May 10, 1978

ENVIRONMENTAL IMPACT ASSESSMENT IN SWEDEN - STATUS, PROBLEMS, AND PRESENT DEVELOPMENTS

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An informal working paper prepared for the International Working Meeting on "Projects, Policies, and Environmental Impact Assessment", at the International Institute for Environment and Society, Science Center Berlin, May 29 - 30, 1978.

In this paper, I will pursue three lines of argument concerning the status and trends in Swedish environmental impact assessment. First, I argue that Sweden already has a working system of indigenous procedures to the same effect as a formalized EIA system. Second, I argue that Sweden is now entering a new stage in the development of impact assessment procedures, characterized by deliberate efforts to refine the existing project assessment procedures and adjust them to the needs for a more policy-oriented assessment. Third, I argue that in this adjustment process, Sweden would be better off by using already existing indigenous procedures than by trying to introduce measures alien to the Swedish political structure.

.I.

What Sweden Has.

Today, Sweden's system of environmental impact assessment procedures is geared mainly towards the project level. The system is characterized by two main features; (1) a franchise - or permit - system covering socio-economic activities which might have negative consequences, and (2) a system of national land use planning taking into account not only environmental quality but also other social objectives.

Under the 1969 Environment Protection Act, several dozens of industrial and other activities defined as "polluting" are subjected to a system of quasi-judicial or administrative licensing. In order to get the license those who are engaged in , or intend to engage in the polluting activity, must apply to the appropriate agency or board for a permit or other authoritative decision concerning the activity. The polluter is required to take the protective action, tolerate the restrictions of the activity, and observe all other precautionary measures prescribed by the agency to prevent or remedy negative environmental consequences.

The basis for the agency's decision is thus the application, which "shall contain the information, drawings, and technical descriptions that are required for considering the nature, extent, and effects of the polluting activity." The legislative intent states that the application should "make it possible to get a picture of how the project is to be carried out, what the negative consequences will be, and how such consequences will be counteracted through pollution control and other preventive measures". If necessary, the agencies may gather additional information at the applicant's expense.

On the basis of the application and other information gathered through consultations with, e.g., other agencies, the responsible board or agency then makes a decision on what "may reasonably be demanded" to prevent or remedy negative environmental consequences.

The language of the 1969 Act makes it clear that the decision is preceded by an impact assessment: "The extent of the obligations imposed ....will be considered on the basis of what is technically feasible" in the particular industrial sector, "and bearing in mind public as well as private interests. When an estimation is made of the relative importance of different interests, particular attention" must be paid to the kind of area subjected to negative consequences and to the "importance of the effects". But the assessment must also include "the usefulness of the activity, the cost of protective action, and the other economic effects" of the required precautionary measures.

The Act continues: "Should it be feared that a polluting activity can cause a substantial nuisance" even if all precautionary measures that "may reasonably be demanded" are taken, then the polluting activity may be allowed only under very special circumstances. And "if the feared nuisance means that a great many people will have their living conditions substantially worsened or that there will be a significant loss with respect to nature conservation and environmental protection, or a similar public interest will be appreciably injured, the activity may not be carried on. However, the Cabinet can grant permission in accordance with the provisions of the Act, if the activity is of extremely great importance for the economy or for the locality or if it otherwise serves the public interest."

The underlined section is important. It concerns individual projects large enough to have implications for several policy areas. The phrase "if it otherwise serves the public interest" clearly indicates that the impact assessment must be conceived in broad policy terms. Commenting on legislative intent, the original Commission said: "The license decision will have important consequences, and it seems natural to let the Cabinet make that decision, since it has a special capacity to put it in a broader societal context."

The existence of this policy-related impact assessment section made it unnecessary to change the 1969 Environment Protection Act when the

new national land use planning policy was adopted in 1972. Stated briefly the Swedish policy for national physical planning consists of a system of (1) non-statutory guidelines for the location of certain activities requiring the use of land and natural resources; (2) non-statutory guidelines for the use of land and natural resources in certain specified geographical areas; (3) programs and processes for implementing these guidelines into a final land use plan covering every inch of Sweden, and (4) action-forcing provisions covering such cases under (1) or (2) which involve conflicting resource claims or are otherwise conceived to have wide-ranging cross-sectorial impacts.

The most important action-forcing provision is contained in Section 136 a of the Building Act. It rules that the location of 9 types of industrial or power plants, which are conceived to have an especially important impact on land use and water management, on energy supply or on forest resource management, must always be considered and assessed by the Cabinet. Cabinet assessment concerns not only the acceptability and desirability of the activity in terms of environmental, energy, employment, regional development, industrial and other policy objectives, but also the acceptability and desirability of the proposed location in view of the land use rulings and the environmental characteristics of the geographical area. A Cabinet assessment and decision under Section 136 a is binding on the subsequent assessment made by the environmental authorities under the Environment Protection Act. In other words, the environmental authorities cannot allow an activity prohibited by the Cabinet, and vice versa. On the other hand, there is a municipal veto; the Cabinet can allow the activity only if the municipality approves it to be located within its boundaries.

