**NECS/EACD/…………../………./…/ ……………**

**ENVIRONMENTAL CLEARANCE**

In accordance with Section 34.1 of the Environmental Assessment Act 2000 and Section 34 of the Water Act 2011, this Environmental Clearance (EC) is hereby issued/renewed to --(Name of the Applicant)— for the development/development and operation of ---(Name of Activity)---in State Reserve Forest Land/Private Land or/Industrial estate measuring----(Acre)--- located at -----(Location) along with --ancillary facilities (If applicable)--road (Km), labour colony, bridge, transmission line,--- under --(Gewog/Thromde and Dzongkhag)-- with the following terms and conditions:

1. **General**

The holder shall:

1. Comply with provisions of the National Environment Protection Act 2007, Environmental Assessment Act 2000 and Regulation for Environmental Clearance of Projects 2016 (RECOP 2016), Waste Prevention & Management Act of Bhutan 2009 and its Regulation 2012 (Amendment 2016), The Water Act of Bhutan 2011 and its Regulation 2014 and Revised Regulation on the Substances that Deplete the Ozone Layer and HFCs 2021;
2. Ensure that the activity is in line with Environmental Impact Assessment report/Initial Environmental Examination form submitted for EC;
3. Ensure that local communities, properties and any religious, cultural, historic and ecologically important sites are not adversely affected by the activity;
4. Restore the damage of any public or private properties caused by the activity;
5. Inform NECS and any other relevant authorities of any unanticipated or unforeseen chance-find of any precious metals or minerals or articles, that have economic, cultural, religious, archeological, and/or ecological importance;
6. Erect a signboard at the take-off point of the main entry of the project sites stating the name of the project and contact address;
7. Ensure that safety signboards are posted at strategic locations, including sign boards indicating areas where specific gadgets are required;
8. Ensure that general housekeeping, cleanliness and hygiene are maintained at all times in the plant;
9. Ensure that signboards are erected at all dumpsites indicating the name of the project, name of dumpsite area, and name of contractor to which the dumpsite is allocated; and,
10. Ensure that a copy of the environmental clearance is framed and displayed at the workplace and a copy of ESIA/FMFS report are available at site at all times.
11. **Environmental standards**

The holder shall comply with the Environmental Standards 2020.

1. **Import and use of ODS**

The Holder shall import and use ODS and the Hydro Fluorocarbons (HFCs) as per the Revised Regulation on the Substances that Deplete the Ozone layer and HFCs 2021.

1. **Pollution control**

The holder shall:

1. Ensure that off-gas is adequately captured and channelled into the pollution control device;
2. Ensure that chimney height is maintained above 30 meters from the earth level to allow proper dispersion;
3. Ensure that the pollution control device designed and installed in the Plant meet the emission levels specified in the Environmental Standards 2020 during the operation of the Plant or else the required augmentation and modification be made by the Company at its own cost to ensure compliance;
4. Switch to or retrofit the existing technology to best available technology if the plant is unable to meet the Environmental Standards 2020 and norms;
5. Ensure that adequate buffer stock of filter bags, spare parts and accessories of the plant and pollution control device is maintained;
6. Ensure that all the internal roads are concreted; and,
7. Ensure that fugitive dust generated from the plant is adequately suppressed.
8. **Protection and management of water resources**

The holder shall:

1. Ensure that construction/operation of the activity does not disrupt the water flow and pollute the water bodies;
2. Ensure that a 30 meter or 100 feet buffer is maintained from the water resources at all times,/Except for water/ river crossing infrastructures, ensure that minimum 30 meters or 100 feet buffer is maintained at all times form the water bodies;
3. Ensure that the construction and operation of hydropower project does not pollute the water bodies;
4. Ensure that the construction and operation of hydropower project, except the construction of dam, does not lead to blockage, storage or diversion of river, stream, irrigation channel, waterfall, underground water source or any other water resource or water course**;**
5. Ensure that 30 meter or 100 feet buffer is maintained between the project activities other than dam, intake tunnel, DT and TRT from the water resources at all times;
6. Ensure that no effluents/wastewater or wastes of any kind is discharged into water bodies without treatment; and,
7. Ensure that proper and adequate drains are provided for drainage of tunneling water.
8. **E-flow Requirements**
9. Ensure that minimum Environmental (E) Flow is maintained for the sustenance of aquatic life; and,
10. Ensure that minimum E-flow is maintained in line with the existing DPR/ESIA report until an assessment on the applicability of the E-flow guideline is undertaken.
11. **Waste prevention and management**

The holder shall:

1. Manage wastes generated from the activity (labor camps, offices, etc.) with the application of 4R (Reduce, Reuse, Recycle, Responsibility) principle and other environmentally friendly methods of waste management;
2. Ensure that adequate sanitation facilities are provided for the workers and employees; and,
3. Ensure that import and use of hazardous wastes are strictly prohibited.
4. **Traffic management**

The holder shall:

1. Ensure that smooth flow of traffic is maintained at all times; and,
2. Ensure to post sentries at strategic locations to avoid mishaps along the road.
3. **Management of excavated materials, industrial waste, and run-off**

The holder shall:

