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Concessions and applications procedures for geological and mining operations in Poland

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Regulations

The rules on licensing geological and mining activities in Poland are defined in a single regulation Act of 9 June 2011 - Geological and mining law

Dziennik Ustaw Nr 163

— 9430 —

Poz. 981

981

USTAWA

z dnia 9 czerwca 2011 r.

Prawo geologiczne i górnicze^{1) 2)}

DZIAŁ I

Przepisy ogólne

Art. 1. 1. Ustawa określa zasady i warunki podejmowania, wykonywania oraz zakończenia działalności w zakresie:

- 1) prac geologicznych;
- 2) wydobywania kopalin ze złóż;

¹⁾ Niniejsza ustawa dokonuje w zakresie swojej regulacji wdrożenia następujących aktów prawnych Wspólnot Europejskich:

1) dyrektywy Rady 92/91/EWG z dnia 3 listopada 1992 r. dotyczącej minimalnych wymagań mających na celu poprawę warunków bezpieczeństwa i ochrony zdrowia pracowników w zakładach górniczych wydobywających kopalinę otworami wiertniczymi (Londyńska dyrektywa

3) podziemnego bezzbiornikowego magazynowania substancji;

4) podziemnego składowania odpadów.

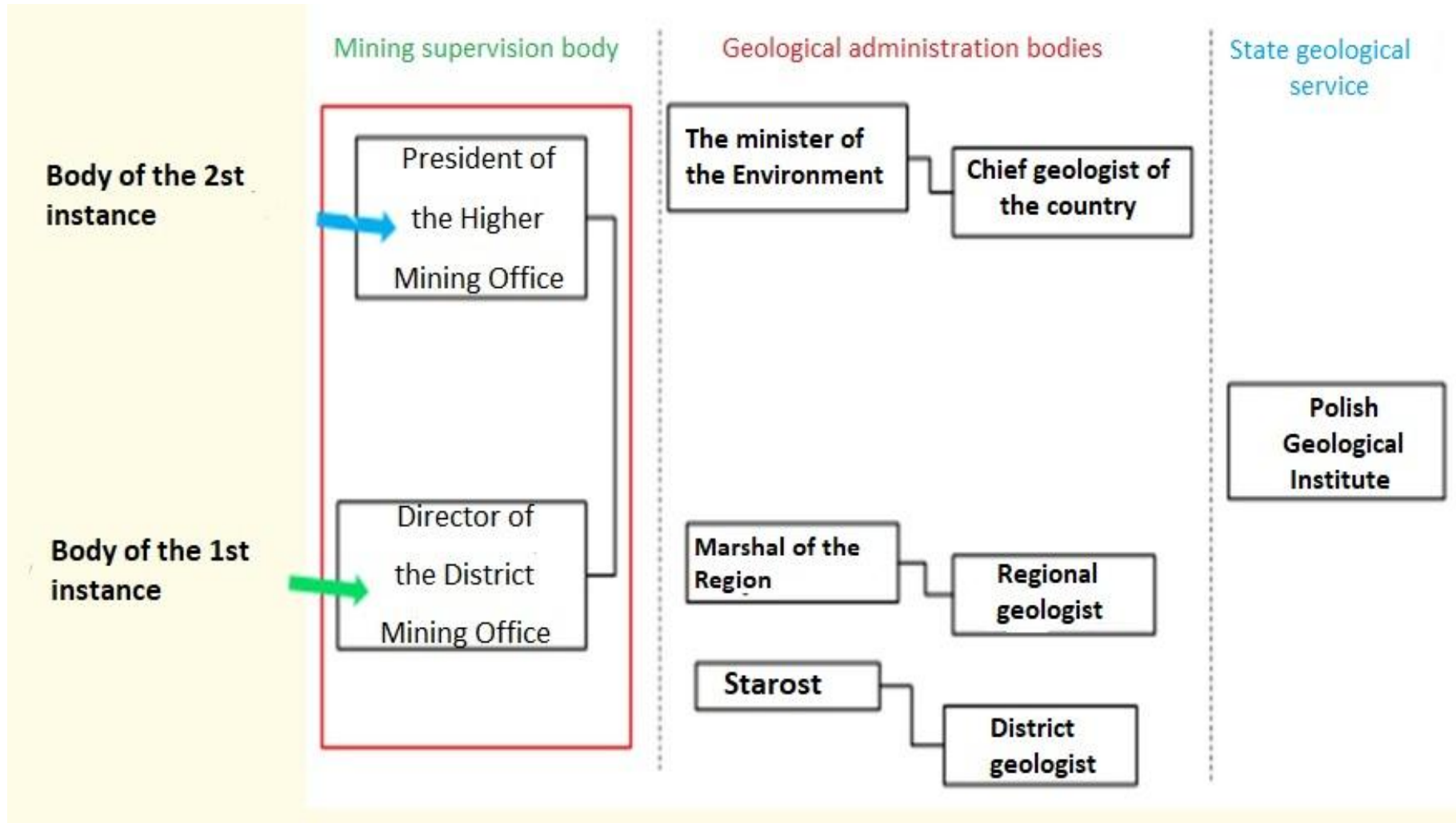
2. Ustawa określa także wymagania w zakresie ochrony złóż kopalin, wód podziemnych oraz innych elementów środowiska w związku z wykonywaniem działalności, o której mowa w ust. 1.

