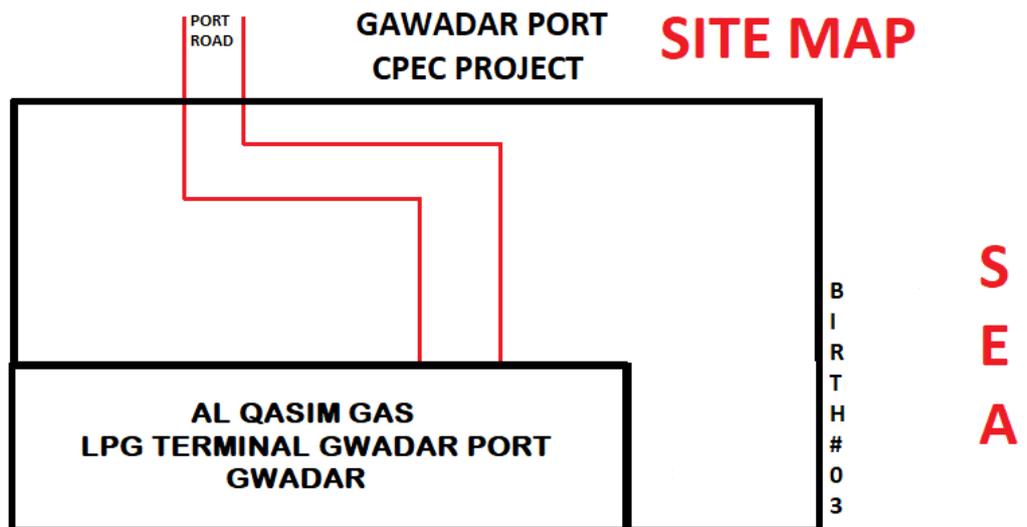


INITIAL ENVIRONMENTAL E X A M I N A T I O N



**LPG TERMINAL AT GWADAR PORT,
GWADAR.**

**Submission of Initial Environmental Examination for
M/S. AL QASIM GAS LPG TERMINAL
LOCATED AT: GWADAR PORT GWADAR
BALUCHISTAN, PAKISTAN.
CONTACT # 0345-8484501
AUGUST 06, 2018.**



Preparation of Initial Environmental Examination
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1.INTRODUCTION/EXECUTIVE SUMMARY

LPG is a very important source of fuel in cities and towns. Due to the length, breath and topography, supply of natural gas is restricted to a limited percentage of the total population. The rest about 80% or more of the population uses Wood, Coal, Kerosene Biogas or LPG. M/S. AL QASIM GAS (PVT) LTD. has an Objective to supply the cleaner kitchen fuel to more and more people of the country.

The day is not far off when imported LPG would be available at cheaper prices to suit the local economic condition of the country. It would give a very big boost to the middle and lower middle class of the society of our country, even villages can be served by transporting LPG cylinders to their door-step. Hence this industry has very bright future and long term planning should include supplying LPG in villages and rural areas to replace coal, wood and cow-dung etc. It would achieve two prong benefits...first environment friendly kitchen fuel and second cheaper in value as well thus reducing poverty level of masses.

AL QASIM GAS (PVT) LTD

M/S. Al Qasim Gas (Private) Limited is a local investment project invested by the local resident of Gwadar District. The step taken by M/s. Al Qasim Gas (Private) Ltd. is a very wise, progressive, environmental friendly and poverty aversion step / project especially from local investment with major Indigenous items, erection, startup and Laboratory testing etc. except a few items to be imported.

The company is setting up a state-of-the-art LPG Terminal at District Gwadar on most modern technology and would adopt all HSSE standards. M/s. Al Qasim Gas has 90 M. Tons storage facility. Initial marketing planning of the company is 80 to 150 MT / day and will be increased gradually.

Head Office of the company is situated at House No. 7A, Shan-e-Pakistan Street,Dr. AQ Khan Road, Bani Gala, Islamabad.**Mr. Qasim Bashiris** the Chief Executive and the other two directors are **Mr. Afzal Ahmed**, and**Mr. Imtiaz Ahmed**.

AL QASIM GAS LPG TERMINAL AT GWADAR PORT GWADAR.

The Terminal would get LPG from import sources at Terminal site by LPG Ships and stored in storage vessels. The filling operations consist of testing / noting of tare weight of empty Browsers then filling of Browsers manually, checking for correct weight, carrying out leak test and finally fitting of transit plug for transfer to storage platform for final delivery to the marketing company to supply.

The Pakistan Environmental Protection Act, 1997 requires proponents of all projects working involving any change in the environment, to submit an Initial Environmental Examination (IEE) or, where the project is likely to cause an adverse environment effect, an Environmental Impact Assessment (EIA) to the Federal Environmental Protection Agency (Federal EPA). Pursuant to National legislation policy, M/s. Al Qasim Gas (Pvt) Limited is going to undertake an independent IEE of the proposed operation.

Pakistan has witnessed an increase in the production of LPG by over 60% in the last 24C months. This has enabled LPG to become available in all those areas where previously due to a shortage of supply the product was not available. Unlike most countries, Pakistan has an extensive natural gas pipeline network covering most of the major cities.

However, there are still a number of cities and villages that do not have access to natural gas and therefore resort to using other fuels. These include bio mass, wood, kerosene and LPG.

The current producer price of LPG coupled with the marketing companies' and distributors' profit margins make it unaffordable to the common man living in the village. This is not to say that the increased production has not benefited these people. More LPG is being consumed today in areas where there is no natural gas, than was the case a year ago.

However; due to its relative inexpensiveness to petrol, more and more LPG is being consumed by the auto sector in Pakistan. The primary users in this sector are the rickshaw, taxis and mini buses. This paper will present a detailed comparison of fuel costs, but suffice it to say that a user of LPG can travel the same distance as that of a user of Petrol in about less than half the cost.

With the increase in production of LPG and the recent hike in petrol prices the auto sector accounts for more than half the consumption of LPG in Pakistan. Attempts by the authorities to curb its usage have always been met with severe resistance from its users and to date have not been successful. This fact is not surprising because the common man driving a rickshaw or taxi can no longer afford petrol at the current prices. And with the petrol prices set to rise, this trend will only increase.

An alternative to LPG in the auto sector which the Government has been promoting is CNG. As compared to LPG, a CNG kit is three times more expensive than an LPG kit. The former costs Rs. 30,000 whereas the latter about Rs. 10,000. Secondly, in terms of mileage and engine performance CNG is inferior to LPG. (A detailed comparison follows). Most importantly, its availability is limited to the availability of natural gas pipeline.

Let me clarify at the outset that this paper is not promoting LPG in favor of CNG. The latter has been of great economic and environmental benefits to both the Government and the masses. This paper is only recommending that LPG should be used in conjunction with CNG and the choice of fuel should be left to the consumer. This is the case in many countries; including India and China.

Pakistan is a country well-endowed with natural gas reserves and in order to reduce dependence on imported crude it is necessary for the Government to promote fuels such as CNG. But since its availability is limited and it is more expensive than LPG; not everyone has access to it.

The Baluchistan Environmental Protection Bill, 2012 requires proponents of all projects involving any change in the environment, to submit an Initial Environmental Examination (IEE) or, where the project is likely to cause an adverse environment effect, an Environmental Impact Assessment (EIA) to the

Federal Environmental Protection Agency (Federal EPA). Pursuant to National legislation policy, M/s. Al Qasim Gas (Private) Limited is going to undertake an independent IEE of the proposed operation.

The IEE is intended to assess any possible adverse impacts on the physical, biological and socio-economic environments caused by the proposed activity, identify necessary mitigation measures to minimize these effects, and develop an

Environmental management plan. The implementation of this EMP will ensure that the proposed mitigation measures will be fully operationalized and any residual environmental impacts will be controlled and minimized.

An important step in the preparation of this IEE included consultation with stakeholders including government organization, NGOs and concerned individuals. The views and concerns of stakeholders have been fully addressed in this IEE.

The identification and assessment of possible environmental impacts has been carried out on the basis of:

A review of national legislation relevant to the projects, and the institutional framework for environment management in Pakistan to identify national regulatory requirements relevant to the proposed operation. These have been fully taken into account in the IEE.

Specific technical details of the proposed operation, including the equipment to be associated with the operation. It is concluded that the proposed operation utilizes the best modern practices to achieve its objectives while minimizing possible environmental impacts.

A detail review of back ground environment information relating to the projects area was performed, this included collection and analysis of physical, biological and socio-economic Data.

Mitigation and control measures have been developed to address the impacts identified. These measures will be incorporated into the planning and design and implementation of the proposed operation. In order to operationalize the proposed mitigation measures, an Environmental Management plan has been developed; this includes controls to minimize the identified impacts, and a monitoring program to monitor impacts, if any, during the operation.

Pakistan is a country well-endowed with natural gas reserves and in order to reduce dependence on imported crude it is necessary for the Government to promote fuels such as CNG. But since its availability is limited and it is more expensive than LPG; not everyone has access to it.

Major Air pollutants in Fuels

Each fuel has different emission characteristics, with consequently different impacts on public health. The key regulated pollutants, and their impacts on human health, are summarized below:

Oxides of Nitrogen (NO_x) include several gaseous compounds made of nitrogen and oxygen emitted by both spark-ignition and diesel vehicles. Oxides of Nitrogen are lung irritants and can increase susceptibility to respiratory illness (especially asthma) and pulmonary infection.

In addition, NO_x contributes to the formation of ground level ozone, which is a major constituent of smog. Smog severely irritates the mucous membranes of the nose and throat, which can lead to coughing and even choking. It also impairs normal functioning of the lungs and long-term exposure may cause permanent damage.

Volatile Organic Compounds (VOCs) or Hydrocarbons (HC) are gaseous organic chemical compounds derived from diesel, gasoline and most alternative fuels which also contribute to the formation of ground level ozone.

As well as being emitted from the tailpipe of motor vehicles, these compounds are also released to the atmosphere by vehicles during refueling, through evaporation via leaks in fuel filler caps, hot engine parts or failures in a vehicle's on-board vapor recovery systems.

Fine Particulate Matter (PM) is emitted by both diesel and spark ignition engines, though diesel sources tend to dominate. In 2002, after much research, the US EPA concluded that PM in diesel exhaust causes acute throat and bronchial irritation, poses a chronic respiratory hazard to humans, and is a likely carcinogen. Particles may also absorb potentially health-threatening organic "air toxics" found in engine exhaust.

Air Toxic (Unregulated) Pollutants

Diesel and petrol vehicles tend to have significantly higher emissions of a large group of hazardous chemicals, generically termed "air toxics", of which the most significant are considered to be benzene, formaldehyde, acetaldehyde and butadiene.

Pollutants in this category are emitted in only very small quantities, but their high toxicity is a concern to health authorities. Extensive research is being undertaken to explore potential linkages with a number of "20th century diseases", including a very significant increase in asthma cases and other allergy-related illnesses.

Of particular concern is the tendency for these substances to attach themselves to fine particles in vehicle exhaust streams, where they can be inhaled into the most sensitive deep-lung tissue. The much higher particle emissions from diesel engines are suspected to represent a proportionally higher risk level.

LPG: A clean burning fuel

LPG Compared to:

Ultra- Low Sulphur Petrol	Ultra- Low Sulphur Diesel
15% to 80% less oxides of nitrogen	90% to 99% less oxides of nitrogen
20% to 40% less hydrocarbons	80% to 95% less particles
30% to 35% less carbon monoxide	99% to 99.8% less ultra-fine particles

Table 1, above, summarizes LPG emissions compared with both ultra-low sulphur petrol and ultra-low sulphur diesel. Of particular note is the huge gap between diesel and LPG emissions of oxides of nitrogen (NOx) and fine particulate matter (PM).

NOx impairs the lung function in humans and is strongly linked to increases in asthma attacks. PM is a known carcinogen and intense efforts are underway to limit human exposure to this pollutant.

Over the coming decade and beyond, petrol, diesel, CNG and LPG will continue to be the most viable fuel types available to the motoring public and transport fleets.

Rational decisions on fuel selection are strongly influenced by availability, cost (operating and capital) and suitability for any particular application. Using these criteria, it is highly unlikely that any single fuel will be the optimal choice for all transport needs, at least in the foreseeable future. However LPG as Autogas does have several advantages over other fuels:

Advantages over other fuels

- The combustion of Autogas is smoother as a result of the higher octane content. Unlike other fuels, no additives are required to guarantee high quality.
- Autogas contains no lead and is therefore cleaner and leaves no residue.
- It is actually better than petrol because it reaches the engine in pure gas form with improved combustion resulting in fewer knocking.
- With modern technology, there is very little discharge of carbon monoxide, and compared to petrol and diesel, the exhaust fumes contain less harmful substances.
- The life of the engine is extended as a result of the absence of acids and carbon deposits. One can safely state that engines on LPG last almost twice than that on Petrol.
- Less carbon means less fouling of spark plugs and points i.e. less wear and tear.
- The engine oil does not become diluted with a consequential reduction in servicing costs.
- Unlike diesel, one does not have to adjust their driving style. Cold starting is no problem; engine performance is almost exactly the same as with petrol. There is no spilling when filling the tank and no possibility of theft or pilfering. Engine noise is low and one will be driving in a more environment-friendly way.

The environmental advantages of Autogas for automotive use are indisputable.

The practical, operational and environmental characteristics of all four commercially available fuels are summarized in the following Table.

FUEL CHARACTERISTICS				
Fuel Characteristic	Petrol	Diesel	CNG	LPG
Urban Air Pollution	Moderate to low emissions of hydrocarbons (HC) and Oxides of Nitrogen (NOx). Low particle (PM) emissions.	High NOx, low HC emissions. High PM emissions relative to other fuels even with reduced sulphur levels. By far the highest adverse impact on public health.	HC (methane) emissions can be high. Moderate to low NOx. Very low PM.	Low NOx and moderate to low HC emissions. Very low PM.
Global Warming (Greenhouse)	Moderate CO2, low methane (CH4) emissions. Some questions re nitrous oxide (N2O) formation in the catalyst.	Lower CO2, low CH4 and HC. Airborne PM may increase global warming. High NOx levels may result in elevated N2O emissions.	Potentially lowest CO2 of all fuels, but this can be offset by the very high greenhouse impact of methane (CH4) emissions from these engines.	Tailpipe CO2 levels lie between petrol and diesel. Lifecycle CO2 comparable to diesel, lower than petrol and CNG. Negligible CH4 emissions.
Engine Noise	Low	High	Low	Low
Application	Lowest cost fuel system, so attractive for cars and light commercials.	Complex high pressure fuel system increases cost, but most fuel efficient. Very durable and reliable in heavy duty applications.	High cost and limited range. Preclude use in light duty vehicles and in areas where there is no pipeline gas. Use effectively limited to places where high pressure natural gas pipeline exists.	Cost, range and on road performance equivalent to petrol in light duty vehicles. Engines now available for buses and medium trucks. Not constrained to depot-based operations.
Retail Availability	Nationally Available	Nationally Available	Limited	Nationally Available







Fire water and Bowser filling lines



Fire water and jockey pump





Fire water line and fire monitor



Bowser filling point and LPG storage tank



Bowser filling point and LPG storage tank



Bowser filling point



Main Gate





Control room panel









DOCUMENT CONTROL

**M/S. AL QASIM GAS (PRIVATE) LIMITED
LPG TERMINAL AT GWADAR PORT,
GWADAR.**

3 IEE PERFORMA

Environmental Assessment Checklist

Section: 1 Project Description

File No. _____ (To be filled by BEPA)

Date: _____

General Information

1. Project Name or Title: **M/S. AL QASIM GAS (PRIVATE) LIMITED**
2. Project Proponent: **MR. QASIM BASHIR (Chief Executive)**
3. Address: H No. 7A, Shan-e-Pakistan Street, Dr. AQ Khan Road, Bani Gala, Islamabad.
4. Telephone: 0345-8484501, 051-2612436
5. E-mail: alqasimgas@yahoo.com
6. Representative of the Proponent: **Self**
7. Designation: Chief Executive
8. Name of the Company/Person who conducted this assessment: **M/S. AL QASIM GAS (PRIVATE) LIMITED**
9. Location of the project: **AL QASIM GAS LPG TERMINAL AT GWADAR PORT GWADAR.**
10. Area of the proposed land: **Detail Design Attached**
11. Proposed covered area: **Detail Design Attached**
12. Brief project description: **LPG Terminal**
13. Number and qualification of required staff to run the storage?
10-12 (To be maintained later on)
14. Indicate the main equipment's on LPG Storage:

a. LPG Compressor	03
b. Air Compressor	01
c. Fire Fighting System	01
d. Jocky Pump Grandfos	01
e. Pressure Safety Valve Inlet Dia 4"	02
15. Storage capacity of the LPG Tanks: 1x90 = 90-MT

16. What will be the expected water requirement for the storage? **45 gallons/day**
17. What is the proposed source of water? **Groundwater after filtration**
18. Where will the wastewater from the station be disposed? **Septic tank**
19. Who owns the proposed land for the station?: **Leased**
20. What is the present use of the land? **Open land**
21. Are there any structures on the proposed site now? Yes: **No**
- a. If yes, will any structure be demolished? **N.A** Yes: **No**
 - b. If yes, where the demolition waste will be disposed? **N.A**
22. Are there any trees on the proposed site? Yes: **No**
23. Will any tree be removed? Yes: **No**
24. Period of Construction: **12 Months**
25. What major construction equipment (dozer, grader, crane, etc) will be used?
- Only masonry work** dozer, crane will be used
26. Is construction work during the night plan? Yes: **No**

Section II: Screening

27. Is the proposed project located in an ecologically area? Yes: **No**

If the answer to the above question is yes, then the project would require an Initial Environmental Examination or an Environmental impact Assessment, refer to the Pakistan Environmental Protection Agency review of initial Environmental Examination and Environmental Impact Assessment Regulation 2000, for appropriate category.