There are no formalized requirements concerning the scope and content of Cabinet assessment. Nor are there any formalized rules concerning the procedures and consultations involved in the assessment process. The assessment is based on documentation requested from the company planning the new factory or plant. This documentation covers such things as the nature and size of the industrial activity, the energy and resource demand and supply of the activity, the impact on local and national employment, the impact on transportation in the area, and the environmental impacts of the activity. Company documentation is supplemented by material from a wide range of consulted administrative agencies, such as the Labour Market Board, the Board of Physical Planning

and Building, the Environment Protection Board, the Industrial Board, and the Road Administration. The Franchise Board for Environment Protection, which issues licenses under the Environment Protection Act, must always be consulted. Just as in licensing, the Franchise Board makes a site inspection and holds a local public hearing before presenting its recommendations to the Cabinet. The Regional Administration as well as the municipality are always consulted. Views are solicited also from other parties, such as the trade unions and the industrial branch organizations.

The Cabinet assessment is carried out in very broad terms, and is geared towards assessing the project in terms of its impact on several national policies. Says a recent official document:"The permissibility of the intended location is assessed in terms of labour market policy, regional policy and environmental policy, raw material supplies, etc. A comprehensive assessment must be made, and to this end various overriding aims of social policy may be taken into consideration."

Let us summarize what Sweden has in terms of formal environmental impact assessment:

1) Activities assessed:Projects defined by the environmental and land use legislation as having undesirable environmental impacts; mainly certain types of industrial projects, but also some municipal projects, the latter particularly projects involving waste water treatment.

2) Impacts assessed:Environmental impacts defined in terms of nuisance, water and air pollution, noise. Long-term ecological impacts on health, plants, and animal life less prominent in the assessment preceding license decisions under the Environment Protection Act. Under Section 136 a, project impacts on policies in other than the environmental sector are assessed.

3) Timing of assessment: is determined by the actors initiating the project. The application, or the announcement of a coming decision to begin an industrial activity, is the starting point for the assessment procedure.

4) Impact Assessors:The environmental agencies - the Environment Protection Board and the Franchise Board - and the Cabinet.

5) Assessment Procedures and Interests Involved:Procedures under the Environment Protection Act are formalized in the Act and the Ordinance, but procedures under Section 136 a are not. Rules for consultation are spelled out in the Environment Protection Act, but not under 136 a. (See graphic presentation, Appendices I-III).

.II.

What Sweden Hasn't, But Should Have.

Does all this mean that Swedes live in the most perfectly assessed of environments? Certainly not. First, Sweden today only has procedures for assessing the environmental impacts of small and medium-size industrial projects, and for assessing both the socio-economic and environmental impacts of certain types of large projects. Second, these assessment procedures do not cover all the functions or achieve all the objectives connected with a good assessment procedure. Third, the whole field of programs, i.e., multi-project actions aimed at implementing a certain policy, is practically uncovered by environmental impact assessments. Fourth, a system for assessing the environmental impact of major national policies in comprehensive and deliberate terms has yet to come into operation.

Several criticisms have been launched against the present EIA procedures. They are said to come too late in the planning and decision-making process, to be too narrowly focussed on the material presented by the applicant firms, to exclude certain very important ecological impacts, and to be too restrictive on public participation in the assessment process. To quote the 1975 report of the Commission on Environmental Problems in Certain Industrial Areas: (the language is from the English summary)

> It has not been possible for the total effects in a locality to be assessed, because as a rule no collective picture of the previous pollution situation has been available for comparison with the emissions entailed by a new project. Another thing is that the application document submitted by firms are too meagre for the purposes of such an assessment. In order for an assessment in terms of environmental hygiene to be possible, comprehensive basic medical and sociological research is needed....The relevant authorities today have very limited resources at their disposal for the discharge of their responsibilities as consulting bodies and enforcement authorities in matters of environmental hygiene.

Furthermore, the present assessment procedures make it

> immensely difficult for elected representatives and the general public to form an opinion concerning the establishment of an industry and its consequences, due among other things to the demands made by firms for swift handling and secrecy and also the fragmented handling of the various matters connected with an establishment....particularly the individual people affected have not had the knowledge or resources to assert their demands.

The Commission stated that

> Changes of assessment procedure should be aimed at securing the following advantages in relation to current assessment procedure:
>
> - a broader basis of assessment and planning
> - wider opportunities of dealing with both direct and indirect establishment questions
> - wider opportunities for those affected by a new industrial establishment to obtain information about and exert influence on the new establishment and its consequences.

