



**GOVERNMENT OF SINDH
SINDH ENVIRONMENTAL PROTECTION AGENCY**

Karachi dated the 03rd September, 2021

NOTIFICATION

NO.EPA/TECH/739/2021:- In exercise of the powers conferred by section 37 of the Sindh Environmental Protection Act, 2014, the Sindh Environmental Protection Agency, with the approval of Government, is pleased to make the following regulations, namely:-

1. Short title and commencement

- (1) These regulations may be called the Sindh Environmental Protection Agency (Environmental Assessment) Regulations, 2021.
- (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 Sindh Environmental Protection Act, 2014 (VIII of 2014);
 - (b) “Agency” means the Sindh Environmental Protection Agency as defined under section 2(ii);
 - (c) “Director General” means the Director General of the Agency;
 - (d) Environmental Checklist means rapid environmental assessment or environmental screening through a prescribed checklist in respect of projects having least/minimal impacts on the environment.
 - (e) "Firm" means the Environmental Consulting Firm registered by the Agency.
 - (f) “Environmentally sensitive area” means a location, large or small, that has significant environmental values that contribute to maintaining biological diversity and integrity, have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community, ecosystem as declared by Agency.
 - (g) “Protected area” means any area which safeguards the earths precious bio-diversity, protected areas of natural beauty and conservation of cultural significance as declared by relevant authority;
 - (h) “Schedule” means the Schedules provided in these regulations;

- (i) “Urban area” means an area within the limits of a town, municipality or city as determined by the Agency on the basis of population and environmental issues
 - (2) All other words and expressions used but not defined in these regulations shall have the same meaning as are assigned to them in the Act.
- 3. Projects requiring Environmental Checklist (EC)**

A proponent of a project falling in any category listed in Schedule-I shall file environmental checklist with the Agency and the provisions of section 17 shall apply to such projects.
- 4. Projects requiring an Initial Environmental Examination (IEE)**

A proponent of a project falling in any category listed in Schedule-II shall file an IEE with the Agency, and the provisions of section 17 shall apply to such projects.
- 5. Projects requiring an Environmental Impact Assessment (EIA)**

A proponent of a project falling in any category listed in Schedule-III shall file an EIA with the Agency, and the provisions of section 17 shall apply to such projects.
- 6. Projects not requiring an Environmental Assessment**
 - (1) A project not falling in any category listed in Schedules-I, II and III shall not be required to file an EC, IEE or EIA
 - (2) Notwithstanding anything contained in sub-regulation (1), the Agency may direct the proponent of a project, whether or not listed in Schedule I or II or III, to file an EC or IEE or EIA, for reasons to be recorded in such direction:

Provided that no such direction shall be issued without the recommendations in writing of the Advisory Committee constituted under regulations 21.
- 7. Preparation of environmental assessment report**
 - (1) The Agency may issue guidelines for preparation of an EC or IEE or EIA reports including guidelines of general applicability, and sectoral guidelines indicating specific assessment requirements for planning, construction and operation of projects relating to particular sector.
 - (2) The Agency may issue guidelines for preparation scope of an Environmental Management Plan(EMP) or Environmental Audit(EA).
 - (3) Where guidelines have been issued under sub-regulation (1) & (2), an EC, IEE or EIA or EMP or EA shall be prepared, to the extent practicable, in accordance therewith and the proponent shall justify any departure therefrom.
- 8. Review Fees**

The proponent shall pay, at the time of submission of an EC, IEE or EIA or EMP or BTS tower a non-refundable review fee to the Agency as prescribe in Schedule-IV.

9. Filing of report

- (1) Two hard copies and two electronic copies for an EC or IEE or EIA report shall be filed with the Agency by the proponent. The Agency may require the proponent to submit additional copies, as and when required during the review process.
- (2) Every EC, IEE and EIA shall be accompanied by -
 - (a) an application, in the form prescribed in Schedule-V;
 - (b) Copy of receipt showing payment of review fee as prescribed in Schedule-IV

10. Preliminary Scrutiny

- (1) Any report filed by the proponent or applicant shall be returned, if found incomplete in terms of Regulation 9.
- (2) Notwithstanding anything contained in sub-regulation (1) of regulation 12, the Agency may require the proponent to submit an additional information at any stage during the review process.

