

**PMU Response to ADB Comments on draft updated IEE Report of ICB 2.9
(First Batch: DMA 201, 202, 203 and 204)**

Serial No.	Activity	Status	Detailed Comments and Further Actions Required	PMU Response
3.	Statutory Requirements ¹	Forest Clearance	Not Required	
		No Objection Certificate	Action required: Kindly indicate in the report if a no objection certificate will be required for the project.	Included in the Revised IEE Report (Please see Table 4 of the IEE Report)
		Site Location Clearance	Action required: Kindly indicate in the report if a site location clearance will be required for the project.	
		Environmental Compliance Certificate	Ongoing compliance: As of As of April 2019, PMU submitted a revised environmental impact assessment (EIA) report to DoE and is currently waiting for the approval of the ECC. It was mentioned in the report that no civil works will start unless the ECC is issued. Further action: Kindly provide a copy of the ECC to ADB, once secured from the DoE.	After obtaining ECC from DoE, copy will be provided to ADB
		Permit to Construct (or equivalent)	Action required: Kindly indicate in the report if a permit to construct will be required for the project.	Included in the Revised IEE Report (Please see Table 4 of the IEE Report)

¹ If applicable, include date accomplished or obtained.

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		Permit to Operate (or equivalent)	Action required: Kindly indicate in the report if a permit to operate will be required for the project.											
		Others												
5	Policy, legal, and administrative Framework	<p>Included discussions and requirements of the:</p> <table border="1" data-bbox="524 621 878 1797"> <thead> <tr> <th data-bbox="524 621 678 699">Adequate</th> <th data-bbox="678 621 878 699">Non Adequate</th> </tr> </thead> <tbody> <tr> <td data-bbox="524 699 678 810">√</td> <td data-bbox="678 699 878 810">National regulation/law on EIA</td> </tr> <tr> <td data-bbox="524 810 678 888">√</td> <td data-bbox="678 810 878 888">Environmental agency</td> </tr> <tr> <td data-bbox="524 888 678 1020">√</td> <td data-bbox="678 888 878 1020">Relevant international environmental agreements</td> </tr> <tr> <td data-bbox="524 1020 678 1797">√</td> <td data-bbox="678 1020 878 1797">Environmental standards (IFC's EHS Guidelines)</td> </tr> </tbody> </table>	Adequate	Non Adequate	√	National regulation/law on EIA	√	Environmental agency	√	Relevant international environmental agreements	√	Environmental standards (IFC's EHS Guidelines)	<p>The following discussions are included in the report: (i) national regulatory on EIA; (ii) relevant international agreements; and (iii) IFC's EHS guidelines.</p> <p>However, the relevance of the regulations and policies to the project was not clearly discussed.</p> <p>Actions required:</p> <p>(i) Improve the discussion in Table 3- <i>Relevance if national policies, laws and framework in the context of the proposed project</i> by adding a statement whether the project will be required or exempted from securing the applicable permit/clearance.</p> <p>Example: For the Groundwater management ordinance. Will the project be required to secure a clearance or permit from the local government office for the rehabilitation and installation of DTWs?</p> <p>(ii) International treaties. Kindly indicate if the project components are governed by these international treaties.</p>	<p>(i) The information in Table 3- Relevance of the project are stated further whether the mentioned policy/act/rules are triggered or not. (Please see Table 3)</p> <p>(ii) Table 5 indicated whether project components are governed by mentioned international treaties</p>
Adequate	Non Adequate													
√	National regulation/law on EIA													
√	Environmental agency													
√	Relevant international environmental agreements													
√	Environmental standards (IFC's EHS Guidelines)													
6	Anticipated environmental	assessed impacts and risks:	mitigation measures included:											

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				Yes	No	n/a	
	impacts and mitigation measures						
		√	Biodiversity conservation			√	<p>Complied</p> <p>Baseline environment conditions on terrestrial and aquatic flora and fauna are discussed in the report.</p> <p>No species and habitats of significance are situated in the project area.</p> <p>The project area (including all the components of the 4 DMAs) are not located or adjacent within any environmentally sensitive areas.</p>
							<p>Further actions:</p> <p>(i) Kindly indicate the dates of the reconnaissance survey in the Pourashava for ecological resources (Paragraph 71).</p> <p>During preparation of EIA report for DWSNIP, Reconnaissance survey was conducted in January 2019 in the pourashava and surroundings for ecological resources.</p> <p>(ii) Indicate/Show in Figure 5 the location of the first batch of 4 DMAs</p> <p>Figure 5 now shows the location of first batch of 4</p>

