



**Next Generation Compliance in Asia
September 21-23, 2015
Garden Room, Anantara Riverside Hotel
Bangkok, Thailand**

Monday, September 21st

08:30 – 09:00 Registration

09:00 – 09:45 Welcoming Remarks and Context for the Conference

Chair: Davis Jones, U.S. Environmental Protection Agency

- **Peter King:** Asian Environmental Compliance and Enforcement Network
- **Kelly Hsieh:** Taipei Economic and Cultural Office in Thailand
- **Chin-Lang Hsiao:** Taiwan Bureau of Environmental Inspection
- **Tahra Vose:** Regional Environment Officer, U.S. Embassy, Thailand
- **Daniele Ponzi:** Asian Development Bank, the Philippines

09:45 – 10:00 International Conferences on Next Generation Compliance

Ken Markowitz, International Network for Environmental Compliance and Enforcement (video)

- Advanced Monitoring, Remote Sensing, and Data Gathering, Analysis and Disclosure in Compliance and Enforcement, George Washington University in Washington, DC.
- Innovating environmental compliance assurance: Novel insights and approaches from social sciences, Erasmus University in Rotterdam, The Netherlands.

10:00 – 11:00 Keynote Speech: What is Next Generation Compliance?

**Cynthia Giles, Assistant Administrator for Enforcement and Compliance Assurance
U.S. Environmental Protection Agency**

11:00 – 11:30 Group Photo and Break

11:30 – 12:30 Panel 1: National Compliance and Enforcement Systems

Chair: Peter King, Head of AECEN Secretariat

Speakers:

- **Ms. Vinda Damayanti Ansjar, Deputy Director for Compliance Monitoring, Directorate General for Environment and Forestry Law Enforcement, Ministry of Environment and Forestry, Indonesia**
“Current Compliance and Future Plan in Indonesia”
- **Dr. Zulkifli Abdul Rahman, Deputy Director General (Operations), Department of Environment, Ministry of Natural Resources and Environment, Malaysia**
“Sharing of Enforcement Experiences and Compliance Monitoring in Malaysia”



- **Mr. Tsogtsaikhan Purev, Director, Division of Environmental Assessment and Auditing, Ministry of Environment, Green Development and Tourism, Mongolia**
“Reform and Implementation of EIA Legislation in Mongolia”
- **Mr. Le Vu Tuan Anh, Deputy Director, Department of Inspectorate, Ministry of Natural Resources and Environment, Vietnam**
“Current Compliance Approaches, Gaps and Constraints on Effective Enforcement”

12:30 – 13:45 Lunch at the Market Restaurant

13:45 – 14:30 How Next Generation Approaches can Improve Compliance
Small group discussions attempting to find common areas where Next Gen approaches could help solve specific problems.

14:30 – 15:00 Summary presentation from groups to plenary

15:00 – 16:00 Panel 2: Engaging the Public and the Regulated Community
Chair: Aaron Brownell, Regional Environmental Advisor, Southeast Asia and the Pacific, USAID

Speakers:

- **Mr. Michael Drake Matias, OIC – Chief, Environmental Impact Assessment and Management Division, Department of Environment and Natural Resources, Philippines**
“Creating Public Trust in the Enforcement System”
- **Mr. Min Maw, Deputy Director, Environmental Conservation Department, Ministry of Environmental Conservation and Forestry (MOECF), Myanmar**
“Effective Collaborations between the Public and Private Sector in Achieving Next Generation Compliance Goals”
- **Mr. Sum Sokhamphou, Deputy Director General of General Department of Environmental Protection, Ministry of Environment, Cambodia**
“Ensuring Engagement of the Public and Regulated Community in the Development of New Environmental Code”
- **Dr. Muhammad Bashir Khan, Director General, Environment Protection Agency (EPA), Pakistan**
“Hearing the Public: How Citizens Can Influence Standard Setting and Promote Compliance through Complaints”

16:00 – 16:15 BREAK

16:15 – 17:15 Panel 3: Improving the Effectiveness of our Compliance Programs
Chair: Dr. Supat Wangwongwatana, Regional Resource Center for Asia and the Pacific (RRC.AP), Asian Institute of Technology (AIT)

Speakers:

- **Matthew Baird, Barrister at Law, Thailand**
“Comparative Analysis of EIA in the Lower Mekong Region”



- **Mr. R.M.S.K. Ratnayake, Acting Deputy Director General, Environmental Pollution Control, Central Environmental Authority, Sri Lanka**
“New Water Pollution Control and Wastewater Reduction Regulations”
- **Mr. Mohamed Hamdhaan Zuhair, Assistant Director Environment Assessment, Environmental Protection Agency, Ministry of Housing and Environment, Maldives**
“Regulatory Programs that Increase Efficiency and Save Resources”
- **Dr. Rashid Hasan, Ministry of Environment Forest and Climate Change, India**
“Next Generation Approaches Can Improve Compliance”

17:15 DAY CLOSING

18:30 – 21:30 WELCOME BANQUET - Hosted by Taiwan Environmental Protection Administration
Light Cocktail at Elephant Bar
Dinner Banquet on Manohra Star Cruise

Tuesday, September 22nd

08:30 – 10:00 Panel 4: Advanced Monitoring Technologies for Detection of Violations
Chair: John Tzu-Nong CHIANG, Deputy Director, Bureau of Environmental Inspection, Environmental Protection Administration, Taiwan

Speakers:

- **Mr. Sivapalan Perumal, Senior Engineer, Pollution Control Department (PCD), National Environment Agency (NEA), Singapore**
“Closed Circuit Television Cameras (CCTV) Surveillance System Used to Detect Flaring and Dark Smoke Emission”
- **Mr. Wen-Pin Fan, Associate Technical Specialist, Bureau of Environmental Inspection, Environmental Protection Administration, Taiwan**
“Outcomes of Technology Tools Used in Environmental Law Enforcement”
- **Mr. K. H. Muthukuda Arachchi, Director General, Central Environmental Authority, Sri Lanka**
“Road Map for Achieving Full Compliance with Best Available Technology (BAT) and Best Practical Environmental Options (BPEO) Based on Polluter Pays Principle (PPP)”
- **Mr. Davis Jones, Associate Director, International Compliance Assurance Division, U.S. Environmental Protection Agency**
“Gas Detection Infrared Cameras and Geospatial Monitoring of Air Pollutants (GMAP)”

10:00 – 10:15 BREAK



10:15 – 11:00 Keynote Discussion: Corporate Perspectives on Environmental Compliance
Chair: Christy Owen, Chief of Party, PACT/Mekong Partnership for the Environment
Discussant: Mr. Vorapong Vorasuntharoso, Government Affairs, Director SEA/ANZ Region, Dow Chemical Thailand Limited

11:00 – 12:30 Panel 5: Best Practices for Compliance and Enforcement
Chair: John Seager, European Network for the Implementation and Enforcement of Environmental Law (IMPEL)

Speakers:

- **Mr. Hsiao-Wen Liang, Associate Technical Specialist, Bureau of Environmental Inspection, Environmental Protection Administration, Taiwan**
“Environmental Enforcement Strategies and Practices in Taiwan”
- **Ms. Soudavee Keopaseuth, Deputy Chief of Division Environment Assessment, Department of Environment Quality Promotion, Ministry of Natural Resources and Environment, Lao PDR**
“Integrated Spatial Planning Implementation in Lao”
- **Mr. Daniele Ponzi, Lead Environment Specialist and Technical Advisor for Environment Thematic Group, Environment and Safeguards Division, Asian Development Bank**
“Using Innovative Tools for Monitoring GMS Environment”
- **Mr. Davis Jones, Associate Director, International Compliance Assurance Division, U.S. Environmental Protection Agency**
“NEPAssist for Data Access, Integration, and Analysis”

12:30 – 13:30 Lunch at Brio Italian Restaurant

13:30 – 15:30 Group breakout to determine common gaps and discuss approaches to fill those gaps throughout the Region through common solutions (Charoennakorn Room)
Chair: Peter King, Head of AECEN Secretariat

15:30 – 15:45 BREAK

15:45 – 16:30 Reports from small groups to plenary and recommendations for prioritization

16:30 – 17:00 Closing comments and wrap-up

17:30 – 21:00 AECEN Executive Committee Meeting (*Invitation Only*)



Wednesday, September 23rd

Site Visit to Map Ta Phut Industrial Estate

07:30 – 10:30 Depart Bangkok – Map Ta Phut Industrial Estate

10:30 – 12:00 Map Ta Phut Industrial Estate

- Welcome and Meet with Mr. Asarin Laosirilurchakai, Assistant to Director, Map Ta Phut Industrial Estate
- Orientation at Environmental Monitoring and Control Center (EMCC)
- Visit Map Ta Phut Industrial Estate Tower

12:30 – 13:30 Lunch

14:00 – 16:00 Case Studies: SCG Chemicals Co., Ltd

- Environmental Compliance and Management
- Advanced Technology in Monitoring
- CSR: Community Engagement

16:00 – 19:00 Depart Map Ta Phut Industrial Estate - Bangkok



亞洲區下一世代環境執法研討會
104年9月21-23日
Anantara Riverside 飯店
泰國曼谷

第1天：9月21日（星期一）

8:30 – 9:00 報到

9:00 – 9:45 開幕致詞及介紹

主持人：美國環保署 Davis Jones

- Peter King：亞洲環境遵循與執法網絡(AECEN)
- 謝武樵大使(Kelly Hsieh)：駐泰國台北經濟文化辦事處
- 蕭清郎：臺灣環保署環境督察總隊
- Tahra Vose：美國駐泰國大使館區域環境外交官
- Daniele Ponzi：亞洲開發銀行

9:45 – 10:00 下一世代環境執法國際會議

Ken Markowitz，國際環境執法及遵守網絡（視訊會議）

- 「環境執法與守法之先進的監測、遙測及數據收集、分析、揭露」，於美國華盛頓特區喬治華盛頓大學舉辦之場次
- 「確保符合環保要求之創新做法：社會科學的創新見解與方法」，於荷蘭鹿特丹伊拉斯謨斯大學舉辦之場次

10:00 – 11:00 專題演講：「下一世代環境執法」之內容

美國環保署執法及確保守法辦公室助理署長，Cynthia Giles 女士

11:00 – 11:30 拍團體照及休息

11:30 – 12:30 論壇一：各國環境遵循及執法體系

主持人：Peter King，亞洲環境執法及遵守網絡(AECEN)秘書長

講座：

- Ms. Vinda Damayanti Ansjar，印尼環境及森林部，環境及森林法執法總局，守法監督副局長。「印尼環境法遵循現況及未來計畫」
- Dr. Zulkifli Abdul Rahman，馬來西亞自然資源及環境部，環境處副處長。「馬來西亞環境執法與守法監督經驗之分享」

- Mr. Tsogtsaikhan Purev，蒙古環境、綠色發展及旅遊部，環境評估及審查處處長。「蒙古環境影響評估立法執行情況與改革」
- Mr. Le Vu Tuan Anh，越南自然資源及環境部，督察處副處長。「目前促使守法的方法，及有效執法行動的差距與限制因素」

12:30 – 13:45 午餐

13:45 – 14:30 下一世代環境執法方法何以提升守法程度

小組討論－試圖發現新一代環境執法方法幫助解決特定問題的共同點

14:30 – 15:00 各小組總結報告（向全體成員說明）

15:00 – 16:00 論壇二：公眾參與及社區規範

主持人：Aaron Brownell，美國開發總署東南亞及太平洋區域環境顧問

講座：

- Mr. Michael Drake Matias，菲律賓環境和自然資源部，環境影響評估和管理處主管。「在環境執法體系建立公眾信任感」
- Mr. Min Maw，緬甸環境保護和森林部，環境保護處副處長。「公私部門有效合作以達成下一世代環境執法目標」
- Mr. Sum Sokhamphou，柬埔寨環境部，環境保護綜總處副處長。「確保公眾和監督團體參與新的環境法律發展」
- Dr. Muhammad Bashir Khan，巴基斯坦環保署處長。「傾聽公眾的聲音：公民何以影響標準的制定和透過陳情以促進遵守法令」

16:00 – 16:15 休息

16:15 – 17:15 論壇三：提升執法計畫的效率

主持人：Dr. Supat Wangwongwatana，亞洲科技機構亞太區資源中心

講座：

- Matthew Baird，泰國，律師。「湄公河下游地區環境影響評估比較分析」
- Mr. R.M.S.K. Ratnayake，斯里蘭卡中央環境部，環境污染管制代理副處長。「水污染管制及廢水減量新法規」
- Dr. Rashid Hasan，印度環境森林及氣候變遷部。「下一世代環境執法方法可促使遵守法令」

17:15 今日議程結束

18:30 – 21:30 歡迎晚宴-臺灣環保署宴請與會專家

第 2 天：9 月 22 日（星期二）

8:30 – 10:00 論壇四：監測違法案件的先進技術

主持人：姜祖農，臺灣環境保護署環境督察總隊副總隊長

講座：

- Mr. Sivapalan Perumal，新加坡國家環境部，污染管理處資深工程師。「閉路電視(CCTV)監控系統應用於燃燒和黑煙排放檢測」
- 范文彬，臺灣環境保護署環境督察總隊技士。「科技工具應用於環境執法之成果」
- Mr. K. H. Muthukuda Arachchi，斯里蘭卡中央環境部，「基於污染者付費原則(PPP)以達成完全符合最佳可行技術(BAT)和最佳環境實踐選項(BPEO)的路線圖(Road Map)」
- Mr. Davis Jones，美國環保署國際遵循法令確保處副處長。「氣體偵測紅外攝影機及空氣污染物地理空間監測系統(GMAP)」

10:00 – 10:15 休息

10:15 – 11:00 專題討論：企業針對遵守環保法令的觀點

主持人：Christy Owen，湄公河環境夥伴組織主席

評論人：Mr. Vorapong Vorasuntharsoth，泰國陶氏化學泰國有限公司，東南亞地區／紐澳地區政府事務主任

11:00 – 12:30 論壇五：環境遵循與執法的實例

主持人：John Seager，歐洲環境執法及遵循網絡(IMPEL)

講座：

- 梁効文，臺灣環境保護署環境督察總隊技士。「臺灣環境執法策略及實務」
- Ms. Soudavee Keopaseuth，寮國自然資源和環境部，環境品質提升處，環境評估組副組長。「寮國綜合空間規劃之執行情形」
- Mr. Daniele Ponzi，亞洲開發銀行環境和保障司，環境專題小組鉛環境專家及技術顧問。「使用創新工具監測大湄公河小區域環境」
- Mr. Davis Jones，美國環保署國際遵循法令確保處副處長。「NEPAssist對於數據取得、整合及分析之功用」(NEPAssist是一種有助於環境審核流程和與環境考量相關之計畫規畫的工具)

12:30 – 13:30 午餐

13:30 – 15:30 小組討論以決定共同的落差及討論適用於區域性解決該落差的方法

主持人：Peter King，亞洲環境執法及遵循網絡秘書長

15:30 – 15:45 休息

15:45 – 16:30 由各組向全體人員報告及建議事項

16:30 – 17:00 閉幕會議

17:30 – 21:00 亞洲環境執法及遵守網絡執行委員會會議

第 3 天：9 月 23 日（星期三）

參訪 Map Ta Phut Industrial Estate

07:30 – 10:30 車程：由會場前往 Map Ta Phut Industrial Estate

10:30 – 12:30 參訪 Map Ta Phut Industrial Estate

- 歡迎及起始會議，Mr. Asarin Laosirilurchakai，Map Ta Phut Industrial Estate 助理處長
- 環境監測和控制中心之定位
- 參訪 Map Ta Phut Industrial Estate 塔

12:30 – 13:30 午餐

14:00 – 16:00 個案研究：SCG 化學股份有限公司

- 環保法令遵循與管理
- 先進的監測科技
- 企業社會責任：社區參與

16:00 – 19:00 車程：由 Map Ta Phut Industrial Estate 返回會場



Next Generation Compliance in Asia

附錄2、「新一代環境執法
研討會」英文簡介

September 21-23, 2015
Bangkok, Thailand

[Next Generation Compliance](#) is an integrated strategy that incorporates technological and social innovations with regulatory structures to increase transparency and improve compliance with environmental law. Every nation has limited resources that must be effectively used to foster greater compliance with the law and improved protection for people and the environment. More efficient techniques such as prioritizing high risk threats through regulations, incentive programs to motivate compliance, and advanced technology for more accurate and less expensive monitoring can help all countries leap forward in the effectiveness of their enforcement efforts.

This is the third in a global series of workshops designed to share the best practices and advancements in Next Generation Compliance. It is especially valuable for environmental enforcement in Asia, a region that encompasses countries with varying levels of resources and sophistication, and can provide a range of enforcement options for every nation. The program will provide you with a deeper understanding of the specific strategies of Next Generation Compliance to help you determine how your respective governments can utilize and benefit from these cutting-edge compliance methods. You will learn from colleagues and experts from Asia and beyond on how these “NextGen” ideas are working in their programs and how they could be applied in other national contexts and legal systems.

We are requesting submissions for presentations and volunteers to lead discussions based on your experience and expertise with Next Generation Compliance. The attached draft agenda is meant as a guide, but specific topics may vary based on your responses. Attendees will benefit from your insight into some of the possible techniques that could potentially be adopted by their countries. Below are some suggested topics:

- Advanced technology used for pollution monitoring and to detect violations (e.g., sensors, drones, satellites, etc.).
- Information analysis and reporting tools that improve the use of environmental monitoring and compliance data and increase transparency and oversight.
- Regulatory programs that increase efficiency and save resources (e.g., building compliance into requirements so they are easier to implement and enforce).
- Innovative enforcement responses to achieve more widespread compliance.
- Effective collaborations between the public and private sector in achieving next generation compliance goals.
- Successful case studies of using next generation compliance methods.

