

## **Environmental Impact Assessment**

### **General Overview**

Law No. 4 states that the environmental impact of certain establishments or projects must be evaluated before any construction works are initiated or a license is issued by the competent administrative authority or licensing authority.

The Executive Regulations relating to Law No. 4 identifies establishments or projects which must be subjected to an Environmental Impact Assessment based upon the following main principles:

1. Type of activity performed by the establishment.
2. Extent of natural resources exploitation.
3. Location of the establishment.
4. Type of energy used to operate the establishment.

The number of projects subject to this provision is many and will form a heavy burden to administrative authorities and the EEAA. A flexible system for the management of EIA projects has therefore been developed in order to use limited economic and technical resources in the best possible way.

The system encompasses a flexible screening system and projects are classified into three groups or classes reflecting different levels of environmental impact assessment according to severity of possible environmental impacts.

### **The List Approach**

The list approach depends on screening projects into three categories based on different levels of EIA required according to severity of possible environmental impacts as follows:

1. White list projects for establishments/projects with minor environmental impact.
2. Grey list projects for establishments/projects which may result in substantial environmental impact.
3. Black list projects for establishments/projects which require complete EIA due to their potential impacts.

N.B. Screening projects/establishments into three categories is a guide for the EIA. It is not exhaustive lists but examples.

The classifications may be adjusted by the EEAA in accordance with experience gathered. If a project can not be classified in any of the three categories the developer must approach the EEAA for advice.

#### **1. The White List Projects**

This class includes establishments/projects with minor environmental impacts. The project proponent has to fill in the Environmental Screening Form "A". The list includes establishments which may be approved based on fundamental information only

#### **Procedures:**

- 1.1. The developer applies to the CAA, before any construction works are initiated, with a letter of intent to undertake certain specific project considered "white listed project" and attaches the Environmental Screening Form "A", which can be obtained at the CAA..
- 1.2. The CAA registers the documents and checks whether the selected category is correct and whether the information submitted complies with the required information.
- 1.3. The CAA checks the documents and formally submits applicant's documents to the EEAA for review and evaluation.
- 1.4. The EEAA reviews and evaluates the documents and submits to the CAA its opinions and possible proposals for measures to be taken so as to ensure the protection of the environment within 60 days of the EEAA's receive of the completed documents. Failure to carry out these processes shall be considered as an approval of the assessment.

- 1.5. The EEAA registers the documents, its opinions and proposals in the EIA-register at the EEAA.
- 1.6. The CAA officially notifies developer by registered letter with an acknowledgment of receipt and communicates final result of the evaluation. The result can be either:
  - a. An approval of the project on condition that developer complies with all legal environmental requirements (specified in the approval). The project might be disapproved for reasons other than environmental.
  - b. An instruction to the developer to follow the grey or the black class projects procedures depending on nature of the project.
- 1.7. The CAA forwards a copy of its decision to the EEAA, which registers it in the EIA-register.
- 1.8. The CAA ensures implementation of the decision.

## **2. The Grey List Projects**

The list includes establishments to be screened for major environmental impacts. The establishments are categorized by activities, quantity of production and project size. In case of establishments with no production capacity limits mentioned, all sizes are included.

The proponent has to fill out Environmental Screening Form "B". The procedure consists of two stages: (1) a screening (filling out Form B) possibly followed by (2) a scoped EIA on certain identified impacts/processes.

### **2.1 Procedures :**

- 2.1.1.** The developer applies to the CAA, before any construction works are initiated, with a letter of intent to undertake certain specific project considered "grey listed project" and attaches the Environmental Screening Form "B"
- 2.1.2.** The CAA registers the documents and checks whether the selected category is correct and whether the information submitted complies with required information.
- 2.1.3.** The CAA checks the documents and formally submits applicant's documents to the EEAA for review and evaluation.
- 2.1.4.** The EEAA evaluates the documents and submits to the CAA its opinions and possible proposals for measures to be taken so as to ensure the protection of the environment within 60 days of the EEAA's receipt of the completed documents. Failure to do so shall be considered as an approval of the assessment.
- 2.1.5.** The EEAA registers the documents, its opinions and proposals in the EIA register at the EEAA.
- 2.1.6.** The CAA officially notifies the developer by registered letter with an acknowledgment of receipt about the final result of the evaluation. The result can be either:
  - a. An approval of the project including possible measures to be taken to ensure the protection of the environment.
  - b. A disapproval of the project.
  - c. A formal request to the developer to complete a scoped EIA study for certain impacts/processes of the project in accordance with the Terms of Reference prepared by the EEAA.
- 2.1.7.** The CAA forwards a copy of its decision to the EEAA, which registers it in the EIA register.
- 2.1.8.** The CAA ensures implementation of the decision.
- 2.1.9.** The developer can appeal the decisions mentioned in a) or b) to the Permanent Appeals Committee in writing within 30 days of receipt.
- 2.1.10.** Documents Required: Environmental Screening Form "B" available at CAA .

