#### STATUTORY INSTRUMENTS

### 2007 No. 1518

### **ENVIRONMENTAL PROTECTION**

# [F1The Marine Works (Environmental Impact Assessment) Regulations 2007

Made---21st May 2007Laid before Parliament25th May 2007Coming into force24th June 2007

## THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007

#### PART 1

#### INTRODUCTION

- 1. Title and commencement
- 1A Extent
- 2. Interpretation
- 2A Proposed activity which would otherwise be a regulated activity
- Fees

#### PART 2

### REGULATED ACTIVITY IN RELATION TO WHICH AN ENVIRONMENTAL IMPACT ASSESSMENT IS (OR MAY BE) REQUIRED

- 4. Environmental impact assessment
- 5. Requirement of assessment by agreement
- 6. Requirement of assessment by determination
- 7. Determination: Schedule A1 projects
- 8. Determination: Schedule A2 projects
- 9. Projects serving national defence purposes
- 9A Projects in response to a civil emergency
- 10. Exceptions
- 10A Further provisions in relation to Article 2(4) of the EIA Directive
- 11. Screening opinions

#### PART 3

#### ENVIRONMENTAL IMPACT ASSESSMENTS

- 12. Application for a regulatory approval in relation to a regulated activity
- 13. Scoping opinions
- 14. Provision of further information
- 15. Availability of information held by regulator
- 15A Co-ordination
- 16. Publicity
- 17. Consultation on proposed regulated activity
- 18. Provision of information to affected EEA States
- 19. Provision of information to other EEA States
- 20. Consultation of EEA States
- 20A Projects in an EEA State likely to have significant transboundary effects
- 21. Consideration of representations from the public
- 21A Conclusion about environmental impact
- 22. The EIA consent decision
- 23. Notification and publication of EIA consent decisions
- 24. Effect of EIA consent decision on application and regulatory decision
- 24ZA Notification and publication of regulatory decisions
- 24A Fees in relation to the assessment etc. of the results of monitoring measures

#### PART 4

#### **OFFENCES**

- 25. Provision of false etc information
- 26. Offences committed by bodies corporate
- 27. Offences committed by Scottish partnerships

#### PART 5

#### **MISCELLANEOUS**

- 28. Access to review procedure before a court
- 29. Revocation
- 30. Transitional and saving provisions
- 31. Review

Signature

SCHEDULE A1 — Descriptions of projects that are Schedule A1 Projects

- 1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude-oil) and...
- 2. Thermal power stations and other combustion installations with a heat...
- 3. Nuclear power stations and other nuclear reactors including the dismantling...
- 4. Installations for the reprocessing of irradiated nuclear fuel.
- 5. Installations designed—(a) for the production or enrichment of nuclear...
- 6. Integrated works for the initial smelting of cast-iron and steel....
- 7. Installations for the production of non-ferrous crude metals from ore,...
- 8. Installations for the extraction of asbestos and for the processing...
- 9. Integrated chemical installations, that is to say, installations for the...

Changes to legislation: There are currently no known outstanding effects for the The Marine Works (Environmental Impact Assessment) Regulations 2007. (See end of Document for details)

- 10. Construction of lines for long-distance railway traffic and of airports...
- 11. Construction of motorways and express roads.
- 12. Construction of a new road of four or more lanes,...
- 13. Inland waterways and ports for inland-waterway traffic which permit the...
- 14. Trading ports, piers for loading and unloading connected to land...
- 15. Waste disposal installations for the incineration, chemical treatment (as defined...
- 16. Waste disposal installations for the incineration or chemical treatment (as...
- 17. Groundwater abstraction or artificial groundwater recharge schemes where the annual...
- 18. Works for the transfer of water resources, other than piped...
- 19. In all other cases, works for the transfer of water...
- 20. Waste water treatment plants with a capacity exceeding 150,000 population...
- 21. Extraction of petroleum and natural gas for commercial purposes where...
- 22. Dams and other installations designed for the holding back or...
- 23. Pipelines with a diameter of more than 800 millimetres and...
- 24. Installations for the intensive rearing of poultry or pigs with...
- 25. Industrial plants for— (a) the production of pulp from timber...
- 26. Quarries and open-cast mining where the surface of the site...
- 27. Construction of overhead electrical power lines with a voltage of...
- 28. Installations for storage of petroleum, petrochemical or chemical products with...
- 29. Storage sites pursuant to Chapter 3 of Part 1 of...
- 30. Installations for the capture of carbon dioxide streams for the...
- 31. Any change to or extension of project specified in this...
- 32. In this Schedule— "airport" means an airport which complies with...