For more information on Next Generation Compliance at the US EPA, please go to <http://www2.epa.gov/compliance/next-generation-compliance>, and to see what is happening in the other countries, including the results from the conferences in Washington, DC, and Rotterdam, The Netherlands, go to the International Network for Environmental Compliance and Enforcement: <http://inece.org/topics/next-gen-compliance/>.

This conference will provide an invaluable opportunity to meet fellow environmental enforcement officials, and to learn about the latest developments in environmental compliance and enforcement.

We hope that this conference will equip all of the attendees with the knowledge to pursue and develop next generation compliance techniques in each of your country’s environmental enforcement and compliance frameworks.

Regional Conference on "Next Generation Compliance in Asia"

Date: 21 Sep 2015 - 23 Sep 2015



1. Workshop Summary

The Asian Environmental Compliance and Enforcement Network (AECEN), in collaboration with The United States Environmental Protection Agency (US EPA) and the Environmental Protection Agency of Taiwan (EPAT) organised a regional conference to discuss advances in environmental compliance in Asia on 21 - 23 September 2015 in Bangkok, Thailand. Over 50 senior officials from the environmental agencies of AECEN Country Members - Cambodia, India, Indonesia, Lao PDR, Malaysia, Maldives, Mongolia, Myanmar, Pakistan, the Philippines, Singapore, Sri Lanka, Thailand and Vietnam along with other environmental experts and representatives from the development partners participated in the meeting. This is the third in a global series of workshops designed to share best practices and exchange lessons learned on enforcement and compliance, including legal frameworks, monitoring techniques, and public participation.

The following topics were addressed through presentations, panels and discussions:

- National Enforcement Systems in Asian Countries
- How Next Generation Approaches can Improve Compliance
- Improving the Effectiveness of our Compliance Programs
- Role of the Public and the Regulated Community
- Advanced Monitoring Technologies for Detection of Violations
- Data collection, management, and use

2. Presentations

International Conferences on Next Generation Compliance

- **Advanced Monitoring, Remote Sensing, and Data Gathering, Analysis and Disclosure in Compliance and Enforcement**, George Washington University in Washington, DC.
- **Innovating environmental compliance assurance: Novel insights and approaches from social sciences**, Erasmus University in Rotterdam, The Netherlands. Mr. Ken Markowitz, International Network for Environmental Compliance and Enforcement (video)

Keynote Speech

- **What is Next Generation Compliance?**
Ms. Cynthia Giles, Assistant Administrator for Enforcement and Compliance Assurance, U.S. Environmental Protection Agency

Panel 1: National Compliance and Enforcement System

- **Environmental Compliance and Enforcement System in Indonesia and its Future Plan**
Ms. Vinda Damayanti Ansjar, Deputy Director for Compliance Monitoring, Directorate General for Environment and Forestry Law Enforcement, Ministry of Environment and Forestry, Indonesia
- **Sharing of Enforcement Experiences and Compliance Monitoring in Malaysia**
Dr. Zulkifli Abdul Rahman, Deputy Director General (Operations), Department of Environment, Ministry of Natural Resources and Environment, Malaysia
- **Reform and Implementation of Environmental Impact Assessment Legislation in Mongolia**
Mr. Tsogtsaikhan Purev, Director, Division of Environmental Assessment and Auditing, Ministry of Environment, Green Development and Tourism, Mongolia
- **Current Enforcement and Compliance on Environment in Vietnam**
Mr. Hoang Xuan Huy, Head of General Office, International Cooperation Department and Mr. Le Vu Tuan Anh, Deputy Director, Department of Inspectorate, Ministry of Natural Resources and Environment, Vietnam

Panel 2: Engaging the Public and the Regulated Community

- **Creating Public Trust in the Enforcement System**
Mr. Michael Drake Matias, OIC - Chief, Environmental Impact Assessment and Management Division, Department of Environment and Natural Resources, the Philippines
- **Effective Collaborations between the Public and Private Sector in Achieving Next Generation Compliance Goals**
Mr. Min Maw, Deputy Director, Environmental Conservation Department, Ministry of Environmental Conservation and Forestry (MOECF), Myanmar
- **Ensuring Engagement of the Public and Regulated Community in the Development of New Environmental Code**
Mr. Sum Sokhampou, Deputy Director General of General Department of Environmental Protection, Ministry of Environment, Cambodia
- **Hearing the Public: How Citizens Can Influence Standard Setting and Promote Compliance through Complaints**
Dr. Muhammad Bashir Khan, Director General, Environment Protection Agency (EPA), Pakistan

Panel 3: Improving the Effectiveness of Our Compliance Programs

- **Comparative Analysis of EIA in the Lower Mekong Region**

Matthew Baird, Barrister at Law, Thailand

- **New Regulations on Water Pollution Control and Wastewater Reduction**
Mr. R.M.S.K. Ratnayake, Acting Deputy Director General, Environmental Pollution Control, Central Environmental Authority, Sri Lanka
- **Environmental Compliance and Enforcement in India: Approaches for Improving Compliance**
Dr. Rashid Hasan, Ministry of Environment Forest and Climate Change, India

Panel 4: Advanced Monitoring Technologies for Detection of Violations

- **Closed Circuit Television Cameras (CCTV) Surveillance System Used to Detect Flaring and Dark Smoke Emission**
Mr. Sivapalan Perumal, Senior Engineer, Pollution Control Department, National Environment Agency (NEA), Singapore
- **Outcomes of Technology Tools Used in Environmental Law Enforcement**
Mr. Wen-Pin Fan, Associate Technical Specialist, Bureau of Environmental Inspection, Environmental Protection Administration, Taiwan
- **Road Map for Achieving Full Compliance with Best Available Technology (BAT) and Best Practical Environmental Options (BPEO) Based on Polluter Pays Principle (PPP)**
Mr. K. H. Muthukuda Arachchi, Director General, Central Environmental Authority, Sri Lanka
- **Gas Detection Infrared Cameras and Geospatial Monitoring of Air Pollutants (GMAP)**
Mr. Davis Jones, Associate Director, International Compliance Assurance Division, U.S. Environmental Protection Agency

Keynote Discussion

- **Corporate Perspectives on Environmental Compliance**
Mr. Vorapong Vorasuntharoth, Government Affairs, Director SEA/ANZ Region, Dow Chemical Thailand Limited

Panel 5: Best Practices for Compliance and Enforcement

- **Environmental Enforcement Strategies and Practices in Taiwan**
Mr. Hsiao-Wen Liang, Associate Technical Specialist, Bureau of Environmental Inspection, Environmental Protection Administration, Taiwan
- **Integrated Spatial Planning Implementation in Lao**
Ms. Soudavee Keopaseuth, Deputy Chief of Division Environment Assessment, Department of Environment Quality Promotion, Ministry of Natural Resources and Environment, Lao PDR
- **Using Innovative Tools for Monitoring GMS Environment**
Mr. Daniele Ponzi, Lead Environment Specialist and Technical Advisor for Environment Thematic Group, Environment and Safeguards Division, Asian Development Bank
- **NEPAssist for Data Access, Integration, and Analysis**
Mr. Davis Jones, Associate Director, International Compliance Assurance Division, U.S. Environmental Protection Agency

Map Ta Phut Site Visit

- **Map Ta Phut Industrial Estate**
Mr. Asarin Laosirilurchakai, Assistant to Director, Map Ta Phut Industrial Estate
- **Case Studies: SCG Chemicals Co., Ltd**
Mr. Chatree Chuenchomsakun, Director of Sustainable Development, SCG Chemicals Company Limited

3. Other Workshop Documents

- **Concept Notes**
- **Final Agenda**
- **Participants List**
- **INECE Special Report on Next Generation Compliance**
- **Summary Report**

4. Media Coverage

- **Taiwan promotes greenhouse gas reduction act at AECEN event: EPA**

5. Photo Gallery



6. For More Information

Chochoe Devaporihartakula
Programme Manager
Asian Environmental Compliance and Enforcement Network (AECEN)
E-mail: chochoe@iges.or.jp and chochoe@aecen.org



Upcoming Events

Next Generation Compliance Workshop

Introduction

To strengthen the cooperation between Taiwan and Asian countries in the field of environmental protection and to exchange environmental law enforcement experiences, Environmental Protection Administration Taiwan, United States Environmental Protection Agency and Asian Environmental Compliance and Enforcement Network (AECEN) co-host the Next Generation Compliance Workshop in Asia. The workshop not only provides a platform for participants to exchange the most updated environmental law enforcement strategies and best practices, but also reinforces the connections between member states and further expands the network to Europe and Oceania.

The workshop will invite government officials from 17 Asian countries, experts from Australasian Environmental Law Enforcement and Regulators Network (AELERT), Asian Development Bank, Netherlands and European Network for the Implementation and Enforcement of Environmental Law (IMPEL). The discussion will put strong emphasis on the following topics: regulation and permission design, monitoring technique, electronic registry system, innovative environmental law enforcement approach and transparency.

Information

Date

09/21/2015-09/23/2015

Location

Anantara Bangkok Riverside Resort & Spa(257/1-3 Charoennakorn Road, Samrae, Thonburi, Bangkok 10600 Thailand)



Organizer

Asian Environmental Compliance and Enforcement Network, Environmental Protection Administration Taiwan, United States Environmental Protection Agency

Registration

Online Registration

To reduce paper consumption, please register via the link below

[Apply](#)

Registration Deadline

Registration of this event will close on 10th August 2015, late submission will not be accepted.

Contact

If you have any further questions regarding this event, please contact Mr. Chen via hsinan@estc.tw

[Agenda](#)

[Speaker's Presentation](#)

[For More Information at AECEN](#)



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附錄5、各國與會專家名單

Next Generation Compliance in Asia
September 21-23, 2015
Garden Room, Anantara Riverside Hotel
Bangkok, Thailand

No	Participants	Position	Organization	Country
1	Mr. Sum Sokhamphou	Deputy Director General	General Department of Environmental Protection, Ministry of Environment	Cambodia
2	Dr. Rashid Hasan	Advisor	Ministry of Environment Forest and Climate Change	India
3	Ms. Vinda Damayanti Ansjar	Deputy Director for Compliance Monitoring	Directorate General for Environment and Forestry Law Enforcement, Ministry of Environment and Forestry	Indonesia
4	Mr. Anton Sardjanto	Deputy Director	Ministry of Environment and Forestry	Indonesia
5	Ms. Soudavee Keopaseuth	Deputy Chief of Division Environment Assessment	Department of Environment Quality Promotion, Ministry of Natural Resources and Environment	Lao PDR
6	Dr. Zulkifli Abdul Rahman	Deputy Director General (Operation)	Department of Environment, Ministry of Natural Resources and Environment	Malaysia
7	Ms. Hazrina Salleh	Senior Environmental Officer	Enforcement Division, Department Of Environment, Ministry of Natural Resources and Environment	Malaysia
8	Ms. Aiminath Nizar	Engineer	Environmental Protection Agency, Ministry of Housing and Environment	Maldives
9	Mr. Mohamed Hamdhaan Zuhair	Assistant Director Environment Assesment	Environmental Protection Agency, Ministry of Housing and Environment	Maldives
10	Mr. Tsogtsaikhan Purev	Director, Division of Environmental Assessment and Auditing	Ministry of Environment, Green Development and Tourism	Mongolia



Next Generation Compliance in Asia
September 21-23, 2015
Garden Room, Anantara Riverside Hotel
Bangkok, Thailand

No	Participants	Position	Organization	Country
11	Mr. Min Maw	Deputy Director, Environmental Conservation Department	Ministry of Environmental Conservation and Forestry (MOECAF), Myanmar	Myanmar
12	Dr. Muhammad Bashir Khan	Director General	Environment Protection Agency (EPA)	Pakistan
13	Atty. Michael Drake P. Matias	Chief	Environmental Impact Assessment and Management Division, Environmental Management Bureau	The Philippines
14	Mr. Sivapalan Perumal	Senior Engineer	Pollution Control Department, National Environment Agency	Singapore
15	Dr. R. M. S. K. Rathnayake	Acting Deputy Director General	Environmental Pollution Control Division, Central Environmental Authority	Sri Lanka
16	Mr. K. H. Muthukuda Arachchi	Director General	Central Environmental Authority	Sri Lanka
17	Ms. Sujitra Kanyawilat	Environmentalist, Pollution Control Department	Ministry of Natural Resources and Environment	Thailand
18	Mr. Le Vu Tuan Anh	Deputy Director General, Inspectorate	Ministry of Natural Resources and Environment	Vietnam
19	Mr. Hoang Xuan Huy	Head of General Office	International Cooperation Department, Ministry of Natural Resources and Environment	Vietnam



Next Generation Compliance in Asia
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Bangkok, Thailand

No	Participants	Position	Organization
20	Dr. Supat Wangwongwatana	Coordinator/ EANET Secretariat	Network Support, Regional Resource Centre for Asia and the Pacific (RRC.AP)
21	Ms. Sujitra Vassanadumrongdee	Researcher	Environmental Research Institute, Chulalongkorn University (ERIC)
22	Mr. Vorapong Vorasuntharosoht	Government Affairs, Director SEA/ANZ Region	Dow Chemical Thailand Limited
23	Ms. Christy Owen	Chief of Party	Mekong Partnership for the Environment
24	Mr. Matthew Baird	Environmental Counsel	
25	Mr. Daniele Ponzi	Lead Environment Specialist and Technical Advisor, Environment and Safeguards Division	Asian Development Bank
26	Ms. Nguyen Quyen	GIS Associate	Asian Development Bank
27	Ms. Somphavanh Nakhavong	Statistics and Indicators Associate	Asian Development Bank
28	Mr. Alfred Nakatsuma	Director of Regional Environment Office	United States Agency for International Development
29	Mr. Aaron Brownell	Regional Environmental Advisor, Southeast Asia and the Pacific	United States Agency for International Development



Next Generation Compliance in Asia
September 21-23, 2015
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Bangkok, Thailand

No	Participants	Position	Organization
30	Dr. John Seager	Chair	European Network for the Implementation and Enforcement of Environmental Law
31	Kelly Hsieh	Ambassador	Taipei Economic and Cultural Office in Thailand
32	Peter Sha-Li Lan	Director of Political Division	Taipei Economic and Cultural Office in Thailand
33	Boris C.K. Chang	First Secretary of Political Division	Taipei Economic and Cultural Office in Thailand
34	Charoen Nitiwatanapong	Secretary of Political Division	Taipei Economic and Cultural Office in Thailand



Next Generation Compliance in Asia
September 21-23, 2015
Garden Room, Anantara Riverside Hotel
Bangkok, Thailand

No	Participants	Position	Organization
35	Mr. Davis Jones	Associate Director, International Compliance Assurance Division	United States Environmental Protection Agency
36	Ms. Cynthia Giles	Assistant Administrator	Environmental Compliance and Enforcement, USEPA
37	Ms. Rakhi Kasat	Southeast Asia Program Manager	Office of International and Tribal Affairs, USEPA
38	Mr. Hideyuki Mori	President	Institute for Global Environmental Strategies
39	Ms. Puja SAWHNEY	Coordinator of the Regional Hub for Asia Pacific Adaptation Network (APAN)	Institute for Global Environmental Strategies
40	Mr. Toshizo Maeda	Director	Institute for Global Environmental Strategies
41	Dr. Peter King	Head	Asian Environmental Compliance and Enforcement Network
42	Ms. Chochoe Devaporihartakula	Programme Manager	Asian Environmental Compliance and Enforcement Network



Next Generation Compliance in Asia
September 21-23, 2015
Garden Room, Anantara Riverside Hotel
Bangkok, Thailand

No	Participants	Position	Organization
43	Mr. Chin-Lang Hsiao	Inspector General	BEI of Taiwan EPA
44	Mr. Tsu-Nong Chiang	Deputy Inspector General	BEI of Taiwan EPA
45	Mr. Sheng-Chun Shih	Section Chief	BEI of Taiwan EPA
46	Ms. Jui-Ling Lee	Specialist	BEI of Taiwan EPA
47	Ms. Ching-Chen Huang	Associate Technical Specialist	BEI of Taiwan EPA
48	Mr. Cheng-Han Jin	Associate Technical Specialist	BEI of Taiwan EPA
49	Mr. Cheng-Hsiung Hsu	Chief	BEI of Taiwan EPA
50	Mr. Wen-Pin Fan	Associate Technical Specialist	BEI of Taiwan EPA
51	Mr. Hsiao-Wen Liang	Associate Technical Specialist	BEI of Taiwan EPA
52	Mr. Hsin-An Chen	Senior Engineer	Environmental Science Technology Consultants Corporation(ESTC)

Next Generation Compliance and Enforcement at U.S. EPA

1

Next Generation Compliance in Asia
September 21, 2015

Cynthia Giles
Assistant Administrator
Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

U.S. Environmental Protection Agency

Why Compliance Matters

2

- Laws set standards, but need compliance to achieve real pollution reductions
- Protect public health and the environment
- Responsible companies should not be at a disadvantage



U.S. Environmental Protection Agency

U.S. EPA Enforcement Goals

3



- **Tough civil and criminal enforcement** for violations that threaten communities and the environment



- **Next Generation Compliance** – new strategies to reduce pollution, increase compliance



- **Strong EPA/state/tribal environmental protection**

U.S. Environmental Protection Agency

Principles of EPA's Enforcement Program

4

1. Deter violators by making it more expensive to violate than comply
 - Recover more than economic benefit
2. Insist that violator not only comply and pay penalty, but also mitigate
3. Employ full range of authorities: administrative through criminal



The New York Times

Duke Energy to Pay Fine Over Power Plant Violations

U.S. Environmental Protection Agency

Enforcement Examples: Air Pollution

5

Tennessee Valley Authority

- TVA investing more than \$3 billion in modern pollution controls, resulting in \$27 billion in annual health benefits
- Covers 92% of TVA's coal-fired power plant capacity



U.S. Environmental Protection Agency

Hyundai/Kia

- Sold more than one million vehicles that emit 4.75 million metric tons of GHGs in excess of what they certified
- \$100 million Clean Air Act civil penalty, \$50 million to prevent violations, forfeit GHG credits worth \$200 million



Enforcement Examples: Water Pollution

6

Duke Energy

- Company found guilty of criminal Clean Water Act violations following coal ash spill
- Duke will spend \$3+ billion to close or repair coal ash ponds, pay \$68 million fine, and \$34 million on projects



U.S. Environmental Protection Agency

Alpha Resources

- Company must implement wastewater treatment and system-wide upgrades to reduce water pollution from coal mines in Appalachia
- Settlement covers 79 active mines in 5 states

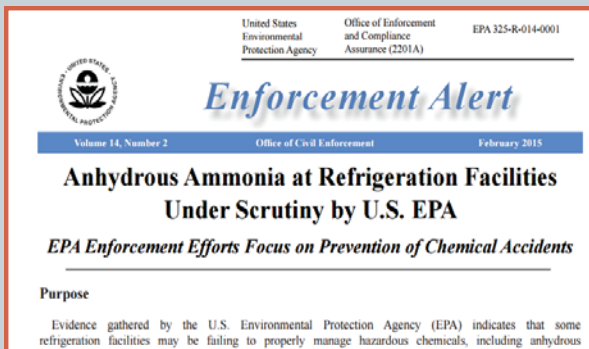


Enforcement Examples: Waste and Toxics

7

Millard Refrigerated Services

- Release of 32,000 pounds of anhydrous ammonia sickened workers
- Company will pay a \$3 million penalty
- Recent Enforcement Alert highlights ammonia compliance issues



Walmart

- Illegally handled and disposed of hazardous materials at its retail stores across the United States
- Civil and criminal cases result in \$80+ million in penalties, nationwide compliance plan, training programs

U.S. Environmental Protection Agency

Enforcement Examples: Clean Up

8

Tronox/Anadarko

- Radioactive waste, pesticides, and PCBs contaminated drinking water sources
- More than \$4 billion to fund cleanup of environmental contamination across the country



GE/Hudson River

- \$2.7 billion to clean up millions of cubic yards of PCB contamination



U.S. Environmental Protection Agency

What Makes Strong Enforcement Possible?