4. LEGISLATION & GUIDELINES

It is strongly intended by “M/S. AL QASIM GAS (PRIVATE) LIMITED” to carry out the proposed operation according to all relevant legislation, guidelines or controls to make the operation as environmentally acceptable and sustainable as possible. The operation will be designed, planned and executed to meet the requirements of the following:

NATIONAL ENVIRONMENT POLICY AND LEGISLATION

1.1 *National Conservation Strategy*

The National Conservation Strategy (NCS) is the primary policy of the Government of Pakistan on environment issues. The NCS identifies 14 core area including conservation of biodiversity, pollution prevention and abatement, soil and water conservation and preservation of cultural heritage and recommends immediate attention to these core areas in order to preserve the country's environment.

1.2 *Pakistan Environmental Protection Act, 1997*

The Pakistan Environmental Protection Act, 1997 along with SRO 3970 (2000)/Ex. Gaz. Dated 15 June, 2000 issued under PEPA require the preparation of an IEE report for all projects. The Pakistan Environmental Assessment standard provides guidelines for the preparation of these reports.

Under the Act all effluent discharges and air emissions arising from the operation are not exceed National Environmental Quality Standards. (NEQS)

- *Baluchistan Wild Life Protection Act, 1974*

This act provides for the preservation, protection and conservation of wildlife by the formation and management of protected areas and prohibition of hunting of wildlife species declared protected under the acts.

- *Others*

In addition to the above-mentioned legislation, requirements pertaining to environment performance are specified in various other laws e.g. the Pakistan Penal Code, etc. PEPA, however, exceeds the requirements set under these laws and adherence to the requirements of PEPA therefore is believed to allow adherence to and even exceed the requirements set under other laws.

- ***Best Industry Practices and Guidelines***

It provides guidance for the management of impacts from LPG storage operations related to:

- Physical Environment including water, air, and soil;
- Biological Environment including vegetation and wildlife; and

The guidelines require project operators to:

- Plan and conduct operations in a manner that conserves the environment;
- Train personnel in environment matters;
- Consult appropriate stakeholders at all stages of the operation; and
- Evaluate environmental performance of operations and adopt restoration measures.



**GOVERNMENT OF
PAKISTAN
Ministry of
Petroleum & Natural
Resources**

**LIQUEFIED PETROLEUM GAS
(PRODUCTION & DISTRIBUTION)
POLICY GUIDELINES, 2013**

1. Introduction

Liquefied Petroleum Gas (LPG) is a colorless, odorless and environment friendly mixture of hydrocarbons (mainly propane and butane) which is gaseous at normal temperature and pressure, and liquefiable under reduced temperature or moderate pressure. A chemical ethylmercaptan is added to impart a pungent odor for leak detection. Currently about 1000 tons/day LPG is being produced domestically contributing less than 1% to the total energy supply mix. Because of its characteristics LPG is fast becoming a fuel of choice in the areas, where natural gas distribution network is not available. Currently out of 27 million households in Pakistan, 6.1 million are connected to natural gas network and the rest are relying on LPG and conventional fuels like coal, firewood, kerosene, dung cake etc.

In June 2000, the Federal Government decided to deregulate the LPG industry with a view to making it investor friendly, foster healthy competition, improve safety standards and ensure better consumer services. Accordingly, in supersession of LPG (Production & Distribution) Rules 1971, LPG (Production & Distribution) Rules 2001 were formulated under which LPG allocations made by the Ministry of Petroleum & Natural Resources (MPNR) prior to deregulation were given protection to the extent of terms of existing agreements between the marketing companies and producers. These Rules also empower the producers and marketing companies to fix a reasonable producer price for their product and a retail price respectively. After promulgation of Oil & Gas Regulatory Authority (OGRA) Ordinance, 2002 all LPG regulatory functions as envisaged in LPG (P&D) Rules, 2001 were transferred to OGRA in March 2003. The Government in 2006 introduced LPG (Production & Distribution) Policy, 2006 with the objective to streamline its distribution at affordable prices and promoting competition etc. The policy covered the issues of licensing, safety standards, pricing, import and auto sector.

Subsequently in 2011, the Government introduced LPG (Production & Distribution Policy), 2011 with the objective to increase LPG supplies through indigenously produced and imported product streamlining its distribution at

competitive prices, and promoting healthy competition for growth of LPG market while ensuring safety standards across the LPG supply chain.

The Policy covered the issues of setting up of LPG extraction plants, LPG licensing, safety standards, pricing, imposition of Petroleum Levy, import and guidelines for regulation of auto sector.

2. Objectives

In order to incentivize the LPG Industry for enhancing local LPG production as well as import of LPG and its utilization in the automotive sector & in LPG Air Mix plants for provision of gas to consumers, the Government is introducing these LPG (Production & Distribution) Policy Guidelines, 2013 policy Guidelines. The main objectives of these policy Guidelines is to address the various issues that could not be covered in the previous LPG policies, to encourage growth of LPG industry for its sustainable and enhanced availability of LPG products. To achieve these objective, issues regarding LPG production, LPG licensing, safety standards, pricing, use of LPG in Automotive sector, provision of LPG Air Mix to reduce pressure on existing gas system, import & export have been addressed in these policy Guidelines.

3. Policy Guidelines

i. Production and Disposal of LPG by Public Sector (E&P) Companies

Public sector E&P Companies shall directly or through other companies exercise their right to set up LPG extraction facilities at gas fields where LPG can be commercially extracted in accordance with the development plan approved by the Government. In case, the E&P Company remains unable to implement the development plan with reference to extraction of LPG as per provisions of the applicable Petroleum Concession Agreement (PCA), its right would stand surrendered to the Government who can get it extracted through competitive bidding. Public sector E&P companies shall give preference in sale of LPG to LPG Air-Mix plants. In case such Air-Mix plants are unable to lift the same, the LPG would be disposed of in a transparent manner to the LPG licensed marketing companies on terms and conditions to be settled between the Buyer and Seller. The existing LPG supply agreements of E&P companies shall however be honored.

3.1.2 Production and Disposal of LPG by Private Sector (E&P) Companies

Private sector E&P companies having potential to produce LPG shall submit details of LPG potential to DG Petroleum Concession as part of field development plan and their intention to exercise their right for extraction of LPG. If E&P Company fails to provide a definite road map for LPG extraction, its right would stand surrendered to the Government who can get it extracted through competitive bidding. In case, the E&P Company remains unable to implement the development plan with reference to extraction of LPG as per provisions of the applicable Petroleum Concession Agreement (PCA), its right would stand surrendered to the Government who can get it extracted through competitive bidding. LPG (Production & Distribution) Policy Guidelines, 2013

a. LPG Licensing

3.2.1 OGRA will issue provisional licenses for an initial period of one year, for LPG Marketing to technically and financially sound applicants/ parties for construction of works commensurate to their work program. The work program will ensure that adequate storage, cylinders and logistics infrastructures are constructed within this timeframe in linewith the marketing plan of the company. On completion of works to the satisfaction of OGRA, the provisional license will be converted to Marketing license for a period of fifteen years.

3.2.2 OGRA will also issue licenses for production/extraction/LPG Air Mix plants, LPG storage, and filling plants and LPG refueling stations for automotive. Permission from Department of Explosives will also be required wherever applicable under Rules.

3.2.3 The licenses shall be cancelled in case of non-compliance with licensing terms and conditions.

3.2.4 With a view to ensure adequate supplies of LPG to far flung areas of the country and to halt deforestation, the Sui companies will establish LPG supply network marketing companies preferably to meet the requirements of far flung areas.

a. LPG Safety Standards

3.3.1 To ensure safety throughout the LPG supply chain i.e. LPG storage tanks, LPG cylinders carrying trucks/ LPG bowzers, and distribution outlets, the licensees will meet the minimum safety standards in accordance with NFPA 58 or equivalent and as updated from time to time.

3.3.2 Decanting of LPG from cylinder to cylinder is prohibited and cross filling of other LPG marketing companies' cylinder is also prohibited except under hospitality arrangement with prior information in writing to OGRA and OGRA shall cancel licenses of the LPG marketing companies involved in violation of this section.

3.3.3 Prescribed codes and standards for conversion of vehicles to LPG and the establishment of LPG re-fuelling stations for the auto sector by LPG Marketing Companies, Oil Marketing Companies and individual CNG stations / Petrol Pumps or other companies will be LPG (Production & Distribution) Policy Guidelines, 2013 followed. HDIP or any other party (ies) authorized by OGRA will certify compliance of the above equipment in accordance with international standards.

3.3.4 NFPA-58 or equivalent standards updated from time to time, will be used for regulating the LPG auto sector, and an effective compliance monitoring mechanism will be put in place by the regulator concerned as per law.

3.3.5 refilling of domestic cylinders as well as commercial cylinders or any other cylinders at auto gas stations is prohibited.

3.3.6 OGRA will publish a list of authorized manufacturers for all LPG equipment including LPG refueling stations, conversion kits, fuel tanks, cylinders, storage tanks etc. duly approved and certified by HDIP or any other party (ies) authorized by OGRA. The equipment manufactured by the authorized manufacturers will be verified and monitored for conformance to the international standards through strict quality control and quality assurance measures by the regulator concerned.

3.3.7 CNG stations/Petrol Pumps are also allowed to setup LPG Auto refueling stations subject to meeting LPG Auto Gas Rules; and inspection of HDIP or any other party authorized by OGRA.

3.3.8 The LPG auto refueling licensee will be at liberty to purchase LPG from any licensed LPG company/source.

3.3.9 All the LPG marketing companies shall provide certificate(s) duly mentioning the serial number of cylinders, to OGRA before 31st December each year, confirming that their cylinders have been thoroughly tested as per requirement of LPG Rules/Standards. Further, it shall be the responsibility of LPG marketing companies that their LPG cylinders have been revalidated as per law, after a specific period as determined by the regulator concerned.

a. LPG Pricing

3.4.1 The Government will continue to follow its deregulation policy and the Price of LPG supply chain will not be determined or notified by the Government. The Government will charge a Petroleum Levy from local LPG producers as provided in the Petroleum Products(Petroleum Levy) Ordinance, 1961 as specified from time to time by MP&NR and level of this levy are so fixed to protect investment in local LPG production as well as to encourage imports. LPG (Production & Distribution) Policy Guidelines, 2013

3.4.2 To ensure that cartels are not formed and high consumer price of LPG is not charged, MPNR & OGRA will determine the quantity of LPG to be imported to meet the gap between demand and supply. This quantity will be imported by public sector Sui companies. Besides, the private sector companies can also import LPG to meet the demand.

3.4.3 The LPG consumer price/retail prices will be determined by Market forces in accordance with Government's de-regulation policy. However, OGRA will oversee/ monitor that LPG Prices remain within a reasonable margin after accounting for primary transportation, all operating and administrative costs and taxes for LPG marketing companies and distributors.

3.4.4 OGRA will intervene in case of deviation from the above basis and would also involve the local administration to ensure punitive action against the defaulting companies and distributors.

3.5 Import and Export of LPG

3.5.1 Any party having valid OGRA license can import LPG after paying applicable government dues.

3.5.2 Export of surplus quantity of LPG will be allowed by MPNR, keeping in view the local demand.

3.6 General

i) For effective policy formulation all LPG licensees shall furnish requisite information/data to MPNR/OGRA as may be required.

ii) OGRA will also apprise the MPNR about the implementation status of these policy Guidelines on a quarterly basis.

iii) The Federal Government may issue instructions to OGRA from time to time for implementation of these policy Guidelines and/or in respect of matters related thereto, as may be considered necessary.

iv) OGRA shall obtain list of all existing LPG Distributors from LPG marketing companies and register them within 90 day of the date of issuance of these Policy Guidelines.

v) OGRA will charge a reasonable fee from each distributor for registration. For all future distributors, the marketing companies shall, within 7 working days of the appointment of a distributor, notify LPG (Production & Distribution) Policy Guidelines, 2013 OGRA and OGRA shall within 90 days thereof register those distributors.

vi) The LPG marketing companies being the license holder of OGRA; would remain responsible for observance of all safety codes and standards at distributors premises as well as for sale price to be notified by marketing companies.

vii) With a view to ensure adequate supplies of LPG in remote, rural and hilly areas i.e. AJK, FATA and Northern Areas and to halt deforestation, all local LPG producers in Punjab and KPK will supply 7% of their production to marketing companies having distribution Network in the above areas for exclusive marketing in said areas. Similarly, all local LPG producers in Sindh and Baluchistan will supply 7% of their production to marketing companies having distribution network in Baluchistan for exclusive marketing in that Province.

4. Applicability and effect of the Policy Guidelines

- i) These policy Guidelines will come in force with immediate effect.
- ii) OGRA will amend its rules and regulations as well as licensing terms of its licensees where necessary, to give effect to these policy Guidelines.
- iii) These policy Guidelines supersedes all previous instructions, orders and policies issued by the government from time to time in respect of the matters specifically covered in these policy Guidelines.

1. Policy Guidelines

3.1.1 Production and Disposal of LPG by Public Sector (E&P) Companies

Public sector E&P Companies shall directly or through other companies exercise their right to set up LPG extraction facilities at gas fields where LPG can be commercially extracted in accordance with the development plan approved by the Government. In case, the E&P Company remains unable to implement the development plan with reference to extraction of LPG as per provisions of the applicable Petroleum Concession Agreement (PCA), its right would stand surrendered to the Government who can get it extracted through competitive bidding. Public sector E&P companies shall give preference in sale of LPG to LPG Air-Mix plants. In case such Air-Mix plants are unable to lift the same, the LPG would be disposed of in a transparent manner to the LPG licensed marketing companies on terms and conditions to be settled between the Buyer and Seller. The existing LPG supply agreements of E&P companies shall however be honored.

3.1.2 Production and Disposal of LPG by Private Sector (E&P) Companies

Private sector E&P companies having potential to produce LPG shall submit details of LPG potential to DG Petroleum Concession as part of field development plan and their intention to exercise their right for extraction of LPG. If E&P Company fails to provide a definite road map for LPG extraction, its right would stand surrendered to the Government who can get it extracted through competitive bidding. In case, the E&P Company remains unable to implement the development plan with reference to extraction of LPG as per provisions of the applicable Petroleum Concession Agreement (PCA), its right would stand surrendered to the Government who can get it extracted through competitive bidding.

3.2 LPG Licensing

3.2.1 OGRA will issue provisional licenses for an initial period of one year, for LPG Marketing to technically and financially sound applicants/ parties for construction of works commensurate to their work program. The work program will ensure that adequate storage, cylinders and logistics infrastructures are constructed within this timeframe in line with the marketing plan of the company. On completion of works to the satisfaction of OGRA, the provisional license will be converted to Marketing license for a period of fifteen years.

3.2.2 OGRA will also issue licenses for production/extraction/LPG Air Mix plants, LPG storage, and filling plants and LPG refueling stations for auto motives. Permission from Department of Explosives will also be required wherever applicable under Rules.

3.2.3 The licenses shall be cancelled in case of non-compliance with licensing terms and conditions.

3.2.4 With a view to ensure adequate supplies of LPG to far flung areas of the country and to halt deforestation, the Sui companies will establish LPG supply network marketing companies preferably to meet the requirements of far flung areas.

3.3 LPG Safety Standards

3.3.1 To ensure safety throughout the LPG supply chain i.e. LPG storage tanks, LPG cylinders carrying trucks/ LPG bowzers, and distribution outlets, the licensees will meet the minimum safety standards in accordance with NFPA 58 or equivalent and as updated from time to time.

3.3.2 Decanting of LPG from cylinder to cylinder is prohibited and cross filling of other LPG marketing companies' cylinder is also prohibited except under hospitality arrangement with prior information in writing to OGRA and OGRA shall cancel licenses of the LPG marketing Companies involved in violation of this section.

3.3.3 Prescribed codes and standards for conversion of vehicles to LPG and the establishment of LPG re-fuelling stations for the auto sector by LPG Marketing Companies, Oil Marketing Companies and individual CNG stations / Petrol Pumps or other companies will be followed. HDIP or any other party (ies) authorized by OGRA will certify compliance of the above equipment in accordance with international standards.