11. Public participation

- (1) In the case in an EIA, the Agency shall issue a public notice to be published in widely circulated English or Urdu or Sindhi national newspaper and in a local newspaper of general circulation in the area affected by the project, mentioning the type of project, its exact location, the name and address of the proponent and the date, time and place of public hearing for inviting comments from primary stakeholders.
- (2) The date fixed under sub-regulation (1) shall not be earlier than ten days from the date of publication of the notice.
- (3) The Agency shall also ensure the circulation of the EIA, where necessary, to the concerned Government Agencies and solicit their comments thereon.
- (4) All comments received by the Agency from the public or any Government Agency shall be duly considered before issuance of decision.
- (5) The Agency may issue guidelines indicating the basic techniques and measures to be adopted to ensure effective public consultation, involvement and participation in EIA assessment.

12. Review process

- (1) Notwithstanding anything contained in sub section (4) of Section 17, the Agency shall make every effort to conclude its review process of the EA, EMP or environmental checklist within fifteen days, of the IEE within thirty days, and of the EIA within sixty days after receiving of complete case.
- (2) In reviewing an EIA, the Agency shall consult such Committee of Experts be constituted for the purpose by the Director General, and may also solicit views of concerned Advisory Committee, if any, constituted by the Agency.

- (3) The Director General may, where considers it necessary, constitute a committee to inspect the site of the project and submit its report on such matters as may be specified.
- (4) In reviewing the IEE, the Director General may constitute a committee of the officers from within the Agency, on case to case basis, in view of the jurisdiction and location of the project for the purpose to extend final recommendation about the approval or rejection of the IEE.
- (5) The review of the IEE or EIA by the Agency shall be based on quantitative and qualitative assessment of the documents and data furnished by the proponent, comments from the public and Government Agencies received under regulation 12, and views of the committees mentioned in sub-regulations (2) and (3) above.
- (6) EMP, EA, EC shall be reviewed as per guidelines issued by SEPA

13. Decision

- (1) The documentary evidence in the form of videos (soft copies) of public hearing shall be submitted by the proponent within three days after conclusion of public hearing to the Agency.
- (2) On completion of the review process, the decision of the Agency shall be communicated to the proponent in the form prescribed in Schedule-VI or in case of an IEE or EMP or environmental checklist or environmental audit in the form prescribed in Schedule-VII in case of an EIA.

14. Conditions of approval

- (1) Every approval of an EC or IEE or EIA or EMP or EA shall, in addition to such conditions as may be imposed by the Agency, be subject to the condition that the project shall be designed, constructed or operated and mitigatory and other measures adopted, strictly in accordance with the EC or IEE or EIA or EMP or EA, unless any variations thereto have been specified in the approval by the Agency.
- (2) Where the Agency accords its approval subject to certain conditions, the proponent shall submit an undertaking to the Agency, before commencing operation of the project, in the form prescribed in Schedule-VIII that the conditions of approval, and the requirements in the IEE or EIA relating to design and construction, adoption of mitigation and other measures have been duly complied with.

15. Validity period of Approval

- (1) The approval accorded by the Agency under section 17 read with sub-regulation (2) of regulation 15 shall be valid, for commencement of construction, for a period of three years from the date of issue.
- (2) If construction is commenced during the initial three years validity period, the

validity of the approval shall stand extended for a further period of three year.

- (3) The proponent may apply to the Agency for extension in the validity periods mentioned in sub-regulations (1), (2), which may be granted by the Agency in its discretion for such period not exceeding three years at a time, if the conditions of the approval do not require significant change:

Provided that the Agency may require the proponent to submit a fresh IEE or EIA, if in its opinion changes in location, design, construction and operation of the project so warrant.

16. Entry and inspection

- (1) For the purpose of verification of any matter relating to the review or to the conditions of approval of an EC or IEE or EIA or EMP or EA list prior to, before or during and after commencement of construction or operation of a project, duly authorized staff of the Agency shall be entitled to enter and inspect the project site, factory building and plant and equipment installed therein.
- (2) The proponent shall ensure full cooperation of the project staff at site to facilitate the inspection, and shall provide such information as may be required by the Agency for this purpose and pursuant thereto.

17. Cancellation of approval

- (1) Notwithstanding anything contained in these regulations, if, at any time, on the basis of information or report received or inspection carried out, the Agency is of the opinion that the conditions of an approval have not been complied with, or that the information supplied by a proponent in the approved EC or IEE or EIA or EMP or EA list is incorrect, it shall issue notice to the proponent for show cause within two weeks of receipt thereof as to why the approval should not be cancelled.
- (2) In case no reply is received or if the reply is considered unsatisfactory, the Agency may, after giving the proponent an opportunity of being heard -
 - (i) require the proponent to take such measures and to comply with such conditions within such period as it may specify, failing which the approval shall stand cancelled; or
 - (ii) cancel the approval.
- (3) On cancellation of the approval, the proponent shall cease construction or operation of the project forthwith.
- (4) Any action taken under this regulation shall be without prejudice to any other action that may be taken against the proponent under the Act or rules or regulations or any other law for the time being in force.