9

- Robust compliance monitoring: facility and government
- Trained compliance inspectors
- Advanced monitoring tools and data analytics
- Predictable, tough, fair government enforcement response



U.S. Environmental Protection Agency

Compliance Challenges

10

- More violations than enforcers can address
- Limited government resources
- Deterrence works, but can't be only strategy
- Lack of credible, actionable information on pollution and compliance



U.S. Environmental Protection Agency

Next Generation Compliance

11

1. More effective rules and permits
2. Advanced monitoring technology
3. Electronic reporting
4. Increased transparency
5. Innovative enforcement



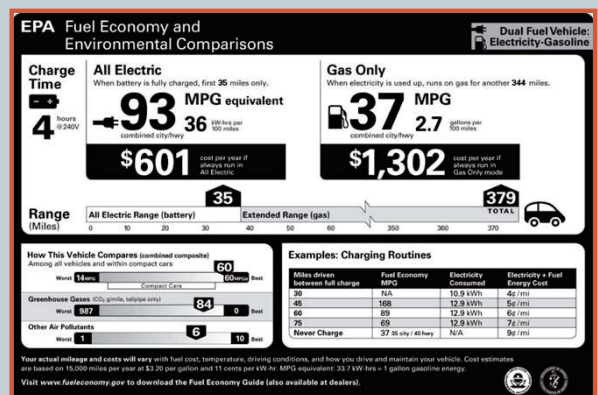
U.S. Environmental Protection Agency

More Effective Rules and Permits

12

Make implementation and compliance part of design:

- Simplicity
- Structure – compliance easier than violating
- Strong monitoring – self and third party
- Transparency
- Market forces and incentives



U.S. Environmental Protection Agency

Proposed Rule for Petroleum Refineries

13

- Refineries must conduct fenceline monitoring to ensure neighboring communities are protected
- Most recent annual average recalculated every two weeks so companies can keep emissions well below the annual standard

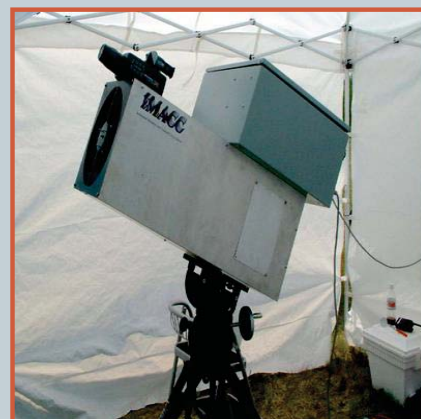


U.S. Environmental Protection Agency

Advanced Monitoring

14

- Huge advances in technology: cheaper, more accurate, more mobile
- Continuous monitoring: know about pollution as it's happening
- Remote sensing opportunities



U.S. Environmental Protection Agency

Monitoring can Make Pollution Visible

15

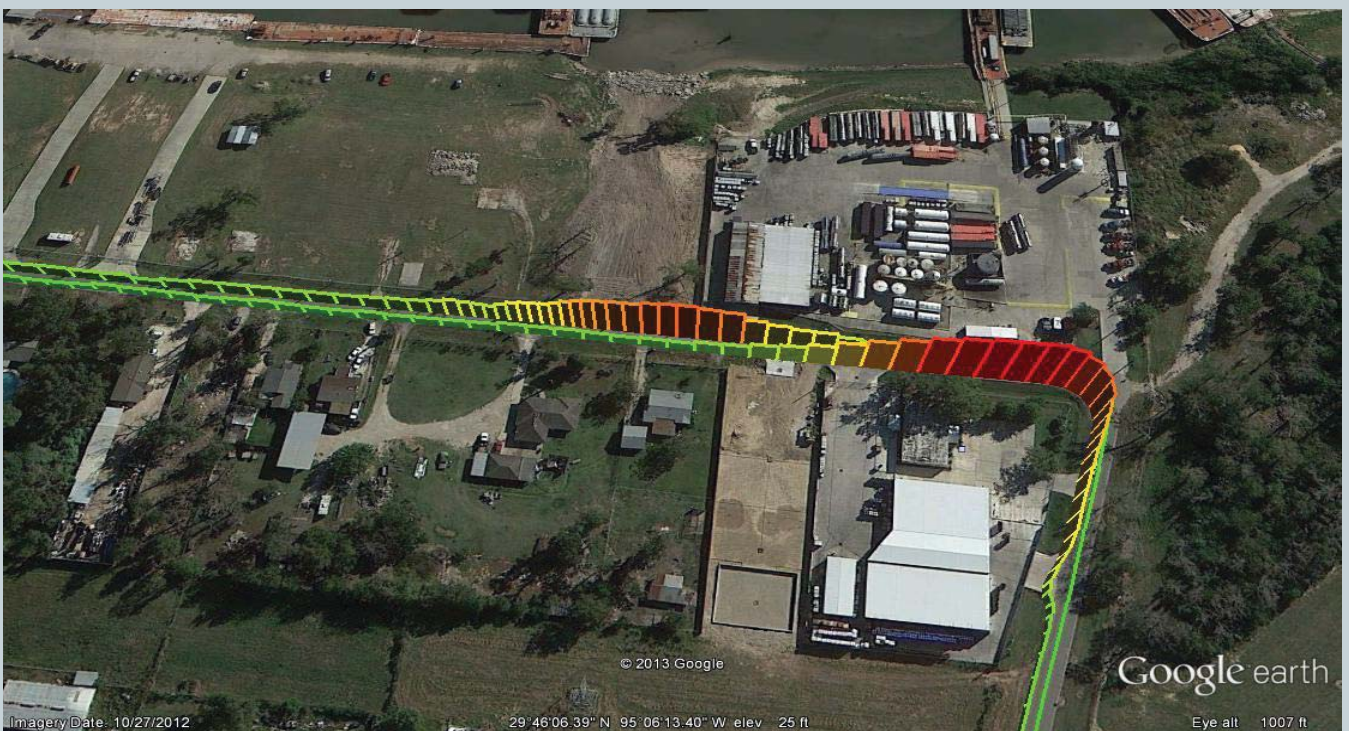
Finding fugitive emissions through IR technology



U.S. Environmental Protection Agency

Advanced Monitoring: Immediate Feedback

16

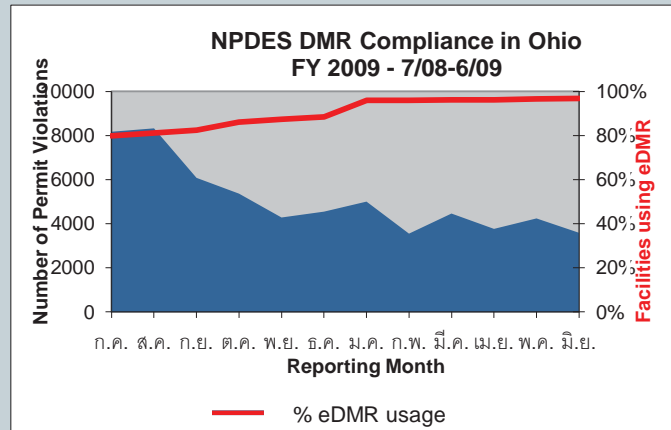


U.S. Environmental Protection Agency

Electronic Reporting

17

- Information technologies make new solutions possible
- Smart tools and two-way communication
- Private sector reporting tools
- U.S. water compliance reporting: now moving to all electronic

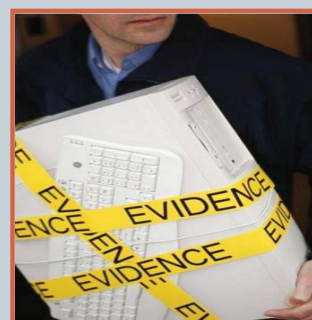


U.S. Environmental Protection Agency

Reporting: Keep Watchful Eye on Fraud

18

- Real time monitoring and electronic reporting prevents fraud and makes it easier to spot
- Independent third party monitoring is key
- Data analytics
- Sanctions



U.S. Environmental Protection Agency

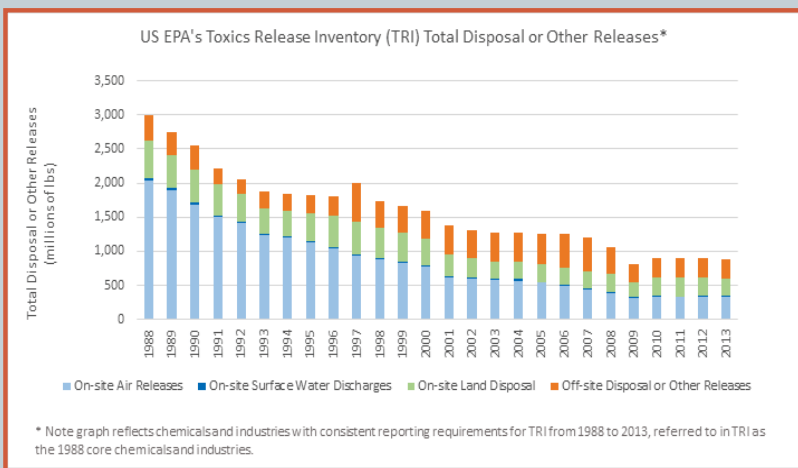
Transparency – the Power of Public Information

- Harness public demand for cleaner air and water
- Invite scrutiny by competitors and investors
- Make compliance the path of least resistance



Transparency Drives Results

- EPA Toxics Release Inventory
- Drinking Water Consumer Confidence Reports



Mailed report on compliance resulted in:

Total violations: down 30-44%

Health violations: down 40-57%

*Benneer & Olmstead, Journal of Environmental Economics and Management (2008).

Features of a Strong Transparency Program

21

Better compliance supported by:

- Information about specific facilities and locations
- Real-time information that allows for quick feedback
- Available all the time to everyone on the internet



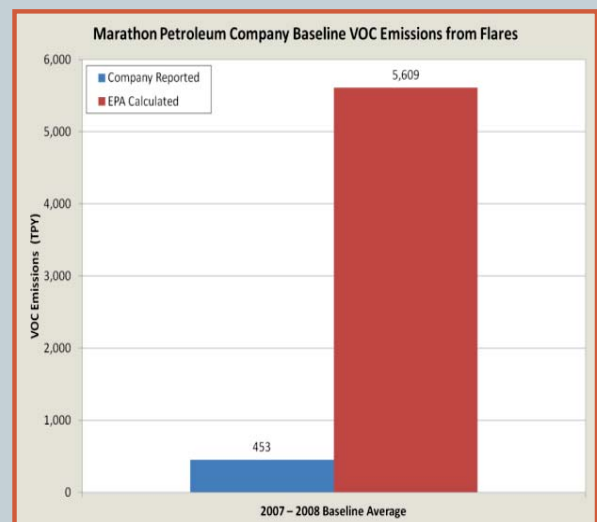
U.S. Environmental Protection Agency

Innovative Enforcement

22

Building Next Gen into enforcement cases:

- Advanced monitoring
- Electronic reporting
- Publicly available data



U.S. Environmental Protection Agency

Innovative Enforcement Examples

23

Noble Energy – oil and gas

- Third party audit
- IR camera at tanks
- Post findings on internet



Total Petroleum – underground storage tanks

- Automated 24-hour release detection
- Data monitored at central location



U.S. Environmental Protection Agency

International Collaboration on Solutions

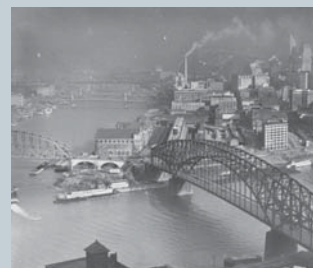
24

- Tough civil and criminal enforcement
- Next Generation Compliance
- Involving citizens

Pittsburgh, Pennsylvania
Once known as the "Smoky City"

1936

2006



Report a violation

(<http://epa.gov/tips/>)

U.S. Environmental Protection Agency



Ministry of Environment and Forestry
Republic of Indonesia

附錄7、印尼專家Ms. Vinda Damayanti Ansjar「印尼環境法遵循現況及未來計畫」簡報

Vinda Damayanti Environmental Compliance and Enforcement System in Indonesia and its Future Plan

CONTENT

1	BACKGROUND
2	ENVIRONMENTAL POLICY
3	CURRENT ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT
4	CHALLENGES
5	FUTURE PLAN



Environmental Problems in Indonesia



Environmental Problems in Indonesia



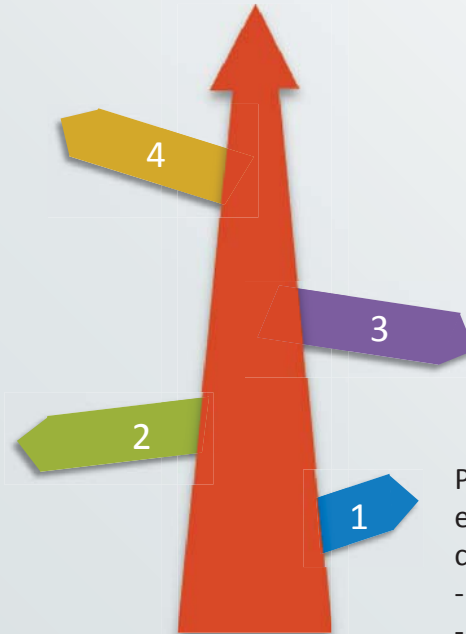


Upaya Perlindungan dan Pengelolaan LH

Current and Next Generation Life

Deterrent effect and improvement of all stakeholder awareness on environmental protection and management. H

Repressive measure in a case of env. Pollution and damage are occurred in the form of effective consequent and consistent of law enforcement



Legal sistem of environmental protection and management :

- Administrative law
- Dispute settlement
- Criminal law

Preventive measure on environmental management control :

- Compliance monitoring
- Permit system



1. Planning

- a. Environmental inventory
- b. Establishment of eco-region
- c. Formulation of Environmental Protection and Management Plan (EPMP)