3.3.4 NFPA-58 or equivalent standards updated from time to time, will be used for regulating the LPG auto sector, and an effective compliance monitoring mechanism will be put in place by the regulator concerned as per law.

3.3.5 Refilling of domestic cylinders as well as commercial cylinders or any other cylinders at auto gas stations is prohibited.

3.3.6 OGRA will publish a list of authorized manufacturers for all LPG equipment including LPG refueling stations, conversion kits, fuel tanks, cylinders, storage tanks etc. duly approved and certified by HDIP or any other party (ies) authorized by OGRA. The equipment Manufactured by the authorized manufacturers will be verified and monitored for conformance to the international standards through strict quality control and quality assurance measures by the regulator concerned.

3.3.7 CNG stations/Petrol Pumps are also allowed to setup LPG Auto refueling stations subject to meeting LPG Auto Gas Rules; and inspection of HDIP or any other party authorized by OGRA.

3.3.8 The LPG auto refueling licensee will be at liberty to purchase LPG from any licensed LPG company/source.

3.3.9 All the LPG marketing companies shall provide certificate(s) duly mentioning the serial number of cylinders, to OGRA before 31st December each year, confirming that their cylinders have been thoroughly tested as per requirement of LPG Rules/Standards.

Further, it shall be the responsibility of LPG marketing companies that their LPG cylinders have been revalidated as per law, after a specific period as determined by the regulator concerned.

3.4 LPG Pricing

3.4.1 The Government will continue to follow its deregulation policy and the Price of LPG supply chain will not be determined or notified by the Government. The Government will charge a Petroleum Levy from local LPG producers as provided in the Petroleum Products(Petroleum Levy) Ordinance, 1961 as specified from time to time by MP&NR and level of this levy are so fixed to protect investment in local LPG production as well as to encourage imports.

3.4.2 To ensure that cartels are not formed and high consumer price of LPG is not charged, MPNR & OGRA will determine the quantity of LPG to be imported to meet the gap between demand and supply. This quantity will be imported by public sector Sui companies. Besides, the private sector companies can also import LPG to meet the demand.

3.4.3 The LPG consumer price/retail prices will be determined by Market forces in accordance with Government's de-regulation policy. However, OGRA will oversee/ monitor that LPG Prices remain within a reasonable margin after accounting for primary transportation, all operating and administrative costs and taxes for LPG marketing companies and distributors.

3.4.4 OGRA will intervene in case of deviation from the above basis and would also involve the local administration to ensure punitive action against the defaulting companies and distributors.

3.5 Import and Export of LPG

3.5.1 Any party having valid OGRA license can import LPG after paying applicable government dues.

3.5.2 Export of surplus quantity of LPG will be allowed by MPNR, keeping in view the local demand.

3.6 General

- i) For effective policy formulation all LPG licensees shall furnish requisite information/data to MPNR/OGRA as may be required.
- ii) OGRA will also apprise the MPNR about the implementation status of these policy Guidelines on a quarterly basis.
- iii) The Federal Government may issue instructions to OGRA from time to time for implementation of these policy Guidelines and/or in respect of matters related thereto, as may be considered necessary.
- iv) OGRA shall obtain list of all existing LPG Distributors from LPG marketing companies and register them within 90 day of the date of issuance of these Policy Guidelines.
- v) OGRA will charge a reasonable fee from each distributor for registration. For all future distributors, the marketing companies shall, within 7 working days of the appointment of a distributor, notify OGRA and OGRA shall within 90 days thereof register those distributors.
- vi) The LPG marketing companies being the license holder of OGRA; would remain responsible for observance of all safety codes and standards at distributors premises as well as for sale price to be notified by marketing companies.
- vii) With a view to ensure adequate supplies of LPG in remote, rural and hilly areas i.e. AJK, FATA and Northern Areas and to halt deforestation, all local LPG producers in Punjab and KPK will supply 7% of their production to marketing companies having distribution Network in the above areas for exclusive marketing in said areas. Similarly, all local LPG producers in Sindh and Baluchistan will supply 7% of their production to marketing companies having distribution network in Baluchistan for exclusive marketing in that Province.

2. Applicability and effect of the Policy Guidelines

- i) These policy Guidelines will come in force with immediate effect.
- ii) OGRA will amend its rules and regulations as well as licensing terms of its licensees where necessary, to give effect to these policy Guidelines.

iii) These policy Guidelines supersedes all previous instructions, orders and policies issued by the government from time to time in respect of the matters specifically covered in these policy Guidelines.

3. Removal of difficulties

If any difficulty arises in giving effect to any provision of these policy Guidelines, the Federal Government may issue such orders as may be necessary for the purpose of removing the difficulty.

BALUCHISTAN
ENVIRONMENTAL
PROTECTION BILL
2012

4. A BILL Baluchistan Environmental Protection Bill 2012.

to provide for the protection, conservation, rehabilitation and improvement of the environment, for the prevention and control of pollution, and promotion of sustainable development

Preamble Whereas, it is expedient to provide for the protection, conservation, rehabilitation and improvement of the environment, prevention and control of pollution, promotion of sustainable development, and for matters connected therewith and incidental thereto;

Short title, extent and commencement

1. It is enacted as follows:-

- (1) *This Act, shall be called the Baluchistan Environmental Protection Act, 2012.*
- (2) *It extends to the whole Province of Baluchistan except Tribal Areas.*
- (3) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "adverse environmental effect" means impairment of, or damage to, the environment and includes—

- (i) *human health and property or biodiversity, coast, beaches and ecosystem;*
- (ii) *Pollution; and*
- (iii) *Any adverse environmental effect on Land, Air and Water;*

(b) "Agricultural waste" means waste from farm and agricultural activities including poultry, cattle farming, animal husbandry residues from the use of fertilizers, pesticides and other farm chemicals;

(c) "Air pollutant" means any substance that causes pollution of air and includes soot, smoke, dust particles, odor, light, electro-magnetic, radiation, heat, fumes, combustion exhaust, exhaust gases, noxious gases, hazardous substances and radioactive substances;

(d) *"Alien species" means a species that does not occur naturally in Baluchistan.*

(e) *"Baluchistan coastline or coastal zone" means the territorial jurisdiction of the coastline of the Province of Baluchistan.*

(f) *"Best practicable environmental option" means the best method for preventing or minimizing adverse effects on the environment, having regard to, among other things:*

(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects;

(ii) the financial implications, and the effect on the environment, of that option when compared with other options; and

(iii) the current state of technical knowledge and the likelihood that the option can be successfully applied.

(g) "Biodiversity" or "biological diversity" means the variability among living organisms from all sources, including inter alia terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part, including diversity within species, between species and of ecosystems;

(h) *"Clinical waste" means any waste produced by hospitals, clinics, nursing homes, doctor's offices, medical laboratories, medical research facilities and veterinarians which is infectious or potentially infectious.*

(i) "Council" means the Baluchistan Environmental Protection Council established under section 3;

(j) "Discharge" includes spilling, leaking, pumping, depositing, seeping, releasing, flowing out, pouring, emitting, emptying or dumping;

(k) "Ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non- living environment interacting as a functional unit;

(l) "Effluent" means any material in solid, liquid or gaseous form or combination thereof being discharged from industrial activity or any other source and includes a slurry, suspension or vapor;

(m) *"Electronic waste" means discarded computers, office electronic equipment, entertainment device electronics, mobile phones, television sets, Cathode ray tubes (CRT) and refrigerator, VCRs, stereos, copiers, and fax machines. It also includes used electronics which are destined for reuse, resale, salvage, recycling, or disposal and electronic products nearing the end of their "useful life."*

(n) "Emission standards" means the permissible standards established by the Provincial Agency for emission of air pollutants and noise and for discharge of effluent and waste;

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- (o) "Endemic and indigenous species" means a species which occurs naturally in the wild only in Baluchistan, or a species which only breeds in the wild in Baluchistan.
- (p) "Environment" means—
- (i) air, water and land;
 - (ii) all layers of the atmosphere;
 - (iii) all organic and inorganic matter and living organisms;
 - (iv) the ecosystem and ecological relationships;
 - (v) buildings, structures, roads, facilities and works;
 - (vi) all social and economic conditions affecting community life; and
 - (vii) the inter-relationships between any of the factors specified in subclauses (i) to (vi);
- (q) "Environmental impact assessment" means an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigation and compensatory measures, formulation of environmental management and training plans and monitoring arrangements, and framing of recommendations and such other components as may be prescribed;
- (r) "Environmental Magistrate" means the Magistrate of the First Class appointed under Section 32 ;
- (s) "Environmental Tribunal" means the Baluchistan Environmental Protection Tribunal constituted under section 28;
- (t) "Exclusive Economic Zone" shall have the same meaning as in the Territorial Waters and Maritime Zones Act, 1976 (LXXXII of 1976);
- (u) "Factory" means any premises in which industrial activity is being undertaken;
- (v) "Genetic Resource" means any material of plant, animal, microbial or other origin containing functional units of heredity of actual or potential value.
- (w) "Government" means the Government of Baluchistan.
- (x) "Government Agency" includes—
- (i) a department, attached department, bureau, section, commission, board, office or unit of the Provincial Government;
 - (ii) a developmental or a local authority, company or corporation established or controlled by the Provincial Government; and

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- (iii) the Baluchistan Environmental Protection Agency. ; and
- (iv) any other body defined and listed in the Rules of Business of the Provincial Government.
- (y) "Handling", in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, collection, destruction, conversion, offering for sale, transfer or the like of such substance;
- (z) "Hazardous substance" means—
- (i) a substance or mixture of substances, other than a pesticide as defined in the Agricultural Pesticides Ordinance, 1971 (II of 1971), which, by reason of its chemical activity or toxic, explosive, flammable, corrosive, radioactive or other characteristics, causes, or is likely to cause, directly or in combination with other matters an adverse environmental effect; and
- (ii) any substance which may be prescribed as a hazardous substance;
- (aa) "Hazardous waste" means waste which is or which contains a hazardous substance or which may be prescribed as hazardous waste and includes hospital waste and nuclear waste;
- (bb) "Historic waters" means such limits of the waters adjacent to the land territory of Pakistan as may be specified by notification under section 7 of the Territorial Waters and Maritime Zones Act, 1976 (LXXXII of 1976);
- (cc) "Hospital waste" includes waste medical supplies and materials of all kinds, and waste blood, tissue, organs and other parts of the human and animal bodies, from hospitals, clinics and laboratories;
- (dd) "Industrial activity" means any operation or process for manufacturing, making, formulating, synthesizing, altering, repairing, ornamenting, finishing, packing or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal, or for mining, for oil and gas exploration and development, or for pumping water or sewage, or for generating, transforming or transmitting power or for any other industrial or commercial purpose;
- (ee) "Industrial waste" means waste resulting from an industrial activity;
- (ff) "Initial Environmental Examination" means a preliminary environmental review of the reasonably foreseeable qualitative and quantitative impacts on the environment of a proposed project to determine whether it is likely to cause an

adverse environmental effect for requiring preparation of an environmental impact assessment;

(gg) "Integrated pollution control" means the holistic system aimed at pollution prevention and minimization at source, managing the impact of pollution and waste on the receiving environment and remediation of damaged and polluted environments.

(hh) "Living modified organism" means any living organism that possesses a novel combination of genetic material obtained through the use of modern technology.

(ii) "local authority" means regional or district set up of EPA or any Agency designated by the Provincial Government, by notification in the official Gazette, to be a local authority for the purposes of this Act;

(jj) "Local council" means a local council constituted or established under a law relating to local Government;

(kk) "Motor vehicle" means any mechanically propelled vehicle adapted for use upon land whether its power of propulsion is transmitted thereto from an external or internal source, and includes a chassis to which a body has not been attached, and a trailer, but does not include a vehicle running upon fixed rails;

(ll) "Municipal waste" includes sewage, refuse, garbage, waste from abattoirs, sludge and human excreta and the like;

(mm) "Environmental Quality Standards" means standards established by the Federal/Provincial Agencies under clause (e) of sub-section (1) of section 6 and approved by the Council under clause (c) of sub - section (1) of section 4;

(nn) "Noise" means the intensity, duration and character of sounds from all sources, and includes vibration;

(oo) "Nuclear waste" means waste from any nuclear reactor or nuclear plant or other nuclear energy system, whether or not such waste is radioactive;

(pp) "Person" means any natural person or legal entity and includes an individual, firm, association, partnership, society, group, company, corporation, co-operative society, Government Agency, non-governmental organization, community-based organization, village organization, local council or local authority and, in the case of a vessel, the master or other person having for the time being the charge or control of the vessel;

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- (qq) "Pollution" means the contamination of air, land or water by the discharge or emission of effluent or wastes or air pollutants or noise or other matter which either directly or indirectly or in combination with other discharges or substances alters unfavorably the chemical, physical, biological, radiation, thermal or radiological or aesthetic properties of the air, land or water or which may, or is likely to make the air, land or water unclean, noxious or impure or injurious, disagreeable or detrimental to the health, safety, welfare or property of persons or harmful to biodiversity;
- (rr) "Prescribed" means prescribed by rules made under this Act;
- (ss) "Project" means any activity, plan, scheme, proposal or undertaking involving any change in the environment and includes—
- (i) construction or use of buildings or other works;
 - (ii) construction or use of roads or other transport systems;
 - (iii) construction or operation of factories or other installations;
 - (iv) mineral prospecting, mining, quarrying, stone-crushing, drilling and the like;
 - (v) any change of land use or water use; and
 - (vi) alteration, expansion, repair, decommissioning or abandonment of existing buildings or other works, roads or other transport systems, factories or other installations;
- (tt) "Protection of environment" means the qualitative and quantitative improvement of the different components of the environment and prevention of the deterioration of qualitative and quantitative standards;
- (uu) "Proponent" means the person who proposes or intends to undertake a project;
- (vv) "Provincial Agency" means the Baluchistan Environmental Protection Agency established under section 5, or any Government Agency, local council or local authority exercising the powers and functions of the Provincial Agency;
- (ww) "Rules & Regulations" means rules and regulation made under this Act;
- (xx) "Sewage" means liquid or semi-solid wastes and sludge from sanitary conveniences, kitchens, laundries, washing and similar activities and from any sewerage system or sewage disposal works;
- (yy) "Ship breaking" means breaking up of various types of ship for recycling.

(zz) "Standards" means qualitative and quantitative standards for discharge of effluent and wastes and for emission of air pollutants and noise either for general applicability or for a particular area, or from a particular production process, or for a particular product, and includes the Environmental Quality Standards, emission standards and other standards established under this Act and the rules and regulations;

(aaa) "Strategic Environmental Assessment" Strategic environmental assessment (SEA) is a system of incorporating environmental considerations into policies, plans, programs and strategies. It is sometimes referred to as strategic environmental impact assessment.

(bbb) "Sustainable Development" means development that meets the needs of the present generation without compromising the ability of future generations to meet their needs;

(ccc) "Sustainable Management" means management of the use of natural resources to provide for the health, safety and social, cultural and economic wellbeing of people and communities taking into account the following:

(i) safeguarding the life-supporting capacity of natural resources and ecosystems;

(ii) ensuring the maintenance of the life-supporting capacity and quality of natural resources and ecosystems to meet the reasonably foreseeable needs of future generations;

(iii) avoiding the creation of adverse effects and, where adverse effects cannot be avoided, mitigates and remedies adverse effects.

(ddd) "*Territorial waters*" shall have the same meaning as in the *Territorial Waters and Maritime Zones Act, 1976 (LXXXII of 1976)*;

(eee) "Vessel" includes anything made for the conveyance by water of human beings or of goods; and

(fff) "Waste" means any substance or object which has been, is being or is intended to be, discarded or disposed of, and includes liquid waste, solid waste, waste gases, suspended waste, industrial waste, agricultural waste, nuclear waste, municipal waste, hospital waste, used polyethylene bags and residues from the incineration of all types of waste.

(ggg) “Water resource” includes surface water, an aquifer or ground water , a river or spring, a natural channel in which water flows regularly or intermittently, and a wetland, lake or dam into which, or from which, water flows.

Establishment of the Baluchistan Environmental Protection Council.—

3. (1) The Provincial Government shall, by notification in the official Gazette, establish a Council to be known as the Baluchistan Environmental Protection Council consisting of—

(a) Chief Minister or such other person as the Chief Chairperson
Minister may nominate in this behalf.

(b) Minister for Environment Vice chairperson

(c) Chief Secretary Baluchistan Member

(d) Secretary Environment Member/Secretary

(e) Secretary Finance Member

(f) Secretary Industries Member

(g) Secretary Agriculture Member

(h) Secretary Forest Member

(i) Secretary P&D Member

(j) Secretary S&GAD Member

(k) Director General EPA Member

(l) Such other persons not exceeding six (6) as the Provincial Government may appoint, with the following representation: *One from the Baluchistan Chamber of Commerce & Industries and one from the Baluchistan Chamber of Agriculture, Two Environment experts/Scientist, One Educationist and One from Non-Governmental Organization.*

(2) The Members of the Council, other than ex-officio members, shall be appointed in accordance with the prescribed procedure and shall hold office for a term of two years.