1. Ensure that drains are constructed along the haul and access road to avoid surface runoff as per the EMP submitted for EC;
2. Ensure that dust generated during the construction activity/operation of plant is adequately suppressed by spraying water at regular intervals.
3. Ensure that muck/excavated materials/wastes generated during the construction activity/operation of the plant is dumped only at pre-identified approved disposal sites adopting the load, haul, and dump technique and never pushed downhill;
4. Ensure that disposal sites are stabilized with appropriate protection measures/check dams of adequate strength prior to dumping of any materials to prevent spillage and roll over of excavated materials;
5. Ensure that no wastes with potential risks of leaching are dumped into the muck disposal sites at any point of time;
6. Ensure that all construction sites and muck disposal sites are adequately barricaded and cordoned off for safety and minimizing visual impacts;
7. Ensure that dumpsites are vegetated with local plant species to prevent potential soil erosion and restore vegetation in the affected areas;
8. Ensure that comprehensive reclamation and restoration plan is prepared for all muck disposal sites with proper landscape designs in consultation with local authorities, Dzongkhags, and other relevant authorities;
9. Put appropriate measures for management of surface run-off to avoid erosion and landslides; and,
10. Ensure construction of side drains, cross drains, causeways and other supporting structures (retaining/breast walls) as required to prevent soil erosion, improve usability and sustainability of the road infrastructure within the project area.
11. **Progressive restoration**

The holder shall:

1. Undertake progressive restoration/reclamation in the areas disturbed and quarried-out area affected by quarry development and operation which have no prospect for further use and quarrying;
2. Submit Final Quarry Restoration Plan during the final year of the quarry operation to the NECS; and,
3. Ensure that adverse visual impact from the development and operation of the quarry is minimized by carrying out progressive restoration.
4. **Management of Raw materials and finished products**

The holder shall:

1. Ensure appropriate measures are put in place for handling and storage of raw materials and finished products to avoid fugitive emissions;
2. Ensure that fine raw materials are stored in enclosed sheds; and,
3. Ensure that vehicles carrying raw materials consignments and products are totally covered/closed.
4. **Implementation plan**

The holder shall prepare a detailed implementation plan focusing on the implementation of terms and conditions of this EC and submit to NECS within three (03) months from the date of issue of this EC as per the reporting format attached herewith.

1. **Others**

The holder shall:

1. Ensure that adequate measures are taken to reduce noise generated from the plant;
2. Ensure that ports are provided in the ducts and stack along with safe access facilities such as ladder and platform for emission monitoring/sampling;
3. Ensure that the sampling platform and access facilities are regularly maintained; and,
4. Ensure that the clearance is transferred only with prior approval from NECS.
5. **Monitoring and reporting**

The holder shall:

1. Ensure that the effective day-to-day monitoring of the EC terms and conditions are carried out by the environmental unit or designated environment focal person;
2. Maintain proper records on wastes generated and its management, stating types (industrial and general wastes), quantities, and characteristic and submit to NECS annually;
3. Maintain monthly records of energy meter readings of the pollution control device and submit to NECS annually;
4. Maintain records of water used in the plant (separately for industrial and domestic purposes) and submit it to NECS quarterly;
5. Maintain records of point source emissions, workplace emissions and submit to NECS quarterly;
6. Maintain records of ambient air quality and submit to NECS quarterly;
7. Maintain records of elemental composition of reducing agents, ore and slag forming material and submit to NECS quarterly and/or when the source changes; and,
8. Maintain records of tonnage of product and by-products produced along with its elemental composition and submit to NECS annually and/or when the raw materials changes.
9. **Renewal and modification**

The holder shall:

1. Ensure that renewal of this EC is processed at least three (03) months prior to its expiry along with a copy of EC and a report on the implementation of its terms and conditions as per the format attached, failing which the applicant shall be liable for penalty as per the RECOP 2016;
2. Ensure that a copy of an updated and approved FMFSR is submitted to NECS; and
3. Obtain prior approval from NECS for any modification to the existing proposal/application including but not limited to, increase in production capacity, change in the location of a project, change in ownership, etc.

**Reservation**

1. The NECS may stop the activity or impose additional terms and conditions, as may be deemed necessary; and
2. The EC shall be subject to periodic review and modifications as per Article 25 of the EA Act 2000, without any liability on the part of the Royal Government.

The holder may adopt best practices in executing these terms and conditions to avoid adverse environmental impacts.

**Failure to comply with any of the above terms and conditions shall constitute an offence and the proponent shall be liable in accordance to the Environmental Assessment Act 2000 and/or existing environmental laws.**

**Validity:**

This EC is issued with validity from (dd/mm/yyyy) until --(dd/mm/yyyy)— only for the activity name/production/manufacturing of (Product name) with an installed capacity ----------and------{product/byproduct name (if any)}.

***This Environmental Clearance is issued solely pursuant to the Environmental Assessment Act, 2000 and its Regulations and in no way intends to overrule or alter the provisions of any law or rules in force. The Holder of this EC shall be responsible to adhere to the requirements under other laws and the issuing authority assumes no liability resulting from non-compliance or omission of any laws or rules.***

(Sign & seal)

**SECRETARY**

To,

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**Copy to:**

1. Director General, Department of Industry/Department of Geology and Mines, MoEA for kind information;
2. Chairman, Dzongkhag Environment Committee, ……….Dzongkhag Administration …………… for kind information.
3. Environment Officer, Dzongkhag Administration, Sarpang for compliance monitoring;
4. Guard-file (NECS/EACD/…….), EACD, NECS for record.