2. Utilization

- a. Based on EPMP
- b. Carrying capacity

3. Controlling

- a. Prevention
- b. Mitigation
- c. Recovery

Scope of Environmental Regulation

6. Law Enforcement

- a. administrative sanction
- b. dispute settlement
- c. punishment

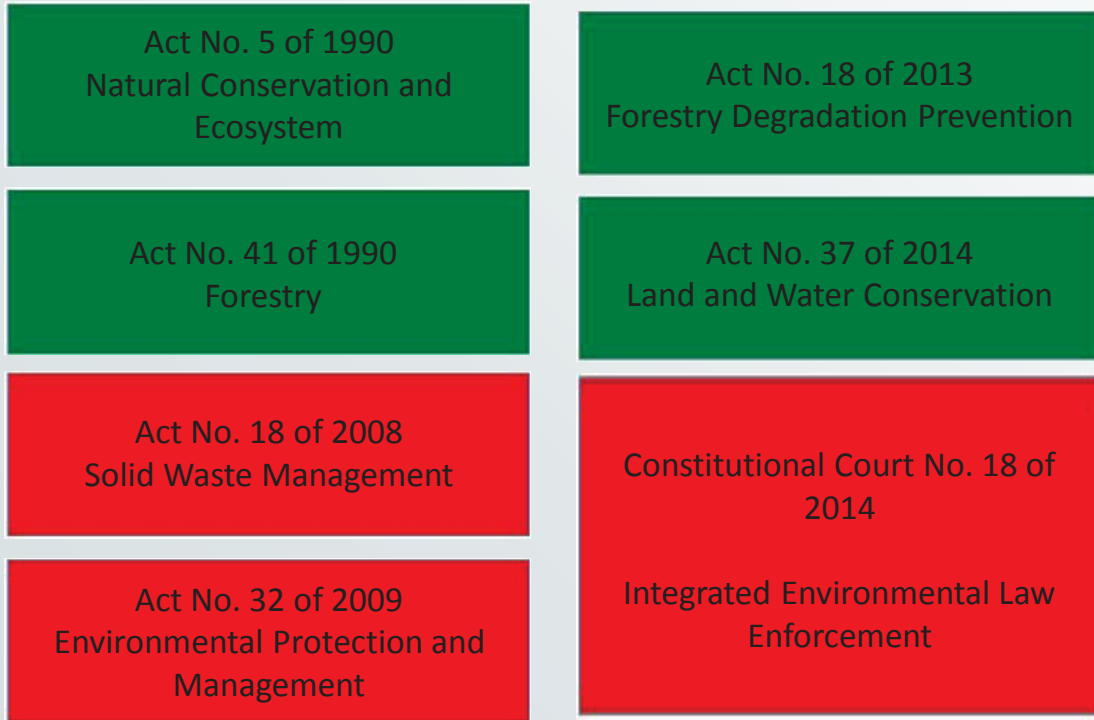
5. Provisions/Monitoring

- a. Inspectors
- b. Investigators

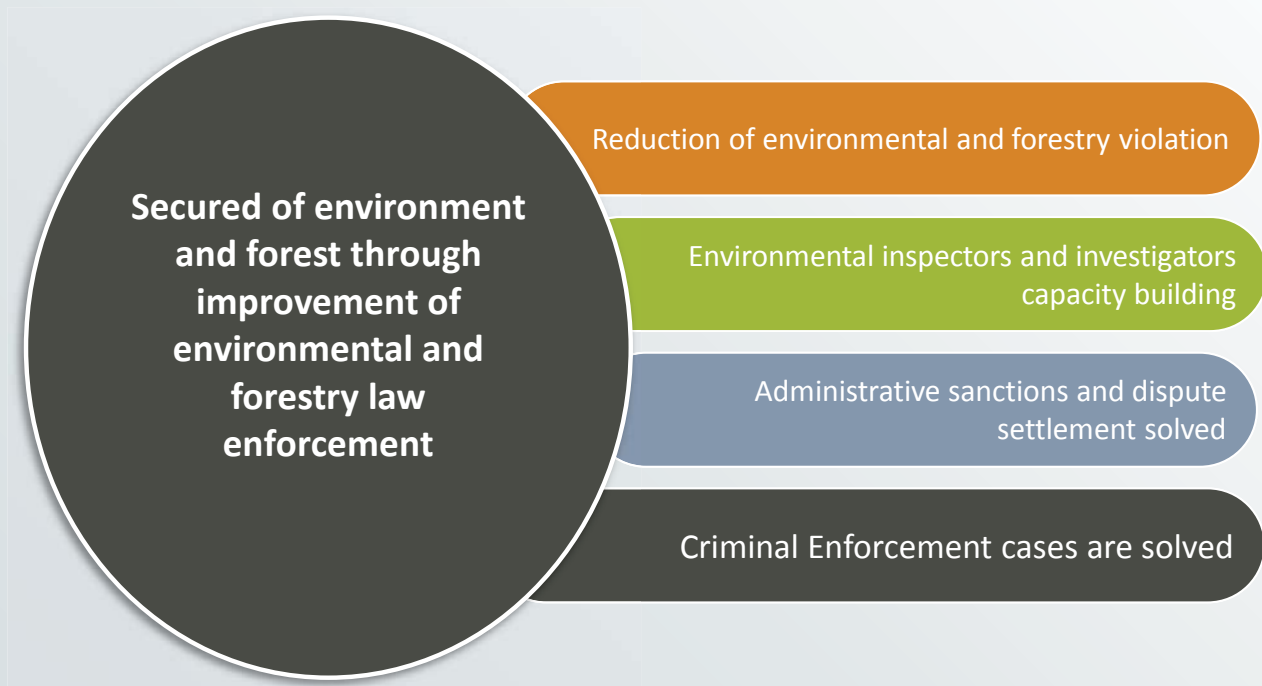
4. Preservation

- a. Natural resources conservation
- b. Natural resources reservation
- c. preservation of atmospheric functions

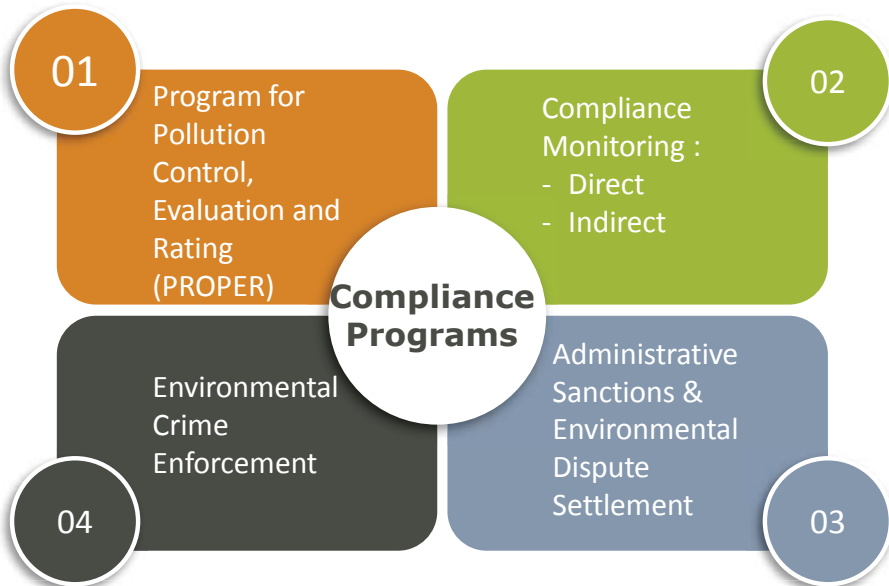
Legal Mandate for Environmental Law Compliance and Regulations



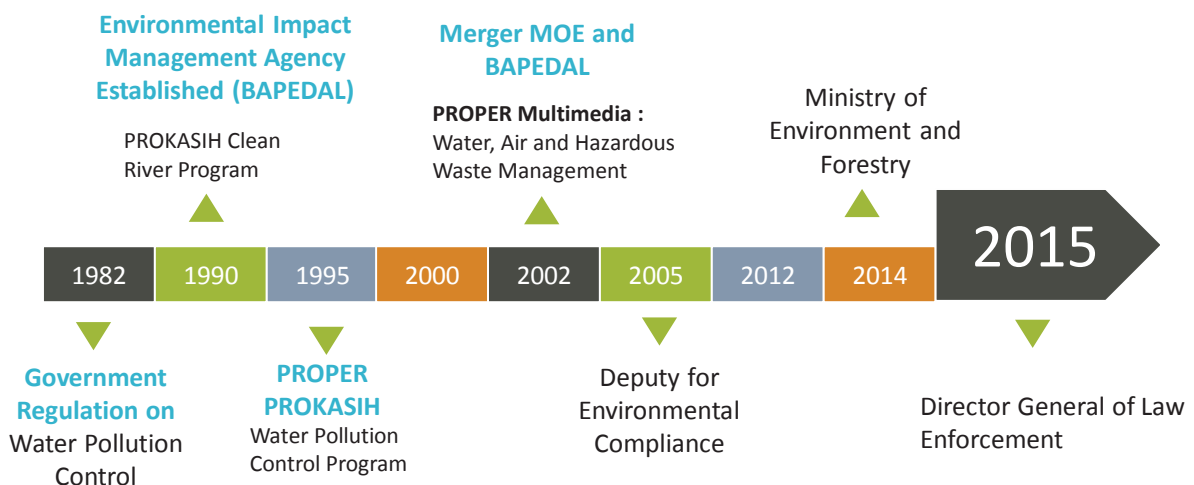
Strategic Goals of Environmental and Forestry Law Enforcement



Current Environmental Compliance Program



History of Environmental Compliance and Enforcement Program



1. PROGRAM FOR POLLUTION CONTROL, EVALUATION AND RATING

PROPER

Is an alternative instrument for environmental compliance
 Synergy with other instruments
 To motivate companies compliance on environmental standards and regulations
 Public disclosure system

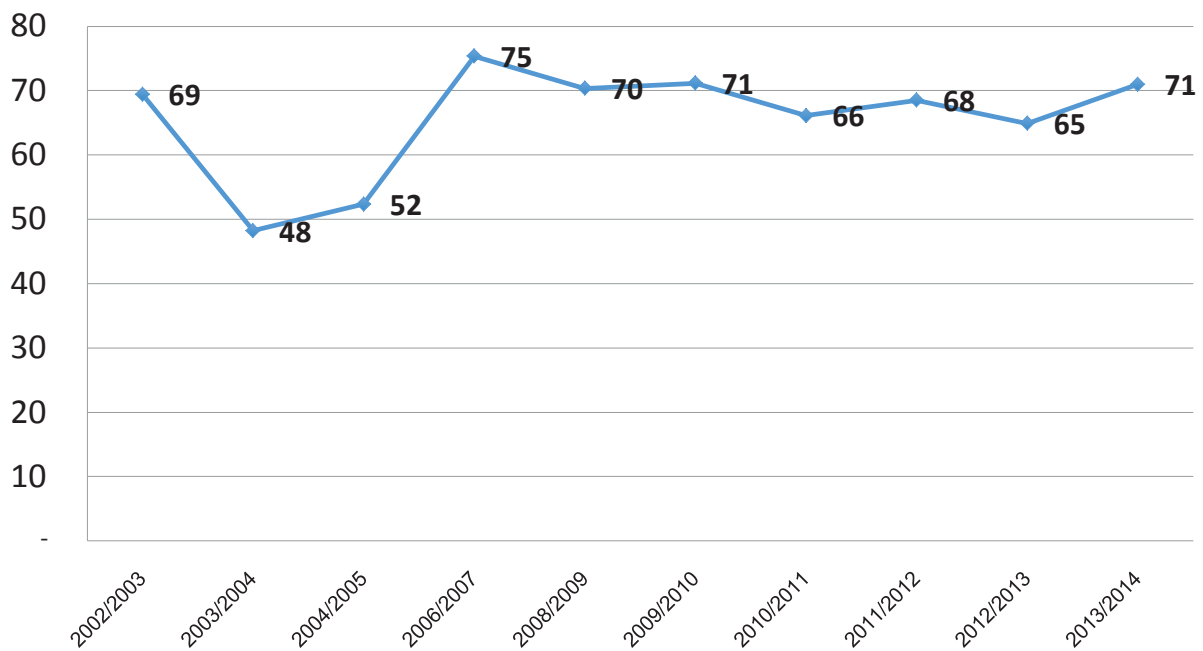


Environmental Performance Evaluation

Level of Compliance	Rate	Performance Evaluation Criteria		Type of Compliance
		Area	Method	
Beyond Compliance	Gold	Environmental Management System	Process / Effort Oriented	Voluntary
	Green	Natural and Waste Utilization (3R)		
		Corporate Social Responsibility		
Comply	Blue	Marine Pollution Control	Result Oriented	Obligatory
Not Comply	Red	Water Pollution Control		
		Air Pollution Control		
		Hazardous Waste Management		
	Black	Environmental Impact Assessment Implementation		



PROPER level of compliance



PROPER SUCCESS STORY



- Key Performance Indicator of companies
- Requirement for credit analysis in banking system
- PROPER rating as one requirement for ISPO certification

Performance indicator

Green Economy Road Map

- In 2014, Green companies has achieved energy efficiency for 26 million Gjoule
- Reduction of water pollution load for 1 million ton for organic waste water, and 3 million tonnes for anorganic waste water
- Improvement of CSR fund

- Decentralized compliance monitoring to provincial and district level with similar standard.
- Capacity development to 584 inspectors

Integrated monitoring system





DEFINITION

Environmental Monitoring/Inspection : direct or indirect environmental permit and/or regulations compliance monitoring to industrial activities.

Environmental Inspectors : civil servants that are meet specific inspectors requirement and are appointed by the minister.

MONITORING
/INSPECTION

Objective



Monitor and evaluate to determine compliance status.

1. Regulations on Environmental Pollution Control and Degradation.
2. EIA document
3. Permit

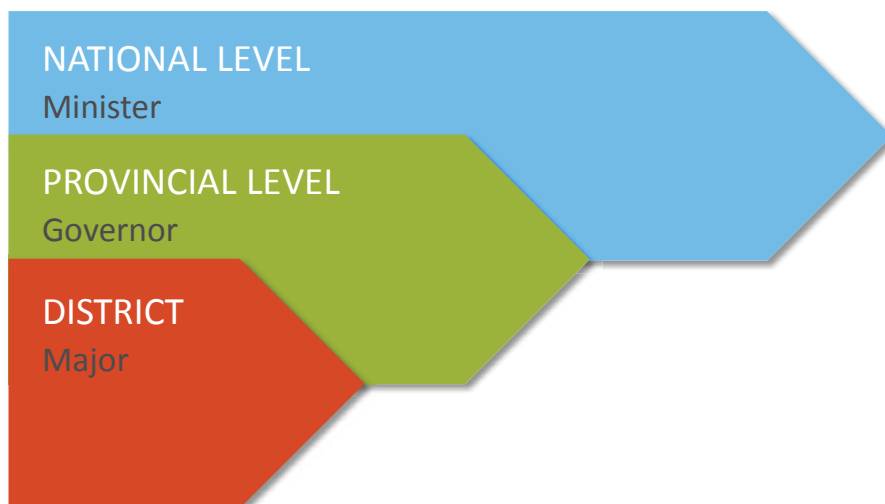
To gain data and information:

- Portrait existing condition of compliance
- To permit and other regulations (water pollution control, air pollution control and hazardous waste management).

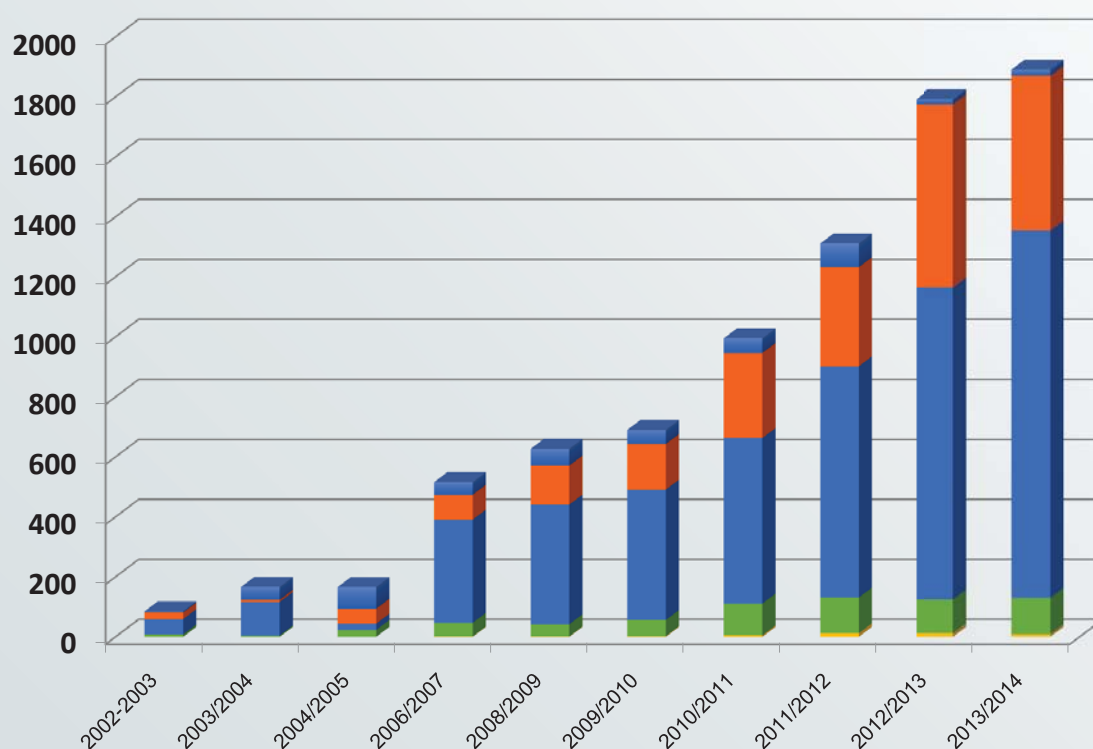


Compliance monitoring authority

Minister, Governor, City major are obliged to do environmental compliance monitoring to all activities.