Art. 2. 1. Przepisy ustawy, z wyjątkiem działu III, stosuje się odpowiednio do:

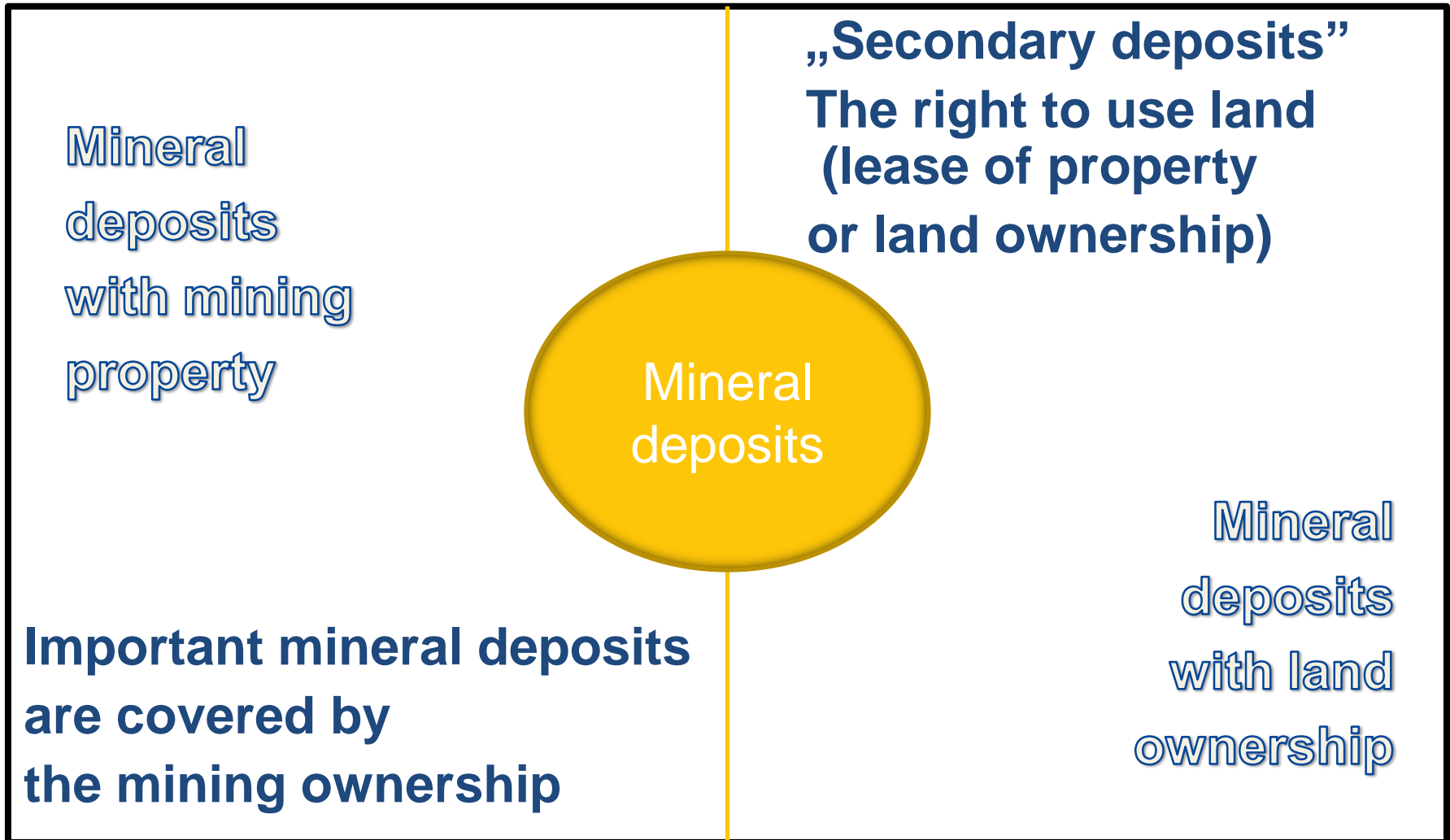
1) budowy, rozbudowy oraz utrzymywania systemów odwadniania zlikwidowanych zakładów górniczych;

