

**Policy and procedures for the filing, review and  
approval of environmental assessments**

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## 1 INTRODUCTION

### 1(a) Preamble

Environmental assessment is the primary means of managing the approval of new development proposals in Pakistan. Environmental assessment allows for the systematic examination of proposals, following clear procedures which provide for the interests of relevant Government Departments and other stakeholders to be carefully considered.

### 1(b) Definitions

<b>Environmental Assessment</b>	is used in this document to refer to the entire process of managing, preparing and reviewing IEE's and EIA's.
<b>Environmental Report</b>	is used in this document to include both Initial Environmental Examinations (IEE) and Environmental Impact Assessments (EIA).
<b>Responsible Authority</b>	is used in this document to refer to any Agency or Department which has been given delegated authority for environmental assessment.

## 2 AUTHORITY

The Pakistan Environmental Protection Ordinance 1997 (**PEPO '97**) was made by the President on February 11, 1997 and provides for environmental assessment under the following sections.

<b>Section 12</b>	directs that an initial environmental examination, or where the project is likely to cause an adverse environmental effect, an environmental impact assessment be filed with the Agency for review and approval prior to project construction.
<b>Section 17 (1)</b>	provides that the penalty for failure to comply with Clause 12 and other specified clauses of the Ordinance, and any of the subsequent rules and regulations, may be punishable by a fine which may extend up to one million rupees, with an additional fine which may extend to one hundred thousand rupees for every day during which contravention continues.
<b>Section 17 (4)</b>	provides for an additional penalty commensurate with any monetary benefits accruing to the offender.
<b>Section 22</b>	provides for appeals against any order by the Federal or Provincial Agency under any provision of the Ordinance to the Environmental Tribunal.
<b>Section 26</b>	provides for delegation of the Federal Agencies powers and functions to any Provincial Government, any Government Agency, local council or local authority.
<b>Section 33 (2) (f)</b>	provides for regulations to categorise to which class of projects the

IEE/EIA provision applies.

**Section 33(2) (g)** provides that the Agency may issue guidelines for preparation of IEE's and EIA's and development of procedures for their filing, review and approval (i.e. this document). Guidelines for the preparation and approval of IEE's and EIA's will be provided as separate documents and will be available at cost from the Federal EPA.

**Section 33** provides power to make Regulations, by notification in the official Gazette, and with the approval of the Federal Government.

Pursuant to the PEPO '97 all Government ministries, departments, agencies, and establishments and private sector project sponsors are required to prepare IEE's and EIA's as prescribed below prior to the approval of their proposals for projects.

### **3 PURPOSE**

**3(a)** The purpose of the "Policy and Procedures for the Filing, Review and Approval of Environmental Assessments" is to establish a policy context, and administrative procedures for environmental assessment. It will help to guide project proponents, both public and private, officers of PEPA, officers of Provincial EPA's or EPD's, and officers of other Federal and Provincial departments and agencies.

**3(b)** The objectives of environmental assessment are:

- to ensure that decisions are taken following timely and sound advice;
- to encourage and provide opportunities for public consultation in environmental aspects of proposals before decisions are made;
- to ensure that proponents of proposals take primary responsibility for protection of the environment relating to their proposals, and carry the costs necessary for environmental protection;
- to facilitate environmentally sound proposals by minimising adverse impacts and maximising benefits to the community;
- to provide a basis for ongoing environmental management, including through the results of monitoring;
- to promote awareness and education in environmental values.

The primary purpose of the environmental assessment process is to provide proponents and decision makers, as well as members of the public, with an understanding of the potential environmental effects of proposed action, so as to avoid or minimise adverse effects wherever possible bearing in mind the costs and benefits of using the environmental resource in this particular project.

**3(c)** The scope of this document is confined to an outline of the essential features of the responsibilities and procedural requirements for the various parties in environmental assessment. More detailed guidance is given in the series of guidelines, which together with the Act and this "*Policy and procedures for the filing, review and approval of environmental assessment*" is known as "The Pakistan Environmental Assessment Package", and includes:

- Guidelines for preparation and review of Environmental Reports;

- Guidelines for public consultation;
- Guidelines for sensitive and critical areas;
- Pakistan environmental legislation and the National Environmental Quality Standards (NEQS)
- Guidelines for specific sectors

#### **4 POLICY**

**4(a)** Environmental assessment provides a means for promoting economic development which is environmentally sustainable. Some of the means by which environmental assessment can assist in achieving sustainable development are:

- the use of resources by present generations while protecting the interests of future generations through, for example:
  - maintaining and enhancing natural capital (for example clean water, clean air, uncontaminated soil);
  - avoiding over-exploitation of renewable resources;
  - minimising waste, leading to cleaner production.
- protection of bio-diversity and ecosystem integrity;
- provision of net community benefits from proposals in decisions on resource use;
- caution in dealing with environmental risk and irreversibility.

The environmental assessment process is also a principal means of ensuring that development complies with the National Environmental Quality Standards (**NEQS**) and other Government policy and legislation.