The main area of concern to that Commission has been assessments under Section 136 a, i.e., larger industrial development projects. The final report was filed in April 1978 (cf. below). Still another governmental Commission is presently working on a revision of the 1969 Environment Protection Act. One of its special assignments is to investigate the need for, and possibility of, a more complete information basis for assessments and decisions on smaller and medium-size projects expected to have harmful or undesirable environmental impacts. "Taking foreign experiences into account", this other Commission is presently considering "whether there are reasons for requiring actual or prospective polluters to present to the responsible authorities a broader and more comprehensive basis for assessment than is presently the case" (cf. below).

Thus, the deficiencies of the present Swedish EIA system are well known when it comes to <u>project</u> level assessments. Proposals for change have just been presented or are under consideration by the main vehicle of Swedish policy-making and policy formulation, the governmental Commission. No doubt, the proposals will in due time become part of Swedish law.

However, the problems related to EIA on the <u>program</u> level have received much less attention , and have had much greater difficulty in getting a place on the political agenda. In fact, it seems fair to say that they have received almost no political attention whatsoever. The reasons for this could only be tentatively outlined.

<u>First</u>, programs as implementing parts of governmental policy are first and foremost a matter for the administrative agencies. Swedish agencies are formally independent of the Cabinet Ministries. Despite the fact that their objectives are sometimes outlined in a broad manner, they are mission agencies with a very strong tradition of professionalism and efficiency. Admittedly, a cross-sectorial perspective may silt through

thanks to the widespread consultation procedures, the so-called "remiss" system, where agencies consult with eachother on matters relating to several agency domains. But a conscious assessment of the environmental impacts of agency programs is still virtually non-existent. It would have to come through Cabinet initiatives.

Second, the demands for such assessment of administrative programs are not yet strong enough. Administrative programs concerning development of hydro-electric power and forest management have come under protest from environmental groups. However , this has taken the form of protests - sometimes very dramatic and front-page in character - against particular projects such as river dams or air-borne dispersion of herbicides in forest areas. But it is also clear that the main thrust of the protests have been against the policy objectives and principles underlying the administrative programs. However, the protests have so far been coming mostly from scattered environmentalist groups. Changes in administrative practice cannot yet be brought about by a handful of women, arranging sit-in demonstrations in administrative buildings and trying to force responsible administrators to taste drinks made from herbicide-contaminated wildberries. Only if the more powerful interest organizations take up the matter, and are able to convince the agencies through their representatives on the agency boards, will the agencies themselves and the Cabinet begin to take into full consideration the problem of program assessment.

Finally, Sweden has yet to establish a formalized system for assessing the environmental impact of new or reformulated national policies. On the other hand, the present work on physical planning will in effect end in a coherent national land use plan. It follows that all new or changed policies involving the use of natural resources will have to be assessed in terms of their consistency with the existing land use plan. Furthermore, the present struggle to formulate a Swedish energy policy has led to a special EIA of the future Swedish energy policy alternatives. I will discuss this precedent below, in my evaluation of the alternatives available to improve Swedish environmental impact assessment.

To summarize, Sweden has not, but should have

1) A project assessment procedure beginning early in the planning process and involving all relevant ecological and socio-economic aspects;

2) A program assessment procedure especially for natural-resource related programs, and

3) A policy assessment procedure.

.III.

Why Sweden Should Use Indigenous Procedures to Improve Its EIA.

As we have seen, Sweden has a system of EIA for individual projects, including projects in all major polluting industrial sectors. While most such projects are private, many public agencies are subjected to EIA as they propose projects for hydro-electric power dams - (EIA is carried out under the Water Act, and in the Water Rights Courts) - and for nuclear energy projects. However, highways, airports, forest management in public owned forests, main tourist development projects, and other such things are not covered by the present system. Furthermore, public and environmentalist involvement is generally limited to those objectively affected by the proposed project. In practice, this has meant those living in the neighborhood of the project. A general citizen right to participate, enforceable through the courts, is not part of the Swedish EIA system.

It is only natural that the present Commission on Revision of the Environment Protection Act has been mainly interested in one "foreign experience", i.e., the U.S. EIA under NEPA. Since December 1977, the Commission and a number of experts from the National Environment Protection Board have been struggling with an evaluation of the applicability of the U.S. experience to Swedish problems.

At first, there seems to have been some enthusiasm. An early NEPB memorandum stated that an American EIS contains a very broad evaluation of environmental consequences, and a presentation of alternatives to the proposed action. In contrast, the Swedish EIA "puts very little emphasis on an assessment of the consequences of the environmentally disruptive activity. The NEPB has issued some guidelines for the formulation of an application under the Environment Protection Act. Of the 17 pages in the guidelines, only 8 lines mention that the application should contain a prognosis concerning environmental effects."