NUMBER OF MONITORED COMPANIES VIA PROPER



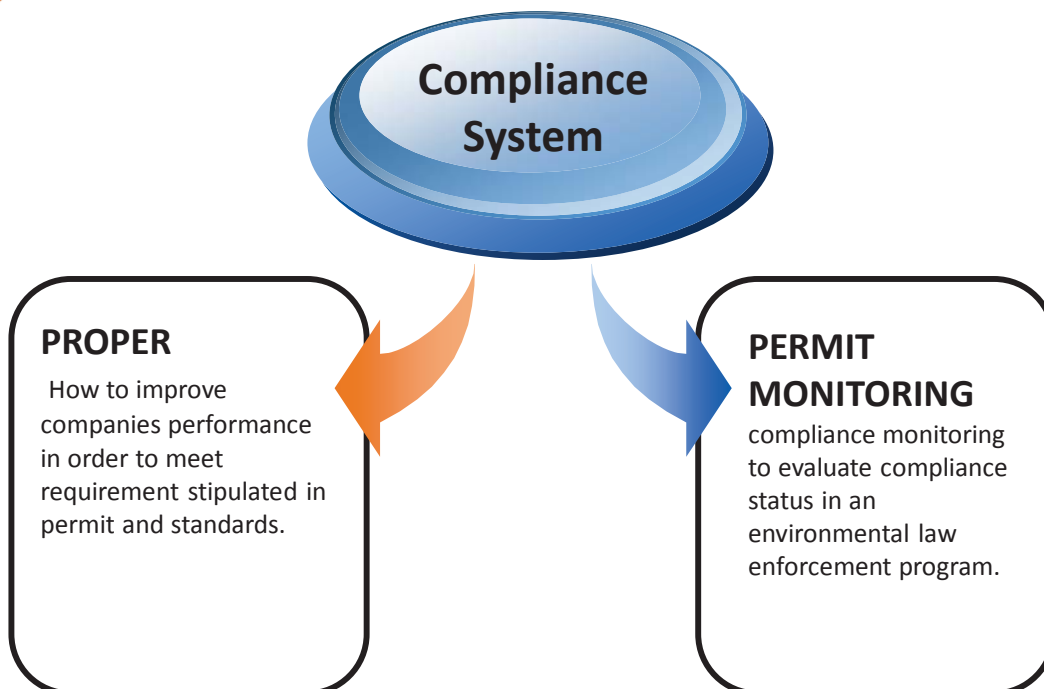
Source : MOEF, Indonesia



NEW STRUCTURE OF ENVIRONMENTAL AND FORESTRY LAW ENFORCEMENT



MONITORING COMPLIANCE 2015 -





Environmental and Forestry Crimes/Violations Tipology



ENFORCEMENT INSTRUMENTS

HUMAN RESOURCES:

No	Personels	Total
1	Forest Rangers	8.105
2	Environmental Inspectors	152
3	Local Environmental Inspectors	973
4	Environmental Investigators	416
5	Forestry Investigators	1.043
6	SPORC	764



ENFORCEMENT

Complaints and Supervision/Monitoring

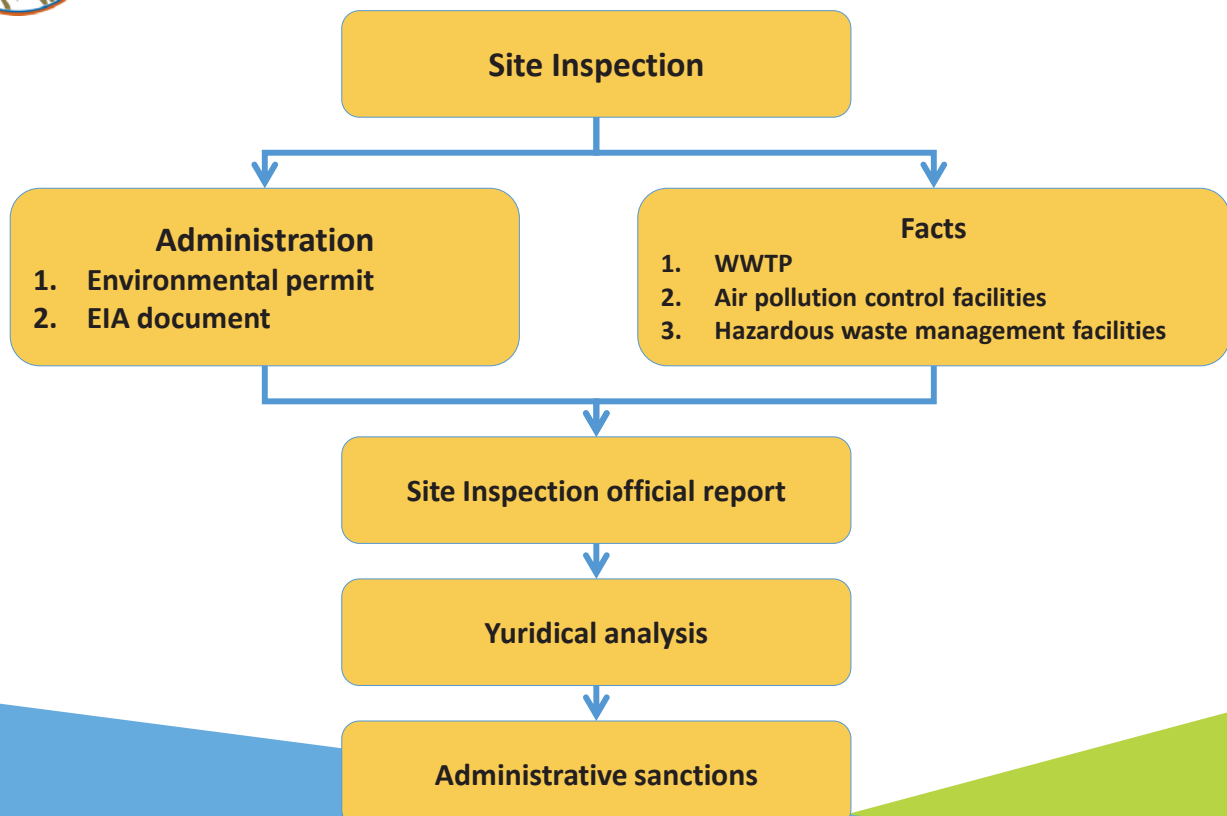
ENVIRONMENTAL AND FORESTRY CRIMES



Sanctions:
Administrative/ Legal Action / Punishment



Administrative Sanctions Mechanism





Type of administrative sanctions

Warning

Warning issued by authorized institution for breaking the administration law or not bring about serious impact to the environment

Government Compulsion

To stop environmental violation by environmental authority.

Permit congealing

This tools are applied if government compulsion failed

Permit revocation

Permit holder is proven to be violate and break the permit and/or causes serious impact to environment.



Environmental Criminal Code Mechanism

Ultimum remedium principal → last effort if administrative sanctions failed.

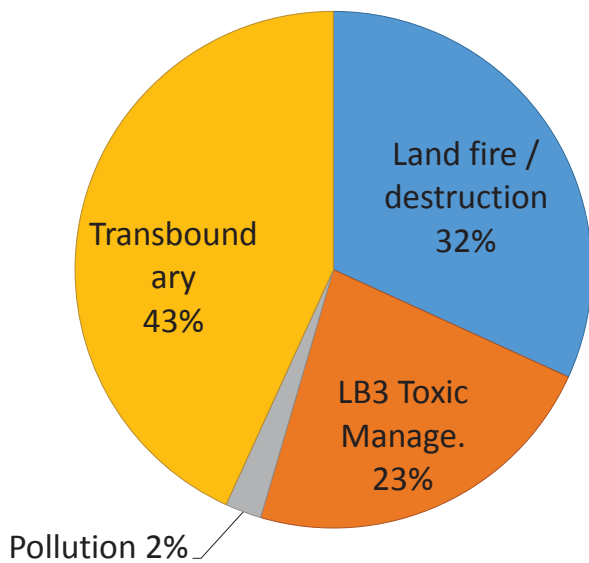
Valid only for violation on standard exceeding and disturbance.

Government impulsion is not implemented

Break the permit congealing

Punishment

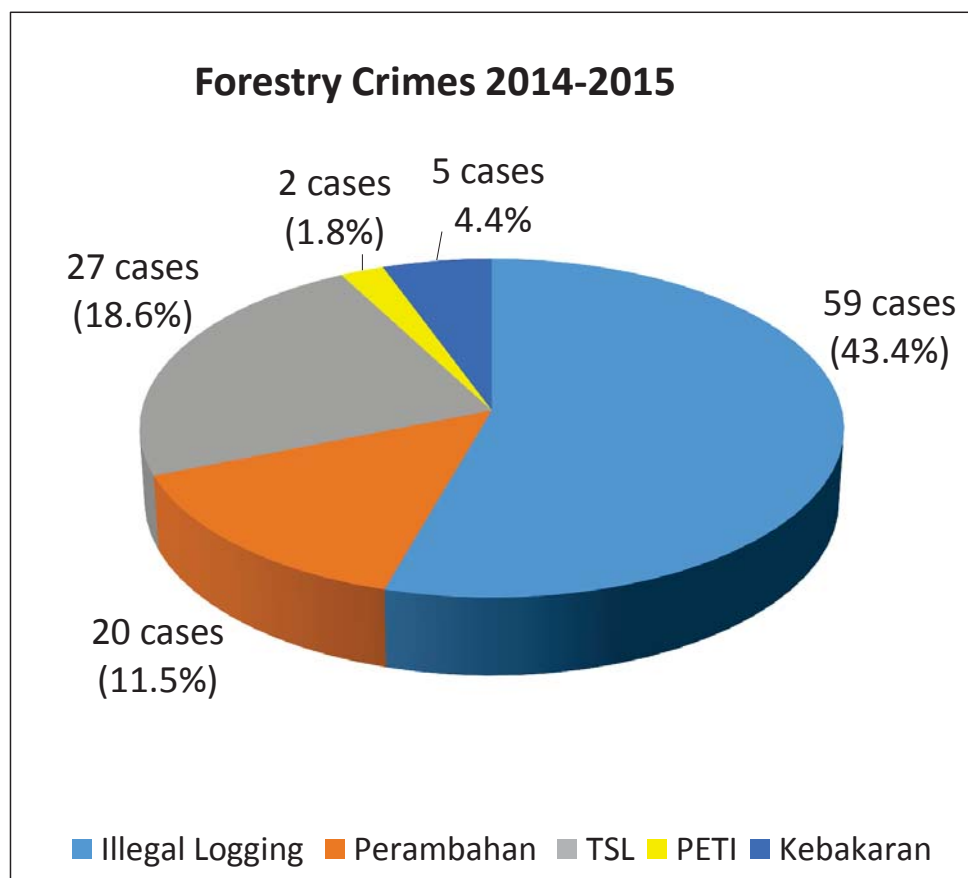
ENVIRONMENTAL CRIME (2014-2015)



Environmental Crimes 2014-2015

Land fire / destruction	14	Cases
LB3 Toxic Management	10	Cases
Pollution	1	Case
Transboundary	19	Cases
Total	44	Cases

FORESTRY CRIMES (2014-2015)



Crimes	Total
Illegal Logging	59
Encroachment	20
Wildlife	27
Illegal Mining	2
Forest Fire	5
Total	90



CHALLENGES

1

Number of activities outweigh the number of inspectors and investigators.

2

Inspectors and Investigators capacity need to be upgraded especially for local government level.

3

Merger between environment and forestry.



Future Plan

- Development of e-monitoring system : as a tool for compliance improvement and a basis of policy development.
- Inspectors and Investigators capacity building : training, internship
- Increase a number of investigators and inspectors
- Development of compliance and enforcement policy



THANK YOU

Deputy Director for Compliance Monitoring
Directorate of Supervision Complaints and Imposition of
Administrative Sanctions
Phone : +62-21-57902980
Email : vdamayanti04@gmail.com



SHARING OF ENFORCEMENT EXPERIENCES AND COMPLIANCE MONITORING IN MALAYSIA

DR ZULKIFLI ABDUL RAHMAN
& MS HAZRINA SALLEH
DEPARTMENT OF ENVIRONMENT, MALAYSIA

ESTABLISHMENT OF DEPARTMENT OF ENVIRONMENT, MALAYSIA



27 MAR
2004



ENVIRONMENTAL QUALITY ACT 1974



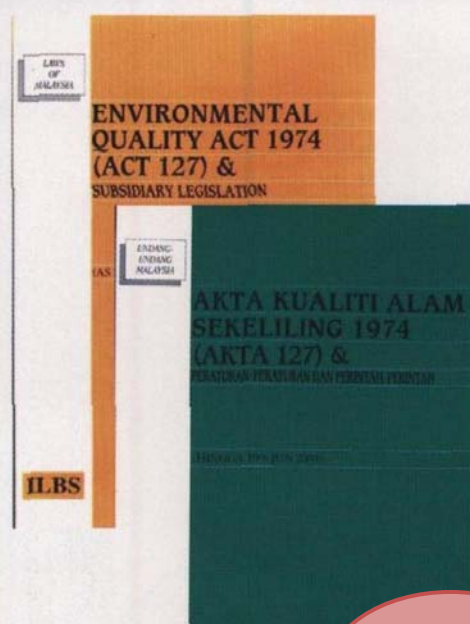
- The Environmental Quality Act, EQA 1974 was enacted to prevent, abate, control pollution and enhance the quality of environment
- The Department of Environment was tasked to administer and enforce the EQA 1974, and Section IV of the Economic Exclusive Zone Act 1984

ENVIRONMENTAL QUALITY ACT 1974



38 subsidiary environmental regulations introduced to deal with specific issues ranging from:

- agro-based and manufacturing industries
- air emissions from stationary & mobile sources
- noise from motor vehicles
- management of scheduled wastes
- environmental impact assessment.



Planning stage

Design Stage

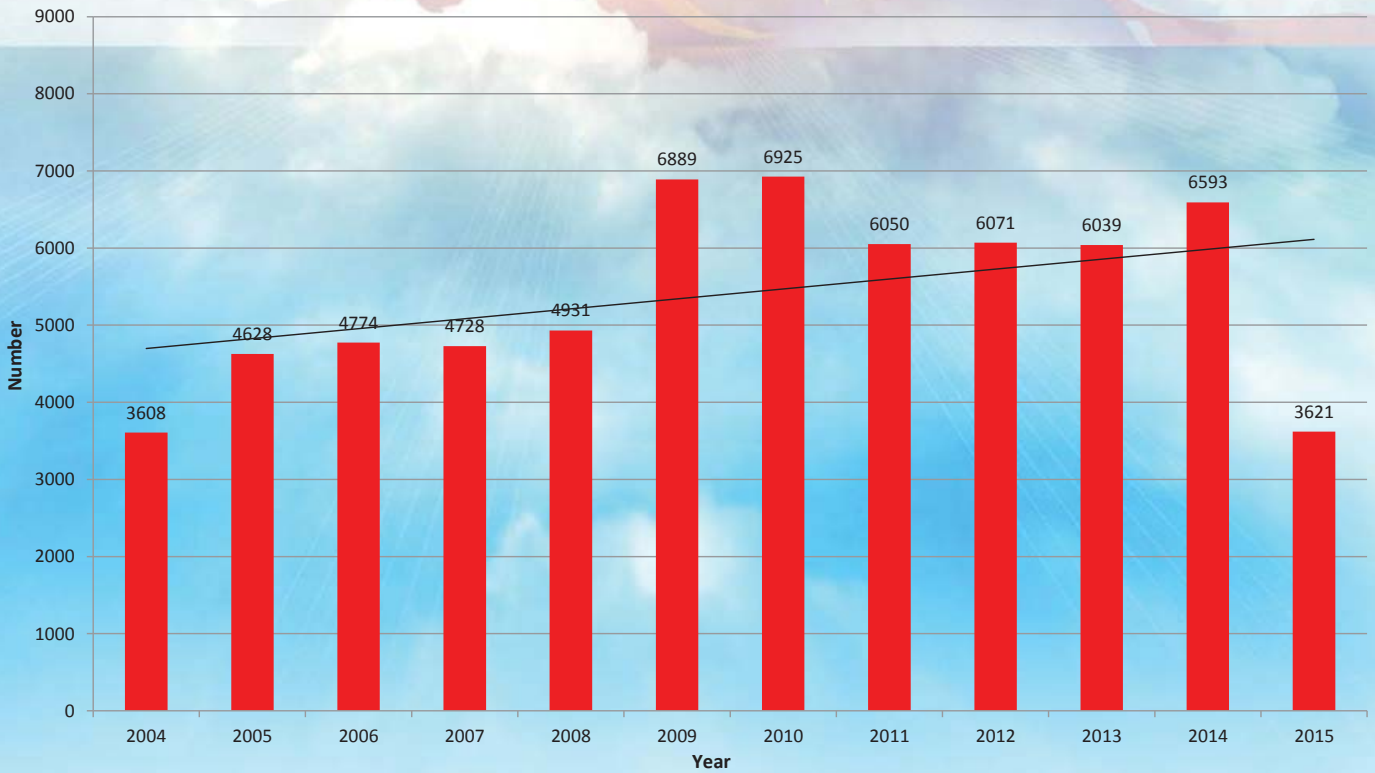
Operation Stage

Waste Generation

Waste Disposal

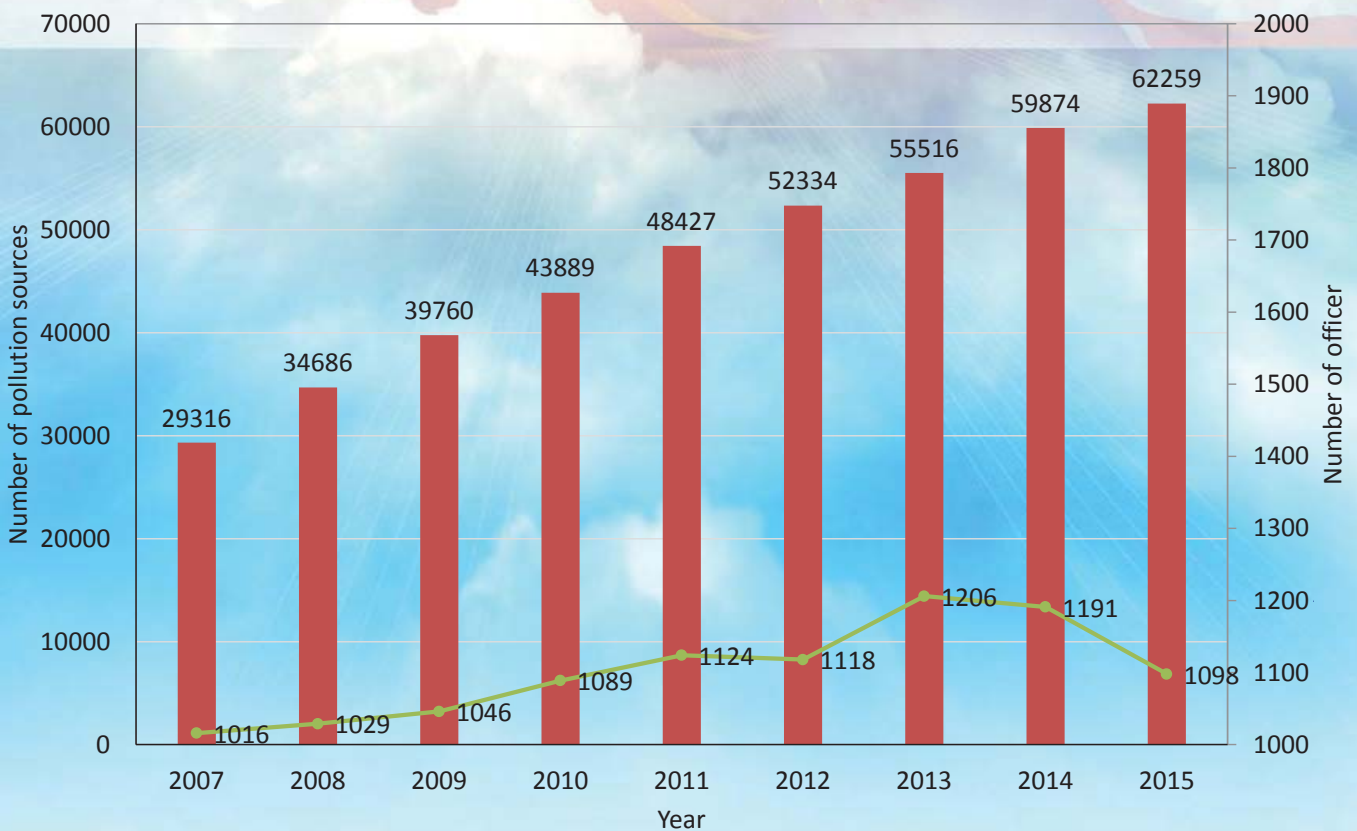
EQA coverage

TRENDS ON COMPLAINT CASES RELATED TO ENVIRONMENTAL ISSUES



DOE : No. Of Complaint Received (2004 - 10 August 2015)