**4(b)** It is important that the environmental assessment process is integrated with the correct steps of the project cycle. An IEE should be undertaken at the pre-feasibility, or at the latest at the beginning of the feasibility stage, while an EIA should be undertaken during the feasibility stage, and the environmental work must be made available progressively to others undertaking technical, financial and economic studies (where those are not included within the Environmental Report). This is for two reasons:

- so that the progressive findings of the IEE/EIA study can be considered in the selection of sites and technology, designs and implementation plans. Such consideration will avoid time and cost delays resulting from an environmentally inadequate design having to be re-done;
- so that the detailed information being prepared by the project team can be effectively used in the environmental assessment.

It should be emphasised that where institutional arrangements prevent the environmental assessment from being integrated with the other technical, financial and economic studies, the work must be done in parallel, and every effort made to maintain close communication between the respective groups.

**4(c)** The Federal EPA has jurisdiction over all EIA/IEE. However, the Federal EPA chooses to delegate its power in the following manner. Federal jurisdiction will apply to projects:

- on Federal land;
- which are military projects;

- which involve trans-country impacts; and
- where there are trans- province impacts, and either (i) there is agreement between the Federal and affected Provincial Responsible Authorities that it is desirable for the Federal EPA to be the Responsible Authority, or (ii) where agreement between all parties cannot be reached, and the Federal EPA decides it should be the Responsible Authority.

In cases where there are trans-province impacts, and all parties agree that the Provincial Responsible Authorities should manage the review of the Environmental Report, either with one of them taking the lead role, or both doing it jointly, the Federal Responsible Authority will not have a direct role.

For all other cases, the Provincial Responsible Authority shall have jurisdiction. The Federal EPA reserves the right to review any Environmental Report at any time and to suspend the powers it has delegated to any Responsible Authority if it believes those powers have been misused.

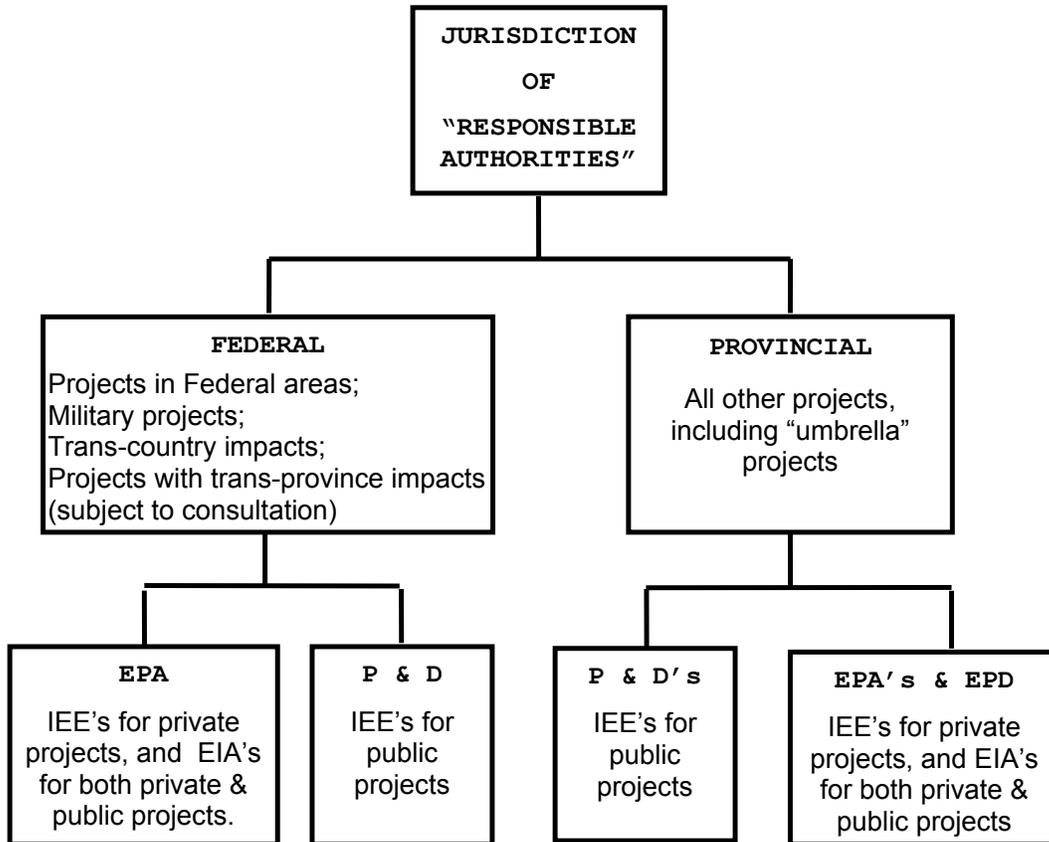
**Table 1 Projects with trans-Province impacts.**

Proponent contacts EPA where the project is located. That EPA consults with EPA's from other affected provinces and the Federal EPA	
<b>Outcome of discussions</b>	<b>Decision on which EPA is the Responsible Authority</b>
1. All agree that one Province becomes the Responsible Authority	That Province becomes the Responsible Authority, and takes into account the needs of the other affected Provincial EPA(s).
2. All agree that the Responsible Authority role be shared.	The proponent only prepares one document, which is reviewed by each EPA. The EPA's consult to ensure the conditions of the two Environmental Approvals are consistent.
3. All agree that the Federal EPA will be the Responsible Authority	The Federal EPA becomes the Responsible Authority, and takes into account the needs of the Provincial EPA's.
4. No agreement reached. The Federal EPA decides which EPA will become the Responsible Authority	The EPA nominated by the Federal EPA becomes the Responsible Authority, and takes into account the needs of the other EPA's. The nominated or aggrieved EPA may appeal against the decision.