#### SCHEDULE A2 — Descriptions of projects that are Schedule A2 projects

- 1. Agriculture, silviculture and aquaculture
- 2. Projects for the use of uncultivated land or semi-natural areas...
- 3. Water management projects for agriculture, including irrigation and land drainage...
- 4. Initial afforestation and deforestation for the purposes of conversion to...
- 5. Intensive livestock installations (unless included in Schedule A1).
- 6. Intensive fish farming.
- 7. Reclamation of land from the sea.
- 8. Extractive industry
- 9. Underground mining.
- 10. Extraction of minerals by fluvial or marine dredging;
- 11. Deep drillings, in particular—(a) geothermal drilling;
- 12. Surface industrial installations for the extraction of coal, petroleum, natural...
- 13. Energy
- 14. Industrial installations for carrying gas, steam and hot water and...
- 15. Surface storage of natural gas.
- 16. Underground storage of combustible gases.
- 17. Surface storage of fossil fuels.
- 18. Industrial briquetting of coal and lignite.
- 19. Installations for the processing and storage of radioactive waste (unless...
- 20. Installations for hydroelectric energy production.
- 21. Installations for the harnessing of wind power for energy production...
- 22. Installations for the capture of carbon dioxide streams for the...

- 23. Production and processing of metals
- 24. Installations for the processing of ferrous metals—
- 25. Ferrous metal foundries.
- 26. Installations for the smelting, including the alloyage, of non-ferrous metals,...
- 27. Installations for surface treatment of metals and plastic materials using...
- 28. Manufacture and assembly of motor vehicles and manufacture of motor...
- 29. Shipyards.
- 30. Installations for the construction and repair of aircraft.
- 31. Manufacture of railway equipment.
- 32. Swaging by explosives.
- 33. Installations for the roasting and sintering of metallic ores.
- 34. Mineral industry
- 35. Installations for the manufacture of cement.
- 36. Installations for the production of asbestos and the manufacture of...
- 37. Installations for the manufacture of glass including glass fibre.
- 38. Installations for smelting mineral substances including the production of mineral...
- 39. Manufacture of ceramic products by burning, in particular roofing tiles,...
- 40. Chemical industry (unless included in Schedule A1)
- 41. Production of pesticides and pharmaceutical products, paint and varnishes, elastomers...
- 42. Storage facilities for petroleum, petrochemical and chemical products.
- 43. Food industry
- 44. Packing and canning of animal vegetable products.
- 45. Manufacture of dairy products.
- 46. Brewing and malting.
- 47. Confectionery and syrup manufacture.
- 48. Installations for the slaughter of animals.
- 49. Industrial starch manufacturing installations.
- 50. Fish-meal and fish-oil factories.
- 51. Sugar factories.
- 52. Textile, leather, wood and paper industries
- 53. Plants for the pre-treatment (operations such as washing, bleaching, mercerisation)...
- 54. Plants for the tanning of hides and skins.
- 55. Cellulose-processing and production installations.
- 56. Rubber industry
- 57. Infrastructure projects
- 58. Urban development projects, including the construction of shopping centres and...
- 59. Construction of intermodal transhipment facilities and of intermodal terminals (unless...
- 60. Construction of railways (unless included in Schedule A1).
- 61. Construction of airfields (unless included in Schedule A1).
- 62. Construction of roads (unless included in Schedule A1).
- 63. Construction of harbours and port installations including fishing harbours (unless...
- 64. Inland-waterway construction not included in Schedule A1, canalisation and flood-relief...
- 65. Dams and other installations designed to hold water or store...
- 66. Tramways, elevated and underground railways, suspended lines or similar lines...