2) robót prowadzonych w wyrobiskach zlikwidowanych podziemnych zakładów górniczych, wymienionych w przepisach wydanych na podstawie

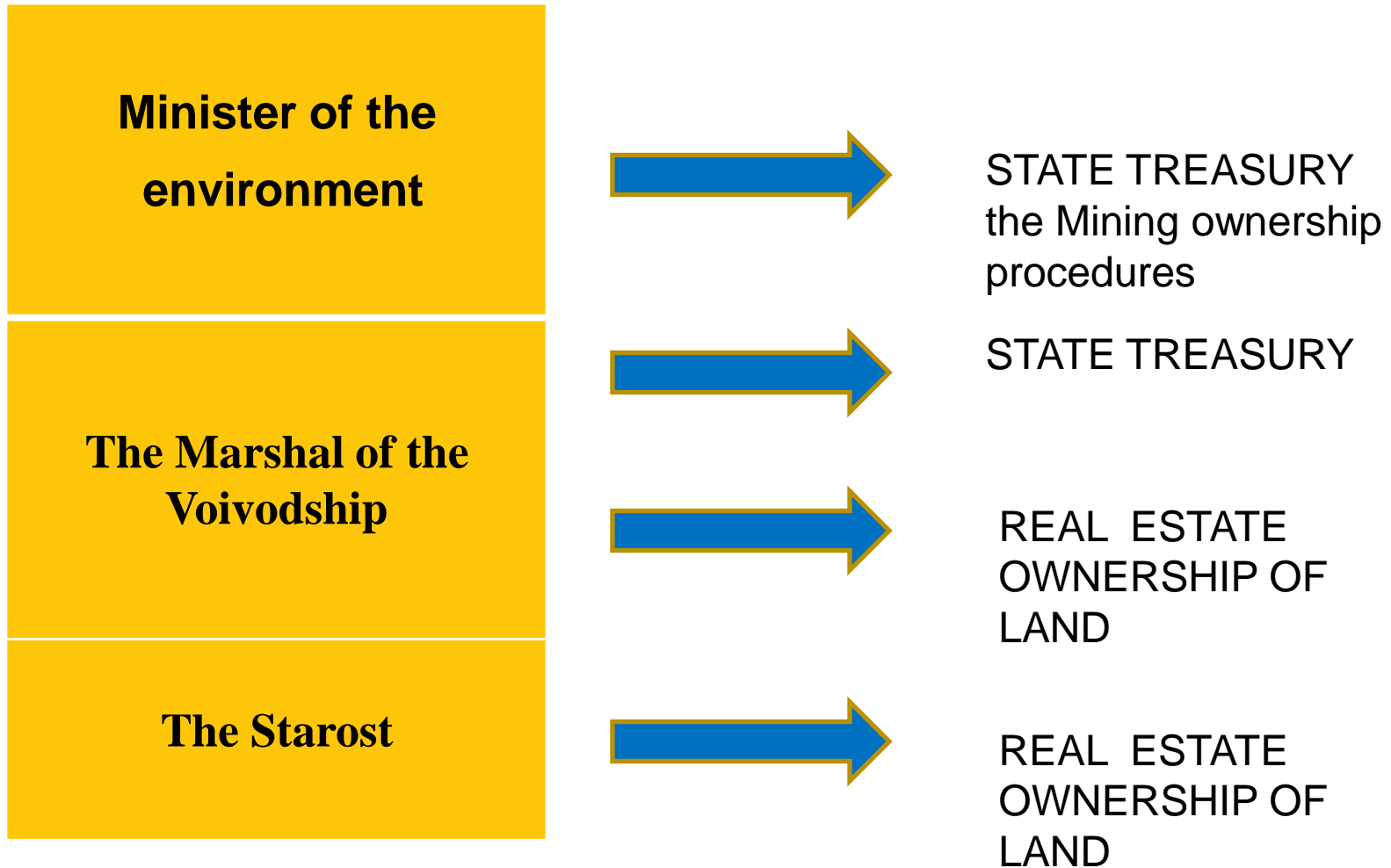
Protection of deposits by **state** administration bodies (management of deposits)