For example, a project which is built in one province but will impact the environment of another Province. This might be a power plant located in one Province but whose emissions are carried into another Province by the prevailing winds. In such a case, the sponsor will contact the EPA in the Province in which the project is located. That EPA must advise the Federal EPA and the impacted Province's EPA and seek their agreement to a cooperative approach, which in this case may be that the Province acts as the Responsible Authority, and takes into account the needs of the adjoining Province. If agreement is not easily reached, an early meeting to resolve the issue of jurisdiction should be held. It is generally intended that the arrangements for environmental assessment for such projects will be resolved through discussion and collaboration between the parties. Where agreement cannot be reached, the decision of the Federal EPA will prevail. The Province may appeal against the decision of the Federal EPA in the manner prescribed in PEPO'97.

For public works, responsibility for IEE management and review, and granting or refusing environmental approval, will be vested in the Departments at Federal and Provincial level responsible for economic and development planning (referred to as P&D's).

**Figure 1 Jurisdiction of "Responsible Authorities"**



**4(d)** Projects are categorised in Annex I of this document according to their potential degree

of impact. Projects likely to cause an adverse environmental effect are classified as Schedule A projects and require an EIA. Projects where their effect on the environment is uncertain are classified as Schedule B projects and require an IEE. Finally, there are some categories of projects which are unlikely to cause any adverse environmental effect (Schedule C). These do not require any formal IEE or EIA. However, where Schedule C projects cause any emissions prescribed in the NEQS, or where otherwise specified, an Environmental Approval (and subsequently an Operating Approval) is required.

**4(e)** Discretion is granted to Federal and Provincial EPA's (or EPD) to require proponents of specified Schedule C projects to obtain an Environmental Approval. These will be required for projects such as small stone crushers, small poultry farms, petrol pumps and cottage industries, where, in each case, the Federal or Provincial EPA has set general guidelines for the industry. Proponents are not required to submit an Environmental Report, but must sign a statement in front of a magistrate that they will implement the provisions of the guidelines.

**4(f)** Review of guidelines, procedures and categorisation of projects in Schedules A and B is an ongoing process and to this end, the Director General, Federal EPA, will appoint an Environmental Assessment Advisory Committee (EAAC). The EAAC will: provide guidance in the development of all aspects of environmental assessment; provide advice to the Federal EPA on the finalisation and approval of draft guidelines; and act as an advisory body to the Federal EPA on all matters pertaining to environmental assessment. The EAAC will comprise a maximum of twelve members and be chaired by the Director General, Federal EPA or the Director EIA, Federal EPA. There will be one member representing the Federal P & D, and one member representing each Province, nominated by the Province. Further members shall be appointed to represent experts, industry and the community.

**4(g)** The Responsible Authority will complete the review of an Environmental report by providing (or refusing) an Environmental Approval. The Environmental Approval will list conditions of approval. The Environmental Approval will allow proponents to undertake detailed design, construction and commissioning trials. Operation of the facility will not be permitted until the Responsible Authority has inspected the plant, ensured that it has been constructed in accordance with the Environmental Approval conditions, and issued an Operational Approval. The Operational Approval will update the conditions in the Environmental Approval to take into account refinement of the design and other changes, will provide more detail on conditions for monitoring and maintenance, and will review and formalise the Environmental Management Plan which will be developed by the proponent from the outline in the Environmental Report.

**4(h)** While the general policy of the Ministry for Environment, Local Government and Rural Development and the Agency focuses on positive actions to manage the environment, enforcement must sometimes be used. This is particularly important in the case of blatant disregard for the responsibility to file an environmental report under the Ordinance such as repeatedly undertaking projects without an EIA and/or undertaking a project in an environmentally sensitive area. Enforcement will be applied equally in the private and public sectors.

**4(i)** In the case of the failure to file an EIA or IEE before undertaking any construction on the project, penalties may be imposed in accordance with Section 17 of PEPO '97.

**4(j)** The guiding principle in assessment should be to manage the use of precious resources so as to secure the maximum net benefits for current and future generations. This requires some form of overall evaluation, both in determining which projects require an EIA and in evaluating the EIA itself. The Federal Environmental Protection Agency's view is based on the following observations:

- left to itself the market place does not adequately address the welfare of future generations of Pakistanis;
- conventional benefit/cost analysis, or financial analysis in the case of private sector projects, does not adequately count all the costs or benefits to society resulting from environmental impacts which arise external to the project;
- some resources once destroyed can't be technically or economically recreated; and,
- society has too few resources to address all its concerns and to adequately supply the goods and services demanded by its people in the short term.

Thus the Government firmly intends that the decision to approve or deny a project following the review of the environmental report must be made on the basis of an evaluation of the project's net community benefit and sustainability. Responsible Authorities should observe the foregoing in their decision-making.