18. Registers of EC or IEE and EIA projects

Separate Registers to be maintained by the Agency for EC or IEE and EIA projects shall be in the form prescribed in Schedule-IX.

19. Environmentally sensitive areas

- (1) The Agency may designate an area to be an environmentally sensitive area,
- (2) Notwithstanding anything contained in regulations 3 and 5, the proponent of a project situated in an environmentally sensitive area shall be required to file an EIA with the Agency.

20. Environmental assessment guidelines

- (1) The Agency may from time to time issue guidelines to assist proponents and other persons involved in the preparation of environmental assessment.
- (2) Where guidelines have been issued under sub-regulation (1), the projects shall be planned and prepared, to the extent practicable, in accordance therewith and any departure therefrom justified in the IEE/EIA pertaining to the project.

21. Environmental Assessment Advisory Committee. -

The agency may constitute one or more Committees for the purpose of rendering advice on implementation and enforcement of Section 17, which may include experts of relevant field, civil society, academia, environmental experts, representative of Administrative Department, legal expert and experts from natural resources.

22. Repeal and Savings.

- (1) The Sindh Environmental Protection Agency (Review of Initial Environmental Examination and Environmental Impact Assessment) Regulations 2014, shall, on commencement of these regulations, stand repealed.
- (2) All orders made, notification issued, actions taken under the repealed Regulations shall remain in force until amended, altered or repealed by the provisions of these regulations.

**DIRECTOR GENERAL
SINDH ENVIRONMENTAL PROTECTION
AGENCY**

SCHEDULE-I

(See Regulation 3)

List of projects requiring Environmental Screening (through check list)

- a. Subject to the compliance with concerned zoning laws:
 - i. Construction of residential and commercial buildings having total covered area from 60,000 sq.feet to 100,000 sq.feet
 - ii. Housing Schemes covering an area from 05 acres to 15 acres.
 - iii. Ware Houses for Non-Hazardous substances having total area from 1000 sq.yards to 5,000 sq.yards
 - iv. Warehouse for Fertilizers
 - v. Marriage Halls/Banquet/Restaurants/Baking facilities having total area more than 500 sq.yards
 - vi. Motor vehicle workshops/Service Stations having total area of more than 500 sq.yards.
- b. Construction/Reconstruction/Rehabilitation of roads in urban area from 500 meters to 01 kilometres and in rural area from 500 meters to 05 kilometres.
- c. Construction of Flyover, underpasses and bridges of length from 100 meters to 500 meters
- d. On-farm dams and fish farms
- e. Pulses mills
- f. Flour Mills
- g. Lining of existing minor canals and /or water courses.
- h. Canal cleaning
- i. Forest harvesting operations
- j. Rain harvesting projects
- k. Health care units of less than 50 beds
- l. BTS Tower
- m. Lime Kilns
- n. Ice factories and cold storage.
- o. Cotton oil mill
- p. Construction of LPG, CNG, LNG filling station and petrol pumps
- q. Carpet manufacturing units
- r. Rain harvesting projects
- s. Industrial Effluent Treatment Plant
- t. Sanitary Landfill site up to 500 tons/day

Schedule-II
(See Regulation 4)

List of projects requiring an Initial Environmental Examination

A. Agriculture, Livestock and Fisheries

1. Poultry, livestock and fish farms
2. Warehousing for pesticides and pharmaceuticals
3. Projects involving packaging, formulation, cold storage and warehouse of agricultural, livestock and fish products.
4. Construction & Operation of Slaughter houses

B. Energy

1. Hydroelectric power generation up to 25 MW
2. Thermal power generation up to 100 MW
3. Coal fired power plants with capacity up to 50 MW
4. Transmission lines up to 132 KV, and grid stations
5. Waste-to-energy generation projects including bio-mass up to 25 MW
6. Construction of Coal Handling and storage facilities
7. Handling, Transportation & Storage of Biofuel Facility
8. Handling and storage of edible grains and seeds
9. All Renewable energy Projects (excluding Protected/Sensitive area under any law)

C. Oil and Gas projects:

1. Oil and gas 2D/3D Seismic survey and drilling activities (on and off shore)
2. Oil and gas extraction projects including exploration and production located outside the environmentally sensitive/protected areas
3. Oil & Gas transmission gathering, storage, separation & transportation system
4. Construction of CNG, LPG Petroleum and LNG bulk storage facility
5. Oil blending and recycling units