However, the U.S. experiences should not be incorporated without regard to existing Swedish procedures. One "should hold on to certain fundamental principles in Swedish law and administrative processes" when developing further the EIA:

- Develop a formal EIA for projects subject to assessment under Section 136 a, in the Building Act. Such projects are large enough to motivate such a comprehensive procedure.

- Keep the EIA procedures developed under the Environment Protection Act, but put more pressure on the applicant to investigate and present environmental impacts - not just technical descriptions. This presentation of impacts could be less comprehensive than the U.S. EIS.

- Make EIS compulsory for Governmental Commissions proposing policies leading to increased or changed demands on natural resources.

The memorandum also pointed out that the early timing of American EIS's, and the broad public participation, should serve as models for Swedish developments.

But a January meeting at the NEPB saw the problem in reverse. Instead of asking "How could EIS be transferred to the Swedish context?", one should ask "Is there any need for improving the Swedish procedures by way of introducing formal EIS?" The NEPB Planning Secretariat was not sure that such a need exists. Environmental legislation already gives the authorities "greater opportunity to request information than we have hitherto been willing to utilize." Furthermore, the environmental authorities have acquired so much knowledge and expertise that a diffusion of responsibilities by way of requiring all agencies to develop EIS for their actions and programs would lead to an inefficient use of environmental skills. In effect, the Secretariat was very worried about the inefficiency allegedly associated with the formal EIS procedures: "Through a formalized system one is sure of getting all relevant information. But one is also bound to get much irrelevant information.... The system binds many resources which could otherwise be used for actually making decisions and taking implementative actions."

Both the feasibility and the need for transferring U.S. experiences and methods to Swedish environmental policy were discussed at the Commision's February meeting. Several factors were seen as working against the political feasibility of transferring the American EIS to the Swedish context.

First, most Swedish legislation differs from the kind of comprehensive, policy-formulating and policy-coordinating measure that the U.S. NEPA represents. Cross-sectorial objectives are never spelled out in Swedish law; they are at most part of the legislative intent preceding enactment of individual laws. Second, the U.S. NEPA rests on the principles of a balance-of-power system, where the courts are vested with

powers to investigate whether or not the content of administrative actions is in line with the constitution and with legislative intent, and to prescribe the content of administrative action. This is alien to Swedish politics. Swedish agencies are formally independent of the executive and the legislature as well as of the courts.

Third, court investigations rest on the assumption that individual citizens are entitled to ask for a court ruling in the individual EIS case. No such preconditions exist in Swedish law. Fourth, the American EIS procedures exist in a nation which almost totally lacks an active physical planning at the Federal or State levels. Thus, EIS and EIA is the only means available to have public actions assessed in something resembling the context of land use planning.

Would an EIS procedure, lacking these specific American prerequisites, really work in the Swedish context? A Swedish EIS, based on the NEPA, would lack the sanctions involved in the possibility to take the matter to court and thereby trying to force the agencies to take the action desired. An EIS procedure based on NEPA principles would make necessary a drastic change in the possibilities for public participation in policy implementation.

Furthermore, is a transfer of the U.S. EIS and NEPA principles necessary? The Commission's discussion seemed to imply that the answer is no. Our planning procedures and methods, ranging from local zoning to national physical planning, in essence cover the considerations spelled out in the objectives of NEPA. Furthermore, almost every decision on individual projects involving land use and the utilization of natural resources is subject to examination and conditioning decisions under the Nature Conservancy Act, the Water Act, the Environment Protection Act, and the Section 136 a of the Building Act.

The Commission seemed to conclude that what the discussion should focus on is a development and refinement of existing Swedish EIA procedures to fulfil three demands; (1) the EIA should be initiated much earlier in the planning of individual projects; (2) the public should be given more ample opportunity to participate in the EIA process and to influence assessment outcomes, and (3) the refined EIA procedures should not impinge on administrative efficiency.

The Commission is expected to report its recommendations in July

1978. At present, the Commission is struggling with a reformulation of Section 13 of the Environment Protection Act, which concerns the content and procedures of permit applications. The Commission's aim seems to be to get around the present tendency on the part of applicants to put very little effort into investigating or presenting the possible consequences of the proposed project. The result has been that the environmental authorities have had to make assessments based on the general knowledge about impacts under circumstances similar to the ones prevailing in this particular case.

The Commission envisages a more comprehensive application, containing

- a technical description of the character, scope, and intensity of the proposed project
- a detailed description and prognosis of the character, size and impacts of the pollution and environmental risks associated with the project
- a detailed outline of all precautionary measures; technology, effectiveness, costs, etc.

The second point is important, since it makes the applicant more clearly responsible for carrying out the investigations necessary to provide the information basis for a meaningful EIA. For all practical purposes, the applicants will have to rely heavily on information and other resources available at the NEPB. That is where the most detailed information about environmental parameters, ecological conditions and impacts is stored. Thus, there should be no need for the NEPB to try to stop the proposal fearing that it would rob the agency of an important function in the decision-making process.

