

Pakistan Environmental Protection Act, 1997

Pakistan Environmental Protection Act was introduced in December 1997 to provide laws for the protection, conservation, rehabilitation and improvement of the environment, and for the prevention and control of pollution so as to ensure the promotion of sustainable development. The Act is much more detailed than the 1983 Ordinance and includes the following additional clauses that are pertinent to the EIA process:

Clause 12 - According to this clause an Initial Environmental Examination (IEE) report is to be submitted for all proposed development activities of the project. An Environmental Impact Assessment report is to be submitted only for certain types of major development activities mainly those that have a significant adverse impact. The Responsible EPA has four months to respond to the reports.

Clause 14 - Handling of Hazardous Waste: According to this clause anyone who generates, collects, consigns, transports, treats, disposes of, stores, handles or imports any hazardous waste will have to obtain a permit from the FEPA to do so.

Clause 16 - Environmental Protection Order: This clause permits EPAs to enforce the protection and remediation measures where in its opinion contamination of the environment has taken place. It further provides that in case the orders of the EPA are not obeyed it has the authority to carry out the required works and to recover the costs from the person/party responsible for the source of such environmental contamination.

Clause 18 - Offences by Bodies Corporate: This clause identifies the responsibility and liability to prosecution of an individual/person where the contravention of an Ordinance is committed by a body corporate.

Clause 30 - Ordinance to override other laws: This Ordinance takes precedence over/supercedes other relevant laws in effect at the time of issue of such ordinance.

(Full text of Pakistan Environmental Protection Act can be downloaded from www.environment.gov.pk)

National Environmental Quality Standards (NEQS)

The NEQS were first promulgated in 1993 and were last revised in 2000. These are the basic guidelines for liquid effluent and gaseous emissions of municipal and industrial origin to comply with. These standards present the maximum allowable concentration for liquid effluent before its discharge into sea, inland water & sewage (total 32 parameters to comply with) and gaseous emissions in the ambient air from industrial sources (total 16 parameters to comply with).

(Please refer website www.environment.gov.pk for details)

(Self-Monitoring and Reporting by Industry) Rule, 2001

The Self-Monitoring and Reporting System will make the country's industry owners and operators responsible for systematic monitoring and reporting of their environmental performance.

By implementing this system, the government will, in fact, transfer the responsibility for examining and evaluating industry's environmental performance to individual industrial facilities. Apart from saving EPAs considerable expense, time and effort, this measure will enable industry to make long-term provisions for eco-friendly production. The reported data will also enable government agencies to assist industrial units in controlling their pollution levels.

(Please refer website www.environment.gov.pk for details)

Pakistan Environmental Protection Agency Review of IEE and EIA Regulations, 2000

The Pakistan Environmental Protection Agency Review of IEE and EIA Regulations, 2000 (the 'Regulations'), prepared by the Pak-EPA under the powers conferred upon it by the PEPA, provide the necessary details about the preparation, submission, and review of the initial environmental examination (IEE) and the environmental impact assessment (EIA).

Categorization of projects for IEE and EIA is one of the main components of these Regulations. Projects have been classified on the basis of expected degree of adverse environmental impacts. Project types listed in Schedule II are designated as potentially seriously damaging to the environment, and those listed in Schedule I as having potentially less adverse effects. Schedule I projects require an IEE to be conducted, rather than a full-fledged EIA, provided that the project is not located in an environmentally sensitive area. Salient features of the regulations, relevant to the proposed project are listed below.

Categories of projects requiring IEE and EIA are identified through two schedules attached with the Regulations.

(Full text of IEE/EIA Regulations can be downloaded from www.environment.gov.pk)

The Pakistan Environmental Assessment Procedures 2000

The PEPA prepared the Pakistan Environmental Assessment Procedures in 1997. The guidelines pertaining to the review process of impact assessments have been recently given regulatory status in the Review of IEE and EIA Regulations 2000.

PAKISTAN ENVIRONMENTAL PROTECTION AGENCY EIA GUIDELINES - AN OVERVIEW

The **Pakistan Environmental Protection Act, 1997**, which provides for environmental assessment in Clause 12, and various other clauses.