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							DMAs.
		√	Pollution prevention and abatement	√			<p>Complied</p> <p>Mitigation measures were provided in the EMP.</p> <p>Further action:</p> <p>Spoil disposal site. It was mentioned in the report that DMS consultants suggested to use the STS 7 and 8, implemented by DSCC as the spoil disposal site. Ensure to coordinate and/or secure the applicable permit from DSCC for the disposal of spoil and construction debris</p> <p>The Civil Works contractor will apply to waste management department (Conservancy section) of DSCC for getting required permission for using mentioned transfer station as disposal for spoil and construction debris and PMU will coordinate with DSCC for getting such permission. The prescribed fee (if required) will pay by the civil works Contractor.</p>
		√	Health and safety	√			<p>Complied</p> <p>Mitigation measures were provided for occupational health and safety and community health and safety</p> <p>Appendix 8: Guidance provisions for Asbestos</p>

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							<p>Cement Pipes</p> <p>Appendix 10: Health and Safety Plan</p> <p>Further action: Based on the survey, about 7,775m of AC pipes were identified in the 4 DMAs.</p> <p>(i) PMU to ensure that the guidance provisions for AC pipes will be strictly implemented during civil works.</p> <p>PMU has been ensured that the guidance provisions for AC pipes (Appendix 8) will be strictly implemented during civil works.</p> <p>(ii) Provide the name of the company in Bangladesh which is an accredited waste transporter and treater or landfill for asbestos-containing materials</p> <p>There is no such accredited company in Bangladesh for waste treater or landfill for asbestos containing materials.</p> <p>(iii) Confirm if the cost for the hazardous waste (asbestos) disposal is included in the EMP budget.</p> <p>No such type of budget are included for asbestos disposal. Because the design of the project involves the replacement of these pipes and this can be done without removing or disturbing them, so all</p>

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		Yes	No				
							AC pipes will be left in situ.
11	Consultation and Participation	Yes	No				
		√		<p>Consultation activities were done for DMAs 201, 203 and 204</p> <p>Further actions:</p> <p>(i) Kindly provide an explanation on why there are no consultation activities done for DMA 202.</p> <p>(ii) The stakeholders in all the project components should be consulted prior to civil works. Provide the tentative date/s for the consultation activities for DMA 202</p>			<p>(i) In DMA 202, Pilkhana - Head quarter of Border Guard Bangladesh (BGB) - a highly restricted area, The BGB authority could not allow general public for entering BGB premises and for this reason NGO along with DMS Consultants could not get permission for conducting census as well as consultation meetings there. During the Transect Walk and data collected by contractor for preparing detailed design, no IR impact was visible in the area.</p> <p>(ii) As the area is highly restricted one (DMA 202, BGB headquarter), no IR impact found there, and having permission to enter there are not an easy task, conducting consultations meetings are not possible.</p>
12	Grievance Redress Mechanism	Yes	No				
		√					
		Description of GRM:		Complied			
				The GRM process is described in the report.			
		GRC members identified		Complied			

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			The report provided the members of the GRC at the PMU and PCU levels.	
13	Disclosure	<p>GRM established and notified?</p> <p>Endorsement to disclose on ADB website</p>	<p>Complied</p> <p>GRC official notification was done on 19 December 2018 (Appendix 14).</p> <p>Further action:</p> <p>PMU is to ensure that the contractor will have a GRM for the laborers/workers.</p> <p>Pending for compliance</p> <p>To be requested from PMU after this has been reviewed and cleared by ADB</p>	<p>PMU has been taking initiatives to ensure that the contractor will also have a GRM for the laborers/workers through the following ways during civil works:</p> <ul style="list-style-type: none"> • Monitoring by Contractor, and Resettlement NGO • Meeting/FGD with the worker/labourers by NGO and DMSC • In the GRC meetings, such issues will be discussed <p>It is also mentionable that in PCU level, Resettlement Officer of concerned Contractor and Team Leader of Resettlement NGO are nominated in the GRC. They are assigned to supervise and coordinate the overall activities of grievance redress.</p>
		Disclosed on project website	<p>Pending for compliance</p> <p>To be requested from PMU after this has been reviewed and cleared by ADB</p>	
		Relevant information available to stakeholders	Pending for compliance	