Even more important, however, is the Commission's consideration concerning timing and public participation. The Commission will evidently propose a "preparatory" or "preliminary" EIA preceding the formal application for a permit. Before an application is made, the polluter will have to announce his plans to the Regional Administration. Then that Administration decides whether the project is of a size warranting the "preparatory EIA" procedure. If so, the Administration arranges a public hearing - based on the model provided by the Water Act - to discuss the planned project. The Commission will evidently require that permit applications contain information about this preparatory EIA, as well as about such changes and actions that have resulted from the earlier hearing.

It is easy to see that considerations of both administrative efficiency and public participation are present in this discussion of alternative EIA procedures. Public participation will be possible at an early stage thanks to this "preparatory EIA" hearing. On the other hand, the hearings will not be made compulsory for all projects. The Regional Administration will be vested with powers to decide whether or not the hearing is necessary. It should also be noted that the procedures under the Water Act provide strict rules for the "Who?" and "Why?" of public participation.

On April 19, 1978, the Commission on Environmental Problems in Certain Industrial Areas delivered its final report. Its main concern has been the establishment of large polluting industries, i.e., projects falling within the realm of Section 136 a of the Building Act. The recommendations are by and large identical to the ones contained in its previous 1975 report (cf. Figure IV). The trust in the effectiveness of refined indigenous procedures is clearly visible:

> We have found that building legislation provides national and local authorities with the means of controlling the planning and designing of areas for polluting industry. This can be accomplished through planning provisions, through conditions attached to the award of building permits, and through conditions safeguarding public interests in connection with governmental permits under Section 136 a of the Building Act. Building legislation also gives municipal authorities a position from which to negotiate agreements with the enterprise concerned.

What is new in the report is a more detailed discussion of possibilities to integrate "environmental-hygienic" aspects more effectively into the assessment procedures. Several recommendations are made. First, experts on social issues and matters of environmental hygiene should be included in the establishment group which should be set up by the Cabinet and the Regional Administrations for every large industrial expansion project, and charged with such functions as information, guidance, feedback of experience, and coordination of assessment procedures.

Second, when consulted on an application under Section 136 a, the National Board of Health and Welfare should be asked to decide whether a special assessment of health impacts is called for. If this is the case, the Board must report back to the Cabinet "as early as possible". Third, an epidemiological monitoring system should eventually be set up to enable

the systematic gathering of data on environmental and hygienic impacts in each Region. These data will provide valuable information and inputs for the process of assessing impacts of proposed projects. According to a decision by Government in 1977/78, such a monitoring system will be established over the next several years.

One would have expected a further penetration of the problems of public participation and involvement in the assessment process, given the tentative discussion in the earlier 1975 report. However, there are no detailed proposals in the 1978 report. The Commission seems satisfied with delivering some general recommendations to the effect that "information" should be widely and early diffused to all interests and individuals concerned. It does not come close to such a detailed recommendation for public hearings as is presently considered by the Commission on Revision of the Environment Protection Act.

On the other hand, the April report clearly shows that Sweden is trying to solve the problem of connecting project assessment to the level of policy. The main emphasis is on refining the Section 136 a procedure to provide for opportunities to have the impacts on objectives and plans for different policy sectors assessed and weighed. The key is the "remiss" system; through a widespread use of consultation and written comments, involving local, regional, and national public bodies, interest groups, and affected parties, Swedish decision-makers are trying to make sure that no aspect of environmentally harmful projects will go unnoticed.

But what about assessment of new policies? As I mentioned above, the December 1977 memorandum from the NEPB suggested that all Governmental Commissions proposing policy measures implying increased or changed demands for natural resources should be compelled to include, as part of their final report, a detailed assessment of the environmental impacts following from the proposal.