Review of Initial Environmental Examination and Environmental Impact Assessment Regulations, 2000

This regulation has been notified vide S. R. O. No. 339 (1)/2000 dated 13th June, 2000.

EIA Guideline Package:

The Federal EPA, in collaboration with other key stakeholders, including Provincial EPA's and Planning and Development Division from both the Federal Government and the provinces, other Agencies, NGO's representatives of Chambers of Commerce and Industry, and academics and consultants, prepared a package of comprehensive procedures and guidelines for environmental assessment in Pakistan. It is emphasized that the various guidelines may be read as a package; reliance on the sectoral guidelines alone will be inadequate.

The principal documents are:

Policy and Procedures for the filing, review and approval of environmental assessments, which sets out the key policy and procedural requirement. It contains a brief policy statement on the purpose of environmental assessment and the goal of sustainable development, required that environmental assessment be integrated with feasibility studies. Defines the jurisdiction of the Federal and Provincial EPA's and P&D's. Lists the responsibilities of proponents, and lists the duties of Responsible Authorities. It provides schedules of proposals that require either an Initial Environmental Examination (IEE) or an Environmental Impact Assessment (EIA).

Guidelines for the preparation and review of Environmental Reports is a longer and more descriptive document, which covers:

- The Initial Environmental report (scoping, alternatives, site selection, format of IEE)
- Assessing impacts (identification, analysis and prediction, baseline data, significance)
- Mitigation and impact management (and preparing an environmental management plan)

- Reporting (drafting style, main features, shortcoming, other forms of presentation)
- Review and decision-making (role, steps, remedial options, checks and balances)
- Monitoring and auditing (systematic follow up, purpose, effective data management)
- Project management (inter-disciplinary teams, programming & budgeting)

Guidelines for public consultation (in preparation), which covers:

- Consultation, involvement and participation
- Stakeholders
- Techniques for public consultation (principles, levels of involvement, tools, building trust)
- Effective public consultation (planning, stages of EIA where consultation is appropriate)
- Consensus building and dispute resolution
- Facilitating involvement (including the poor, women, building community and NGO capacity)

Guidelines for sensitive and critical areas (in preparation), which will identify sensitive and critical areas in Pakistan, in relation both to the natural environment and to cultural aspects.

Pakistan environmental legislation and the National Environmental Quality Standards (NEQS) which is a reference document listing key environmental laws and regulations, and a complete listing of the NEQS.

Detailed sectoral guidelines, being prepared progressively, including **Major thermal power stations, Major chemical and manufacturing plants, Water supply projects, Industrial estates, New township development, Major roads, Sewerage schemes, Irrigation and drainage, Dams, Forestry, Municipal waste disposal, Oil and gas exploration.** Those in bold above have been drafted, following a format which specific guidance and requirements on:

- A sector overview of the industry and processes
- Potential impacts on the environment
- Mitigation measures
- Monitoring and reporting
- Management and training
- Checklist of likely environmental impacts and mitigation measures

Sectoral Guidelines Considered in this Assessment Report

Guidelines for public consultation: These guidelines are a part of a package of regulations and guidelines. It provides assistance throughout the environmental assessment of project by involving the public which can lead to better and more acceptable decision-making.

Public involvement, undertaken in a positive manner and supported by a real desire to use the information gained to improve the proposal, will lead to better

outcomes, and lay the basis for ongoing positive relationships between the participants.

Sectoral Guidelines for Environmental Reports - Housing Estates and New Town Developments: These guidelines are set for building housing estates and township in Pakistan to look specifically at the environmental impacts. In the scenario of hotel and shopping mall development project, these guidelines are considerable as the hotel is providing accommodation facilities and the nature of impacts are similar as they are in the housing projects.

The guidelines examine impacts which may be experienced during the construction and operation phases of project as well as mitigation measures and alternatives that should be considered. The environmental report should only deal with issues relevant to the specific proposal. The focus of the environmental report should be on key environmental issues.

(Please refer website www.environment.gov.pk for details of above Sectoral Guidelines)