NUMBER OF POINTS SOURCES SUBJECTED TO EQA 1974 VS DOE ENFORCEMENT OFFICERS



CONSTRAINTS



Limited resources



Logistic (time-consuming, travel distance)



“snap shot information” on industry’s compliance status



Increasing number of pollution sources



High expectation/demand by public and industries

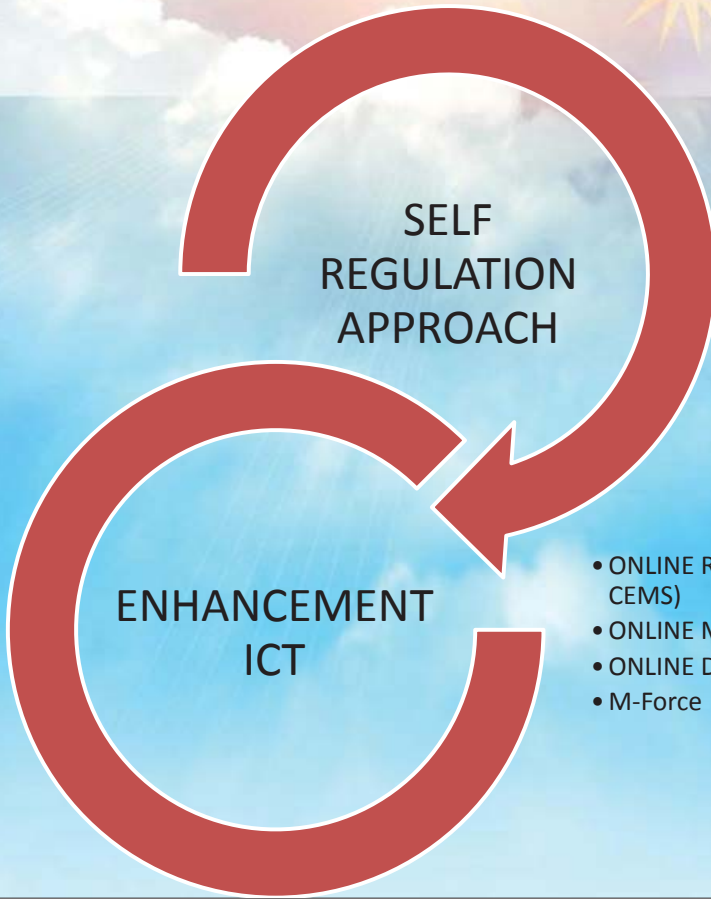
ENFORCEMENT COMPLIANCE AND MANAGEMENT



MONITORING TOOL



Shifting the burden to industries



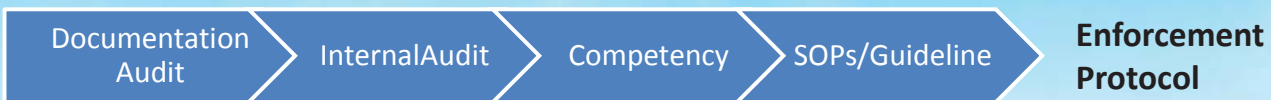
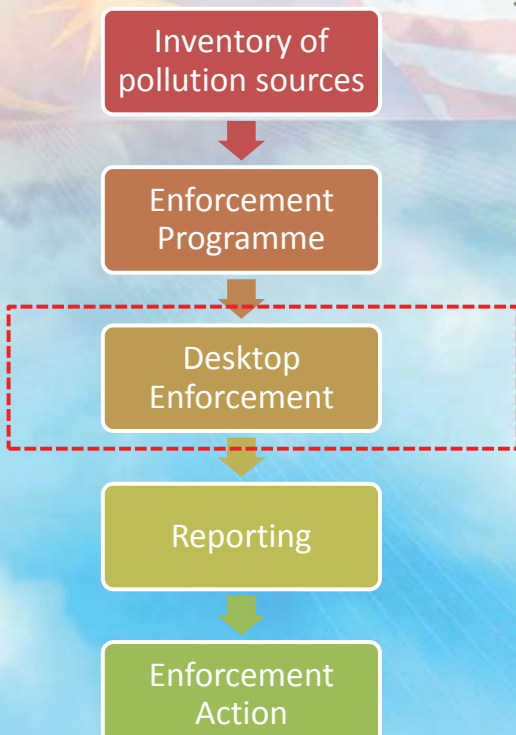
- COMPETENT PERSON
- NOTIFICATION
- THIRD PARTY AUDIT
- PERFORMANCE MONITORING
- ONLINE REPORTING
- ONLINE MONITORING

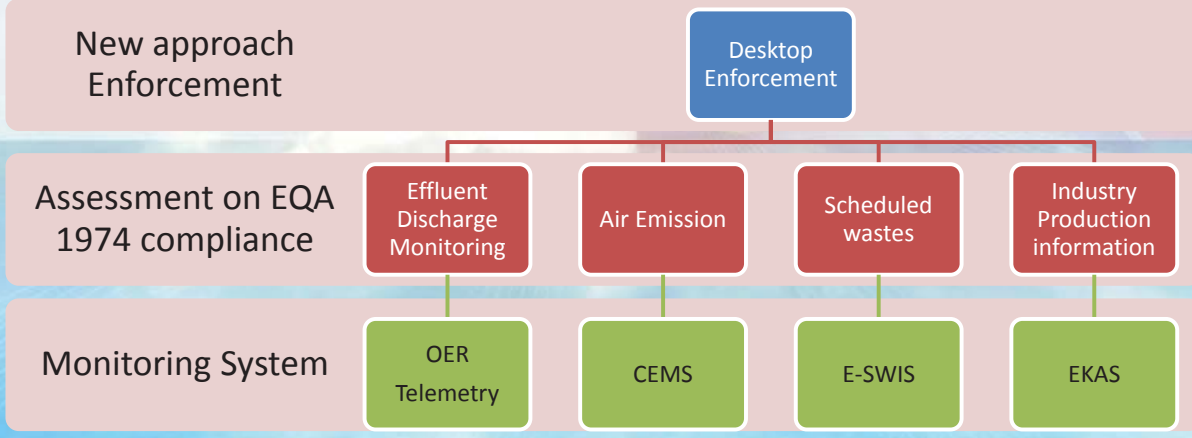
- ONLINE REPORTING (OER, CEMS)
- ONLINE MONITORING
- ONLINE DATA BASE/ RECORD
- M-Force

Platform for reporting system established by both technical and ICT team

CONVENTIONAL ENFORCEMENT

NEW APPROACH ENFORCEMENT





ENFORCEMENT AND COMPLIANCE MONITORING SYSTEM

- E-KAS** →

 - Electronic Environmental Pollution Control-Integrated information management system of environmental pollution sources and enforcement action
- OER** →

 - Online Environmental Reporting- for Industries including Palm Oil mill and rubber mill, Sewage & Landfill Leachate.
 - Frequency, Parameter to be monitored are specified.
- E-SWIS** →

 - Electronic Scheduled Waste Information System- for notification, inventory and disposal of Scheduled Wastes.
 - For waste generator and waste receiver of SW)
- CEMS** →

 - Continuous Emission Monitoring System-Real time emission from stack.
 - Emission currently monitored by the State Offices.
- PROPOSED TELEMTRY** →

 - Real time for effluent quality discharge

9 Modules in E-KAS v3



Aplikasi DOE Yang Lain ▼

Selamat datang ke Sistem Elektronik Kawalan Alam Sekitar (E-KAS). Anda Login Sebagai : farrah | Keluar Sistem

HARI III : Isnin, Jun 20, 2011

Modul-modul Sistem Elektronik Kawalan Alam Sekitar (E-KAS)

ECHO (Enforcement & Compliance History Online)
Merupakan sistem maklumat yang memaparkan profile, tindakan dan sejarah pematuhan kilang/premis.

SIMPAS (Sistem Inventori Maklumat Pencemaran Alam Sekitar)
Merupakan sistem pengurusan maklumat punca-punca pencemaran alam sekitar yang merangkumi segmen air, udara dan maklumat teknologi kawalan pencemaran.

SWIS (Scheduled Waste Information System)
Merupakan sistem pengurusan maklumat inventori buangan terjadual.

PENGUATKUASAAN
Merupakan sistem pengurusan maklumat penguatkuasaan alam sekitar yang dijalankan oleh Jabatan Alam Sekitar.

SMLK (Sistem Maklumat Loji Kumbahan)
Merupakan sistem pengurusan maklumat loji pembersihan air kumbahan kawasan-kawasan perumahan dan penginapan.

PERLESEHAH
Merupakan sistem pengurusan maklumat perlesenan bagi Premis Yang Ditetapkan (PYDT) dan Premis Yang Bukan Ditetapkan (PYBDT).

PEMAHTAUAN
Merupakan sistem pengurusan maklumat pemantauan yang merangkumi udara, air daratan, marin dan air tanah, dalam bentuk data kualiti, maklumat stesen dan pelaporan.

ISOKINETIK
Merupakan sistem sokongan yang membantu dalam membuat penilaian laporan persampelan isokinetik yang dihantar untuk mengenalpasti samasa ianya mematuhi Piawaian Malaysia MS 1596:2003.

PLDS (Pollution Load Database System)
Merupakan sistem pengurusan maklumat berkaitan beban pencemaran air dan udara.

Muatturun (Download Center)
Mengandungi maklumat Muatturun

E-KAS

E-KAS iaitu singkatan kepada Sistem Elektronik Kawalan Alam Sekitar merupakan sistem aplikasi bersepadu yang menampung kapasiti data-data dan maklumat berkaitan dengan alam sekitar.

Log In

Sebarang masalah sila hubungi atau email kepada [Bahagian Teknologi Maklumat](#)

Soalan Lazim (FAQ)
Sila rujuk kepada jawapan kami terhadap persoalan yang sering kali dipertanyakan.

Sila Baca [Panduan Pengguna E-KAS](#)
Panduan pengguna ini merangkumi cara-cara penggunaan dan fungsi skrin

E- SWIS

Home DOE Portal Support List Waste List Facility List



Electronic Scheduled Waste Information System

Username: _____

Password: _____ [Forgot?](#)

[Sign In](#)

[Register](#)

Welcome to Electronic Scheduled Waste Information System

- Home
- HeadQuarter
- Notification
- Inventory
- Inventory Storage
- Inventory Addition
- Inventory Adjust
- Inventory Summary
- Consignment Note
- Report List

INVENTORY

On Hand : 75% of 20 MT Limit

Due date Submission: 30 Nov 2014

Last Submission: 14 Oct 2014

Total Transaction: 8

YTD Submission: 80,000 MT

[Create Consignment Note](#) 0 [Add New Inventory](#) 0

Pending Inventory Addition

Period	Inventory No	Location	Company	Officer Name	Designation	Submission Date
Sep 2014	20140918153918	0910181937	Kualiti Alam Sdn Bhd	HQ Officer	1	18/09/2014
Sep 2014	20140915162855	0910181937	Kualiti Alam Sdn Bhd	HQ Officer	1	15/09/2014
Sep 2014	20140915162805	0910181937	Kualiti Alam Sdn Bhd	HQ Officer	1	15/09/2014
Sep 2014	20140915152641	0910181937	Kualiti Alam Sdn Bhd	HQ Officer	1	15/09/2014
Sep 2014	20140910192903	0910181937	Kualiti Alam Sdn Bhd	HQ Officer	1	10/09/2014

Pending Consignment Note

CN No	Transaction Date	Target Transport Date	Target Surplus Date	Waste Transporter	Waste Receiver	Status
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ONLINE ENVIRONMENTAL REPORTING (OER)



ONLINE ENVIRONMENTAL REPORTING

News

Responsible Person under Section III : Declaration
 05/08/2015

Username and Password
 22/05/2015

Submission of Online Environmental Report (OER) is a mandatory requirement under the following regulations:
 24/10/2014

[Read more](#)

User Login

Username

Password

[Forgot password?](#)

The site is best viewed in IE Version 11, Mozilla Firefox or Google Chrome.

Jabatan Alam Sekitar, Malaysia
 Kementerian Sumber Asli Dan Alam Sekitar
 Aras3, Podium 3, Wisma Sumber Asli, No.25, Persiaran Perdana, Presint 4, 62574 W.P. PUTRAJAYA
 General Line: 03 - 8871 2000 / 8871 2200 Fax: Number : 03 - 8889 1973/75

CONTINUOUS EMISSION MONITORING SYSTEMS



CONTINUOUS EMISSION MONITORING SYSTEM

Ringkasan Status Data Telikin oleh Peminis Industri berdasarkan Negeri

Negeri	Not Up To Date (%)	Up To Date (%)
JOHOR	10	90
NEGERI SEMBILAN	10	90
SELANGOR	10	90
PERAK	10	90
PAHANG	10	90
PUTRAJAYA	10	90
MELAKA	10	90
TERENGGANU	10	90
KUALA LUMPUR	10	90
SARAWAK	10	90
SABAH	10	90
Labuan	10	90
Malaysia	10	90

*Note: Up to date refers up to 14 days data availability

- HOME
- INDUSTRIAL PERMIT MANAGEMENT
 - New Industrial Permit Registration
 - Update Industrial Permit
 - Delete Industrial Permit
 - View Industrial Permit
- USER PROFILE MANAGEMENT
 - Service Configuration
 - Add-New Data Pointing
 - Posting Status
- MANAGEMENT
 - Permissible Limit Configuration
- REPORTING
 - Limit Exceedance Report
 - Data Report
 - Posting Report
 - Overall Summary Data
- USER MANAGEMENT
 - User Registration
 - Update User
 - Delete User
 - User Profile
- SYSTEM MANAGEMENT
 - Logout

CONTINUOUS EMISSION MONITORING SYSTEM (CEMS)

Jabatan Alam Sekitar Malaysia

USER LOGIN

Username:

Password:

LINKS

- Department of Environment
- Ministry of National Resources and Environment (NRE)
- Sistem Elektronik Kawalan Alam Sekitar (E-KAS)
- Monthly Discharge Monitoring Report
- CEMS Guideline
- System Manual

Contact: Person/System Admin
 • hain.nordin@doe.gov.my

CONTINUOUS EMISSION MONITORING SYSTEM (CEMS)

JABATAN ALAM SEKITAR MALAYSIA

MOBILE ENFORCEMENT



PURPOSE

- Expedite enforcement action on site
- Compound on the spot
- Field citation on the spot

EQUIPMENT COMPONENT

- *M-Force*
- *PDA(handheld) + Portable Printer*
- *Rugged Tablet + Portable Printer*
- *Middleware System (Upload/Download ke E-KAS)*

M-FORCE DEVICE



M-Force on Site



Field inspection in industrial premises



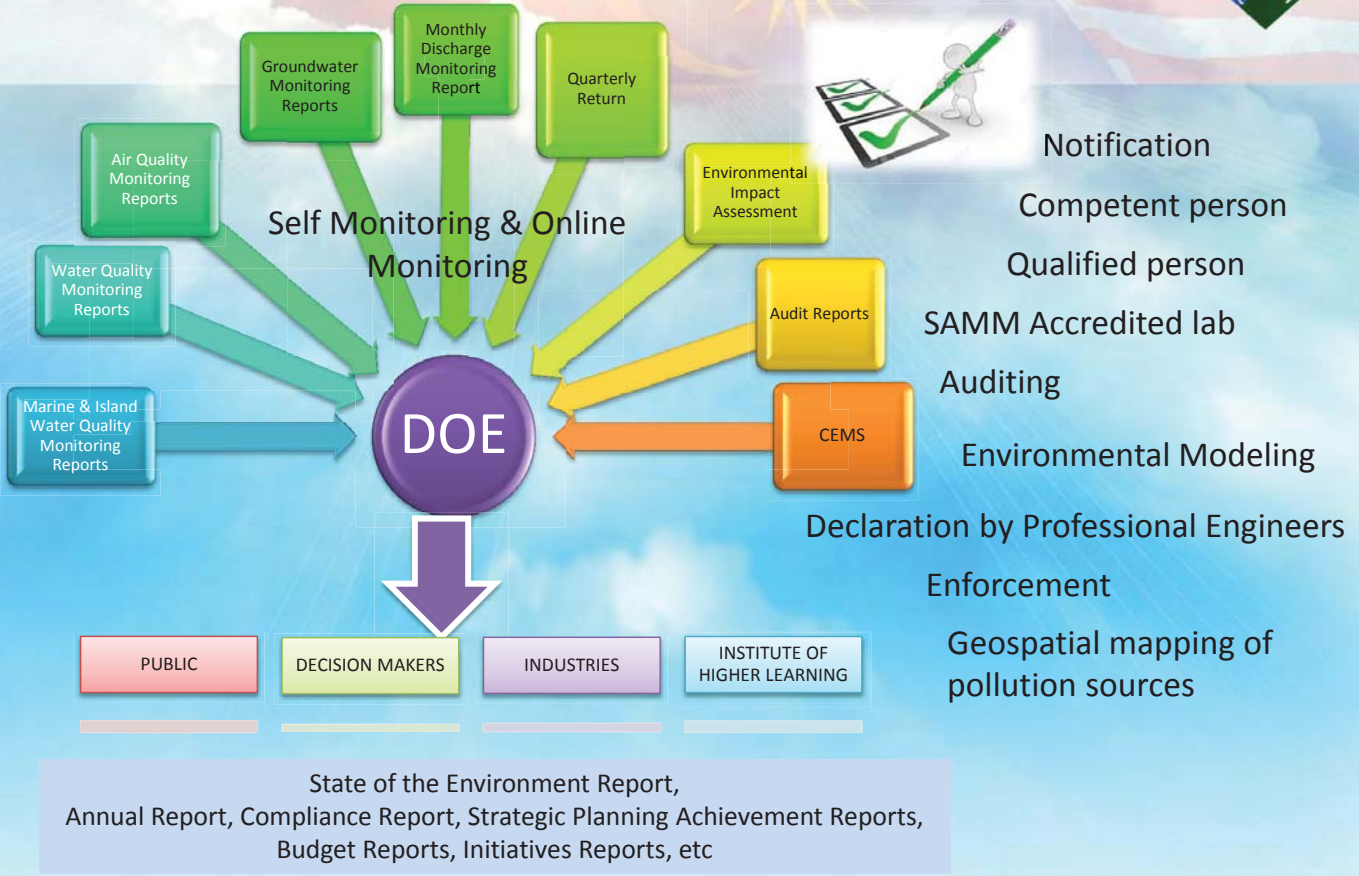
Inspection on emission from motor vehicles



