

PAKISTAN ENVIRONMENTAL PROTECTION AGENCY (REVIEW OF IEE AND EIA) REGULATIONS, 2000

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S.R.O. 339 (1)/2001. - In exercise of the powers referred by section 33 of the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997), Pakistan Environmental Protection Agency, with the approval of the Federal Government is pleased to make the following Rules, namely :-

1. Short title and commencement

(1) These regulations may be called the Pakistan Environmental Protection Agency Review of Initial Environmental Examination and Environmental Impact Assessment Regulations, 2000.

(2) They shall come into force at once.

2. Definitions

(1) In these regulations, unless there is anything repugnant in the subject or context –

(a) “Act” means the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997);

(b) “Director-General” means the Director-General of the Federal Agency;

(c) “EIA” means an environmental impact assessment as defined in section 2(xi);

(d) “IEE” means an initial environmental examination as defined in section 2(xxiv); and

(e) “section” means a section of the Act.

(2) All other words and expressions used in these regulations but not defined shall have the same meanings as are assigned to them in the Act.

3. Projects requiring an IEE

A proponent of a project falling in any category listed in Schedule I shall file an IEE with the Federal Agency, and the provisions of section 12 shall apply to such project.

4. Projects requiring an EIA

A proponent of a project falling in any category listed in Schedule II shall file an EIA with the Federal Agency, and the provisions of section 12 shall apply to such project.

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5. Projects not requiring an IEE or EIA

- (1) A proponent of a project not falling in any category listed in Schedules I and II shall not be required to file an IEE or EIA:

Provided that the proponent shall file –

- (a) an EIA, if the project is likely to cause an adverse environmental effect;
- (b) for projects not listed in Schedules I and II in respect of which the Federal Agency has issued guidelines for construction and operation, an application for approval accompanied by an undertaking and an affidavit that the aforesaid guidelines shall be fully complied with.

- (2) Notwithstanding anything contained in sub-regulation (1), the Federal Agency may direct the proponent of a project, whether or not listed in Schedule I or II, to file an IEE or EIA, for reasons to be recorded in such direction:

Provided that no such direction shall be issued without the recommendation in writing of the Environmental Assessment Advisory Committee constituted under Regulation 23.

- (3) The provisions of section 12 shall apply to a project in respect of which an IEE or EIA is filed under sub-regulation (1) or (2).

6. Preparation of IEE and EIA

- (1) The Federal Agency may issue guidelines for preparation of an IEE or an EIA, including guidelines of general applicability, and sectoral guidelines indicating specific assessment requirements for planning, construction and operation of projects relating to particular sector.
- (2) Where guidelines have been issued under sub-regulation (1), an IEE or EIA shall be prepared, to the extent practicable, in accordance therewith and the proponent shall justify in the IEE or EIA any departure therefrom.

7. Review Fees

The proponent shall pay, at the time of submission of an IEE or EIA, a non-refundable Review Fee to the Federal Agency, as per rates shown in Schedule III.

8. Filing of IEE and EIA

- (1) Ten paper copies and two electronic copies of an IEE or EIA shall be filed with the Federal Agency.

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SCHEDULE I
(See Regulation 3)

List of projects requiring an IEE

A. Agriculture, Livestock and Fisheries

1. Poultry, livestock, stud and fish farms with total cost more than Rs.10 million
2. Projects involving repacking, formulation or warehousing of agricultural products

B. Energy

1. Hydroelectric power generation less than 50 MW
2. Thermal power generation less than 200 KW
3. Transmission lines less than 11 KV, and large distribution projects
4. Oil and gas transmission systems
5. Oil and gas extraction projects including exploration, production, gathering systems, separation and storage
6. Waste-to-energy generation projects