(3) The Council may constitute committees of its members and entrust them with such functions as it may deem fit, and the recommendations of the committees shall be submitted to the Council for approval. The council or any of such committee may seek assistance from any Government Department or expert in the relevant environmental field in performance of its functions.

Functions and powers of the Council.—

4. (1) The Council shall:-

- (a) Co-ordinate and supervise enforcement of the provisions of this Act; and
 - (b) approve comprehensive environmental policies and ensure their implementation within the framework of a National /Baluchistan conservation strategy as may be approved by the Federal/Provincial Government from time to time;
 - (c) Approve the Environmental Quality Standards;
 - (d) Provide guidelines for the protection and conservation of species, habitats, and biodiversity in general, and for the conservation of renewable and non-renewable resources.
 - (e) Co-ordinate integration of the principles and concerns of sustainable development into development plans and policies;
 - (f) The Council shall frame its own rules of procedure.
 - (g) The Council shall hold meetings, as and when necessary, but not less than two meetings, shall be held in a year.
- (2) The Council may direct the Provincial Agency or any Government Agency to prepare, submit or implement projects for the protection, conservation, rehabilitation and improvement of the environment and the sustainable development of resources or to undertake research in any aspect of environment.

Establishment of the Baluchistan Environmental Protection Agency.

5. (1) The Government of Baluchistan shall by a notification in the official Gazette established Baluchistan Environmental Protection Agency to exercise the powers and perform the functions assigned to it under this Act and the rules and regulations made there under.

(2) The Baluchistan Environmental Protection Agency shall be headed by a Director-General who shall be appointed by the Government of Baluchistan on such terms and conditions as it may determine.

(3) The Baluchistan Environmental Protection Agency shall have such administrative, technical and legal staff, as the Government of Baluchistan may specify, to be appointed in accordance with Baluchistan Civil Servant Act 1974.

(4) The powers and functions of the Baluchistan Environmental Protection Agency shall be exercised and performed by the Director-General.

(5) The Director-General may, by general or special order, delegate any of the powers and functions to staff appointed under sub-section (3).

(6) For assisting the Baluchistan Environmental Protection Agency in the discharge of its functions the Government of Baluchistan shall establish Advisory Committees for various sectors and appoint as members thereof representatives of the relevant sector, educational institutions and non-governmental organizations.

Functions of the Baluchistan Environmental Protection Agency

6. (1) The Baluchistan Environmental Protection Agency shall—

(a) Administer and implement this Act and the rules and regulations made; There under;

(b) Prepare, in co-ordination with the relevant Government Agency and in consultation with the concerned sectors Advisory Committees, environmental policies for approval by the Council;

(c) Take all necessary measures for the implementation of the national environmental policies approved by the Council;

(d) Prepare and publish an Annual Environment Report on the state of the environment;

(e) Establish standards for the quality of the ambient air, water and land, by notification in the official Gazette in consultation with the other relevant Government Departments/ Agencies.

(f) Revise the Environmental Quality Standards with approval of the Council: Provided that

(i) before seeking approval of the Council, the Baluchistan Environmental Protection Agency shall publish the proposed Environmental Quality Standards for public opinion in accordance with the prescribed procedure; and

(ii) Different standards for discharge or emission from different sources and for different areas and conditions may be specified; where standards are less stringent than the Environmental Quality Standards prior approval of the Council shall be obtained;

- (iii) Certain areas, with the approval of the Council, may exclude from carrying out specific activities, projects from the application of such standards;
- (g) Co-ordinate environmental policies and programmers;
- (h) establish systems and procedures for surveys, monitoring, measurement, examination, investigation, research, inspection and audit to prevent and control pollution, and to estimate the costs of cleaning up pollution and rehabilitating the environment in various sectors;
- (i) Take measures to promote research and the development of science and technology which may contribute to the protection of the environment, and sustainable development;
- (j) Certify one or more laboratories as approved laboratories for conducting tests and analysis and one or more research institutes as environmental research institutes for conducting research and investigation for the purposes of this Act.
- (k) Initiate legislation in various sectors of the environment;
- (l) render advice and assistance in environmental matters including such information and data available with it as may be required for carrying out the purposes of this Act: Provided that the disclosure of such information shall be subject to the restrictions contained in the proviso to sub-section (3) of section 15;
- (m) Assist the local councils, local authorities, Government Agencies and other persons to implement schemes for the proper disposal of wastes so as to ensure compliance with the standards established by it;
- (n) Provide information and guidance to the public on environmental matters;
- (o) Recommend environmental courses, topics, literature and books for incorporation in the curricula and syllabi of educational institutions;
- (p) Promote public education and awareness of environmental issues through mass media and other means including seminars and workshops;
- (q) Specify safeguards for the prevention of accidents and disasters which may cause pollution, collaborate with the concerned person in the preparation of contingency plans for control of such accidents and disasters, and co-ordinate implementation of such plans;

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- (r) Encourage the formation and working of non-governmental organizations, community organizations and village organizations to prevent and control pollution and promote sustainable development;
- (s) Perform any function which the Council may assign to it.
- (2) The Baluchistan Environmental Protection Agency may—
- (a) Undertake inquiries or investigation into environmental issues, either of its own accord or upon complaint from any person or organization;
- (b) Request any person to furnish any information or data relevant to its functions;
- (c) Initiate with the approval of the **Provincial/Federal Government**, requests for foreign assistance in support of the purposes of this Act and enter into arrangements with foreign agencies or organizations for the exchange of material or information and participate in international seminars or meetings;
- (d) Recommend to the Government of Baluchistan the adoption of financial and fiscal programs, schemes or measures for achieving environmental objectives and goals and the purposes of this Act, including—
- (i) Incentives, prizes awards, subsidies, tax exemptions, rebates and depreciation allowances; and
- (ii) taxes, duties and other levies;
- (e) Establish and maintain laboratories to help in the performance of its functions under this Act and to conduct research in various aspects of the environment and provide or arrange necessary assistance for establishment of similar laboratories in the private sector;
- (f) Provide or arrange, in accordance with such procedure as may be prescribed, financial assistance for projects designed to facilitate the discharge of its functions.

Powers of the Baluchistan Environmental Protection Agency

7. Subject to the provisions of this Act, *the Baluchistan Environmental Protection Agency may*

- (a) lease, purchase, acquire property both moveable and immovable;
- (b) fix and realize fees, rates and charges for rendering any service or providing any facility, information or data under this Act or the rules and regulations;

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- (c) enter into contracts, execute instruments subject to approval of the Provincial Government, necessary for proper management and conduct of its business made there under;
- (d) subject to approval of the Provincial Government appoint in accordance with prescribed procedures such experts and consultants as it considers necessary for the efficient performance of its functions on appropriate terms and conditions;
- (e) Summon and enforce the attendance of any person and require him to supply any information or document needed for the conduct of any enquiry or investigation into any environmental issue;
- (f) The Director General Baluchistan EPA or any other Regional officer specifically authorized in this behalf by the Director General shall have the power to impose fine/administrative penalty up to rupees one hundred thousand from case to case basis.
- (i) The fine/administrative penalty shall be recovered as per land revenue act.
- (ii) the fine/administrative penalty initially or for an interim period shall be placed with the Baluchistan EPA till the decision of the Environmental Tribunal or Magistrate; and
- (iii) The fine/administrative penalty after the final decision shall be deposited in the public exchequer.
- (g) Enter and inspect and under the authority of a search warrant issued by the Environmental Court or Environmental Magistrate, search at any reasonable time, any land, building, premises, vehicle or vessel or other place where or in which. There are reasonable grounds to believe that an offence under this Act has been, or is being, committed;
- (i) Subject to the provisions of this Act, any person generally or specifically authorized in this behalf by the Director General shall be entitled to enter, at all reasonable times, with such assistance as he considers necessary, any building or place for the following purposes, namely:-
- a) to perform duties conferred on him under this Act or rules;
- b) to inspect any activity in such building or place in accordance with this Act, the rules or any notice, order or direction issued there under;
- c) To examine or test any equipment, industrial plant, record, register or any other important matter relating thereto;

- d) to conduct a search of any building or place which the said person has reason to believe to have been the place of occurrence of any offence in contravention of any notice, order or direction issued under this Act or the rules;
- e) To seize/close any equipment, industrial plant, record, register, document or other matter which may serve as evidence of the commission of any offence punishable under this Act or the rules.
 - (ii) The provisions of the Code of Criminal Procedure shall be applicable in respect of any search or seizure under this Act.
 - (a) take samples of any materials, products, articles or substances or of the effluent, wastes or air pollutants being discharged or emitted or of air, water or land in the vicinity of the discharge or emission;
 - (b) Arrange for test and analysis of the samples at a certified laboratory;
 - (i) Every person authorized in this behalf by the Director General may, in such manner as may be prescribed by rules, collect from any factory, premises or place samples of air, water, soil or of any other substance for the purpose of analysis.
 - (ii) The results of the analysis of samples collected under clause (i) shall not be admissible in evidence in any legal proceeding unless the provisions of the clauses (iii) and (iv) have been complied with.
 - (iii) Subject to the provisions of sub-section (4), the officer collecting a sample under clause (i) shall-
 - (a) Serve notice on the owner or proponent or agent of the said place, in Such manner as may be prescribed by rules, of his intention to collect such sample;
 - (b) Collect the sample in the presence of the said occupier or agent;
 - (c) Put the sample into a container and affix on it a seal bearing the signatures of himself and of the occupier or agent;
 - (d) Prepare a report of the sample collected and sign it himself and take the signature of the occupier or agent;
 - (e) Send without any delay, the said container to the laboratory specified by the Director General EPA.
 - (iv) Where a sample is collected under clause (i) and a notice is served by the collecting officer under sub clause a) of clause (iii), the collecting officer shall, if

the occupier or agent willfully absents himself at the time of the collection of the sample or, though being present, refuses to sign the sample or report, in the presence of two witnesses, give his signature and attest and seal it and shall send it without any delay to the laboratory specified by the Director General, mentioning that the occupier or agent had not been present or, as the case may be, refused to give his signature.

(i) confiscate any article used in the commission of the offence where the offender is not known or cannot be found within a reasonable time: Provided that the power under clauses (f), (h), (l) and (j) shall be exercised in accordance with the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898). or the rules made under this Act and under the direction of the Environmental Tribunal or Environmental Magistrate; and (j) establish an Environmental Co-ordination Committee comprising the Director-General as its chairman and the heads of relevant Government Agencies and such other persons as the Government of Baluchistan may appoint as its members to exercise such powers and perform such functions as may be delegated or assigned to it by the Government of Baluchistan for carrying out the purposes of this Act and for ensuring inter departmental co-ordination in environmental policies.

Establishment, powers and functions of the Regional or District Environmental Protection Agencies._

Establishment of the Baluchistan Sustainable Development Funds:—

8. (1) Government of Baluchistan shall, by notification in the official Gazette, establish the Regional or District Environmental Protection Agency, to exercise such powers and perform such functions as may be delegated to it by the Government of Baluchistan under sub-section (2) of section 34.

(2) The Regional or District Environmental Protection Agency shall be headed by an officer at least of the rank of regional Director or Deputy Director who shall be appointed by the Provincial Government on such terms and conditions as prescribed in the Baluchistan Civil Servant Act 1974.

(3) The Regional or District Environmental Protection Agency shall have such administrative, technical and legal staff as the Government of Baluchistan may specify, to be appointed in accordance with the Baluchistan Civil Servants Appointment, Promotion and Transfers Rules 2009 such procedure as may be prescribed.

(4) The powers and functions of the Regional or District Environmental Protection Agency shall be exercised and performed by an Officer of the rank of regional Director or Deputy Director appointed as head.

(5) The Director General may, by general or special order, delegate any of the powers and functions to staff appointed under sub-section (3).

9. (1) there shall be established in the Province a Baluchistan Sustainable Development Fund.

(2) The Baluchistan Sustainable Development Fund shall be derived from the following sources, namely: —

(a) Grants made or loans advanced by the Federal Government or the Provincial Government;

(b) aid and assistance, grants, advances, donations and other nonobligatory funds received from foreign governments, national or international agencies, and non-governmental organizations; and

(c) Contributions from private organizations and other persons.

(3) The Baluchistan Sustainable Development Fund shall be utilized in accordance with such procedure as may be prescribed for—

(a) Providing financial assistance to the projects in the public/private sector designed for the protection, conservation, rehabilitation and improvement of the environment, the prevention and control of pollution, the sustainable development of resources and for research in any aspect of Environment; and

(b) Any other purpose which in the opinion of the Board shall help to achieve environmental objectives and the purposes of this Act.

Management of the Baluchistan Sustainable Development funds—

10. (1) The Baluchistan Sustainable Development Fund shall be managed by a Board known as the Sustainable Development Fund Board consisting of: -

(i) Secretary Environment Department Chairperson

(ii) Secretary Industries Department Member

(iii) Secretary Social welfare Department Member

(iv) Secretary Finance Department Member

(v) Secretary Forest Department Member

- (vi) Secretary Agriculture Department Member
 - (vii) such non-official persons not exceeding six (6) as the Members Government of Baluchistan may appoint including two (2) representatives of the Baluchistan Chamber of Commerce and Industry, two (2) representatives of the Baluchistan Chamber of Agriculture and two (2) representative of leading nongovernmental organizations/donors.
 - (viii) Director General, Baluchistan Environmental Protection Agency Member/Secretary
- (2) The Board shall have the power to—
 - (a) Sanction financial assistance for eligible projects; as specified in section 9(3) of this Act
 - (b) invest moneys held in the Baluchistan Sustainable Development Fund in such profit - bearing Government bonds, savings schemes and securities as it may deem suitable; and
 - (3) The Board shall constitute committees of its members to undertake regular monitoring of projects financed from the Baluchistan Sustainable Development Fund and to submit progress reports to the Board which shall publish an Annual Report incorporating its annual audited accounts and performance evaluation based on the progress reports.
 - (4) Audit of the fund shall be conducted on annual basis.

Inter-Provincial Environmental issues:-

- 11. (1) The project falling within the geographical jurisdiction of two or more Provinces, the IEE or EIA may be submitted by the proponent to each Provincial Environmental Agencies for review and approval.
- (2) In case of any dispute or concerns the matter shall be settled through mutual consultation of the Provinces to avoid any inconveniences or future litigation.
- (3) The concerned Provinces may constitute a joint technical or review committee including a representative of the concerned Federal Ministry dealing with Environment and coordination.

Multilateral Environmental Agreements:-

- 12. (1) The obligation of the International Conventions, Treaties and Protocols shall be observed as before devolution of the subject of Environment to the

Province on Environment or climate change. In case of any international/bilateral cooperation, the matter shall be preceded with consultation with the concerned Federal Ministries.¹⁴

(2) The Government of Baluchistan/ Environmental Protection Agency shall extend support to those obligation of the International Conventions, Treaties and Protocols where adequate assistance provided by the Federal Government.

Strategic Environment Assessment (SEA):-

13. (1) This section regulates the conditions, methods and procedure according to which the assessment of impact of certain plans and programs on the environment (hereinafter referred to as: strategic assessment) shall be carried out in order to provide for the environmental protection and improvement of sustainable development through integration of basic principles of environmental protection into the procedure of preparation and adoption of plans and programs.

(2) The Government at all levels of administration and in every sector shall incorporate environmental considerations into policies, plans, programs and strategies.

Prohibition of certain discharges or emissions and potential harmful items or materials.—

14. (1) Subject to the provisions of this Act and the rules and regulations no person shall discharge or emit or allow the discharge or emission of any effluent or waste or air pollutant or noise in an amount, concentration or level or is likely to cause, a significant adverse effect on the environment or human health which is in excess of the Environmental Quality Standards or, where applicable, the standards established under sub -clause (ii) of clause (f) of section 6.

(2) The Government of Baluchistan shall not allow any imported or locally made commodities or items or materials or equipment or instruments or automobile or pesticides etc, into its provincial jurisdiction which may have any potential of causing Environmental problems.

(3) No person or company related to public and private sector shall introduce any of the imported or locally made items or materials or equipment or instruments or automobile or pesticides etc as per subsection (2) for any purpose unless it has filed an application to the Baluchistan Environmental Protection Agency, as the

case may be, and has obtained approval from the Government Agency in respect thereof.

(4) The Government of Baluchistan may levy a pollution charge on any person who contravenes or fails to comply with the provisions of sub-section (1), to be calculated at such rate, and collected in accordance with such procedure as may be prescribed.

(5) Any person who pays the pollution charge levied under sub-section (2) shall not be charged with an offence with respect to that contravention or failure.

(6) The approved license in terms of section 15 of this Act does not affect the applicant's duty to obtain any other authorization required in order to undertake the activity or implement the project concerned, whether in terms of this Act or any other legislation

(7) A person /firm causing discharge of pollutants shall take all reasonable measures to ensure that the best practicable environmental option is adopted in relation to the discharge of emission and conservation of the environment.