D. Manufacturing and processing

1. Ceramics and glass units
2. Food processing units
3. Pharmaceutical units.
4. Rice mills, ghee/oil mills, Cotton ginning
5. Man-made fibers and resin projects

6. Tanning and leather finishing projects
7. Manufacturing of apparel, textile garments units, including weaving, spinning, dyeing, bleaching and printing
8. Woodwork units manufacturing products
9. Steel re-rolling mills
10. Waste recycling plants
11. Battery manufacturing plant
12. Brick Kilns
13. Marble processing units
14. Stone Crushing units

E. Mining and mineral processing

1. Commercial extraction of sand, gravel, limestone, clay, Sulphur and other minerals not included in Schedule I.
2. Crushing, grinding and separation processes
3. Metal Smelting plant production capacity up to 20 tons/day

F. Transport

1. Construction of flyovers, underpasses and bridges having length more than 500 meters to 1000 meters in urban areas and more than 5km in rural areas
2. Bus terminals/ railway station/ metro stops and construction & operation of transport related terminals
3. Rehabilitation or rebuilding or reconstruction of existing roads more than one kilometers in urban areas and more than 5 km from rural areas

G. Water management, dams, irrigation and flood protection

1. Dams and reservoirs with storage volume of less than 25 million cubic meters of surface area less than 4 square kilometers
2. Irrigation systems and drainage system with the area of less than 15,000 hectors
3. Flood protection bunds

H. Water supply and filtration

Water supply schemes and filtration plants

I. Waste disposal and wastewater treatment

1. Solid and Non-hazardous waste with annual capacity up to 10,000 tonnes (excluding municipal landfill sites and commercial facilities) including Garbage Transfer station/composting plant

2. Wastewater treatment for sewerage treatment facility less than 100 mgd
3. Hospital waste disposal facilities including incineration units owned by Hospitals for own use excluding commercial facility.

J. Urban development

1. Housing schemes more than 15 acres to 50 acres
2. Residential, Commercial multistory High rise construction projects having covered area more than 100,000 sq.feet to 500,000 sq.feet.
3. Laboratories
4. Hospitals, health care unit of more than 50 beds
5. Construction of Educational and Academic institutions.

K. Other projects

Any other project for which filing of an IEE is required by the Agency under sub-regulation (2) of Regulation 6.

SCHEDULE III

(See Regulation 5)

List of projects requiring an EIA

A. Energy

1. Hydroelectric power generation more than 50 MW
2. Thermal power generation more than 100 MW
3. Coal power projects more than 50 MW
4. Transmission lines above 132 KVA and distribution projects.
5. Nuclear power plants
6. Wind, Solar or renewable energy projects if falls under any environmental sensitive and protected area.

B. Oil and Gas projects

1. Oil Petroleum refineries.
2. LPG and LNG Terminals Projects
3. Coal Handling Terminals Projects

C. Manufacturing and processing

1. Cement plants
2. Chemical manufacturing industries
3. Fertilizer plants
4. Steel Mills
5. Sugar Mills and Distilleries
6. Establishment of Industrial estates & Export processing zones
7. Petrochemicals complex
8. Synthetic resins, plastics and man-made fibers, paper and paperboard, paper pulping, plastic products, printing and publishing, paints and dyes.

D. 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. Metal Smelting plant production capacity more than 20 tons/day

E. Transport

1. Airports
2. Construction of highway, motor ways, major roads (Intercity roads) more than one km and above

3. Ports and harbor development
4. Mass transit projects
5. Railway works
6. Construction of Flyover, underpass and bridges having total length more than one km.

F. Water management, dams, irrigation and flood protection

1. Dams and reservoirs with storage volume of 25 million cubic meters and above having surface area of 4 square kilometers and above
2. Irrigation and drainage projects serving more than 15,000 hectares and above

G. Water supply and filtration

Public water supply schemes and **filtration** plants.

H. Waste Disposal and treatment

1. Facilities for handling, storage or disposal of hazardous or toxic wastes or radioactive waste (including landfill sites, incineration units, etc.)
2. Solid waste municipal landfill sites.
3. Combine Effluent Treatment Plant
4. Domestic wastewater treatment plant more than 100mgd

I. Urban development and tourism

1. Housing schemes above 50 acres
2. Residential, Commercial High rise buildings subject to compliance of building bylaws of relevant organizations more than 500,000 sq.feet
3. All Projects located in High Density Zones notified by Government and relevant land controlling organization, irrespective of their size.
4. Commercialization of major corridors/roads in urban centers
5. Large Scale public facilities
6. Large-scale tourism development projects

J. Environmentally Sensitive Areas

All projects situated in environmentally sensitive areas being identified by the Agency.