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		and affected people in language and form they understand		To be requested from PMU after this has been reviewed and cleared by ADB	
14	Mobilized PMU Environmental Specialist	Yes	No		
		√		Complied Ms. Jeny Chakma Executive Engineer on Environment tongla11@yahoo.com	
15	Mobilized PIU Environment Specialist	Yes	No	Not Applicable	
16	Mobilized Environment Specialist at DMSC level	Yes	No	Complied Mr. Abu NahidMunir Uddin Environment Consultant amuniruddin@gmail.com	
		√		ZinnatFarzana Environment Inspector tusifarzana@yahoo.com	
17	Mobilized Environment Specialist at PCU level	Yes	No		
		√		Complied Md. FirozAlom firoz.alom_dw@yahoo.com	
18	Confirm bid and contract documents and/or EMP include requirement for the contractor to appoint EHS supervisor and/or nodal person for environment safeguards	Yes	No	Complied Appendix 15: TOR for EHS Supervisors of civil works contract.	
		√		Remuneration cost for EHS Supervisor is covered by civil works contract.	

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		Yes	No		
19	If contract awarded already, confirm contractor's appointment of EHS supervisor and/or nodal person for environmental safeguards	Yes	No	Contractor for ICB 2.9 already appointed environmental and health and safety officers. ZarinTasnimShann Environmental Officer RM SAvedulAlam Health, Safety Officer Contact numbers are provided in the report.	
		√			
20	Awareness training on compliance to safeguard requirements	Yes	No	Complied Safeguards meeting and orientation training program with ICB 2.9 civil contractor, PMU and DMS consultants on 14 March 2019.	
		√			
21	Monitoring and Reporting	Yes	No	Complied Table 34: Environmental Monitoring Plan Table 33: Environmental reporting plan	
		√			
22	Others/Remarks	<p>Overall action required:The updated IEE for ICB 2.9 needs further revision based on the actions required in the IEE log sheet. Kindly submit the revised IEE of ICB 2.9 (in track change or highlight the added/revised information) and enclose the IEE log sheet with PMU's response on the comments/clarifications.</p> <p>Summary of required actions.</p> <ul style="list-style-type: none"> (i). Indicate in the report the relevance of the national and international regulations in the project. (ii). Provide the dates of the reconnaissance survey for ecological resources, (iii). Clarify if the project will require a permit/clearance from DSCC for the use of STS 7 and 8 as spoil disposal site. (iv). Provide the name of the company in Bangladesh which is an accredited waste transporter and treater or the landfill for asbestos-containing materials. Also, confirm of the cost for the hazardous waste management and disposal is included in the EMP budget. 		The revised IEE report of ICB 2.9 are incorporated all comments with highlighting red marks with PMU response.	

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			(v). Provide an explanation on why there are no consultation activities done for DMA 202. (vi). Stakeholders/communities in DMA 202 should be consulted prior to civil works. Provide the tentative date for the public consultation and participation for DMA 202. (vii). PMU to ensure that contractors will have a GRM for the laborers/workers.	

Additional Comments on AC Pipes :

- (i) **Provide the map** showing the identified AC pipes along the four DMAs (i.e. superimpose the identified AC pipes on the alignment of the 64-km pipe).
- (ii) **Indicate the GPS coordinates** of the identified AC pipes and provide a description of the physical environment in these AC pipes (i.e. near or adjacent to a residential area, school, market, etc.)

Ans. **Figure 8 :** GIS based maps showing location of existing AC pipes with physical environmental features identified along the road alignment . Location of AC pipes could not be superimposed on proposed pipe alignment (64 km) due to detail design are yet to be completed.

(iii) In Para 190-Impacts due to existing asbestos cement pipes. (i) Provide a statement that the AC pipes will be left untouched in situ; (ii) Explain the process or technique to be implemented for pipe replacement to ensure that these AC pipes will not be disturbed (i.e. new pipes laid next ___meters from AC pipes or the depth will vary ?)

Ans. This paragraph has been revised accordingly.

(iv) Table 33: Environmental Mitigation Measures Action Plan. Revise or correct the indicated activity of “*replacement of asbestos cement pipes*” because this implies that AC pipes will actually be removed on site. The suggested phrase is just to indicate “AC pipes” and explicitly indicate that these will be left untouched and preventive measures (i.e. identification of alignment to avoid such locations and the technology to be implemented in pipe replacement) are in place

Ans. **Table 33: Environmental Mitigation Measures Action Plan** has been revised. (Please see changes mitigation measures in **prior to construction stage** and **during construction stage**)

Further more, previous guidance provision on handling and disposal of AC Pipes based on EPA guidelines (Appendix 8) has been deleted and provided a procedure (Appendix 8) for installing new pipes in an area with existing AC pipes which will be used by PMU and DMSC in monitoring/site-inspection activities to ensure that AC pipes will be left in situ.