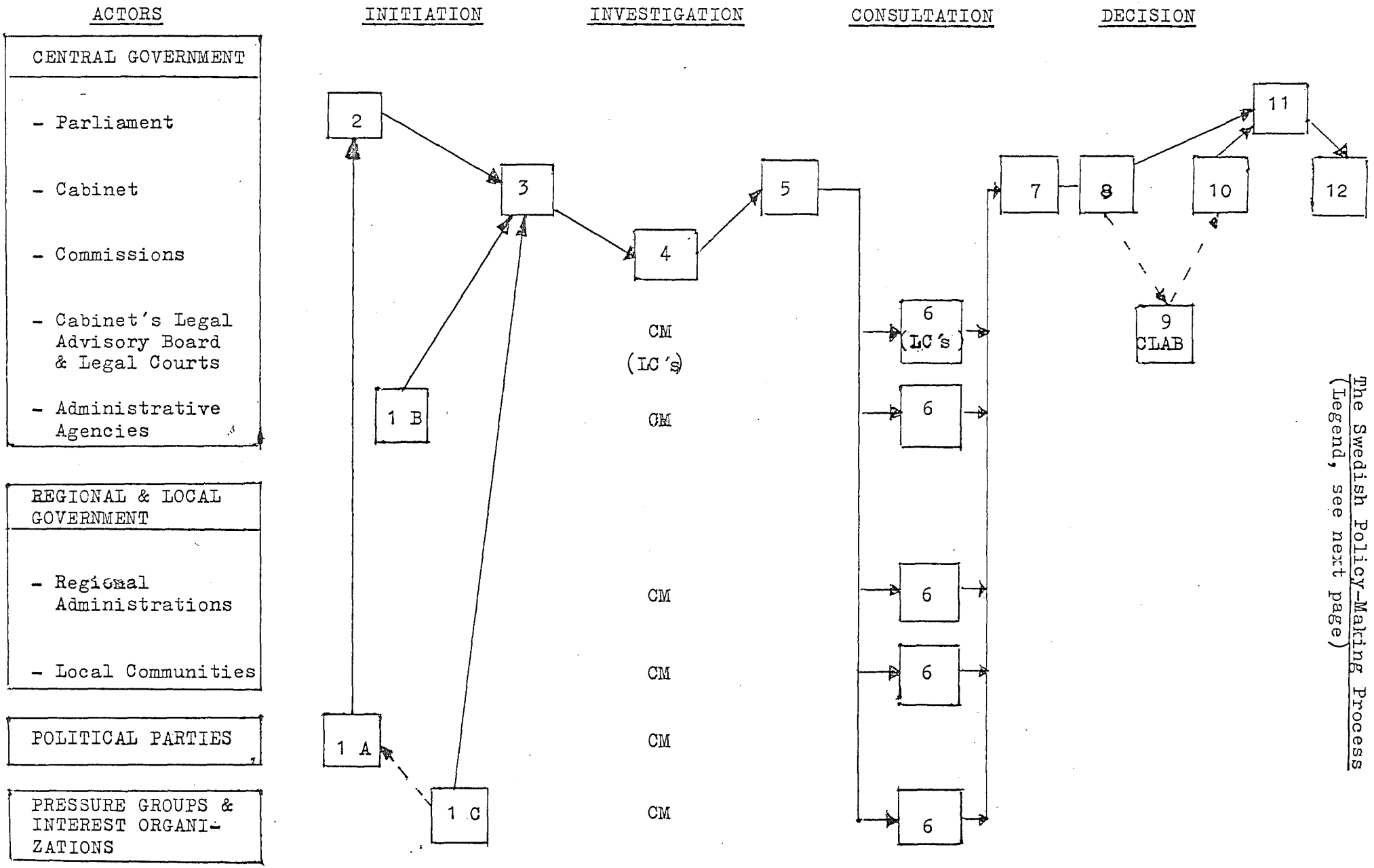
This would indeed seem to be an ideal solution. The Governmental Commission is the main vehicle for policy formulation in Sweden. With directive formulated by the Cabinet, and with a membership consisting of party representatives, representatives of affected interest groups, and expertise from the administrative and scientific fields concerned, the Commissions provide for a thorough-going and qualified investigation of the policy problems, as well as for a strong political backing of the compromises reached within the Commission. The consultation period following the

presentation of a Commission's report involves all relevant governmental agencies, interest groups, and professional groups. This "remiss" period thus provides for a comprehensive assessment of the report, as well as of the consequences for different interests, possibly overlooked by the Commission.

What are the chances of implementing this system of policy impact assessment? Two events may serve as indicators of future developments. First, the drama surrounding the present efforts to formulate a Swedish energy policy, and the evident necessity of comprehensive assessments of the risks associated with different energy policy profiles, led to the unusual appointment of a special Commission to assess the environmental and health impacts of different energy sources. The Commission was also expected to discuss and assess the health and environmental impacts of the different energy policy alternatives discussed in Sweden. The 1977 Commission report, and the commentaries filed during the "remiss" procedure, will form an integrated part of the final, overall, energy policy decision to be made in 1978/79.

Second, the Cabinet has recently appointed an Ecology Commission. This Commission is charged with a very comprehensive task indeed. According to its directives, it should derive from scientific ecology, and from environmental science in general, principles that would put future policy-making in Sweden into a "truly ecological perspective", a perspective that would direct and constrain politics and policy in accordance with generally valid ecological principles. Furthermore, the Commission should make such recommendations as it judges desirable and appropriate to provide mechanisms for a continuation of public policy-making in accordance with principles of ecological balance. It is easy to draw parallells with the broad policy principles of the U.S. NEPA.

The Ecology Commission is expected to deliver a first preliminary report in 1981. Considering the breadth of its mission, and the evident appropriateness of Governmental Commissions as a vehicle for formulating "ecologically sound" policies, one would not be surprised if the Commission suggests making environmental impact assessments compulsory for a wide range of future Governmental Commissions. It may also be expected that future policy proposals must be assessed in terms of their impact on the National Physical Plan. Such indigenous procedures would provide Sweden with an EIA at the policy level much more effective than procedures imported from other political systems.