**4(k)** Monitoring of the construction and operation of projects, and their conformity with conditions set in the Environmental Approval and with NEQS, is an integral part of the environmental assessment process. Requirements for monitoring and ongoing environmental management will be provided in the more detailed "Guidelines for the preparation and review of Environmental Reports".

**4(l)** Any person aggrieved by any order or direction of the Federal Agency or any Provincial Agency may refer an appeal in accordance with Clause 22 of PEPO '97. In particular, and while not limiting the right to appeal, the Proponent has the right of appeal on the refusal to grant an Environmental Approval, or on the conditions set. The public also has the right of appeal against a decision concerning an Environmental Approval or on conditions set. Appeals will be made in writing and should be made to Environmental Tribunals, as prescribed in Clause 22 of PEPO '97.

**4(m)** A non-refundable fees shall be payable for the reviewing of Environmental Reports, at the following schedule:

Project Value Rupees	Review Fee Rupees
500,000 to 2,000,000	2,000
2,000,000 to 5,000,000	5,000
5,000,000 to 10,000,000	10,000
Greater than 10,000,000	20,000

A Treasury account shall be set up for each EPA and P&D, into which these fees shall be paid. The EPA's and P&D's shall create a separate head in their non-development budget.

**4(n)** The active involvement of Federal and Provincial Departments and Agencies in the environmental assessment process is essential. Departments and Agencies should review their

own policies and procedures, and update them to make them consistent with the Pakistan environmental assessment process set out in this document. In particular, in developing environmental policy, and in initiating processes that will lead to development, and potential environmental impacts, close coordination with the relevant Provincial or Federal EPA is essential.

## **5 RESPONSIBILITIES OF PROPONENTS**

**5(a)** Proponents should use the environmental assessment process to explore alternative actions that will avoid or minimise adverse environmental effects, and to calculate both the long and short range implications of proposed actions to man and to nature. Proponents are responsible for the environmental impacts of their projects, and must undertake the commitments and mitigation measures proposed in their environmental reports, and in the subsequent review and approval conditions. Proponents shall use all practicable means, consistent with other essential considerations of national environmental policy, to protect and preserve environmental quality.

**5(b)** As early as possible, for projects significantly affecting environmental quality (as stipulated in Schedules A and B), project proponents shall, in consultation with other appropriate Federal and/or Provincial agencies and the local community, assess in detail the potential environmental impact. Environmental assessment of the proposed projects should be undertaken concurrently, and to the greatest extent possible, integrated with initial technical and economic studies, and an Environmental Report prepared. For government projects the Environmental Report should be available for comment in time to accompany the proposal through the existing PC-I review processes for such action.

**5(c)** No construction, preliminary or otherwise, relating to the project shall be undertaken until and unless the Environmental Approval has been issued by the Responsible Authority, The Environmental Agreement is signed by the proponent, and all other approvals (such as approval of the PC-1 for public projects) and the requirements of other Agencies have been issued.

**5(d)** It is very desirable, and in their own interests, for Proponents to consult in all cases with the Responsible Authority at the earliest practicable time, and before any formal steps to prepare an IEE or EIA have commenced, in order to confirm that the correct level of assessment has been identified, and to ensure that the procedures for environmental assessment are understood. Proponents shall make an initial appraisal of the level of assessment required for each and every project, using Schedules A–C).

**5(e)** The “*Guidelines for the preparation and review of Environmental Reports*” provide recommendations and guidance for the proponent’s team. The proponent shall designate the members of the team who are to be responsible for the preparation of the environmental report. The team leader and signatory of the proponent’s environmental report should be suitably qualified and experienced. The minimum qualification following completion of 12 years at school shall be a four year graduate course in a suitable discipline (engineering, science, environmental science, social science, geography or environmental studies for example). The minimum experience shall be one years practice in environmental management. Reporting of specialist areas shall be undertaken by persons qualified and experienced in the particular discipline (eg. flora and fauna, wastewater treatment).

**5(f)** In the preparation of an environmental report, project proponents shall:

- (i) consult with other appropriate Federal and/or Provincial agencies

- (ii) obtain such information as is required for their preparation, including any necessary base data collection;
- (iii) assess in detail the potential environmental impacts, and incorporate suitable mitigation measures;
- (iv) consult with the affected community and relevant NGO's; and
- (v) take account of the comments and views received from agencies and the community.

As detailed in the "*Preparation and review of Environmental Reports*", it is the proponent's responsibility to develop the Terms of Reference for any environmental study. While comments should be sought from Agencies and the Responsible Authority, it is not the duty of the Responsible Authority to approve the Terms of Reference.

**5(g)** Public consultation in the assessment process is of vital importance and the public shall be provided the opportunity to comment on each and every EIA, public or private at the appropriate stages of the environmental assessment process. Public consultation shall conform to the requirements of the "*Guidelines for the preparation and review of Environmental Reports*" and the "*Guidelines for public consultation*".