Classification of mineral deposits defining concession procedures



Concession authorities



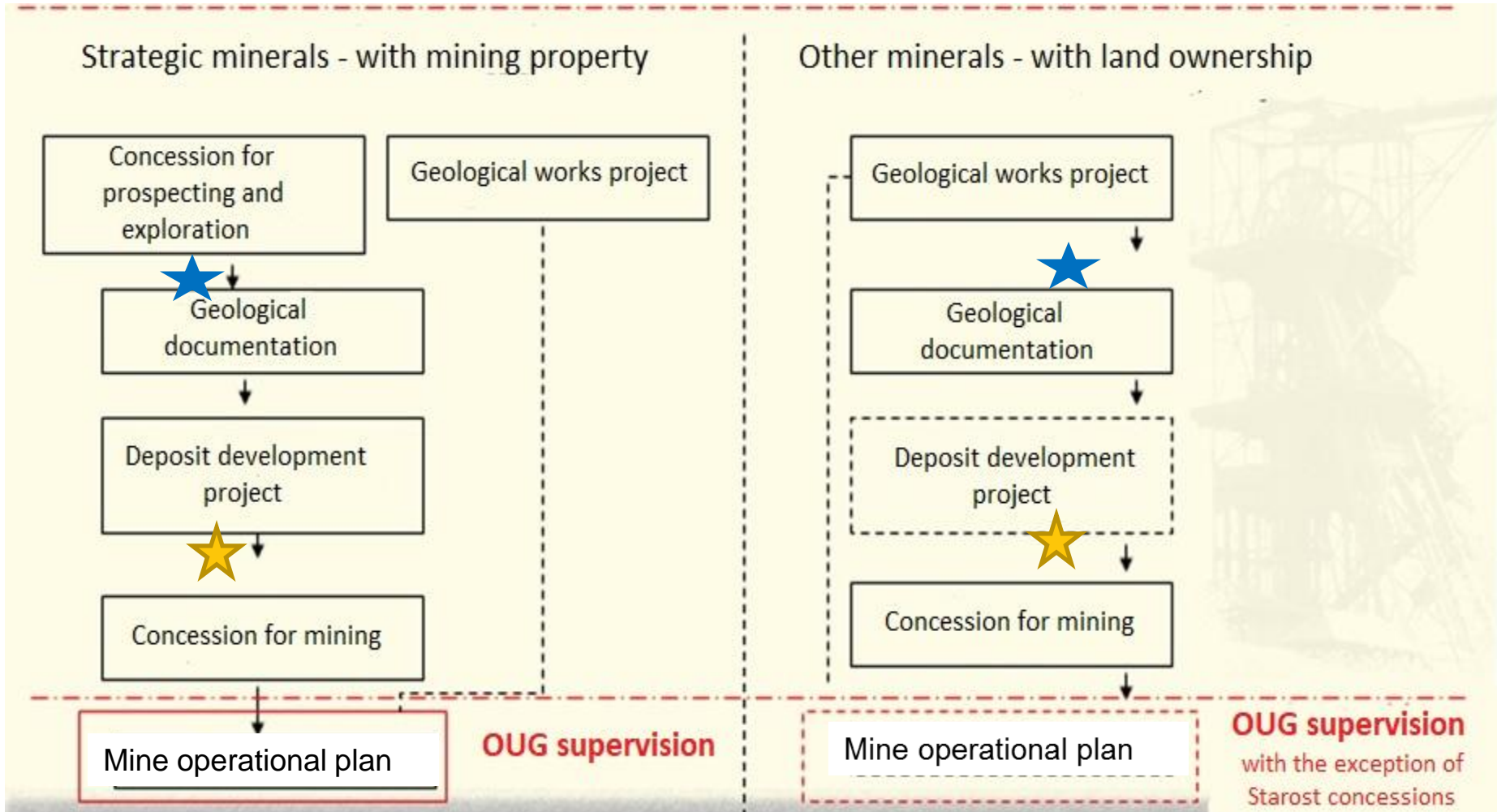
Important minerals and raw materials of the State Treasury property, licensed under mining ownership procedures