Changes to legislation: There are currently no known outstanding effects for the The Marine Works (Environmental Impact Assessment) Regulations 2007. (See end of Document for details)

- 67. Oil and gas pipeline installations and pipelines for the transport...
- 68. Installations of long-distance aqueducts.
- 69. Coastal work to combat erosion and maritime works capable of...
- 70. Groundwater abstraction and artificial groundwater recharge schemes not included in
- 71. Works for the transfer of water resources between river basins...
- 72. Motorway service areas.
- 73. Other projects
- 74. Installations for the disposal of waste (unless included in Schedule...
- 75. Waste-water treatment plants (unless included in Schedule A1).
- 76. Sludge-deposition sites.
- 77. Storage of scrap iron, including scrap vehicles.
- 78. Test benches for engines, turbines or reactors.
- 79. Installations for the manufacture of artificial mineral fibres.
- 80. Installations for the recovery or destruction of explosive substances.
- 81. Knackers' yards.
- 82. Tourism and leisure
- 83. Marinas.
- 84. Holiday villages and hotel complexes outside urban areas and associated...
- 85. Theme parks.
- 86. Permanent camp sites and caravan sites.
- 87. Golf courses and associated developments.
- 88. Changes and extensions
- 89. Any change to or extension of development of a description...
- 90. Development of a description mentioned in Schedule A1 undertaken exclusively...

### SCHEDULE 1 — Matters relevant to consideration of whether or not a Schedule A2 project is likely to have significant effects on the environment

- 1. Characteristics of the project
- 2. Location of the project
- 3. Types and characteristics of the potential impact

#### SCHEDULE 2 — SCREENING OPINIONS

- 1. Request for a screening opinion
- 2. Payment of a fee for a screening opinion
- 3. Procedure for reaching a screening opinion
- 4. Consultation
- 4A Giving a screening opinion
- 5. Notification of a screening opinion
- 6. Availability of screening opinions for inspection

#### SCHEDULE 3 — Information to be included in an environmental statement

- 1. A description of the project and of the regulated activity,...
- 2. A description of the reasonable alternatives (for example in terms...
- 3. A description of the relevant aspects of the current state...
- 4. A description of the factors specified in regulation 21A(2)(a) to...
- 5. A description of the likely significant effects of the project...
- 6. The description of the likely significant effects on the factors...
- 7. A description of the forecasting methods or evidence used to...
- 8. A description of the measures envisaged to avoid, prevent, reduce...
- 9. A description of the expected significant adverse effects of the...
- 10. A non-technical summary of the information provided under paragraphs 1...

11. A reference list detailing the sources used for the descriptions...

#### SCHEDULE 4 — SCOPING OPINIONS

- 1. Request for a scoping opinion
- 2. Information required where another application has been made
- 3. Payment of a fee for a scoping opinion
- 4. Procedure for reaching a scoping opinion
- 5. Matters to be considered in reaching a scoping opinion
- 6. Consultation
- 7. Notification of a scoping opinion
- 8. Availability of scoping opinions for inspection

### SCHEDULE 5 — CONSIDERATION OF REPRESENTATIONS FROM THE PUBLIC

- 1. (1) In relation to each representation made pursuant to the...
- 2. (1) If the appropriate authority concludes in accordance with paragraph...
- 3. (1) If the appropriate authority concludes in accordance with paragraph...
- 4. (1) If either— (a) the appropriate authority concludes in accordance...
- 5. (1) If the appropriate authority instigates a local inquiry in...
- 6. (1) Subsections (2) to (5) of section 250 (power to...
- 7. (1) If the appropriate authority appoints a person to report...

**Explanatory Note** 

Changes to legislation:
There are currently no known outstanding effects for the The Marine Works (Environmental Impact Assessment) Regulations 2007.