The Swedish Policy-Making Process
(Legend, see next page)

The Swedish Policy-Making Process: Legend to Appendix I

INITIATION

1 A. Initiative from political party (channeled through the Parliament (2).

1 B. Initiative from administrative agencies (goes directly to the Cabinet (3).

1 C. Initiative from interest organizations (generally directly to the Cabinet, but sometimes also through the political parties, (1 A and 2).

2. Parliamentary decision to write to Cabinet and ask for the appointment of a Governmental Commission to investigate the matter

3. Cabinet appoints the Commission.

INVESTIGATION

4. Commission makes its investigation, reports to Cabinet, and recommends a certain policy alternative.

CONSULTATION

5. Cabinet sends the report to all agencies and interest groups concerned, and asks for written comments (the remiss).

6. The remiss commentaries are worked out.

7. Cabinet puts together the commentaries, includes them in proposal.

DECISION

8. Cabinet works out policy proposal, sends it for judicial comments (to the LCAB, is not always the case).

9. LCAB sends its judicial comments to the Cabinet.

10. Cabinet's policy proposal - based on Commission report and remiss commentaries - is sent to Parliament.

11. Parliament decision - Committee report, floor debate, vote.

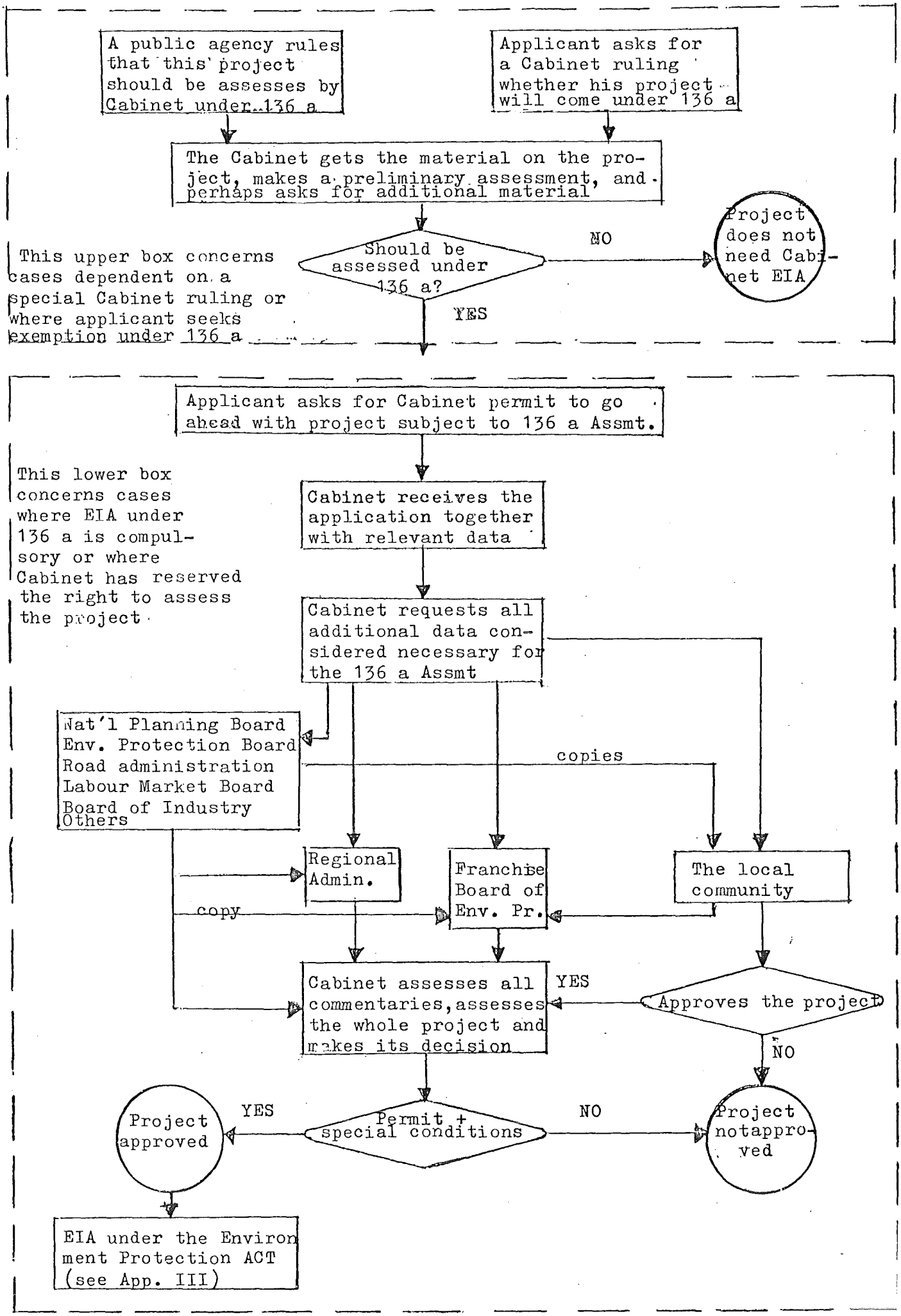
12. Cabinet promulgation.

