fossil fuels, petroleum and petroleum derivatives, chemicals, with a capacity of less than 200 000 tonnes.

**6. Production and processing of metals**

- (a) Installations for the production of crude iron or steel ( primary or secondary fusion) including continuous casting, as long as the concentrates or secondary raw materials are used;
- (b) Installations for the processing of ferrous metals:
  - hot-rolling mills;
  - smitheries with one or more hammers;
  - installations for the application of protective fused metal coats;
- (c) Ferrous metal foundries;
- (d) Installations for the smelting and alloyage of non-ferrous metals, excluding precious metals, but including recovered products (refining, foundry casting, etc.);
- (e) Installations for surface treatment of metals and plastic materials using electrolytic or chemical processes;
- (f) Installations for the production of motor-vehicle engines and motor vehicles;
- (g) Shipyards (construction and repair of hulls, engines and other parts of ships);
- (h) Installations for the repair of aircraft;
- (i) Manufacture of rolling stock and railway equipment;
- (j) Machine building and metal working industries;
- (k) Installations for metal swaging by explosives;
- (l) Installations for the production of accumulators;
- (m) Installations for preparing, enrichment, roasting and sintering of metallic ores, as well as the utilization of mining rejects.

**7. Industrial processing of minerals**

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- (a) Installations for dry coal distillation (coke ovens, gas works, installations for smouldering);
- (b) Installations for production, storage and transport of bulk cement, lime and cement clinker;
- (c) Installations for the extraction of asbestos and for the processing and transformation of asbestos and asbestos-based products:
  - for asbestos-cement products, with an annual production of less than 20 000 tonnes of finished products;
  - for friction materials, with an annual production of less than 50 tonnes of finished products;
  - for other uses of asbestos with utilization of less than 200 tonnes per year.
- (d) Installations for the manufacture of glass and glass fibre, including manufacture of glass by processing scrap glass;
- (e) Installations for smelting mineral substances including the production of mineral fibres;
- (f) Installations for the production of ceramic products by burning (tiles, bricks, building materials, refractory bricks, sanitary ware etc.);
- (g) Asphalt mixing plants;
- (h) Installations for stone grinding and processing;
- (i) Installations for industrial briquetting of coal.

### 8. Chemical industry

- (a) Treatment of intermediate products and production of chemicals;
- (b) Integrated installations for manufacturing, processing, making and packing base organic and inorganic chemicals, phosphorous-, nitrogen- and potassium-based fertilisers (simple and compound fertilisers), plant health products and biocides, pharmaceutical and cosmetic products, plastic masses, explosives, dyes and varnishes, personal hygiene products, cleaning agents etc.;
- (c) Installations for the production of mineral oils and lubricants ( by distillation, refinement or using other technique);
- (d) Installations for gasification and liquefaction of coal and bituminous shale, with a capacity of less than 500 tonnes of coal and bituminous shale per day.

### 9. Textile, leather, wood and paper industries

- (a) Installations for the production of paper, newsprint paper, board and cardboard with a production capacity of less than 200 tonnes per day;
- (b) Installations for the production of cellulose products (chipboard, hardboard, medium-density fibreboard and plywood);
- (c) Installations for processing and refining wood;
- (d) Plants for the production and treatment of fibres or textiles (washing, bleaching, mercerization, printing, chemical treatment) or dyeing of fibres or textiles.
- (e) Plants for the tanning and processing of hides and skins.

### 10. Food industry

- (a) Installations for the production and processing of oils, fats and waxes from animal and vegetable raw materials, including melting;
- (b) Installations for processing, packing and canning of meat, vegetables and fruits;
- (c) Installations for the production, treatment and processing of food products from vegetable and animal raw materials;
- (d) Installations for the production and processing of milk and dairy products;
- (e) Installations for brewing;
- (f) Installations for the production of malt and yeast;
- (g) Installations for the production of confectionery and syrup;
- (h) Installations for the slaughter of animals;
- (i) Installations for the production and processing of starch;
- (j) Installations for the production of wine, alcoholic and non-alcoholic beverages and vinegar;
- (k) Installations for the production of fish-flour and fish-oil;
- (l) Installations for the processing of fish;
- (m) Installations for the production of animal food;
- (n) Mills, curing houses and silos;

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- (o) Tobacco processing;
- (p) Installations for food storage (cold-storage plants).