**5(h)** When the EIA is drafted, the proponent will consult with the Responsible Authority to ensure that the EIA is of an acceptable standard for public exhibition. When any requirements of the Responsible Authority have been acted upon, and the EIA is finalised, the proponent shall notify the general public of the proposed project, and the availability of the EIA, through a paid advertisement in two National newspapers of general circulation in the affected area, at least one of which must be a non-English newspaper. Publication must be made fifteen (15) days prior to the time the EIA is filed and the EIA application must contain copies of the notification. The notification shall contain the location of the project, the type of project, name and address of the proponent, a statement that the EIA is on file with the proponent and will be made available to the public for reproduction as and when requested, and the name and address of the Responsible Authority where the EIA will be filed. The public will also be provided access to the EIA at the Headquarters of the Responsible Authority and at other designated locations.

**5(i)** The proponent shall submit the environmental report, with the completed application form (see Annex II), to the Responsible Authority, and provide ten (10) paper copies of the Environmental Report and two electronic copies (on a 3½ inch floppy disc) in a widely used format. Provided that the Environmental Report conforms with the requirements of this document, and the application form and copies of the Environmental Report are submitted, no further documentation is required with the application. All copies of the environmental report become the property of the Responsible Authority. The proponent shall also pay the fee as prescribed in 4(m) above into the relevant Federal or Provincial Treasury account, and shall provide proof to the Responsible Authority of the payment having been made.

**5(j)** On receipt of the Environmental Approval for a project, proponents shall satisfy themselves that they understand and accept the conditions of the Environmental Approval (see 4(l) for Appeal provisions). Prior to commencing the project, proponents shall signify their understanding and acceptance of the conditions by signing an Environmental Agreement, which shall be kept by the responsible Authority (see Annex VI). The Environmental Approval will not be valid until the proponent has signed the Environmental Agreement.

**5(k)** In order to enable the Responsible Authority to effectively monitor the implementation of the recommendations and conditions in the Environmental Approval (and subsequent Operating Approval), proponents shall submit an annual report to the Responsible Authority. The

Responsible Authority shall make these reports available to the public. The reports will commence annually from the date of issue of the Environmental Approval, and continue through construction and operation of the project, until two consecutive annual reports demonstrate, to the satisfaction of the Responsible Authority, that all conditions (including monitoring conditions) have been met, and any unforeseen adverse environmental impacts have been mitigated.

**5(l)** The Environmental Approval will be valid for a period of three years from its issue, and providing construction commences within that period, a further three years from the commencement of the construction. The Responsible Authority may grant an extension to these periods providing that it is satisfied that the approval conditions are still relevant and sufficient. Where significant changes are made to a project during detailed design, the changes should be referred to the Responsible Authority, together with a report of the likely impacts caused by the changes, to allow for any further review and changes to the conditions imposed. In cases where an Environmental Approval has lapsed, and it is inappropriate to extend it further, and yet the proponent wishes to resubmit the project for approval, the Environmental Report shall be revised and resubmitted as a new application, complete with the prescribed fee.

**5(m)** It is not uncommon for Consultants to undertake the entire preparation of Environmental Reports without the Proponent becoming involved, nor agreeing to the mitigation measures proposed. It is the responsibility of both Proponents and Consultants to ensure that the Proponent is adequately briefed at every stage of the Environmental Report, and understands the need for, and commits the necessary resources to achieve, satisfactory project design.

## **6 DUTIES OF RESPONSIBLE AUTHORITIES**

**6(a)** When a Responsible Authority is advised of a proposed project (pursuant to 5(c) above), and believes it may have impacts in another jurisdiction, it will consult with the Federal EPA and any Provincial Responsible Authority likely to be affected.

**6(b)** When a Responsible Authority receives an environmental report (which is complete in all respects), it shall immediately notify the Federal Agency's Director of EIA using the notification form provided in ANNEX III. In addition, the Provincial EPA's are to submit two paper copies and one electronic copy (in a widely used format) of EIA's to the Federal EPA. All copies will be maintained by the Federal EPA so that they can be accessed. The Provincial P&D's are to submit one paper copy and one electronic copy of the IEE to their respective Provincial EPA's. The Federal P&D will submit one paper copy and one electronic copy of the IEE to the Federal EPA.

**6(c)** Upon receipt of the environmental report, and evidence that the scheduled fee (if any) has been paid, the Responsible Authority shall notify the proponent within 10 working days of its adequacy (eg. that all the required information has been supplied). However the Responsible Authority reserves the right to request additional information as it undertakes the review. Complete submissions will be subject to the following review schedule:

### **For an EIA**

- (i) A thirty (30 days) period for public comment shall be provided. The assessment will be completed within a period of ninety days from receipt of the complete documents, and earlier than this wherever practicable.
- (ii) Following the completion of a public hearing, if required, and the provision of any further data from the proponent, the decision shall be made and conveyed within thirty days thereafter.
- (iii) Thus, the anticipated time before the final decision for a complete submission will no

later than approximately four months. Every effort should be made to substantially reduce this time period.

- (iv) This time may be extended by the Director General of the Responsible Authority in the case of unusually large projects such as major hydro-electric projects

**For an IEE**

- (i) there will be no public comment solicited for this application unless the Director General or Chief of the Responsible Authority deems it necessary.
- (ii) The Responsible Authority's recommendations and/or approval will be provided not later than sixty days after submission of the complete application, or ninety days if public comment is solicited. Every effort should be made to substantially reduce this time period.