C. Manufacturing and processing

1. Ceramics and glass units with total cost more than Rs.50 million
2. Food processing industries including sugar mills, beverages, milk and dairy products, with total cost less than Rs.100 million
3. Man-made fibers and resin projects with total cost less than Rs.100 million
4. Manufacturing of apparel, including dyeing and printing, with total cost more than Rs.25 million
5. Wood products with total cost more than Rs.25 million

D. Mining and mineral processing

1. Commercial extraction of sand, gravel, limestone, clay, sulphur and other minerals not included in Schedule II with total cost less than Rs.100 million
2. Crushing, grinding and separation processes

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3. Smelting plants with total cost less than Rs.50 million

E. Transport

1. Federal or Provincial highways (except maintenance, rebuilding or reconstruction of existing metalled roads) with total cost less than Rs.50 million
2. Ports and harbor development for ships less than 500 gross tons

F. Water management, dams, irrigation and flood protection

1. Dams and reservoirs with storage volume less than 50 million cubic meters of surface area less than 8 square kilometers
2. Irrigation and drainage projects serving less than 15,000 hectares
3. Small-scale irrigation systems with total cost less than Rs.50 million

G. Water supply and treatment

Water supply schemes and treatment plants with total cost less than Rs.25 million

H. Waste disposal

Waste disposal facility for domestic or industrial wastes, with annual capacity less than 10,000 cubic meters

I. Urban development and tourism

1. Housing schemes
2. Public facilities with significant off-site impacts (e.g. hospital wastes)
3. Urban development projects

J. Other projects

Any other project for which filing of an IEE is required by the Federal Agency under sub-regulation (2) of Regulation 5

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SCHEDULE II
(See Regulation 4)

List of projects requiring an EIA

A. Energy

1. Hydroelectric power generation over 50 MW
2. Thermal power generation over 200 MW
3. Transmission lines (11 KV and above) and grid stations
4. Nuclear power plans
5. Petroleum refineries

B. Manufacturing and processing

1. Cement plants
2. Chemicals projects
3. Fertilizer plants
4. Food processing industries including sugar mills, beverages, milk and dairy products, with total cost of Rs.100 million and above
5. Industrial estates (including export processing zones)
6. Man-made fibers and resin projects with total cost of Rs.100 M and above
7. Pesticides (manufacture or formulation)
8. Petrochemicals complex
9. Synthetic resins, plastics and man-made fibers, paper and paperboard, paper pulping, plastic products, textiles (except apparel), printing and publishing, paints and dyes, oils and fats and vegetable ghee projects, with total cost more than Rs.10 million
10. Tanning and leather finishing projects

C. Mining and mineral processing

1. Mining and processing of coal, gold, copper, sulphur and precious stones
2. Mining and processing of major non-ferrous metals, iron and steel rolling
3. Smelting plants with total cost of Rs.50 million and above

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D. Transport

1. Airports
2. Federal or Provincial highways or major roads (except maintenance, rebuilding or reconstruction of existing roads) with total cost of Rs.50 million and above
3. Ports and harbor development for ships of 500 gross tons and above
4. Railway works

E. Water management, dams, irrigation and flood protection

1. Dams and reservoirs with storage volume of 50 million cubic meters and above or surface area of 8 square kilometers and above
2. Irrigation and drainage projects serving 15,000 hectares and above

F. Water supply and treatment

Water supply schemes and treatment plants with total cost of Rs.25 million and above

G. Waste Disposal

1. Waste disposal and/or storage of hazardous or toxic wastes (including landfill sites, incineration of hospital toxic waste)
2. Waste disposal facilities for domestic or industrial wastes, with annual capacity more than 10,000 cubic meters

H. Urban development and tourism

1. Land use studies and urban plans (large cities)
2. Large-scale tourism development projects with total cost more than Rs.50 million

I. Environmentally Sensitive Areas

All projects situated in environmentally sensitive areas

J. Other projects

1. Any other project for which filing of an EIA is required by the Federal Agency under sub-regulation (2) of Regulation 5.
2. Any other project likely to cause an adverse environmental effect