- hydrocarbon (oil & gas) deposits
- hard coal deposits
- deposits of methane occurring as an accompanying mineral
- lignite deposits
- metal ore deposits with the exception of turf iron ore deposits
- metal deposits in the native state
- deposits of radioactive elements
- native sulfur deposits
- rock salt deposits
- potassium salt deposits
- potassium-magnesium salt deposits
- gypsum and anhydrite deposits
- gems
- therapeutic waters
- thermal waters
- brine waters

Types of concessions

1. prospecting for or exploration of mineral deposits, referred to in Art. 10 par.1; (slaid 6) excluding hydrocarbon deposits,
 - 1a. prospecting or exploration of underground structures for carbon dioxide storage,
2. exploitation of mining minerals from deposits referred to in Art. 10 ,
 - 2a. prospecting and exploration of hydrocarbon deposits and extraction hydrocarbons from deposits,
3. exploitation minerals from deposits located in the borders of the maritime areas of Republic of Poland,
4. underground storage with no reservoir (tank) of substances,
5. underground storage of wastes,
6. underground storage of carbondioxide.

Concession procedure scheme



Land development plan - planning procedure

Environmental impact assessment - environmental procedure

Planning procedure

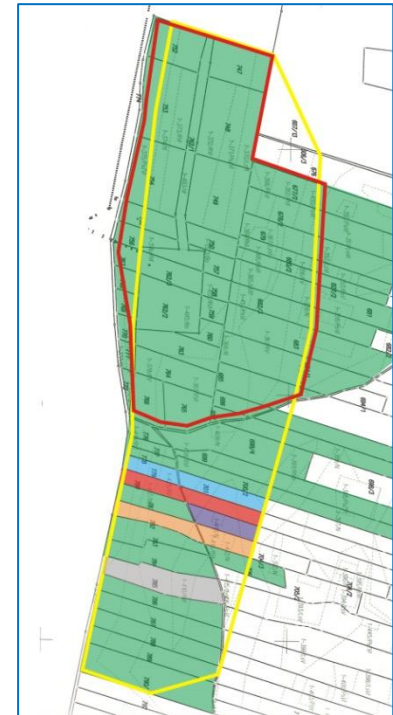
Local urban development plan / amendment to the plan

(Article 4 (1) of the Act of 27 March 2003 on planning and spatial development)