**6(d)** If the project is found to have significant environmental impacts, an EIA will be recommended. In such cases, the project sponsor will be subject to the timetable above for EIA, following the completion and submission of the EIA. In the case of public works, the P&D shall consult with the Director General of the EPA, who shall direct the preparation of an EIA where this is required.

**6(e)** In cases where the Responsible Authority determines that the environmental report is inadequate and rejects it, written details of the inadequacies shall be provided to the proponent. A revised environmental report shall be reviewed as and when re-submitted.

**6(f)** In reviewing an environmental report, the Responsible Authority shall:

- (i) provide for the circulation of the environmental report to other relevant Federal and Provincial agencies and ensure their availability to the public in accordance with the provision of these guidelines;
- (ii) consider the comments of the agencies and the public;
- (iii) prepare recommendations based on quantitative and qualitative assessment of documents and data furnished by the proponent, supplemented by any data collected from site visits, or through interaction with the affected population and general public;
- (iv) issue final recommendations on the project, and provide the Environmental Approval where appropriate, and in the general form illustrated in Annex V'
- (v) Responsible Authorities shall avoid having a single officer responsible for granting Environmental Approvals, and shall use a committee for this purpose. A committee of three is suggested for an IEE, and a committee of the same size or a little larger for an EIA.

**6(g)** In reviewing an environmental report, the Responsible Authority may seek the advice of a Committee of Experts, which will follow the basic composition as notified by the Director General or Chief of the Responsible Authority. In the case of approvals for Public Projects, for which the relevant P&D is the Responsible Authority, the requirements of the relevant EPA in relation to pollution standards (generally the NEQS) and mitigation and monitoring measures shall be incorporated in the Environmental Approval (and subsequent Operating Approval).

**6(h)** The Responsible Authority or its delegate will have full right of entry and inspection of the site, factory or premises at any time prior to, during or after the commencement of the operations relating to the project. Project proponents will ensure full cooperation of their staff at site to facilitate the inspection process. Responsible Authority staff will respect the reasonable conditions set by proponents to safeguard safety on sites.

**6(i)** In the case of non-compliance, concurrent to notification of failure to comply and applying to an Environmental Magistrate for the imposition of the penalty, the Responsible Authority will seek a cease and desist order from the Environmental Tribunal as provided by Clause 17 of PEPO '97. The Proponent shall cease all activity and within ten working days submit to the Responsible Authority a plan to conduct an environmental report. Failure to comply will result in compounding of the penalty as provided in Clause 17 of PEPO '97.

**6(j)** Responsible Authorities shall maintain separate Registers for IEE's and EIA's, as required in Clause 12 (7) of the Pakistan Environmental Protection ordinance, 1997. The format of this information is given in Annex IV. The Federal Agency shall be kept advised by Responsible Authorities of the status of all proposals subject to EIA/IEE, progressively as it is received. As this advice is received (in the format specified) by the Federal EPA, it shall be added to the Registers at the Federal EPA.

### **List of Projects Requiring an EIA**

The Projects in Schedule A are generally major projects and have the potential to affect a large number of people. They also include projects in environmentally sensitive areas. The impact of such projects may be irreversible and could lead to significant changes in land use and the social, physical and biological environment.

#### **Agriculture & Livestock**

No EIA's required unless a specific proposal is designated by the Responsible Authority, which could be the result of significant impacts being discovered at the IEE stage.

#### **Energy**

- Thermal Power Generation over 200MW
- Hydroelectric Power Generation over 50 MW
- Petroleum Refineries
- Major Power transmission lines (above 66kV) including Grid Stations
- Nuclear Power Plants

#### **Manufacturing & Processing**

- Major manufacturing of chemicals, pesticides or fertilizer
- Petrochemical complexes
- Major tanning and leather finishing
- Man-made fibers and resin projects greater than 10 crore rupees in value
- Industrial Estates (including export processing zones)
- Large scale food processing such as sugar mills, refineries, breweries, distilleries, soft drinks, milk and dairy products greater than 10 crore rupees in value
- Large scale industrial plants such as: synthetic resins, plastics and manmade fibers, paper and paperboard containers & boxes, plastic products, textiles except apparel, printing & publishing, paints & dyes, oils & fats greater than 1 crore rupees in value
- Cement plants

#### **Mining & Mineral Processing**

- Major mineral development including; mining & processing of coal, gold, copper, iron, and precious stones
- Major smelting plants
- Major non-ferrous metals, iron and steel rolling

### **Transport**

- Major Ports and Harbors development
- Major Airports
- Federal or Provincial Highways or major roads greater than 5 crore rupees in value. Maintenance (rebuilding or reconstruction of existing roads is excepted from the requirement of an EIA).
- Major railway works
- 

### **Water Management; Dams, Irrigation & Flood Protection**

- Dams and reservoirs with a maximum storage volume greater than 50 million cubic meters or a surface area greater than 8 square kilometers
- Irrigation and drainage serving more than 15,000 hectares

### **Water Supply & Treatment**

- Major urban water supply infrastructure, including major head works and treatment plants.