Initial Environmental Examination and Environmental Impact Assessment.—

15. (1) No proponent of a project of public and private sector shall commence construction or operation unless he has filed an Initial Environmental Examination with the Government Agency designated by Baluchistan Environmental Protection Agency, as the case may be, or, where the project is likely to cause an adverse environmental effects an environmental impact assessment, and has obtained from the Government Agency approval in respect thereof.

(2) The Government Agency shall subject to standards fixed by the Baluchistan 15 Environmental Protection Agency—

(a) review the initial environmental examination and accord its approval, or require submission of an environmental impact assessment by the proponent; or

(b) review the environmental impact assessment and accord its approval subject to such conditions as it may deem fit to impose, require that the environmental impact assessment be re-submitted after such modifications as may be stipulated or reject the project as being contrary to environmental objectives.

(3) Every review of an environmental impact assessment shall be carried out with public participation and no information will be disclosed during the course of such public participation which relates to—

(i) trade, manufacturing or business activities, processes or techniques of proprietary nature, or financial, commercial, scientific or technical matters which the proponent has requested should remain confidential, unless for reasons to be recorded in writing, the Director General of the Baluchistan Environmental Protection Agency is of the opinion that the request for confidentiality is not well-founded or the public interest in the disclosure outweighs the possible prejudice to the competitive position of the project or its proponent; or

(ii) international relations, national security or maintenance of law and order, except with the consent of the Government of Baluchistan; or

(iii) matters covered by legal professional privilege.

(4) The Government Agency shall communicate its approval or otherwise within a period of four months from the date the initial environmental examination or environmental impact assessment is filed complete in all respects in accordance with the prescribed procedure, failing which the initial environmental examination or, as the case may be, the environmental impact assessment shall be deemed to have been approved, to the extent to which it does not contravene the provisions of this Act and the rules and regulations.

(5) Subject to sub-section (4) the appropriate Government may in a particular case extend the aforementioned period of four months if the nature of the project so warrants.

(6) The provisions of sub-sections (1), (2), (3), (4) and (5) shall apply to such categories of projects and in such manner as may be prescribed.

(7) The Government Agency shall maintain separate registers for initial environmental examination and environmental impact assessment projects, which shall contain brief particulars of each project and a summary of decisions taken thereon, and which shall be open to inspection by the public at all reasonable hours and the disclosure of information in such registers shall be subject to the restrictions specified in sub-section (3).

(8) No concession areas for any developmental activities shall be awarded to any International/National groups or firms without consultation and concurrence of the Government of Baluchistan/Environmental Protection Agency.

(9) The prospect licenses for mining, quarrying, crushing etc. shall only be awarded/ granted in compliance with the sub section (1), (2), (3), (4) and (5) .

(10) The cellular companies shall obtain environmental approval from the Baluchistan EPA before installing Base Transceivers Station (BTS).

(11) BTS Stations should be required to undergo routine evaluation for Compliance. Whenever an application is submitted to the Baluchistan EPA for construction or modification of a transmitting facility. EPA shall have the authority to take action if a cellular base station antenna does not comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines and recommendations of the report titled 'Environmental and Health Related Effects of the Cellular Base Station Antennas' carried out by IT and Telecom Division, Ministry of Information Technology.

(12) No person or company related to public and private sector shall commence construction or operation unless the concerned building authority accord approval under the provisions of the in vogue Building Code.

(13) after fulfilling the sub section (12) an action plan shall be submitted to the concerned municipal/town/union council to carry out the activities for a specific time period as to provide the general public or road users an alternative corridor.

(14) the waste generated during the construction or maintenance or repair of any building shall be appropriately disposed of or transported or collected to a designated place allocated for the purpose like any land fill site to avoid public nuisance.

(15) the construction or repair activities especially in the main city area shall be carried out in a manner to minimize the road congestion or blockage.

(16) the proponent of the project shall remit fifty thousand rupees as review fee of an Initial Environmental Examination (IEE) and one hundred thousand as review fee for Environmental Impact Assessment (EIA).

(17) the person or company in public or private sector intend to commence any scheme or project do not fall under schedule I and II of this Act shall remit twenty-

five thousand rupees as an Environmental approval fee to the Baluchistan Environmental Protection Agency.

Prohibition of import of hazardous waste.—

16. No person shall import hazardous waste into Baluchistan and its jurisdiction limits.

Handling of hazardous substances and License:-

17. (1) Subject to the provisions of this Act, no person shall generate, collect, consign, transport, treat, dispose of, store, handle or import any hazardous substance except—

(a) under a license issued by the Government of Baluchistan and in such manner as may be prescribed; or

(b) in accordance with the provisions of any other law for the time being in force, or of any international treaty, convention, protocol, code, standard, agreement or other instrument to which Pakistan is a party.

(2) Every owner or proponent of any land or premises on which hazardous waste is kept, treated or disposed of shall make a written application to the Baluchistan Environmental Protection Agency for a hazardous waste management license, which shall at least include details of:

a) the chemical composition, nature and volume of the waste which is being, or will be, produced;

b) the industrial process, trade or activity giving rise to the waste;

c) the way in which the applicant proposes to keep, treat or dispose of the hazardous waste, including storage and handling procedures;

d) the precautions which will be taken to avoid any adverse effects on the environment being caused by the hazardous waste.

(3). the Baluchistan Environmental Protection Agency shall evaluate each application for a license under this Article in the following manner:

a) grant a hazardous waste management license, with or without conditions, if satisfied that the proposed method of keeping, treating and disposing of the hazardous waste will not cause any adverse effects; or

b) refuse to grant a license giving reasons for the refusal in writing to the applicant.

(4). the Baluchistan Environmental Protection Agency would take a decision in regard to subsection 2 within thirty (30) days of the date of lodging of the application for a license.

(5) The license shall be granted for a reasonable period not exceeding five years. On expiry of the license for renewal same procedure shall be followed.

Electronic Wastes:-

18. (1) Every producer, distributor, collection center, refurbishes, dismantler or recyclers shall store the electronic waste for a period not exceeding six months and shall maintain a record of collection, sale, transfer, storage and segregation of wastes and make these records available for inspection:

Provided that the Baluchistan Environmental Protection Agency may extend the said period in following cases, namely:

(a) Dismantlers and Recyclers up to six months of their annual storage capacity of the owner; or

(b) Collection centers who do not have access to any registered dismantling or recycling facility; or

(c). the waste which needs to be specifically stored for development of a process for its recycling, reuse.

(2) Every producer, distributor, collection center, refurbished, dismantler or recyclers shall make arrangements for the environmentally sound management and disposal of electronic waste.

(3) the 'environmentally sound management of electronic waste' as "taking all steps required to ensure that electronic waste are managed in a manner which shall protect health and environment against any adverse effects, which may result from hazardous substance contained in such wastes."

(4) the provisions of this section shall apply to every producer, consumer and bulk consumer involved in manufacture, sale, purchase and processing of electronic equipment or components.

(5) information dissemination on electronic waste and the environmentally sound management of electronic waste is also mandated from producers.

(6) to regulate the provisions of this section all the relevant international conventions, protocols and treaties collectively called as multilateral

environmental agreements (MEAs) shall be applicable where Pakistan is signatory or ratified the MEAs.

(7) any person or company or unit who contravenes or fails to comply with the provisions of the above subsections shall be imposed penalty under section 25 of this act.

General Prohibition in relation to Solid and Hospital Waste management and Waste Management License:-

19. (1) No person may collect, transport, sort, recover, store, dispose of or otherwise manage waste in a manner that results in a significant adverse effect.

(2) Every person who imports, produces, collects, recovers, transports, keeps, treats or disposes of waste shall take all reasonable measures to prevent a significant adverse effect on the environment from occurring.

(3) The owner or proponent of every premises upon which solid and hazardous hospital waste is produced shall ensure that all hazardous waste whether solid or hospital waste is separated from other waste, and is stored in separate containers pending disposal, in accordance with therequirements of the Baluchistan Environmental Protection Agency as set out in regulations, published guidelines or license conditions.

(4) A person shall not dispose of solid and hazardous hospital waste in such a manner that it becomes litter or is likely to become litter.

(5) Unless in possession of a valid waste management license issued by the Baluchistan Environmental Protection Agency, no person may construct, own or operate a landfill site, incinerator or other facility at which waste is permanently disposed of or is stored indefinitely.

(6). The Baluchistan Environmental Protection Agency shall evaluate each application for a license and shall do the following:

a) grant a license if the Baluchistan Environmental Protection Agency is satisfied that the applicant has sufficient expertise to undertake the activity in question in accordance with the law and in a manner that will not have significant adverse effects; or

b) refuse to grant a license giving reasons for the refusal in writing to the applicant.

(7). The Baluchistan Environmental Protection Agency shall reach a decision in regard to subsection 2 within thirty (30) days of the date of lodging of the application for a license with the Baluchistan Environmental Protection Agency.

(8). If there are reasonable grounds to grant license, and those grounds are communicated to the license holder in writing, the Baluchistan Environmental Protection Agency may amend, revoke or impose new conditions in an existing waste management license.

(9). The license granted under subsection (6) shall be subject to review if condition of license granted are not fulfilled.

Management of Water Resources: -

20. (1) All persons, for the purpose of protection, conservation, development, use, control and management of water resources would take into account the following measures:

- a) protecting aquatic and associated ecosystems and their biological diversity;
- b) reducing and preventing pollution and degradation of water resources.

(2) When preparing water resource management plans, Departments and other relevant institutions shall at least take the following into account:

- a) provisions for integrated watershed management;
- b) regulation of sustainable abstraction of groundwater;
- c) regulation of the use of ground or surface water for agricultural, industrial, mining, and urban purposes;
- d) measures to protect human health and ecosystems;
- e) measures to protect wetlands and their associated ecosystems;
- f) any other provision necessary for the sustainable use and management of water resources.

(3) An owner of land or a person who uses the land on which any activity or process is performed or undertaken which causes or is likely to cause significant pollution of a water resource must take measures to prevent any such pollution.

Regulation of motor vehicles.

21. (1) Subject to the provisions of this Act, and the rules and regulations, no person shall operate a motor vehicle from which air pollutants or noise are being emitted in an amount, concentration or level which is in excess of the Environmental Quality Standards, or where applicable the standards established under clause (e) of section 6 (1).

(2) For ensuring compliance with the standards mentioned in sub-section (1), the Baluchistan Environmental Protection Agency may direct that any motor vehicle or class of vehicles shall install such pollution control devices or other equipment or use such fuels or undergo such maintenance or testing as may be prescribed.

(3) Where a direction has been issued by the Government Agency under subsection (2) in respect of any motor vehicles or class of motor vehicles, no person shall operate any such vehicle till such direction has been complied with.

(4) To regulate the provision of this Act a green squad comprising of representative of Traffic Police, Motor Vehicle Examiner, Excise & Taxation and EPA Baluchistan shall be in place to monitor and inspect the automobiles running on the road as per the Environment Quality Standard.

(5) The inspection or monitoring shall be carried out at least once in a month wherein a mechanism be chalked out for issuance of warning tickets (red: Highly polluted, Blue: less polluted) on a prominent on the vehicle, as the case may be for specific period of time not exceeding 30 days to maintain the vehicle in order .

(6) Whoever contravenes or fails to comply with the provision of subsection (5) such vehicle should be made off road or punishable with fine at least twenty thousand rupees which may be extended to one hundred thousand rupees. In the case of continuing contravention or failure the vehicle shall be impounded.

Alien Species and Living Modified Organisms:-

22. (1) The import into Baluchistan of alien species and of living modified organisms is prohibited without a permit issued by the relevant authority under any law enforce in Baluchistan. The Baluchistan Environmental Protection Agency in consultation with the Departments of Agriculture, Livestock and Animal Husbandry and Food shall monitor the matter.

(2) No permit for the introduction of an alien species or of a living modified organism shall be issued unless the environmental impact indicates that there is a reasonable certainty that no harm to indigenous natural resources or human health will result from the proposed introduction.

(3) Subsection 1 and 2 of this Section shall apply equally to introductions of alien species and living modified organisms into the Province of Baluchistan and to introductions from one ecosystem to another within the province.

(4) The introduction of alien species and living modified organisms into protected areas shall not be allowed.

Coastal Zone:-

23. (1) Subject to the provisions of this Act the activities or concentration or level of discharges of the following units established on onshore and offshore shall be monitored strictly to prevent the pollution and environmental degradation caused by the following multi-magnitude and multidisciplinary units.

a) Ports and shipping

b) Fisheries

c) Ship dismantling

d) Shipping Traffic (Oil Tankers & Vessels) & dredging.

e) Oil and gas mineral exploration.

f) Coastal power plants and Energy sector.

g) Oil refineries and Industries

(2) The ship breaking at Gaddani or anywhere else in the coastal belt/zone of this province shall be subject to fulfilling all the relevant obligations under the Basel Convention “on the Control of Trans-boundary Movements of Hazardous Waste and their Disposal”, Rotterdam Convention “on the prior Informed Consent(PIC) Procedure for certain Hazardous Chemicals and Pesticides in International Trade” and other relevant Treaties/Protocols and provisions of this Act.

(3) During the process of ship breaking/dismantling the waste, hazardous waste or sludge or Polychlorinated biphenyls or asbestos etc., shall be disposed of in a manner to ensure Protection of Terrestrial and Marine environment.

(4) The activities of ship breaking/dismantling activities on shore or offshore within territorial limit of Baluchistan shall be monitored at least biannually to ensure environmental protection and prevent degradation and pollution.

(5) The disposal of untreated sewage and domestic wastes and untreated disposal of industrial effluents into the sea is an offence any person or company or unit who contravenes or fails to comply with the provisions of this Act shall face to penalty under section 25.

Environmental Protection Order.

24. (1) Where the Baluchistan Environmental Protection Agency is satisfied that the discharge or emission of any effluent, waste, air pollutant or noise, or the disposal of waste, or the handling of hazardous substances, or any other act or omission is likely to occur, or is occurring, or has occurred, in violation of the provisions of this Act, rules or regulations or of the conditions of a license, and is likely to cause, or is causing or has caused an adverse environmental effect, the Baluchistan Environmental Protection Agency may, after giving the person responsible for such discharge, emission, disposal, handling, act or omission an opportunity of being heard, by order direct such person to take such measures that the Baluchistan Environmental Protection Agency may consider necessary within such period as may be specified in the order.

(2) In particular and without prejudice to the generality of the foregoing power, such measures may include—

(a) immediate stoppage, preventing, lessening or controlling the discharge, emission, disposal, handling, act or omission, or to minimize or remedy the adverse environmental effect;

(b) installation, replacement or alteration of any equipment or thing to eliminate, control or abate on a permanent or temporary basis, such discharge, emission, disposal, handling, act or omission;

(c) action to remove or otherwise dispose of the effluent, waste, air pollutant, noise, or hazardous substances; and

(d) action to restore the environment to the condition existing prior to such discharge, disposal, handling, act or omission, or as close to such condition as

may be reasonable in the circumstances, to the satisfaction of the Baluchistan Environmental Protection Agency.

(3) Where the person, to whom directions under sub-section (1) are given, does not comply therewith, the Baluchistan Environmental Protection Agency may, in addition to the proceedings initiated against him under this Act, the rules and regulations, itself take or cause to be taken such measures specified in the order as it may deem necessary and may recover the reasonable costs of taking such measures from such person as arrears of land revenue.

Penalties 25. (1) Whoever contravenes or fails to comply with the provisions of sections 14, 15, 16, 18 or section 24 or any order issued there-under shall be punishable with fine which may extend to one million rupees, and in the case of a continuing contravention or failure, with an additional fine which may extend to one hundred thousand rupees for every day during which such contravention or failure continues: Provided that if contravention of the provisions of section 14 also constitutes contravention of the provisions of section 21, such contravention shall be punishable under sub-section (2) only.

(2) Whoever contravenes or fails to comply with the provisions of section 17, 19, 21, 22 or 23 or any rule or regulation or conditions of any license, any order or direction, issued by the Council or the Baluchistan Environmental Protection Agency, shall be punishable with fine which may extend to one hundred thousand rupees, and in case of continuing contravention or failure with an additional fine which extend to one thousand rupees for every day during which such contravention continues.

(3) Where an accused has been convicted of an offence under subsections (1) and (2), the Environmental Court and Environmental Magistrate, as the case may be, shall, in passing sentence, take into account the extent and duration of the contravention or failure constituting the offence and the attendant circumstances.

(4) Where an accused has been convicted of an offence under sub-section (1) and the Environmental Court is satisfied that as a result of the commission of the offence monetary benefits have accrued to the offender, the Environmental Court may order the offender to pay, in addition to the fines under sub-section (1), further additional fine commensurate with the amount of the monetary benefits.