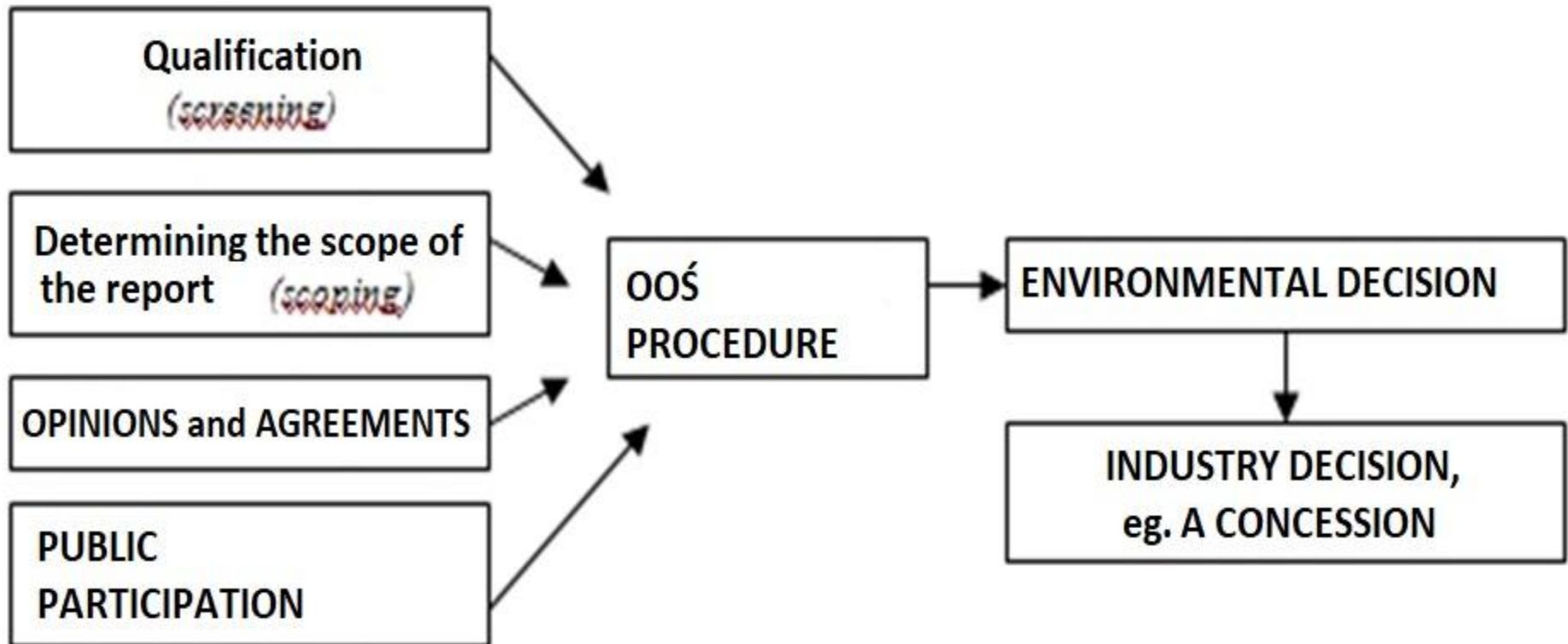
- strategic impact assessment, art. 46, point 1 (UOOS); the Act on sharing information about the environment and its protection, public participation in environmental protection and environmental impact assessments
- execution of the environmental impact assessment, art. 51, par. 1 (UOOS)
- reviewing art. 54, par. 3 (UOOS) and reconciliation in accordance with (UOPIZP); the Act on planning and urban development
- public participation art. 54, par. 2 (UOOS)
- allocation of land for mining purposes



classification of the area
as industrial



Environmental Impact Assessment Scheme



MINING AUTHORITY: opinion on Mining area - a space covered by the anticipated harmful impacts of mining operations