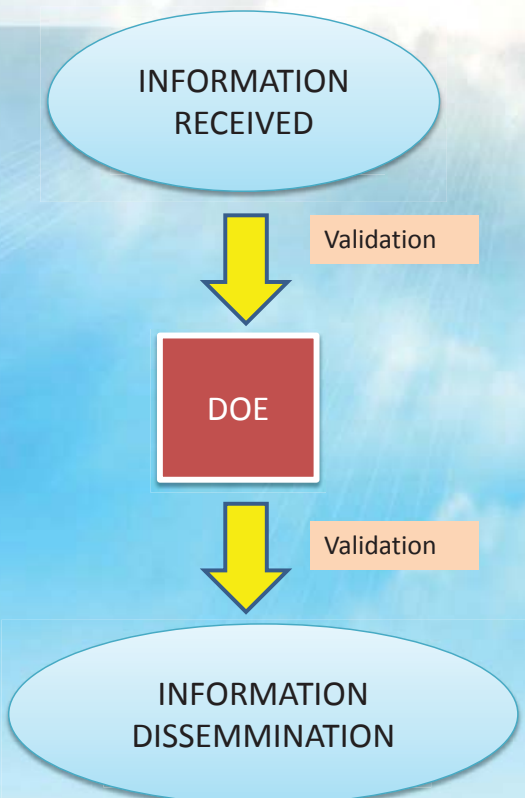
DATA VERIFICATION AND VALIDATION PROCESS



How to validate?



VALIDATION PROCESS – CURRENT PRACTICES & IMPROVEMENTS TO BE MADE



- ✓ Cross check
- ✓ Validation
- ✓ Enforcement
- ✓ DOE Training centre providing certification course for both DOE's officers (inspection) & industries (operation).

Examples of Environmental Reporting validation process for water quality monitoring data

Validation

- (1) BOD < COD
- (2) TC > EC
- (3) DO, T & DO Saturated charts
- (4) Historical data

Statistical Tests

- Significant difference between average WQ previous year & current year

Sampling audit

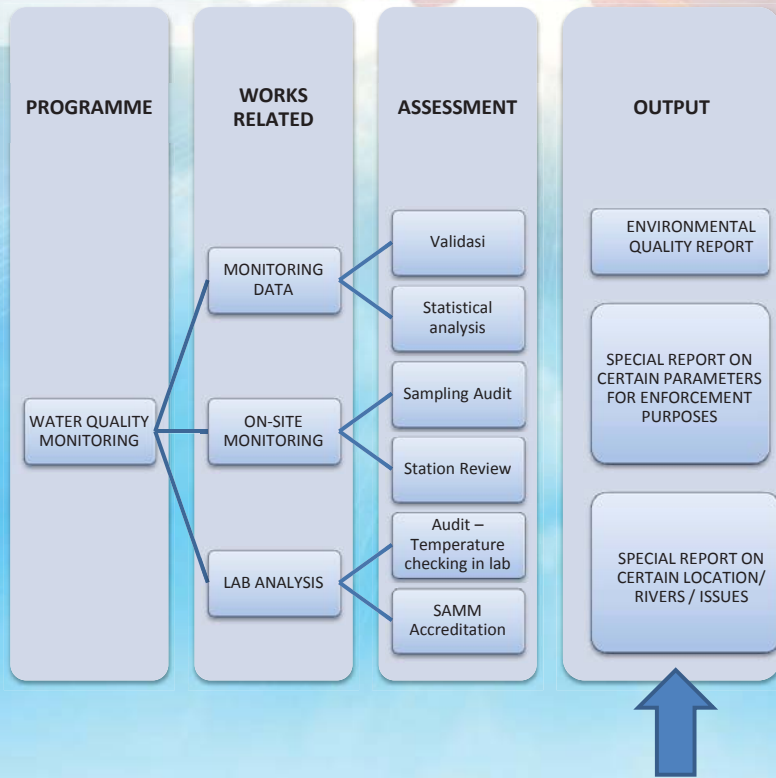
- Sampling & Preservation Procedure, Chain of custody, etc.

Station Review

- Existing of new source of pollution, sampling point – according to the depth & length of the rivers, etc.

Audit at labs

- Ensure the samples received at labs are still preserved at 4oC.
- T determination – avoid checking by opening the samples bottles e.g using infrared



HIGHLY RELIABLE REPORTS

VERIFICATION NEEDED FOR SCHEDULED WASTE, SW MOVEMENT



Waste Generator Responsibility

Waste Receiver Responsibility

Disposal

- Only at prescribed premises
- License by DOE

Transportation

- License transport to handle
- Transport out of SW to disposal facilities
- Need to inform DOE
- Specific route

Inventory

- Quantity and type of SW generated, stored and disposed off
- Need to update DOE

Notification

- Generation of SW must be notify to DOE
- Once in the operation/any changes in process operation

Verification through-data analysis from WG to WR, DOE inspection

- Data and record to be analyses
- Planning on Management of Scheduled waste
- Promoting the hierarchy of SW management

CHECK AND BALANCE MECHANISME

Online reporting, Competent person requirement, training



ENHANCEMENT OF ENFORCEMENT ACTIVITIES

End of Pipe

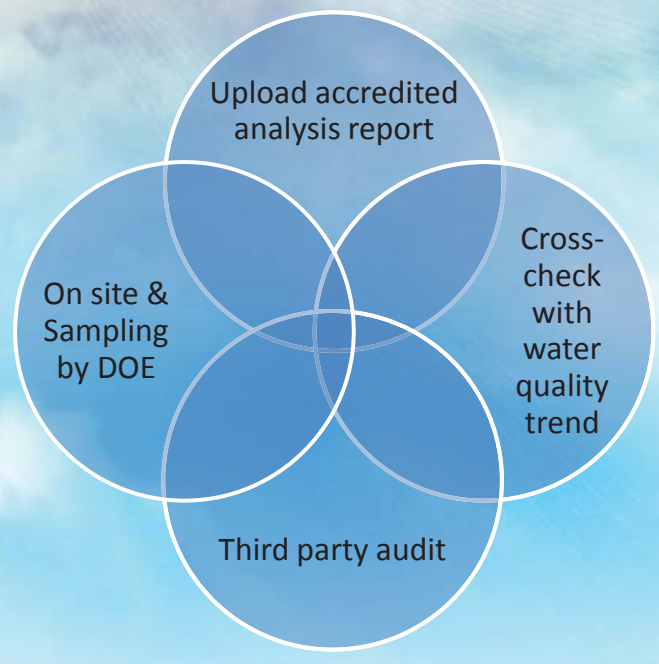
End of Pipe +
Process control

PREVIOUS PRACTISE

- Downstream activity
- Product focused
- Result focused
- 'Too late' information
- Process control

CURRENT PRACTISE

- Upstream activity
- Ingredient focused
- Process focused
- 'Early warning' information
- In control of process



IMPACT ON THE ENHANCEMENT



Daily compliance monitoring rather than "snap short result"	Lower the cost -minimize resources	Early detection for non compliance	More focus on problematic solution	Increase Capability to DOE Officer	Tracking monitoring form generation to disposal	Improving system delivery

← Widespread compliance on EQA 1974 →

CONCLUSION



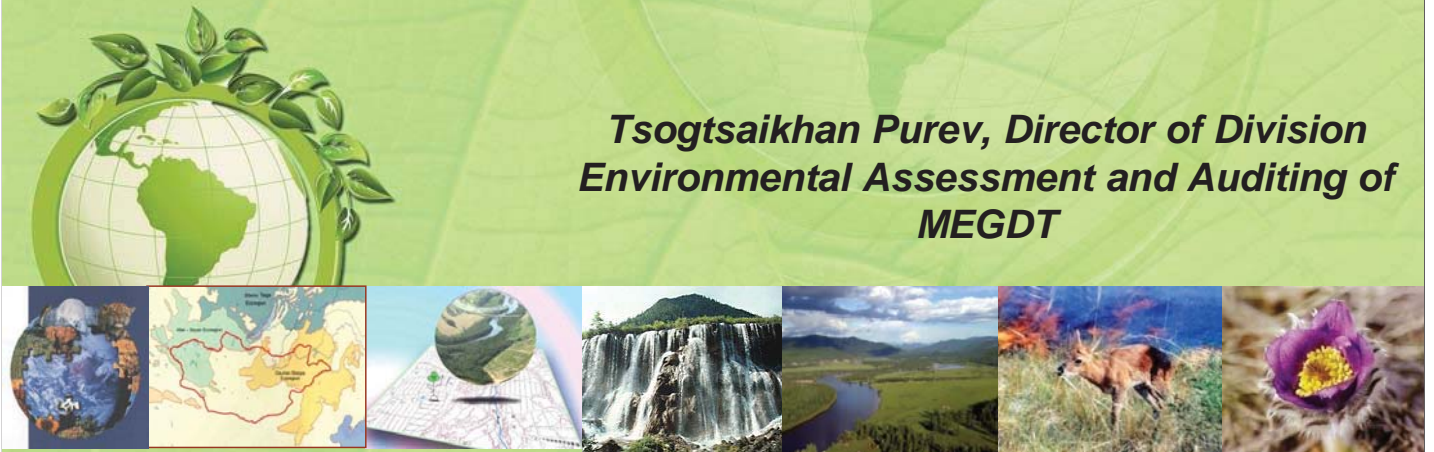
- With limited resources compared to the growing number of pollution sources, DOE has re-strategized the enforcement programme and continuously improve the compliance monitoring as to find better solution for pollution prevention and control.
- Enhancement in ICT has shown a promising trend towards reducing the cost of the enforcement implementation which could cover a larger number of pollution sources.
- Self-regulation approach that has been incorporated in enforcement strategy will contribute towards the successful implementation of new approach.

THANK YOU



Reform and Implementation of Environmental Impact Assessment legislation in Mongolia

Tsogtsaikhan Purev, Director of Division Environmental Assessment and Auditing of MEGDT



Law on Environmental Impact Assessment (EIA)

- During 1993-1994, ADB sponsored a Technical Assistance Project- EIA capacity building project and commenced EIA system in Mongolia.
- In 1998 approved first EIA Law by the Parliament Mongolia. On the based this law, conducted more than 10 special guidelines relating EIA system by MNE experts.
- In 2002, has approved new amendments to the EIA Law and improved legal system of EIA.
- In 2012, many amendments included in to Law on EIA and it was approved as reformed wording law.

The objective of Law on EIA.

To ensure safe and healthy sphere of human, to prevent from nature pollution, protect from loss of environmental balance, use of natural resource with minor negative impacts, assessment and conclusion of environmental impacts of the regional and sectoral policy, project which related natural use, regulate stakeholders relation in to EIA.

This law has been changed 80per cent and has 5 chapters, 20 articles.

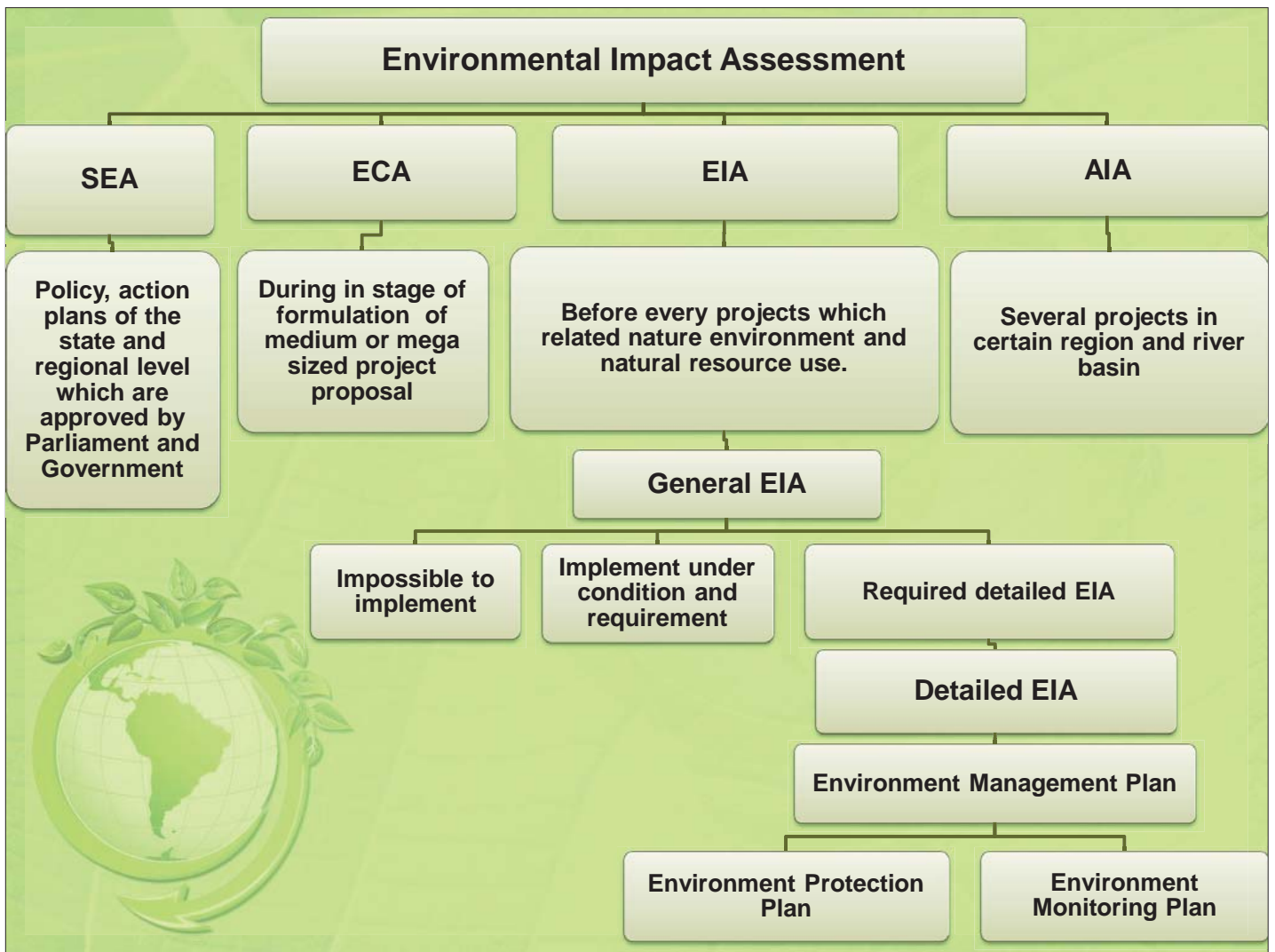
Following amendments were reflected in EIA law in 2012

- Classifications/types of EIA
- Quality of EIA, general requirements
- Reflected new conceptions of Strategical and Accumulative Impact
- Improve stakeholders duties and responsibilities
- Environmental management plan, financial guarantee of conservation of nature and its decision
- Insure of community participation in EIA, inform to public
- Analyze of assessment, improve of coordination for verification.

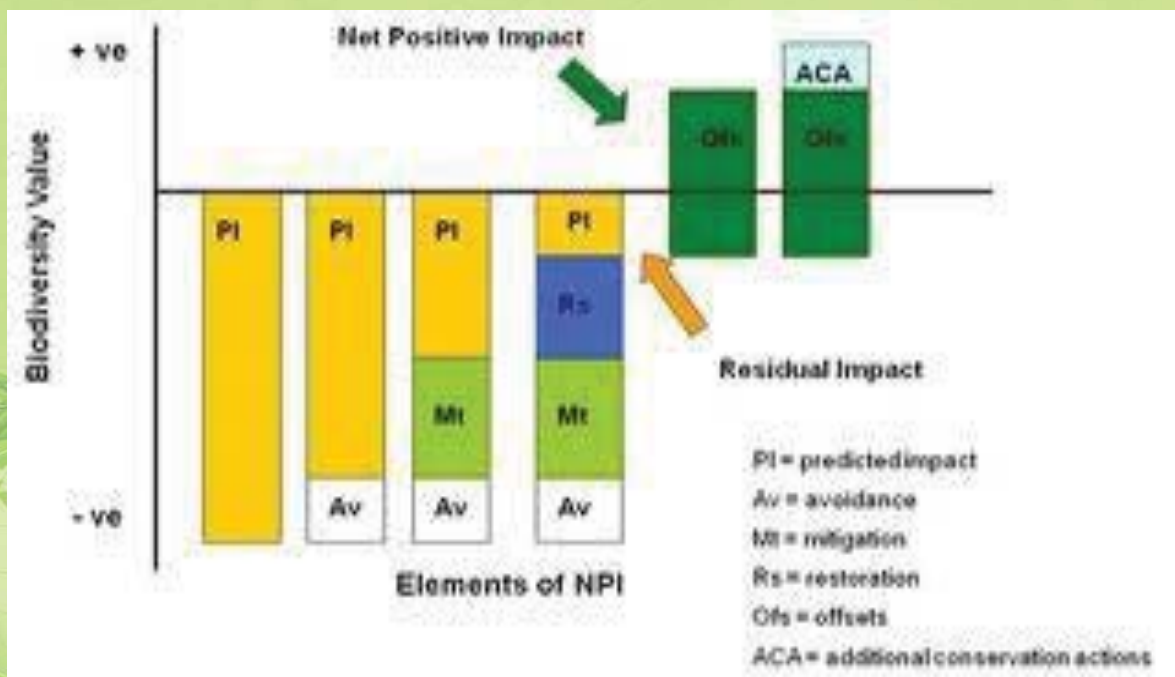
Principles of EIA

- **Conform with International and Local standards and respond its requirements**
- **Community participation of project area**
- **Avoidance from negative impact**
- **Mitigation of negative impacts, damage and pollution**
- **Restoration and rehabilitation**
- **Biodiversity offset program implementation**
- **Budget and proper management of nature protection**





- Biodiversity offset program reflected in new law on EIA.