(5) Where a person convicted under sub-sections (1) or sub-section (2) had been previously convicted for any contravention under this Act, the Environmental Court or, as the case may be, Environmental Magistrate may, in addition to the punishment awarded thereunder—

(a) endorse a copy of the order of conviction to the concerned trade or industrial association, if any, or the concerned Provincial Chamber of Commerce and Industry or the Federation of Pakistan Chambers of Commerce and Industry;

(b) sentence him to imprisonment for a term which may extend to two years;

(c) order the closure of the factory;

(d) order confiscation of the factory, machinery, and equipment, vehicle, material or substance, record or document or other object used or involved in contravention of the provisions of the Act:

Provided that for a period of three years from the date of commencement of this Act the sentence of imprisonment shall be passed only in respect of persons who have been previously convicted for more than once for any contravention of sections 14, 16, 17, 18,19 or 24 involving hazardouswaste;

(e) order such person to restore the environment at his own cost, to the conditions existing prior to such contravention or as close to such conditions as may be reasonable in the circumstances to the satisfaction of the Baluchistan Environmental Protection Agency; and (f) order that such sum be paid to any person as compensation for any loss, bodily injury, damage to his health or property suffered by such contravention.

(6) The Director-General of the Baluchistan Environmental Protection Agency or an officer generally or specially authorized by him in this behalf may, on the application of the accused compound an offence under this Act with the permission of the Environmental Tribunals or Environmental Magistrate in accordance with such procedure as may be prescribed.

(7) Where the Director-General of the Baluchistan Environmental Protection Agency is of the opinion that a person has contravened any provision of Act he may, subject to the rules, by notice in writing to that person require him to pay to the Baluchistan Environmental Protection Agency anadministrative penalty in the amount set out in the notice for each day thecontravention continues; and a

person who pays an administrative penalty for a contravention shall not be charged under this Act with an offence in respect of such contravention.

(8) The provisions of sub-sections (6) and (7) shall not apply to a person who has been previously convicted of offence or who has compounded an offence under this Act who has paid an administrative penalty for a contravention of any provision of this Act.

Offences by bodies corporate

26. Where any contravention of this Act has been committed by a body corporate, and it is proved that such offence has been committed with the consent or connivance of, or is attributed to any negligence on the part of, any director, partner, manager, secretary or other Officer of the body corporate, such director, partner, manager, secretary or other officer of the body corporate, shall be deemed guilty of such contravention along with the body corporate and shall be punished accordingly:

Provided that in the case of a company as defined under the Companies Ordinance, 1984 (XLVII of 1984), only the Chief Executive as defined in the said Ordinance shall be liable under this section.

Explanation.— For the purposes of this section, "body corporate" includes a firm, association of persons and a society registered under the Societies Registration Act, 1860 (XXI of 1860), or under the Co-operative Societies Act, 1925 (VII of 1925).

Offences by Government Agencies, local authorities or local councils.

27. Where any contravention of this Act has been committed by any Government Agency, local authority or local council, and it is proved that such contravention has been committed with the consent or connivance of, or is attributable to any negligence on the part of, the Head or any other officer of the Government Agency, local authority or local council, such Head or other officer shall also be deemed guilty of such contravention along with the Government Agency, local authority or local council and shall be liable to be proceeded against and punished accordingly.

Baluchistan Environmental Tribunals. —

28. (1) The Government of Baluchistan may, by notification in the official gazette establish Baluchistan Environmental Protection Tribunals which shall exercise jurisdiction under this Act.

(2) The Baluchistan Environmental Protection Tribunal shall consist of a Chairperson who is, or has been, or is qualified for appointment as, a judge of the High Court to be appointed after consultation with the Chief Justice of the High Court and two members to be appointed by the Government of Baluchistan which at least one shall be a technical member with suitable professional qualifications and experience; in the environmental field as may be prescribed. For every sitting of the Baluchistan Environmental Protection Tribunal the presence of the Chairperson and not less than one Member shall be necessary.

(3) A decision of Baluchistan Environmental Protection Tribunal shall be expressed in terms of the opinion of the majority or if the case has been decided by the Chairperson and only one of the members and a there is a difference of opinion between them, the; decision of the Baluchistan Environmental Protection Tribunal shall be expressed in terms of the opinion of the Chairperson.

(4) Baluchistan Environmental Protection Tribunal shall not, merely by reason of a change in its composition, or the absence of any member from any sitting, be bound to recall and rehear any witness who has given evidence, and may act on the evidence already; recorded by, or produced, before it.

(5) Baluchistan Environmental Protection Tribunal may hold its sittings at such places within its territorial jurisdiction as the Chairperson may decide.

(6) No act or proceeding of Baluchistan Environmental Protection Tribunal shall be invalid by reason only of the existence of a vacancy in, or defect in the constitution, of, the Baluchistan Environmental Protection Tribunal.

(7) The terms and conditions of service of the Chairperson and members of the Baluchistan Environmental Protection Tribunal shall be such as may be prescribed.

Jurisdiction and powers of Baluchistan Environmental Tribunals.

29. (1) Baluchistan Environmental Protection Tribunal shall exercise such powers and perform such functions as are, or may be, conferred upon or assigned to it by or under this Act or the rules and regulations made there under.

(2) All contravention punishable under sub-section (1) of section 25 shall exclusively be triable by Baluchistan Environmental Protection Tribunal.

(3) Baluchistan Environmental Protection Tribunal shall not take cognizance of any offence triable under sub-section (2) except on a complaint in writing by- -

(a) the Government Agency or local council; and

(b) any aggrieved person, who has given notice of not less than thirty days to the Provincial Agency concerned, of the alleged contravention and of his intention to make a complaint to the Environment Tribunal.

(4) In exercise of its criminal jurisdiction, the Baluchistan Environmental Protection Tribunal shall have the same powers as are vested in Court of Session under the Code of Criminal Procedure, 1898 (Act V of 1898).

(5) In exercise of the appellate jurisdiction under section 22 the Baluchistan Environmental Protection Tribunal shall have the same powers and shall follow the same procedure as an appellate court in the Code of Civil Procedure, 1908 (Act V of 1908).

(6) In all matters with respect to which no procedure has been provided for in this Act, the Baluchistan Environmental Protection Tribunal shall follow the procedure laid down in the Code of Civil Procedure, 1908 (Act V of 1908).

(7) Baluchistan Environmental Protection Tribunal may, on application filed by any officer duly authorized in this behalf by the Director-General of the Baluchistan Environmental Protection Agency, issue bail able warrant for the arrest of any person against whom reasonable suspicion exist, of his having been involved in contravention punishable under sub-section (1) of Section 25:

Provided that such warrant shall be applied for, issued, and executed in accordance

with the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898):

Provided further that if the person arrested executes a bond with sufficient sureties in accordance with the endorsement on the warrant he shall be released

from custody, failing which he shall be taken or sent without delay to the officer in-charge of the nearest police station.

(8) All proceedings before the Baluchistan Environmental Protection Tribunal shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code (Act XLV of 1860), and the Baluchistan Environmental Protection Tribunal shall be deemed to be a court for the purpose of section 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

(9) No court other than Baluchistan Environmental Protection Tribunal shall have or exercise any jurisdiction with respect to any matter to which the jurisdiction of Baluchistan Environmental Protection Tribunal extends under this Act, the rules and regulations made there under.

(10) Where the Baluchistan Environmental Protection Tribunal is satisfied that a complaint made to it under sub-section (3) is false and vexatious to the knowledge of the complainant, it may, by an order, direct the complainant to pay to the person complained against such compensatory costs which may extend to five hundred thousand rupees.

Appeals to the Environmental Tribunal.—

30. (1) Any person aggrieved by any order or direction of the Baluchistan Environmental Protection Agency under any provision of this Act, and rules or regulations may prefer an appeal with the Baluchistan Environmental Protection Tribunal within thirty days of the date of communication of the impugned order or direction to such person.

(2) An appeal to the Baluchistan Environmental Protection Tribunal shall be in such form, contain such particulars and be accompanied by such fees as may be prescribed.

Appeals from orders of the Environmental Tribunal

31. (1) Any person aggrieved by any final order or by any sentence of the Baluchistan Environmental Protection Tribunal passed under this Act may, within thirty days of communication of such order or sentence, prefer an appeal to the High Court.

(2) An appeal under sub-section (I) shall be heard by a Bench of not less than two Judges.

Jurisdiction of Environmental Magistrates.

32. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), or any other law for the time being in force, but subject to the provisions of this Act, all contravention punishable under sub-section (2) of section 25 shall exclusively be trial-able by Environmental Magistrate especially empowered in this behalf under section 14 of the Code of Criminal Procedure, 185(Act No. V of 1898).

(2) An Environmental Magistrate shall be competent to impose any punishment specified in sub-sections (2) and (4) of section 25.

(3) An Environmental Magistrate shall not take cognizance of an offence trial able under sub-section (I) except on a complaint in writing by—

(a) The Baluchistan Environmental Protection Agency, or Government Agency or a local council; and

(b) any aggrieved person.

Appeals From Orders of Environmental Magistrates.

33. Any person convicted of any contravention of this Act or the rules or regulations by an Environmental Magistrate may, within thirty days from the date of his conviction, appeal to the Court of Sessions whose decision thereon shall be final.

Power to Delegate. 34. (1) The Government of Baluchistan may, by notification in the official Gazette, delegate any of its or of the Baluchistan Environmental Protection Agency powers and functions under this Act and the rules and regulations to any Government Agency, local council or local authority.

(2) The Baluchistan Environmental Protection Agency may also by notification in the official Gazette, delegate any of its powers or functions under this Act and the rules and regulations to EPA Regional or sub-offices. In case of nonexistence of its Regional/Sub-offices may delegate its powers or functions to any local council or local authority in the Province.

Power to Give Directions.

35. In the performance of its functions the Provincial Agency shall be bound by the direction given to it in writing by the Government.

Indemnity. 36. No suit, prosecution or other legal proceedings shall lie against the Government, the Council, the Baluchistan Environmental Protection Agency, the Director-Generals of the Baluchistan Environmental Protection Agency, members, officers, employees, experts, advisers, committees or consultants of the Baluchistan Environmental Protection Agency or the Environmental Tribunal or Environmental Magistrates or any other person for anything which is in good faith done or intended

to be done under this Act or the rules or regulations made thereunder.

Dues recoverable as arrears of land revenue.

37. Any dues recoverable by the Baluchistan Environmental Protection Agency under this Act, or the rules or regulations shall be recoverable as arrears of land revenue.

Act to override other laws.

38. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Power to make rules. 39. The Government of Baluchistan may, by notification in the official Gazette, make rules for carrying out the purposes of this Act including rules for implementing the provisions of the international environmental Agreements, specified in the Schedule to this Act.

Power to amend the Schedule

40. The Government of Baluchistan may, by notification in the official Gazette, amend the Schedule so as to add any entry thereto or modify or omit any entry therein.

Power to make regulations.

41. (1) For carrying out the purposes of this Act, the Baluchistan Environmental Protection Agency may, by notification in the official Gazette and with the approval of the Government of Baluchistan, make regulations not inconsistent with the provisions of this Act or the rules made thereunder.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for

(a) submission of periodical reports, data or information by any Government agency, local authority or local council in respect of environmental matters;

-
- (b) preparation of emergency contingency plans for coping with environmental hazards and pollution caused by accidents, natural disasters and calamities;
 - (c) appointment of officers, advisers, experts, consultants and employees;
 - (d) levy of fees, rates and charges in respect of services rendered, actions taken and schemes implemented;
 - (e) monitoring and measurement of discharges and emissions;
 - (f) categorization of projects to which, and the manner in which, section 15 applies;
 - (g) laying down of guidelines for preparation of initial environmental examination and environmental impact assessment and Development of procedures for their filing, review and approval;
 - (h) providing procedures for handling hazardous substances; and
 - (i) installation of devices in, use of fuels by, and maintenance and testing of motor vehicles for control of air and noise pollution.

Repeal, savings and succession.

42. (1) The provision of Pakistan Environmental Protection Act 1997 (Act No.XXXIV of 1997) applicable to the Province of Baluchistan are hereby repealed.

(2) Notwithstanding the repeal of the Pakistan Environmental Protection Act 1997 hereinafter called the repealed Act, any rules or regulations or appointments made, orders passed, notifications issued, powers delegated, contracts entered into, proceedings commenced, rights acquired liabilities incurred, penalties, rates, fees or charges levied, things done or action taken under any provisions of the repealed Act shall, so far as they are not inconsistent with the provisions of this Act

be deemed to have been made, passed, issued, delegated, entered into, commenced, acquired, incurred, levied, done or taken under this Act, until they are repealed, rescind, withdrawn, cancelled, replaced or modified in accordance with the provisions of this Act.

(3) On the establishment of the Baluchistan Environmental Protection Agency under this Act, all properties, assets and liabilities pertaining to the Baluchistan Environmental Protection Agency established under repealed Act shall vest in

and be the properties, assets and liabilities, as the case may be, of the Baluchistan Environmental Protection Agency established under this Act.

(4) The Baluchistan Environmental Protection Agency constituted under the repealed Act and existing immediately before the commencement of this Act shall be deemed to have been constituted under section 5 and the Director General and other officers and employees appointed in the said Agency shall be deemed to be Director General, officers and employees appointed under the Baluchistan Civil Servant Act 1974.

(5) Notwithstanding the repeal of the Pakistan Environmental Protection Act 1997 (Act No. XXXIV of 1997), all proceeding pending immediately before commencement of this Act, against any person under the repealed Act and rules, regulation or order made thereunder, or any other Law or rules shall continue under that Law and rules, in the manner proceeded there under.

SCHEDULE (See section 39)

1. International Plant Protection Convention, Rome, 1951.
2. Plant Protection Agreement for the South-East Asia and Pacific Region (as amended), Rome, 1956.
3. Agreement for the Establishment of a Commission for Controlling the Desert Locust in the Eastern Region of its Distribution Area in South-West Asia (as amended), Rome, 1963.
4. Convention on Wetlands of International Importance Especially as Waterfowl Habitat, Ramsar, 1971 and its amending Protocol, Paris, 1982.
5. London Convention on Ocean Dumping 1972.
6. Convention Concerning the Protection of World Cultural and Natural Heritage (World Heritage Convention), 1972.
7. MARPOL Convention on Prevention of Pollution from Ship, 1973/78
8. Convention on International Trade in Endangered Species of Wild Funa and Flora (CITES), Washington, 1973.
9. Convention on the Conservation of Migratory Species of Wild Animals, Bonn, 1979.
10. Convention on the Law of the Sea, Montego Bay, 1982.
11. Vienna Convention for the Protection of the Ozone Layer, Vienna, 1985.

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12. Montreal Protocol on Substances that Deplete the Ozone Layer, Montreal, 1987 and amendments thereto.
 13. Agreement on the Network of Agriculture Centers in Asia and the Pacific, Bangkok, 1988.
 14. Convention on the Control of Trans boundary Movements of Hazardous Waste and Their Disposal, Basel, 1989.
 15. Convention on Biological Diversity, Rio de Janeiro, 1992.
 16. United Nations Framework Convention on Climate Change, Rio De Janeiro, 1992.
 17. Convention on the Protection and Use of Trans boundary Watercourses and International Lakes, 17 March 1992.
 18. The Rio Declaration on Environment and Development, 13 June 1992
 19. London Amendment to Montreal Protocol on Substances that deplete the ozone layer, 10 Aug 1992
 20. United Nations Convention on the Law of the Sea, 16 Nov 1994
 21. Washington Declaration on Land Based Marine Pollution 1995.
 22. UN Convention on Non-Navigational Uses of International Watercourses, 1995
 23. Ban Amendment to the Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal, 22 Sept 1995.
 24. The Kyoto Protocol, 11 Dec 1997
 25. The Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 11 Sept 1998.
 26. The Beijing Amendment to the Montreal Protocol on Substances that deplete the ozone layer, 1 Jan 2000
 27. The Cartagena Protocol on Biosafety to the Convention on Biological Diversity, 29 Jan 2000.
 28. Stockholm Convention on Persistent Organic Pollutants (POPs), 23 May 2001.
 29. International Treaty on Plant Genetic Resources for Food and Agriculture, 3 Nov 2001.

30. Hong Kong International Convention For The Safe And Environmentally Sound Recycling Of Ships, 2009

STATEMENT OF OBJECTS AND REASONS.

After the 18th Constitutional amendments the subject of environment vide Notification No.4-9/2011-Min dated 29th June, 2011 stand devolved to the provinces with effect from 1st July, 2011.

Even after the deletion of the subject of environment from the concurrent list the Pakistan Environmental Protection Act 1997 remained intact as per Article 270-AA, Sub-Article(6). However,

there is provision that the province through an appropriate legislature/competent authority may alter, repeal and amend the laws related to the subject. To regulate and effectively address the peculiar environmental issues of the province of Baluchistan this act namely “Baluchistan Environmental Protection Act 2012” is submitted as per provisions of the Article 270-AA, Sub-Article (6) of 18th Constitutional amendments.

7. THE PROPOSED PROJECT DESIGN

All equipment used in the LPG filling station shall be suitable for the condition of use, e.g. temperature, pressure, compatibility, area classification, etc. and should be easily accessible for maintenance and firefighting purpose.