Concession application

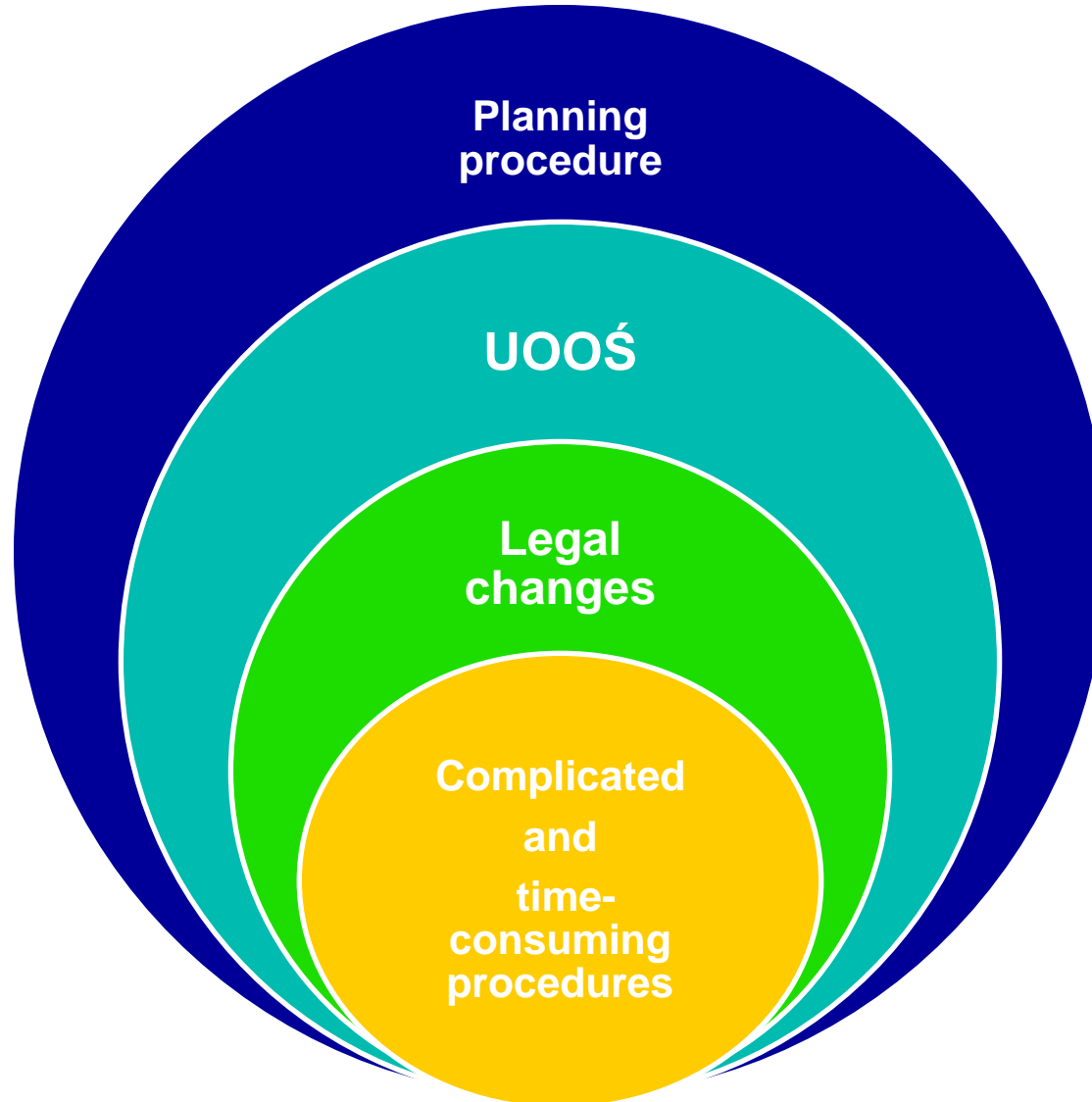
- **Defining the duration (lifetime) of the concession**
- **Determining a group of entities and representing all parties with a legal interests**
- **Permission (rights) to operate in the designated space**
- **Attachment of the environmental decision pursuant to art. 72, par.3 (UOOŚ)**