### **Waste Disposal**

- Waste disposal and/or storage of hazardous or toxic wastes (including landfill sites, incineration of hospital toxic waste)
- Waste disposal facilities for domestic or industrial wastes, where more than 10,000 cubic meters of waste will be handled annually

### **Urban Development & Tourism**

- Land use studies and urban plans (large cities)
- Large scale tourism developments

### **Environmentally Sensitive Areas**

- Any project which will be situated in an environmentally sensitive or critical area should be carefully investigated, and the results communicated to the Responsible Authority, who will advise whether an EIA is necessary (see "*Guidelines for sensitive and critical areas*").

Any other projects that the EPA may require.

### **List of Projects Requiring an IEE**

These projects include those where the range of environmental issues is comparatively narrow and the issues can be understood and managed through less extensive analysis. These are projects not generally located in environmentally sensitive areas or smaller proposals in sensitive areas.

#### **Agricultural and Livestock**

- Agro-industrial installation: large poultry farms and beef cattle lots
- Repacking, formulation or warehousing of agricultural produce

#### **Energy**

- Thermal Power Generation less than 200 MW
- Hydroelectric power generation less than 50 MW
- Electrical transmission lines (11kV or smaller), and large distribution projects
- Major waste to energy generation projects
- Oil and gas transmission systems
- Oil and gas extraction including exploration, production, gathering systems, separation and storage

#### **Manufacturing & Processing**

- Man-made fibers and resin projects less than 10 crore rupees in value
- Food processing such as sugar mills, refineries, breweries, distilleries, soft drinks, milk and dairy products less than 10 crore rupees in value
- Sizable ceramics and glass manufacturing
- Sizable apparel manufacturing including dyeing and printing
- Manufacturing wood products on a sizable scale.

#### **Mining & Mineral Processing**

- Commercial extraction of sand, gravel, limestone, clay and other minerals not included in Schedule A.
- Crushing, grinding and separating processes
- Minor smelting Plants

**Transport**

- Ports and Harbors Development for ships less than 500 gross tons
- Federal or Provincial Highways (except maintenance, rebuilding or reconstruction of existing metalled roads) less than 5 crore rupees in value.

**Water Management; Dams, Irrigation & Flood Protection**

- Dams and Reservoirs with a storage volume less than 50 million cubic meters or a surface area less than 8 square kilometers
- Irrigation and Drainage serving less than 15,000 hectares
- Small-scale irrigation systems

**Water Supply & Treatment**

- Minor head works and small systems

**Waste Disposal**

- Waste disposal facility for domestic or industrial wastes, where less than 10,000 cubic meters of waste will be handled annually

**Urban Development & Tourism**

- Urban development projects, including large rural hotels, schools and universities
- Public facilities which have significant off-site impacts (i.e. hospital wastes)
- Housing Estates

Any other projects that the EPA may require.

**List of Projects not Requiring IEE or EIA**

Essentially Schedule 'C' combines everything not in Schedules 'A' and 'B'. As is the case for 'A' and 'B' projects, Schedule 'C' projects are also subject to review if they are situated in an environmentally sensitive or critical area. No attempt is made here to detail these projects, however some illustrative examples are provided below:

- construction of homes, offices and small commercial buildings, subject to compliance with existing zoning laws;
- reconstruction/rehabilitation of roads including sealing;
- on-farm dams;
- projects promoting energy efficiency; and
- lining of existing canals and/or watercourses.

There is provision within Schedule C for Responsible Authorities to issue industry specific guidelines. Where such guidelines are issued, proponents are not required to submit an Environmental report, but must conform with the guidelines (see Clause 4(e)), and obtain Environmental Approval. It will be legally binding on the proponent to follow the provisions of the set procedures.

Examples of industry types which could be the subject of such specific guidelines are small poultry farms, small stone crushers, petrol pumps and cottage industries.

**ANNEXE II**

**Application form to accompany an Environmental Report**

<b>1</b>	Name and address of proponent		Phone: Fax: Telex:	
<b>2</b>	Project description			
<b>3</b>	Project Location		Latitude Longitude	
<b>4</b>	Nearest railway station		Nearest airport	
<b>5</b>	Objectives of project			
<b>6</b>	Have alternative sites been considered and reported in the environmental report?	Yes No	EIA IEE	Yes/No Yes/No
<b>7</b>	Existing land use		Land re-requirement	ha.
<b>8</b>	Is basic site data available, or has it been measured?	(only tick yes if the data is reported in the environmental report) Meteorology(including rainfall) Ambient air quality Ambient water quality	Available Yes/No Yes/No Yes/No	Measured Yes/No Yes/No Yes/No
<b>9</b>	Has analysis of the following been reported?	Water balance Solid waste disposal Liquid waste treatment	Quantified Yes/No Yes/No Yes/No	Reported Yes/No Yes/No Yes/No
<b>10</b>	Source of power and water		Power re-requirement	
<b>11</b>	Labour force numbers	Construction Operations		
<b>12</b>		Risk assessment report provided Disaster plan prepared	Yes/No Yes/No	

Certification The information given above and contained in the attached environmental report is true to the best of my knowledge and belief.

Signed and

dated .....

Team Leader

Proponent

Name .....

Name & Designation .....