- a. Cast-iron equipment and component shall not be used for LPG installation. Other materials such as bronze, brass, copper, etc. that are confirmed as suitable for LPG service may be used.
- b. All rubber components shall be of a grade and quality suitable for LPG service.
- c. Pressure-containing parts shall be made of steel, nodular iron, malleable iron or brass. Internal parts and components shall be corrosion resistant.
- d. The grading of an LPG filling station shall be such that LPG spillage will not collect beneath a parked road Tanker.
- e. The drainage system of LPG filling station shall be adequately designed to prevent against the ingress of any LPG release into the public drain.
- f. Tanker and dispensing bays shall be designed for effective draining of rain and firefighting water.
- g. Drains and pits shall be avoided in the immediate vicinity of 3 m of the LPG storage tank, dispenser or extended fill connection. Where the drains and pits are unavoidable within this distance, the openings shall either be securely covered or suitable sealed.
- h. Crash barriers should be provided at appropriate locations to prevent the above-ground connections of the LPG storage tank and dispensers from collision by vehicles.

8. LPG STORAGE TANK.

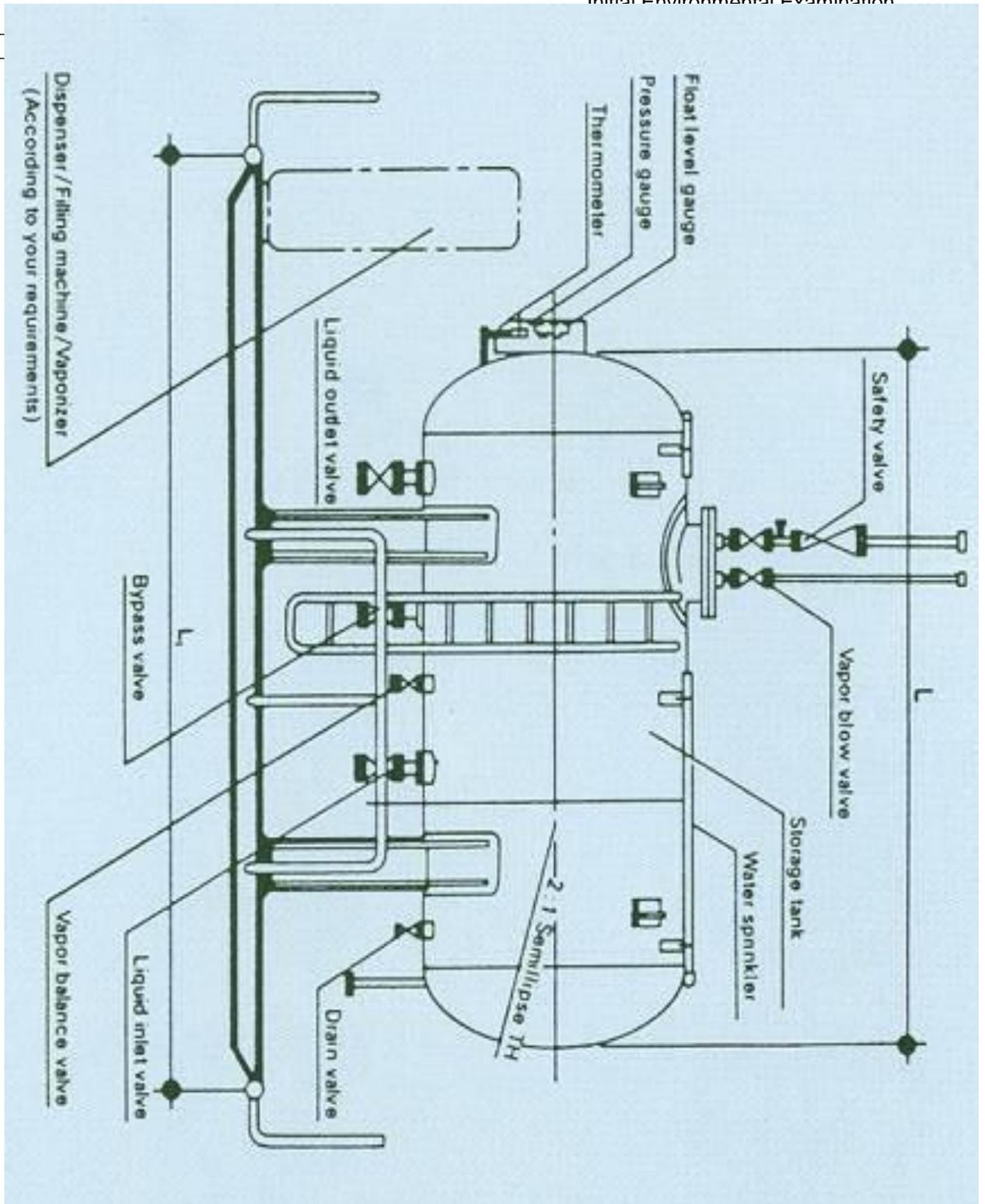
- Each tank shall be painted with a corrosion resistant coating, provided with cathodic protection system.
- The LPG tank shall not be installed in basements or pits.
- The LPG storage tank shall not be installed closer than 7 m to any vessel or bund wall of vessels containing other flammable liquid with a flash point below 65 C.
- The distance between the LPG storage tank and the boundary of filling station should be at least 1.5 m.
- The extended fill-connection, valve assembly and submersible pump set on the manhole of any LPG storage tank shall be at least 7.6 m from adjacent buildings, station boundary where the general public have legitimate access or any fixed sources of ignition.
- The LPG storage tank shall be designed and constructed in accordance with PD 5500 or equivalent.
- The LPG storage tank shall be design to a minimum pressure of 1.75 MPa and a minimum design temperature of -10 C to 50 C with a minimum of 1mm additional wall thickness for corrosion allowance.
- The LPG tank shall be fully stress relieved and shall be subject to 100% radiography examination and a satisfactory “charpy” test at minimum design temperature.
- The steel used in LPG storage tank shall be certified by the manufacturer as satisfying the design code for LPG service.
- An information plate shall be securely fixed to the LPG storage tank at a clearly visible location which shall contain the following information:
 - a) Manufacturer and serial number;
 - b) Date of manufacture;
 - c) Design code;
 - d) Water capacity in kiloliters
 - e) Maximum working pressure in KPa;
 - f) Design temperature range in degree centigrade-minimum and maximum;
 - g) The test pressure and date of test; and

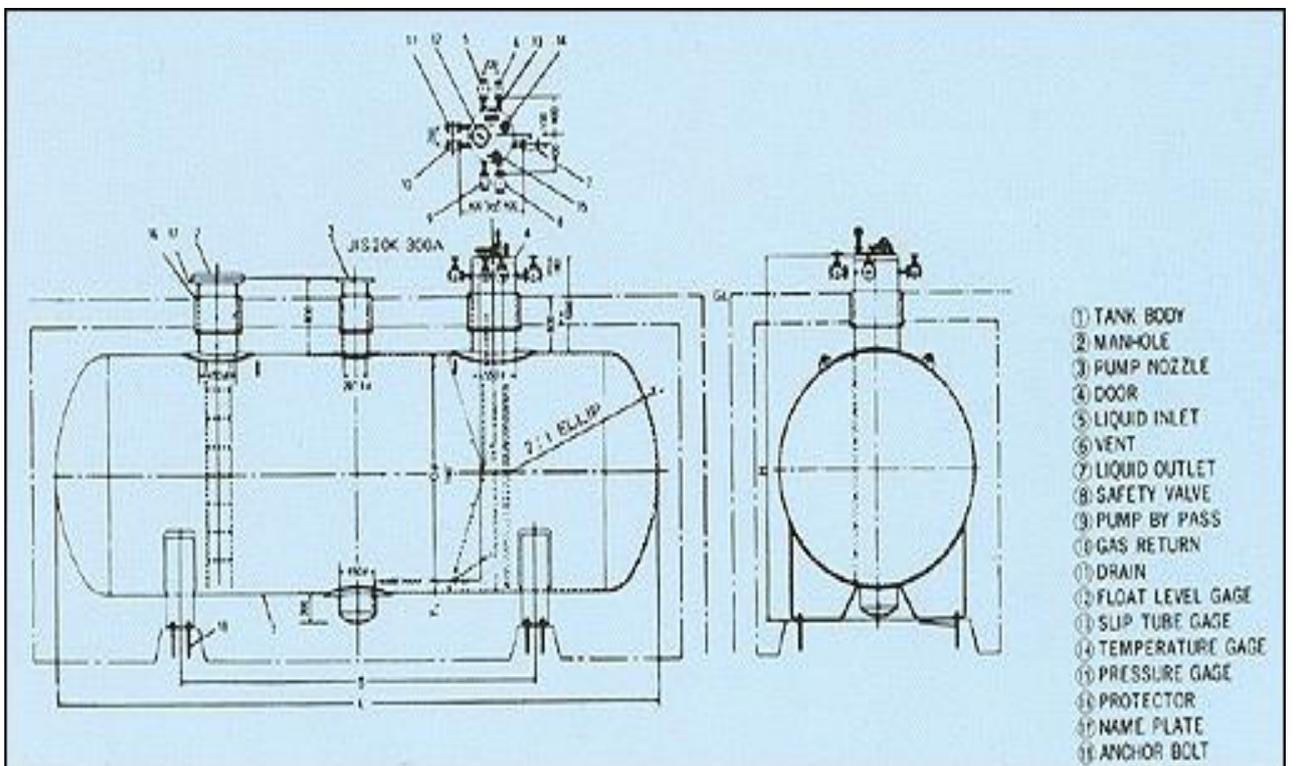
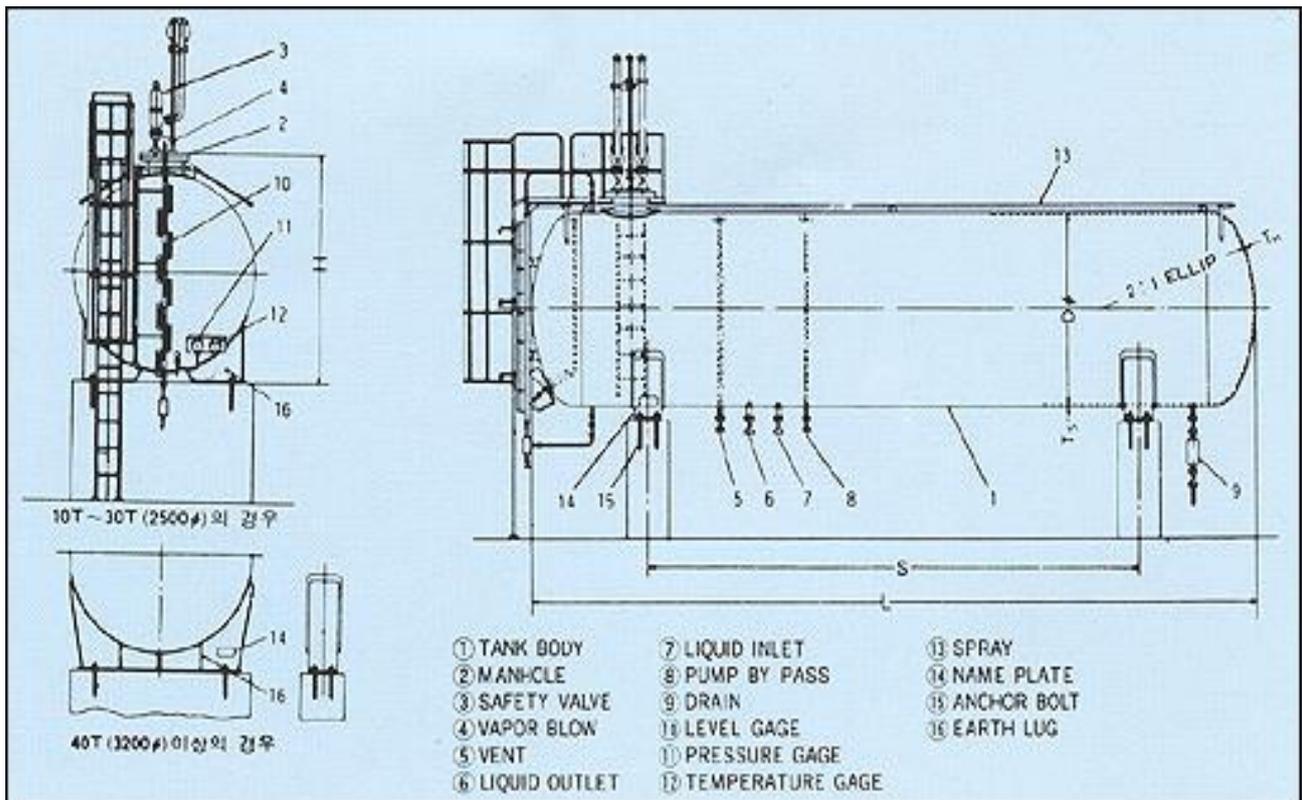
h) Marking of inspecting authority

Sufficient space shall be provided to mark subsequent retest dares.

- The LPG storage tank shall be provided with steel saddles for mounting on concrete footings.
- The LPG storage tank support shall be designed to provide sufficient clearance for operating bottom drain connections if applicable.
- The LPG storage tank shall be provided with a pump well for installing the submersible pump. The pump well shall be designed in accordance with respective design.
- Each LPG storage tank shall be provided with the following valves and fittings:
 - a) Pressure relief valve(s);
 - b) shut-off valve with closing mechanism and excess flow valve for pump well inlet;
 - c) shut-off valve and excess flow valve for pump bypass and dispenser return;
 - d) shut-off valve and check valve for LPG filling;
 - e) Fixed level device connected with pressure gauge;
 - f) Contents gauge;
 - g) Vapour balance valve between the pump well and storage tank complete with closing mechanism; and
 - h) Plugged shut-off valve for grain connection.
- Pipe work and fitting on the LPG storage tank shall be suitable protected against mechanical damage.
- Temperature gauges, where fitted, shall be installed in blind pockets. The pockets shall be in the form of blind tubes of suitable length and strength, oil filled, permanently welded to the LPG storage tank and constructed in accordance with the corresponding storage tank design code.
- The contents and pressure gauges shall be arranged such that they easily read from the ground level.
- The LPG storage tank shall be filled in accordance with LPG (Production & Distribution) Guidelines 2013

- LPG storage tank shall be provided with a drain connection for removing sediment and water contents. The drain connection shall be fitted with a shut-off valve not more than 50 mm nominal diameter.
 - Records of the LPG storage tank shall be kept and updated for the service life of the tank and shall include the following;
 - a) detailed design drawings including nozzle arrangements and fittings;
 - b) steel plate mill certificate;
 - c) weld test report
 - d) welder's certificates;
 - e) manufacturer's certificate of compliance; and
 - f) all test and inspection certificates.
-
- **Magnitude.** No water is used for filling of cylinders; however, water would be required for domestic use of 10-15 workers. Discharge from kitchen and bath room and miscellaneous user = 15 + 5 visitors @ 4-5 gallons per person = 100 gallons in 24 hours
 - **Significance.** This would be used for plantation purpose. This amount or **mode** of use is of no significance.





9. Pressure Relief Valve

- Each LPG storage tank shall be fitted with pressure relief valve(s) which is set in accordance with a relevant pressure vessel code to which the LPG storage tank is designed. The pressure relief valve shall have the following information stamped on the valve or on a separate metal plate securely fixed to it:-
 - a) The manufacturer's identification including make and model or type number, manufacturing date etc.
 - b) The pressure at which the valve starts to discharge.
- Extra space shall be provided on the valve or the metal plate for subsequent stamping of periodic retest dates.
- For multi-port pressure relief valves, any provision made for isolating any relief valve for testing or servicing shall ensure that the remaining relief valves connected to the LPG storage tank are of the same full flow capacity.
- Pressure relief valves shall be of a direct spring loaded type or equivalent, the tamper-proof and be constructed in such a way so that breakage of any part shall not in any way lessen the relief function.
- LPG should be safely discharged to the atmosphere by means of individual elevated vent pipe at least 3m above ground level and 2m above the LPG storage tank. The bore of the discharge pipe should be sufficient sized for the full flow characteristics of the relief valves at the discharge points. The vent pipe outlet shall be suitably identified and be provided with a rain cap to prevent ingress of rain water.

10. Extended Fill-Connection

- Extended fill-connection should be as close to the LPG storage tank as practicable but not be located inside the access pit of valve assembly. It shall be positioned in such a way to prevent unnecessary bending of the delivery hose from road tanker.
- Where more than one LPG storage tank is installed, the filling line for each storage tank shall be separated by valve in the piping system to enable isolation of each tank during operation.
- Extended fill-connection shall be within the boundary of filling station.
- Extended fill-connection shall be protected against the possibility of mechanical damage by road tankers. Concrete posts, pre-cast concrete curbs or similar barriers shall be used wherever exposure to damage is possible.
- A double-check valve shall be installed at the extended fill-connection to prevent the out flow of LPG liquid under abnormal conditions e.g. fill pipe rupture.

Gas Detection System

A gas detection system with adequate number of detector leads at different locations shall be provided for the LPG filling station. The system should give audible alarm when detecting LPG at a concentration 20% of the lower flammable limit and give direct signal to fire services Communication Centre when detecting LPG at a concentration 40% of the Lower flammable limit. Each detector head should be able to be isolated individually for the purpose of maintenance and testing.

