

Ministry of Environment and Urbanisation introducing environmental licensing obligation for geothermal power plants

10 November 2020

Background

The environmental effects of geothermal power plants have been the subject of debate in Turkey in the recent years, particularly in the Aegean region. With the amendments (**Amendment**) introduced to the Regulation on Environmental Permits and Licenses (**Regulation**), published in the Official Gazette dated 6 November 2020 and numbered 31296, the Ministry of Environment and Urbanisation has, starting from 30 June 2021, introduced environmental permit and license obligations for geothermal power plants with an installed capacity of more than 5MWe.

What does the Amendment bring?

- (a) **Geothermal power plants with an installed capacity of more than 5MWe must obtain an environmental permit (*çevre izni*) or an environmental permit and license (*çevre izin ve lisansı*).**

According to the Regulation, facilities that engage in activities, which may have a negative impact on the environment, are required to obtain an environmental permit or an environmental permit and license, as the case may be. Such activities are listed under Annex-1 and Annex-2 of the Regulation. Annex-1 provides the list of activities that are deemed to have a severe environment polluting impact, whereas Annex-2 lists activities deemed to have a less polluting impact. Facilities whose operations do not result in emissions into air or wastewater discharge may be granted an exemption from the environmental permit or environmental permit and license requirement.

As a result of the Amendment, geothermal power plants with an installed capacity of more than 5MWe now fall within the scope of Annex-2 of the Regulation and must, consequently, obtain an environmental permit or an environmental permit and license from the relevant Provincial Directorate of Environment and Urbanisation.

According to the Regulation, these geothermal power plants must first obtain a temporary operation certificate, which would be valid for a period of one year. As a next step, those facilities, which have obtained this certificate, must, within 180 calendar days following the issuance of the temporary operation certificate, file an application, along with the necessary supporting documentation, to obtain the relevant environmental permit or environmental permit and license. The environmental permit or the environmental permit and license must be obtained within one year from the date of the temporary operation certificate. Otherwise, the temporary operation certificate granted for such facility would be up for cancellation.

According to the Regulation, operations of a facility, which commences its operations without obtaining a temporary operation certificate despite falling within the scope of Annex-1 or Annex-2 of the Regulation, would be suspended until the temporary operation certificate is obtained. Failure to comply with this requirement would also result in a monetary fine to be determined in accordance with the Environment Law No. 2872.

(b) **The requirement imposed on geothermal power plants will become effective as of 30 June 2021.**

According to Provisional Article 3 introduced by the Amendment, the requirement imposed on geothermal power plants with an installed capacity of more than 5MWe will become effective as of 30 June 2021.

Contacts



Hakkı Gedik

Turkey – Istanbul

Tel +90 212 371 29 53

Mobile +90 549 480 15 35

hakki.gedik@gedikeraksoy.com



Umut Gürgey

Turkey – Istanbul

Tel +90 212 371 29 66

Mobile +90 549 480 15 37

umut.gurgey@gedikeraksoy.com