**11. Rubber industry**

- (a) Installations for the production and treatment of elastomer and rubber products;
- (b) Installations for vulcanization of natural or synthetic rubber by using sulphur or sulphur compounds.

**12. Infrastructure projects**

- (a) Industrial complexes;
- (b) Urban development projects;
  - Commercial, business and sales centres with gross construction area exceeding 1 000 m<sup>2</sup>;
  - Stadiums and sport halls with pertaining structures with a capacity of more than 3 000 visitors;
  - Recreational centres with a surface area of more than 1 ha;
  - Surface or underground car parks with 200 or more parking places;
- (c) Railways used solely or mainly for passenger transport (elevated, underground, subway, urban, suburban, tramways, cog railways, funicular and cable railways, except cable-cars or ski-lifts), with pertaining structures;
- (d) Installations for railway traffic: installations for intermodal freight loading and unloading, railway terminals as well as installations for washing passenger and freight rolling stock;
- (e) Construction of airports with a basic runway length of less than 2 100 m;
- (f) County roads and regional roads with pertaining structures;
- (g) Trading ports and piers, with pertaining structures, for loading and unloading connected to land and outside ports (excluding ferry piers) which take vessels of less than 1 350 tonnes;
- (h) Other types of ports, including ports for fishing boats, yachts, including ferry piers, as well as port infrastructure;
- (i) Canals, dykes and other structures for the protection against floods;
- (j) Dams and other installations designed for holding back or permanent storage of water, where a new or additional amount of water held back or stored does not exceed 10 million cubic metres;
- (k) Works for transfer of water resources between river basins, intended for preventing possible water shortages, where the amount of water transferred does not exceed 100 million cubic metres per year;

In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction does not exceed 2 000 million cubic metres per year and where the amount of water does not exceed 5% of this flow.

In both cases transfers of piped drinking water are excluded.

- (l) Viaducts, tunnels, bridges, overpasses, and other road infrastructure;
- (m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;
- (n) Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is less than 10 million cubic metres;
- (o) Service and storage areas which surface exceeds 0.5 ha;
- (p) Power transformers and switching equipment with a voltage of 220 kV or more;
- (q) Transmission antenna (radio mast) and relay systems.

**13. Other projects**

- (a) Racing and test tracks for motorized vehicles;
- (b) Waste disposal installations for the incineration or chemical and biological treatments, temporary storage and permanent disposal of non-hazardous waste, including municipal and inert waste, with a capacity not exceeding 100 tonnes per day;
- (c) Recycling facilities and centres for waste recycling;
- (d) Waste water treatment plants treating water polluted by the organic biodegradable load having a five day biochemical oxygen demand of less than 9 000 kg per day or effluent

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polluted by a inorganic waste, with a capacity not exceeding 4 500 m<sup>3</sup> of effluent during two hours.

- (e) Plants for treatment and disposal of sludge from waste water;
- (f) Installations or equipment for testing of engines, turbines and reactors
- (g) Installations for the manufacture of artificial mineral fibres;
- (h) Installations for the recovery or destruction of explosive substances;
- (i) Installations for processing, storage and permanent disposal of radioactive waste;
- (j) Installations for the disposal of animal carcasses and animal waste;
- (k) Biogas plants;
- (l) Cemeteries and crematoriums for agglomerations with over 5 000 inhabitants;
- (m) Installations for the production of printed circuit boards on automatic machines as well as cathode ray tubes;
- (n) Motor vehicle fuel-dispensing facilities and motor vehicle services (car wash, tire repair, motor car repair services).

**14. Tourism and leisure**

- (a) Ski-runs, ski-lifts and cable-cars as well as pertaining structures;
- (b) Marinas with pertaining structures;
- (c) Holiday villages, tourism villages and hotel complexes as well as pertaining structures;
- (d) Permanent camp sites and caravan sites with pertaining structures;
- (e) Theme parks (fun parks, sport parks, recreational parks, golf courses etc.) with pertaining structures;

**15. Other**

- (a) Projects set forth in List II carried out within a protected nature area as well as within a protected cultural environment;
- (b) Each change or enlargement of the projects set forth in List I or List II, already approved, realised or projects carried out at the moment the changes or enlargements of which may have significant negative environmental impacts;
- (c) Projects set forth in List I, carried out solely, or mostly, for the purpose of developing and testing new methods or products, as well as the projects which have not been used for a period of more than two years.