## **2.2. Procedures (when scoped EIA is requested) :**

- 2.2.1.** In case the developer is requested to conduct a scoped EIA study for certain selected impacts/processes, the developer must submit a completed study to the CAA.
- 2.2.2.** The CAA registers the study and checks whether the information included in the scoped EIA study complies with required information according to the Terms of Reference.
- 2.2.3.** The CAA checks the documents and formally submits applicant's documents to the EEAA for review and evaluation.
- 2.2.4.** The EEAA evaluates the study and submits to the CAA, within 60 days of the EEAA's receipt of the completed documents, its opinion and possible proposals for measures to be taken in order to ensure the protection of the environment. Failure to do so shall be considered as an approval of the assessment.
- 2.2.5.** The EEAA registers the documents, its opinion and proposals in the EIA register at the EEAA.
- 2.2.6.** The CAA officially notifies the developer by registered letter with an acknowledgment of receipt about the final result of the evaluation. The result can be either:
  - a.** An approval of the project including possible measures to be taken to ensure the protection of the environment.
  - b.** A disapproval of the proposed project.
- 2.2.7.** The CAA forwards a copy of its decision to the EEAA, which register it in the EIA register.
- 2.2.8.** The CAA ensures implementation of the decision.
- 2.2.9.** The developer can appeal the decisions mentioned in a) and b) to the Permanent Appeals Committee in writing within 30 days of receipt.
- 2.2.10.** Documents required: Terms of Reference for a scoped EIA prepared by the EEAA.

## **3. The Black List Projects**

This category includes establishments/projects which due to their potential and substantial environmental impacts need a full EIA study.

The establishments are screened by activities, quantity of production and project size. In case of establishments with no production capacity limits mentioned , all sizes are included.

### **Procedures:**

- 3.1. The developer applies to the CAA with a letter of intent to undertake certain specific project which is classified as "black listed project". The developer attaches three copies of the full EIA study on the project in accordance with the relevant sector guidelines.
- 3.2. The CAA registers the documents and checks whether the selected category is correct and whether the information included in the EIA study complies with the required information according to relevant sector guidelines.
- 3.3. The CAA checks the documents and formally submits applicant's documents to the EEAA for review and evaluation.
- 3.4. The EEAA evaluates the documents and submits to the CAA its opinion and possible proposals for measures to be taken in order to ensure the protection of the environment within 60 days of the EEAA's receipt of the completed documents. Failure to do so shall be considered as an approval of the assessment.
- 3.5. The EEAA registers the documents, its opinion and proposals in the EIA register at the EEAA. The CAA officially notifies developer by registered letter with an acknowledgment of receipt about the final result of the evaluation. The result can be either:
  - a.** An approval of the project including possible measures to be taken to ensure the protection of the environment.
  - b.** A disapproval of the project.
- 3.6. The CAA forwards a copy of its decision to the EEAA, which register it in the EIA register.
- 3.7. The CAA ensures implementation of the decision.

- 3.8. The developer can appeal the decisions mentioned in a) or b) to the Permanent Appeals Committee in writing within 30 days of receipt.
- 3.9. Documents required: Relevant sector guidelines available at the CAA.

### **The Appeal System**

The decision taken by the authorities regarding the assessment and/or the proposals required to be implemented as considered necessary by the EEAA can be appealed to the Permanent Appeals Committee by developer within 30 days after receiving such decision. The classification according to environmental impacts of the projects (white, grey or black) cannot be appealed.

#### **Source:**

[http://www.eeaa.gov.eg/English/main/eia\\_serv1.asp](http://www.eeaa.gov.eg/English/main/eia_serv1.asp)

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