Concession application

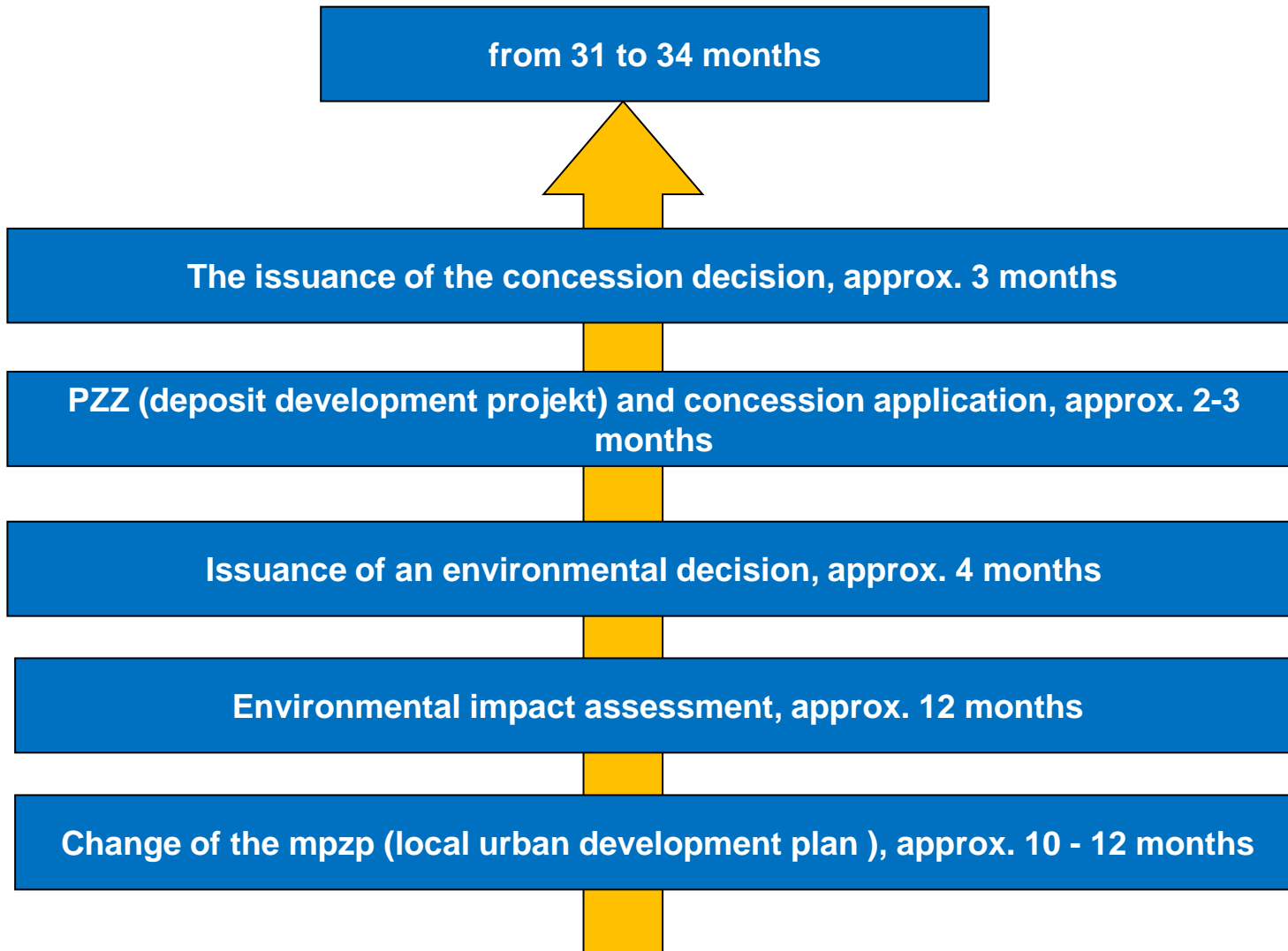
- **Indication of the commencement date**
- **Determining the investor's financial resources**
- **Identification of areas covered by specific forms of protection**
- **Determining how to counteract negative environmental impacts**
- **Information concerning land use in the mpzp and separate regulations**

Common problems

areas in which we may encounter obstacles that delay the concession procedures



Estimated time of concession procedure to final decision





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Thank you!



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