(affix official seal)

## Notification of Submission of EIA/IEE

### Instructions

Upon receipt of any EIA/IEE which is complete in all respects, the receiving body is to assign the application a record tracking number in the following format.

P/EPA/1997/01/16/IEE/12345

Position 1—a one character code for the Province: B = Baluchistan, N = NWFP, P = Punjab, S = Sindh, K = Azad Jammu Kashmir and F = Federal Domain.

Position 2— a three character code for the Responsible Authority: EPA= Environmental Protection Agency & P&D = Planning and Development

Position 3 is the year the application is filed.

Position 4—a two digit code for the month the application is filed.

Position 5—a two digit code for the day the application is filed.

Position 6—either IEE or EIA, depending on which type of report is filed

Position 7— a five digit code identifying the particular EIA/IEE reports in sequential order.

Separate written log books for EIA's and IEE's, as well as a computer log will be kept in each receiving office and all correspondence must bear the record tracking number.

- The record tracking number will be written in black ink on the application and on the EIA/IEE form. The record tracking number will also be inserted on the electronic copy in the footer section of the document, in bold and in capitals.
- The following information will be use for transmittal along with the application, paper copies and, when appropriate, the electronic copy of the EIA/IEE:

Name of Agency

Address

Contact Numbers

Record Tracking Number

The agency may wish to develop an ink stamp to simply stamp the application and record the information. This can be used for transmittal to the Federal EPA rather than a separate form.

## ANNEX IV

### Form of Register Entries

Each entry in the Register (see Clause 6(j)) shall contain the following fields:

Field #	Description
1	The Record Tracking Number
2	The category type (following the listing in Schedules A and B)
3	Name of Proponent
4	Name & designation of contact person
4	Name of Consultant
5	Brief description of project
6	Location of the project
7	Project Capital Cost
8	Environmental Approval granted (Yes/No)
9	Date Environmental Approval granted or refused (DD/MM/YY)
10	Number of conditions attached
11	Date Environmental Agreement signed (DD/MM/YY)
12	Date on which any Environmental Approval has been extended (DD/MM/YY)
13	Period of Extension
14	Commencement of Construction (DD/MM/YY)
15	Date of Operational Approval (DD/MM/YY)
16	A list of dates on which monitoring reports were filed

**Form of Environmental Approval (or Refusal)**

The application by (insert name of proponent) was submitted on (insert date) for the construction of (insert brief description) at (insert relevant location details).

**either (i)**

The application was supported by an IEE. After careful consideration and review of the IEE, it is the view of the (insert name of the Responsible Authority), having delegated authority under the Pakistan Environmental Protection Ordinance, 1997, that the proposed works do not require the preparation of an EIA, and that the works may proceed subject to the following conditions:

**or (ii)**

The application was supported by an EIA. After careful consideration and review of the EIA, and all the comments received following notification of the EIA, it is the view of the (insert name of the Responsible Authority), having delegated authority under the Pakistan Environmental Protection Ordinance, 1997, that the proposed works may proceed subject to the following conditions:

Conditions

1. The works shall be constructed as described in the EIA/IEE (unless there have been variations agreed during discussion, in which case the variations shall be described).
2. The mitigation measures described in the EIA/IEE shall be incorporated in the construction (and any further mitigation measures negotiated or agreed with the proponent shall be specified).
3. The proponent shall sign the Environmental Agreement.
4. The monitoring plan for the works is (either as described in the EIA/IEE, or detailed here)
5. Pollution control levels are as follows (cite relevant NEQS, any more stringent requirements, and total load per unit of output for the major pollutants).
6. list further conditions, which may cover aspects of the construction or operations, off-site works, protective measures, hours of work, traffic management issues, labor matters, noise and dust control, erosion control, protection and replacement of flora, waste disposal measures (both during construction and operations) and any other matter which requires regulation or improvement to make the proposal environmentally sustainable.

This Environmental Approval is null and void if the conditions above are not fully implemented by the proponent. The Environmental Approval does not relieve the Proponent from obtaining all those other approvals which may be required from other authorities under various statutes.

**or (iii)**

The application was supported by an Environmental Report. After careful consideration and review of the IEE/EIA, and all the comments received following notification of the EIA, it is the view of the (insert name of the Responsible Authority), having delegated authority under the Pakistan Environmental Protection Ordinance, 1997, that the proposed works shall not proceed for the following reasons:

- (i) the proposed project will have an unacceptable overall adverse impact, taking into account the likely environmental, social and economic consequences (provide details);
- (ii) mitigating measures to render the impacts acceptable have not been, and cannot be included in the proposed project.

Given this day the ..... of ..... 199...

By .....  
.....

Authorised Committee of Officers  
Responsible Authority

**ANNEX VI**

**Form of Environmental Agreement**  
(on Judicial paper of appropriate value)

I, (full name), being the proponent for (project description) which is the subject of the Environmental Approval (cite identifying number, and Responsible Authority) do hereby declare that I understand the nature of the conditions, and undertake to construct and operate the works in accordance with those conditions.

Given this day the ..... of ..... 199...

Signed ..... Date .....

(Full name of proponent)

Witnessed ..... Date .....

(Full name of witness)