K. Other projects

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

Schedule-IV
(See Regulation 8)

Project Cost (in million)	Review Fee
Up to 20	Rs.50,000
Above 20 up to 100	Rs. 100,000
Above 100 up to 200	Rs. 200,000
Above 200 up to 500	Rs. 400,000
Above 500	Rs. 600,000
Review fee for Environmental Checklist or EMP shall be Rs. 40,000/=	
Review fee for BTS Tower shall be 20,000/=	

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Note:

The fee shall be payable into the “Sindh Sustainable Development Fund” account
Details are as under:

A/C Title: Sindh Sustainable Development Fund

Account Number: 03084572626100

Bank: Sindh Bank

Branch Code: 0308-Korangi Industrial Area

SCHEDULE V
[See Regulation 9(2)(a)]
Application Form

1.	Name and address of Proponent		Phone: Email:	
2.	CNIC No. of proponent			
3.	Brief description of project			
4.	Location of project			
5.	Cost of the Project			
6.	Objectives of project			
7.	IEE/EIA attached?	IEE/EIA: Yes/No		
8.	Have alternative sites/options been considered/ reported in IEE/EIA?	Yes/No		
9.	Title document of the project			
10.	Existing land use		Land requirement	
11.	Is basic site data available, or has it been measured?	(only tick yes if the data is reported in the IEE/EIA)	Available	Measured
		Meteorology (including rainfall)	Yes/No	Yes/No
		Ambient air quality	Yes/No	Yes/No
			Yes/No	Yes/No
12.	Have estimates of the following been reported, especially Quantitative Analysis?	Water balance	Estimated	Reported
		Solid waste disposal	Yes/No	Yes/No
		Liquid waste	Yes/No	Yes/No
13.	Source of power		Power requirement	
14.	Labour force (number)	Construction: Operation:		
15.	Environmental Consulting Firm			

Verification. I do solemnly affirm and declare that the information given above and contained in the attached EC/IEE/EIA is true and correct to the best of my knowledge and belief.

Date

Signature, name _____
of proponent (with official
stamp/seal)

SCHEDULE VI
[See Regulation 13(2)]

Decision on IEE/Environmental Check List

1. Name and address of proponent _____
 2. Description of project _____
 3. Location of project _____
 4. Date of filing of IEE _____
 5. After careful review of the IEE, the Agency has decided –
 - (a) to accord its approval, subject to the following conditions:

 - or (b) that the proponent should submit an EIA of the project, for the following reasons –

- Dated _____

Tracking no. ____

Director-General
Sindh Environmental Protection Agency
(with official stamp/seal)

SCHEDULE VII

[See Regulation 13(2)]

Decision on EIA

1. Name and address of proponent _____
 2. Description of project _____

 3. Location of project _____
 4. Date of filing of EIA _____
 5. After careful review of the EIA, and all comments thereon, the Federation Agency has decided –
 - (a) to accord its approval, subject to the following conditions:

 - or (b) that the proponent should submit an EIA with the following modifications-

 - or (c) to reject the project, being contrary to environmental objectives, for the following reasons:

- Dated _____

- Tracking no.____

Director-General
Sindh Environmental Protection Agency
(with official stamp/seal)

SCHEDULE VIII
[See Regulation 14(2)]

Undertaking

I, (full name and address) as proponent for (name, description and location of project) do hereby solemnly affirm and declare that the conditions of approval and the requirements in the IEE or EIA relating to design and construction, adoption of mitigation and other measures and other relevant matters have been duly complied with in the design and construction of the project.

Signature, name and

designation of proponent
(with official stamp/seal)

Witnesses(full names and addresses)

SCHEDULE IX
(See Regulation 18)
Form of Registers for EC, IEE and EIA projects

<u>S. No.</u>	<u>Description</u>	<u>Relevant Provisions</u>
1	2	3
1.	Tracking number	
2.	Category type (as per Schedules I or II)	
3.	Name of proponent	
4.	Name and designation of contact person	
5.	Name of consultant	
6.	Description of project	
7.	Location of project	
8.	Date of submission of IEE/EIA	
9.	Date of public hearing / technical presentation	
10.	Date of committee of experts for schedule-II projects	
11.	Approval granted (Yes/No)	
12.	Date of approval granted or refused	