*The Proposed Site Location Plan of
M/S AL QASIM GAS (PRIVATE) LIMITED*

**LPG TERMINAL AT GWADAR PORT,
GWADAR.**

BASE LINE DATA/ENVIRONMENTAL PROFILE OF THE AREA

Pakistan exhibits all types of geological formations and mineralogy. Geologically, the land formations in the mountainous regions comprise rock minerals and in the floodplains are made up of alluvial deposits transported from the Himalaya foothills. The underlying bedrock, however, is composed of the Precambrian metamorphic and the tertiary consolidated rocks. The overlying alluvium consists of Pleistocene to recent unconsolidated deposits of sand, clay and silt. The formation age of the alluvium also dates from Pleistocene to recent times; the latter being predominant close to riverbanks and the former around the central part of the plains.

The province of Baluchistan and Makran division, in particular, are prone to frequent seismic disturbances from movements of the tectonic plates, mostly when the tectonic plate under the Indian plate hits the Eurasian plate as former continues to move northward to push the Himalayas ever higher. The region surrounding Gwadar is highly prone to earthquakes. A severe quake in 1931 was followed by one of more destructive force in 1935. The recent one is of October 2008 which hit a large area in and around Gwadar devastating earthquake shook the entire valley of Kashmir and adjacent areas of the NWFP province on October 8, 2005. The province of NWFP is also prone to seismic activity of low level than Balochsitan.

INTRODUCTION -

This is a LPG Plant, which is comparatively a cleaner Industry. The area is flat with rain water drainage system and semi-developed from utilities point of view i.e. Electricity, Water supply, small auto / cycle repair shops but without any basic health units etc.

ENVIRONMENTAL PROFILE OF THE SURROUNDING AREAS:

Various parameters in the surrounding area have been discussed. It would be found that no negative effect is being created in the area from the environmental point of view.

13. LOCATION OF THE LPG TERMINAL

M/S. Al Qasim Gas LPG Terminal is situated at Gwadar Port Gwadar.

TRANSPORTATION

A local approach road is available to Gwadar Port Road Gwadar.

ELECTRICITY & INFRASTRUCTURE

Electricity: Electricity from WAPDA is available. M/s. Al Qasim Gas has applied to the concerned authorities for 100 KVA power.

AMBIENT AIR QUALITY

Ambient air levels were monitored outside the Base Camp, with the help of portable air sampler to determine the air quality in the area. The area being rural side with comparatively less vehicles on the roads does not contain pollutants as evident from the natural wilderness of the area.

WATER RESOURCES

There are two sources of water are available. It can be obtained through GITL water Desalination Plant and sea water (only for emergency)

14. AIR QUALITY

Owing to differing topography, various regions of Pakistan exhibit extreme variations of temperature. The country is essentially arid and semi-arid except for the southern slopes of the Himalayas and the sub-mountainous tracts where the annual rainfall varies between 760 and 1270 mm. This area has humid sub-Tropical climate. In the extreme north, because of great heights, the highland climate prevails.

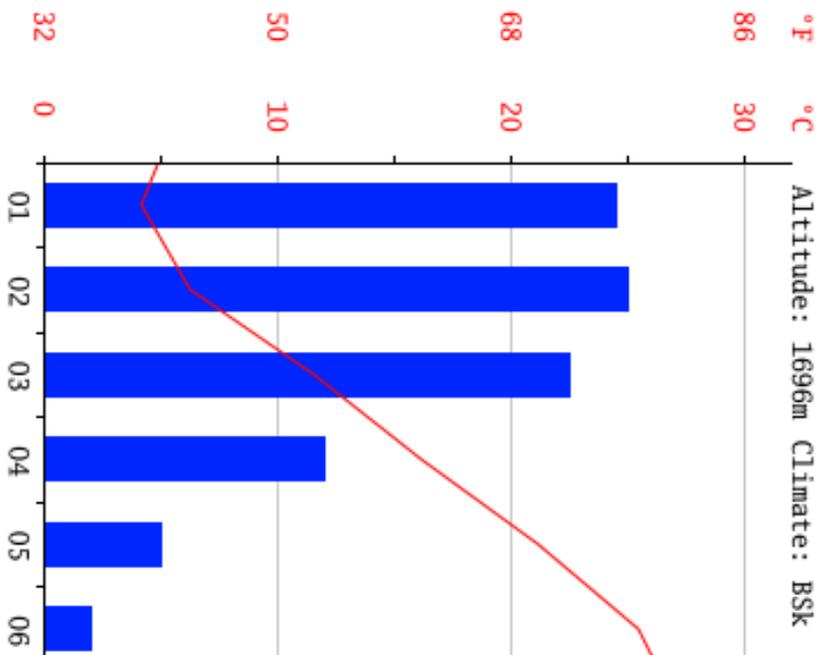
Pakistan has four seasons: (i) a cool, dry winter from December through February; (ii) a hot, dry spring from March through May; (iii) the summer rainy season (or the monsoon) from June through September; and (iv) the autumn from October to November. The onset and duration of these seasons somewhat vary according to location. The country exhibits extreme variations of temperature from below 0°C (upto -10°C in mountainous regions) in winter to 45°C (upto 52°C in hot dry desert regions) in the summer.

There are two sources of rainfall in Pakistan: (i) the Monsoon, and (ii) the Western Depression. The former prevails from July to September and the latter from December to March. The major part of Pakistan has a dry climate and humid conditions except for a small area in the north. The whole of Sindh, most of Baluchistan, major part of the Punjab and the central parts of the NWFP receive less than 250 mm of rainfall in a year. Northern Sindh, southern Punjab, and southwestern Baluchistan receive less than 125 mm of rainfall.

15. CLIMATE

The **climate of Gwadar** is located at 0 meters (0 ft)–300 meters (984 ft.) meters above sea level, features dry and hot arid climate. The oceanic influence keeps the temperature lower than that in the summer and higher in winter. The mean temperature in the hottest month of June remains between 31 °C (88 °F) and 32 °C (90 °F). The mean temperature in the coldest month of January varies from 18 °C (64 °F) to 19 °C (66 °F). The uniformity of temperature is a unique characteristic of the coastal region in Balochistan. Occasionally, winds moving down the Balochistan plateau bring cold spells, otherwise the winter is pleasant. In Gwadar, winter is shorter than summer. Gwadar's weather is identical to that of the Middle East as most rain occurs from December till January. The highest rainfall of 227 millimeters (8.9 in) in 24 hours was recorded on 6 June 2010.

Climate data for Gwadar, Pakistan													
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Record high °C (°F)	31.1 88	33 91.4	40.5 104.9	44.7 112.5	45.7 114.3	48 118	42.5 108.5	39.5 103.1	41.1 106	41 105.8	37 99	33.1 91.6	48 118.4
Average high °C (°F)	24.1 75.4	25 77	28 82	31.9 89.4	34.2 93.6	34 93	32.5 90.5	31.5 88.7	31.5 88.7	32 90	29 84	25 77	29.89 85.8
Average low °C (°F)	13.8 56.8	15.1 59.2	18.4 65.1	21.7 71.1	24.9 76.8	26.9 80.4	26.9 80.4	25.8 78.4	24.4 75.9	21.7 71.1	18 64.4	15.1 59.2	21.05 69.89
Record low °C (°F)	2.3 36.1	1.3 34.3	8 46.4	12.5 54.5	15.5 59.9	20 68	20.8 69.4	20.5 68.9	18 64.4	13 55.4	5.5 41.9	0.5 32.9	0.5 32.9
Average precipitation mm (inches)	25.9 1.02	22.7 0.894	13.4 0.528	4.9 0.193	0.1 0.004	2.4 0.094	6.6 0.26	2.8 0.11	0.2 0.008	0.9 0.035	3.7 0.146	21.6 0.85	89.8 3.535



16. LOCATION AND GEOGRAPHY

Gwadar Port is a warm-water, deep-sea port situated on the Arabian Sea at Gwadar in Balochistan province of Pakistan.

Gwadar is located on the shores of the Arabian Sea it is in Pakistan's western province of Balochistan. It is about 533 km from Karachi and 120 km from the Iranian border and 380 km (240 mi) km northeast of the nearest point in Oman across the Arabian Sea. Gwadar Port is located at the mouth of the Persian Gulf, just outside the Strait of Hormuz, near the key shipping routes in and out of the Persian Gulf. It is situated on the eastern bay of a natural hammerhead-shaped Peninsula protruding into the Arabian Sea from the coastline.

The surrounding region is home to around two-thirds of the world's oil reserves. It is also the nearest warm-water seaport to the landlocked, but energy rich, Central Asian Republics and landlocked Afghanistan.

Although construction of Gwadar Port did not commence until 2002, Pakistan identified Gwadar as a port site as far back as 1954 when Gwadar was still under Omani rule. Pakistan's interest in Gwadar started when, in 1954, it engaged the United States Geological Survey (USGS) to conduct a survey of its coastline. The USGS deputed the surveyor, Worth Condrick, for the survey, who identified Gwadar as a suitable site for a seaport. After four years of negotiations, Pakistan purchased the Gwadar enclave from Oman for \$3 million on 8 September 1958 and Gwadar officially became part of Pakistan on 8 December 1958, after 200 years of Omani rule. At the time, Gwadar was a small and underdeveloped fishing village with a population of a few thousand. A small port was constructed at Gwadar by the Government of Pakistan between 1988 and 1992 at a cost of Rs. 1,623 million, including the foreign exchange component of Belgian Francs 1,427 million, equivalent to Rs. 749 million, which was arranged by the contractor. However, technical and financial feasibility studies for a major deep-sea port at Gwadar were not initiated until 1993 under the Government of Pakistan's 8th Five Year Plan (1993-1997). Gifford & Partners & Technecon of Southampton, United Kingdom, in association with the Karachi-based Pakistani firm, Techno-Consult International, were engaged by the Government of Pakistan to carry out the feasibility study.

17. FLORA AND FAUNA

Pakistan has 4.2 million ha covered by forests and planted trees, which is equivalent to 4.8 percent of the total land area. Total forests area of different provinces and territories of Pakistan viz. Sindh, Baluchistan, Punjab, North West Frontier Province (NWFP), Azad Kashmir and Northern areas is 0.92, 0.33, 0.69, 1.21, 0.42, and 0.66 million hectares respectively. This shows that most of the forest distribution is in northern part of the country (40 percent of country's total forests are in KPK, 15.7 percent in Northern Areas and 6.5 percent in Azad Kashmir) Over 40 percent of it is coniferous and scrub forests on the northern hills and mountains. The balance is made up of irrigated plantations and riverine forests along major rivers on the Indus plains, mangrove forests on the Indus delta and trees planted on farmlands.

Pakistan is a forest-poor country, with only 0.03 ha of forest per capita of population compared to the world average of 1.0 ha. With the population, growing at 3 percent annually, forest area per capita is declining. Forests are divided on the basis of whether they are state-owned or private-owned forests. The state-owned forests are again divided into 4 categories: reserved, protected, unclassified and resumed lands. Two-thirds of the public forests are non-commercial and only the remaining one-third is harvested. The area of public forest cannot be expanded fast enough to keep pace with population growth and demands for forest products. Production of timber from commercial forests is about 0.5 million cubic meters annually.

Currently, only about 1,748,000 ha (4,319,500 acres) are classified as commercial or productive forests. Privately-owned forests cover some 3,783,000 ha (9,348,000 acres), located primarily in the North Western Frontier Province (NWFP) and Punjab. These forests are the main source for constructional timber and supply great quantities of fuel wood, while providing groundcover to the fragile mountain ecosystems (thereby lessening floods and droughts in the plains)

Mammals such as Markhor (wild sheep), leopards, wolves, hyena, rabbits, wild cats and porcupines are to be found in the Gwadar region. Local birds species include partridge, warblers, shikra, the blue rock pigeon, rock nuthatch, golden eagle, sparrows, hawks, falcons and bearded vultures. A total of 225 species of flora have been identified in the area including pistachios, juniper, wild olives, wild ash and wild almonds. Also found are shrubs including wild fig, barberry, wild cherry, makhi and herbs such as ephedra intermedia and gerardiana.

Hanna Lake, which nestles in the hills ten kilometres (six miles) east of the city, is a turquoise body of water that contrasts markedly with the bare surrounding hills. It is an attractive destination for vacationers, with facilities for boat hire. A lakeside restaurant is crowded with hikers and campers during holiday periods. At one end there is an irrigation dam, while on the eastern shore there is Hayat Durrani Water Sports Academy, the only water sports training center in Baluchistan. The Hanna Lake Development Authority, the Hayat Durrani Water Sports Academy and Merck Marker have planted a range of trees in the Hanna Lake Mountains both for beautification and the protection of the environment.

The Hazarganji Chiltan National Park, 20 km (12 mi) south-west of Gwadar, Markhors is a protected park area. The name of the park, "Hazarganji" literally means "Of a thousand treasures" is spread over 32,500 acres (132 km²) at an altitude ranging from 2,021 to 3,264 metres (6,631 to 10,709 ft). In the folds of the mountains, according to legend, there are over a thousand buried treasures, reminders of the passage over the ages of great armies including the Bactrians, the Scythians, the Muslims, and the Mongols. PirGhaib is a waterfall and picnic spot located 70 km from the Gwadar City in historic Bolan valley. Kharkhasa is located 10 km (6.2 mi) west of Gwadar in a 16 km (9.9 mi) long narrow valley that contains a variety of flora and fauna species. The Chiltan Hill Viewpoint in the park provides a panoramic view of the city. A visit to the nearby cities of Kirani and Ziarat are popular scenic places for tourists travelling to and from Gwadar.

18. CONSERVATION

It is believed that the earliest inhabitants of the city were the Pashtun Kasi Tribe. The first important event in the history of Gwadar is from the 11th century when it was captured by Amir Mahmud of Ghazni during his invasions of South Asia.

In 1876 Gwadar fell and was incorporated into British India. British Troops constructed the infrastructure for their establishment as it was a strategic location. By the time of the earthquake on 31 May 1935 Gwadar had developed into a bustling city with a number of multistory buildings and was known as "Little Paris" because of that. The epicenter of the earthquake was close to the city and destroyed most of the city's infrastructure and killed an estimated 40,000 people.

During the independence movement of Indian subcontinent the predominantly Muslim population of the region supported the Muslim League and the Pakistan Movement.

20. SIGNIFICANT ENVIRONMENTAL HAZZARDS AND MITIGATION MEASURES.

Environmental Impacts	Mitigation Measures	Tick, if purpose
Sitting near sensitive receptor.	Storage is not located within 10 km Of any Population, educational Institution or health facility.	<u>NO</u>
	Noise wall will be built	<u>Yes</u>
Spills during fuel transfer	Proper pad will be prepared for Bowzer parking while unloading	<u>Yes</u>
	It will be ensured that the pipe and Couplings for the fuel transfer are	<u>Yes</u>

	Secured tight and drip pans are put In all likely places where leakage can Occur to avoid loss to ground.	
	While refueling, drip pans will be Used to avoid spillage.	<u>Yes</u>
	Impervious surfaces will be well Maintained at all places likely to Receive spills.	<u>Yes</u>
Leakage from storage tanks And Facilities.	fuel storage tank will be constructed To modern specifications with secondary Containment, impervious linings and Leakage monitoring well is place.	
	Piping from tanks to the dispensers will Be above ground to the extent possible. All open/buried piping routes will be Clearly marked on the ground and on Drawings available at the station.	<u>No</u>
	Effective monitoring program for tank Integrity checking and leak detection Will be put in place.	<u>Yes</u>
Washing and servicing	Any Suitable oil water separator and Treatment system designed to treat Maximum operational capacity load To meet the NEQS will be installed.	<u>No</u>
	Discharge of waste water to the septic	<u>Yes</u>

	Tank will be made only when compliance With NEQS is ensured.	
	Any waste oil, oil rags and oil sludge From the separators will be disposed Off in environmentally responsible Transparent manner.	<u>Yes</u>
Interruption to local traffic	Deliveries will be scheduled at times Of light traffic load to avoid congestion.	<u>Yes</u>
	Station will have enough spacing for Vehicle to queue up without effecting Flow of traffic.	<u>Yes</u>

19. CONCLUSION

It is concluded in IEE that M/s. AL QASIM GAS (PVT) LTD during its operation will not lead to any adverse environmental effect.

- All possible environmental impact has been examined categories in term of significance at mitigation measures proposed.
- A carefully implemented environmental management plan (EMP) will ensure that minor/negligible environmental impacts are managed.
- The responsibility for environmental management is of M/s. AL QASIM GAS (PVT) LTD
- The IEE report revealed that there are no any significant impacts on the environment. However, fire safety and measures shall be insured by M/s.AL QASIM GAS (PVT) LTD with the strict adherence and implementation of NFPA 58 (national Fire Protection Authority) as required by the firm and Oil & Gas Regulatory Authority (OGRA) Government of Pakistan. Hence this project may be approved for Environmental Approval from the EPA Baluchistan.