CM = Commission Membership

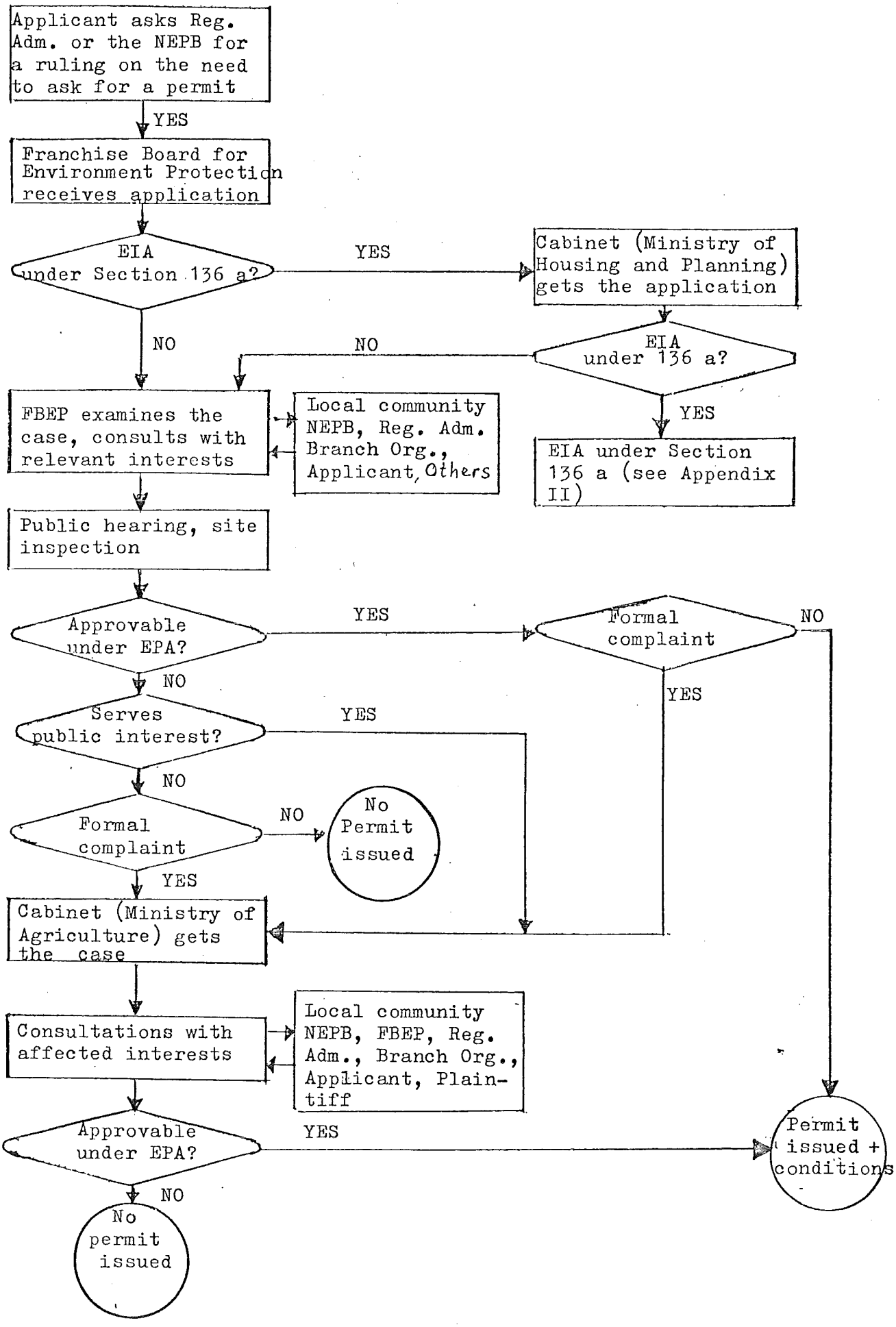
LC = Legal Courts

CLAB = Cabinet's Legal Advisory Board

Assessment of Projects under Section 136 a of the Swedish Building Act



Environmental Impact Assessment under the Swedish Environment Protection Act of 1969 (presently under revision by a Governmental Commission)



The Revised 136 a Assessment Procedure Proposed in the 1975 Report of the Commission on Environmental Problems in Certain Industrial Areas