- .Banks, financial and investment organizations necessarily consider of the EIA and not to support negative impact project to environment and human health.(17.1)



- In the law on EIA reflected chapter about local community participation on certain stages of EIA



EIA stakeholders

- Ministry of Environment Green Development and Tourism
- Aimag (Provincial) Environmental Protection Agency (EPA)
- Chief expert of the EIA
- Other EIA experts of Ministry and local EPA
- Professional commission of EIA
- Project implementation entities/ companies
- Professional organizations (EIA companies)
- Local Governor which project implementation territory
- Local community of area of Project impacts

- By the law EIA professional commission works in order to give conclusion, and recommendation on EIA reports, result and conclude a decision. (4.2)
- Several representatives of other sectors as energy, infrastructure, agriculture, public health and scientists are admitted in EIA professional commission.

Implementation of law on EIA

- On 16 Nov 2013 Order of Environmental Impact Assessment was approved by Government resolution # 374
- Order of Strategical and Accumulative Impact assessment was approved too.
- On 06 Jan 2014 Order of Community participation in EIA, Method of the EIA, Order of formulation, approving and reporting of the Environmental protection management plan .



Capacity building of EIA

- New division of EIA and auditing was established in the Ministry.
- Experts: General expert,
 - EIA expert
 - Strategic assessment expert
 - Accumulative Impact assessment expert
 - Mining EIA expert
 - Infrastructure, Agriculture EIA experts
 - Environmental Auditing expert
- The 21 experts work in provincial level



Public awareness on EIA

- Capacity building of EIA experts and EIA companies
- Sharing of information, wide of network
- Partnership between government organization and private sector
- Stakeholders meeting and training



Professional organizations (EIA companies)

➤ By the 31 July 2015 the 168 EIA companies issued the right to make EIA.

➤ Of which 40 percent active



In the future

- Improve responsibilities of EIA companies
- Environmental team be in structure of Project implementation entities
- Work on strategic assessment of other sectors policy
- Attestation of EIA companies
- More capacity building of government and private sectors experts
- Develop linking of EIA with social and economical assessment

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Thank you for attention

Current Enforcement and Compliance on Environment in Vietnam

Presented by **Huy Xuan Hoang** and **Tuan Anh Vu Le**
Ministry of Natural Resources and Environment of Vietnam

Bangkok, Thailand, September 2015

Contents

- Institutional framework
- Legal framework
- Some main measures and tools
- Current gaps and constraints
- Need for further improvement

Institutional framework

Two parallel organizations:

- Three levels
Central: The Ministry of Natural Resources and Environment (Department of Inspection)
Provincial: Department of Natural Resources and Environment (Division of Inspection)
District: Division of Natural Resources and Environment
- Three levels
Central: The Ministry of Police (Department of Environmental Police)
Provincial: Department of Police (Division of Environmental Police)
District: Environmental Police Team

Legal framework



The current measures and sanctions applied in environmental protection are divided into 3 types/levels:

1. Criminal
2. Administrative
3. Others including incorporated/regulated in the office/factory regulation, village regulation, conventions and custom

Legal framework



Main laws:

- Law on inspection 2010
Providing more competence for inspectorial organizations and officers
- Law on environmental protection 2014
- Law on handling of administrative violations 2012
- Vietnam Criminal Code 2009

And others

Some main measures and tools



1. Periodical monitoring

LEP 2014, every project must comply with regulations/requirements on EIA, projects' owners have to conduct monitoring at project sites and report to local authorities

EIA report + Periodical reports (6 month and annual reports)

2. Technological equipments

Two forms are applied:

- Direct: Quick test/measure, using 24 professional technical types of equipment, regulated in Degree 165/2013/NĐ-CP 12 Nov 2013 on the list of professional technical types of equipment for detecting administrative violations on environment (mainly used by environmental police).

Some main measures and tools



- Indirect: Samples are sent to Labs for analysis, procedures regarding samples (taking, reserving and analyzing) in accordance with the Vietnamese Standards and The National Technical Regulations, and ISO/IEC 17025: 2005 (mainly used by inspectorial organizations)

3. Information provision and sharing

Implemented through different forms:

- LEP 2014 (Provision 134): Responsibility to periodical and annually report on environmental protection activity
- Receiving information from investigative and newspaper reports, media,...
- Submissions from local communities/people or hotlines establishment,...
- Opening to the public violated organizations/people through mass-media (Law on handling of administrative violation, Provision 72)
- Exchanging information among organizations such as state management agencies, environmental police, court, social organizations,...

Current gaps and constraints



1. Awareness

Limited awareness of:

- Managerial staff of sectors and authorities at all levels (*only NRE sector is responsible for environmental protection*); not synchronous in implementation of supervision and control in environmental protection activity).
- Enterprises, many are not complying with LEP, investment for EP is low, some do not operate equipments to reduce costs (resources, chemicals and energy).
- People, in general, many do not have self-awareness on environmental protection.

Current gaps and constraints



2. Institutions

- Human resources

Lack of quantity: average 29 environmental staff per 1 million people; staff's capacity has not met the requirements

- Tools

Limited financial resource for monitoring equipments, currently mostly equipped for the ministry

Current gaps and constraints



3. Related law and policy

- Legal documents for administrative violations:

Shortcomings:

- + Only focus on roles and responsibilities of state-management agencies; missing mechanism and policy for mobilizing/encouraging participation of the whole society as well as every enterprise and individual in environmental protection

- + Measures/sanctions are not strong enough (Some enterprises/people accept to be fined instead of investing to protect the environment.

- Legal documents for criminal violations/acts:

- + Currently only regulate for individual (person), not yet for organizations (factories, plants, manufactories), violated organizations are treated by other sorts of sanction (administrative, economic, civil)

- + Missing guidance to determine amount/quantity of environmental damage for defining name and level of crime

Need for further improvement/support



1. Capacity development for environmental inspectors through international and regional workshops, seminars and training courses.
2. Development of set of indicators on environmental enforcement and compliance
3. Development and implementation of the project on “Roles and participation of communities in the implementation of environment impact assessment”

THANK YOU FOR YOUR ATTENTION!

Next Generation Compliance

Creating Public Trust in the Enforcement System

Atty. Michael Drake P. Matias
EMB-DENR

DENR – EMB as a law enforcement agency

- The Philippine Environmental Impact Statement System (EIA Law)
- The Clean Water Act of 2004
- The Clean Air Act
- Toxic substances and Hazardous and Nuclear Wastes Act
- Solid Waste Management Act

Enhanced public participation in pre-development stage

- EIA Scoping Process
 - Public and Technical
- EIA Study Preparation
- Public Consultation or Public Hearing

Monitoring and Enforcement

- Compliance Monitoring Reports
- Compliance Monitoring and Validation Reports
- Inspection and Investigation
- Public and facilitated environmental adjudication process
- Coordination with the Environmental Ombudsman

Transparency

- Posting of ECCs and CNCs issued in the EMB website
- Posting of CMVR in the EMB website
- Regular conduct of an effective Information, Education and Communication (IEC) Program
- Creation of a Multi-Partite Monitoring Team (MMT)

Transparency

- Installation of closed circuit television (CCTV) cameras on stacks as well as Continuous Emission Monitoring Systems
- Posting of Air Quality Monitoring Station Results (Air Boards, Website)

Actions needed to create or enhance public trust

- Strict and immediate implementation of penal provision of environmental laws (e.g. issuance of CDOs and imposition of fines)
- Posting in the website of projects/developments that violates or have cases pending with the Pollution Adjudication Board of the DENR
- Making the public aware and involving them in every part of the process

Actions needed to create or enhance public trust

- Active participation of the local government units having jurisdiction over the project
- Active role taken by the environmental ombudsman in prosecuting official involved in corrupt practices.

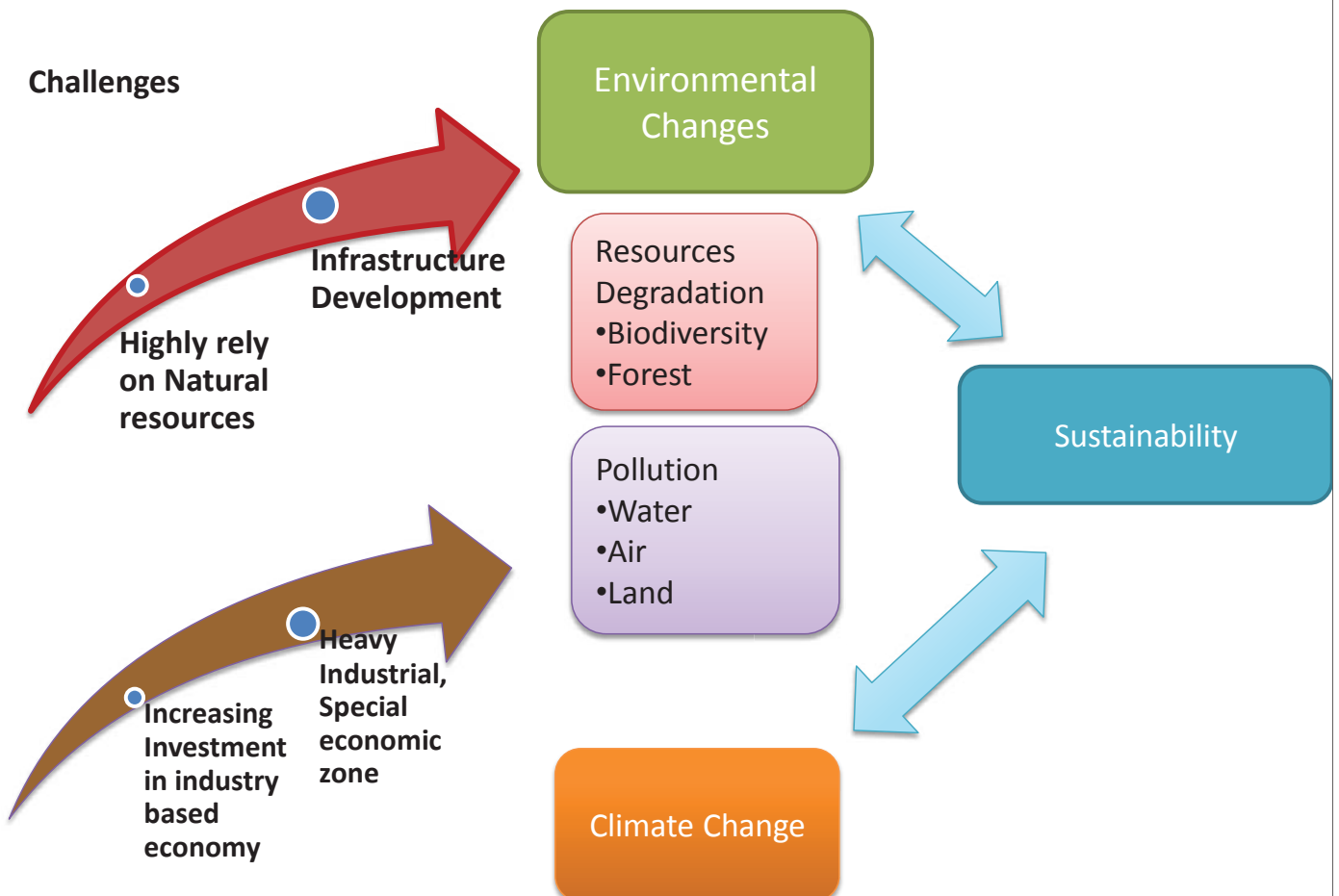


Effective Collaborations between the Public and Private Sector in Achieving Next Generation Compliance Goals

Min Maw
Deputy Director
Pollution Control Division
Environmental Conservation Department
Ministry of Environmental Conservation and Forestry
Myanmar
Email: mingmaoforester@gmail.com

Economic Development and Environment

Challenges



Regulations

- Environmental Policy (1994)
- Constitution (2008)
- Myanmar Agenda 21 (1997)
- National Sustainable Development Strategy –NSDS (2009)
- Environmental Conservation Law (2012)
- Environmental Conservation Rules (2014)
- Procedures for Environmental Impact Assessment (Drafting)
- Environmental quality standards (Emission Guidelines-final draft)
- Myanmar Investment Law (2011)
- Myanmar Investment Rules (2013)
- Notifications for Investment (2013)

Policy and Strategies for sustainable development in Myanmar

National Environmental Policy (1994)

- To achieve harmony and balance between socio-economic, natural resources and environment through the **integration of environmental considerations into the development process** enhancing the quality of the life of all its citizens.
- Environmental protection is should always be the **primary objective in seeking development**

Constitution 2008

Duties of State and the People for Environmental Conservation

Sec. 45

The Union shall protect and conserve natural environment

Sec. 390 (b)

Every citizen has the duty to assist the Union carrying out the environmental conservation

5

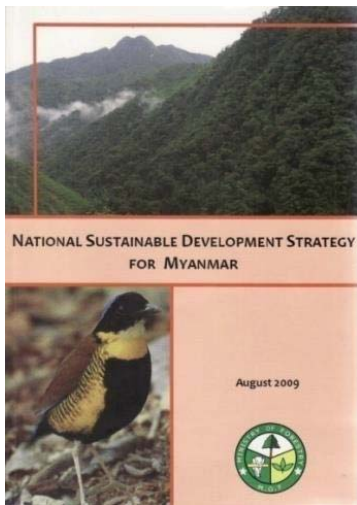
Myanmar Agenda 21 (1997) and Next Generation Compliance



Public Education and public participation in Sustainable Development

- Environmental education and awareness programmes
- National Database and information Systems
- Participation of major groups; such as, youth, women, NGOs, Private, Academic.

National Sustainable Development Strategies-NSDS (2009) and Next Generation Compliance



Vision of Myanmar NSDS is “**Wellbeing and Happiness for Myanmar People**”

- Sustainable management of natural resources
- Integrated Economic Development
- Sustainable social development
- NGOs, INGOs, Civil Society Organizations (CSOs) and scientific communities/ organizations are engaged in activities such as advocacy, awareness-raising and education initiatives in the sustainable development process

Environmental Conservation Law (2012)

Environmental Rules (2014) and Next Generation Compliance

- To propose incentive mechanism, terms and conditions for **green initiatives for sustainable development** to mainstream into the development sectors
- To establish **Integrated Environmental Monitoring System**
- To conduct **Environmental and Social Impact Assessment (EIA and SIA)**
- To carry out **sustainable management and utilization of Natural Resources**
- To handle **waste management**
- To set Environmental Management **Fund: PES, PPS,**

To reduce environmental impact and control environmental pollution
environmental quality standards:

- (a) suitable **surface water quality standards** in the usage in rivers, streams, canals, springs, marshes, swamps, lakes, reservoirs and other inland water sources of the public;
- (b) water quality standards **for coastal and estuarine areas;**
- (c) **underground water** quality standards;
- (d) **atmospheric** quality standards;
- (e) **noise** and **vibration** standards;
- (f) **emissions** standards;
- (g) **effluent** standards;
- (h) **solid wastes** standards;
- (i) other environmental quality standards stipulated by the Union Government.

Monitoring

Maintain a comprehensive monitoring system and implement by Ministry or in co-ordination with relevant Government departments and organizations in the following matters:

- (a) **the use of agro-chemicals** which cause to impact on the environment **significantly;**
- (b) transport, storage, use, treatment and disposal of **pollutants and hazardous substances in industries;**
- (c) disposal of **wastes** come out from exploration, production and treatment of minerals, industrial mineral raw materials and gems;
- (d) carrying out waste disposal and sanitation works;
- (e) carrying out development and constructions;
- (f) carrying out other necessary matters relating to environmental pollution.

Prioritisation of areas to be monitored

The first priority area should be the monitoring of the air and water quality both in all parts of the country. The monitoring of pollution in urban areas is of particular urgency to support development efforts, especially land use planning and the siting of industrial areas.

The second priority area should be the monitoring of trends in the utilisation of natural resources. Periodic assessments should be made of the following :-

- (i) forest and biodiversity resources ;
- (ii) living and non-living coastal resources including fisheries, lagoons, mangroves, corals and island ecosystems ;
- (iii) water resources including wetlands and watersheds ; and
- (iv) the number, location, species and status of threatened and endangered species.

Environmental Conservation Law (2012)
Environmental Rules (2014) and Next Generation Compliance

reduce environmental impact by project proponent/ business owner/private

A person causing a point source of pollution shall treat, emit, discharge and deposit the substances which cause pollution in the environment in accord with stipulated **environmental quality standards**.

The owner or occupier of any business, material or place which causes a point source of pollution shall install or use an on-site facility or controlling equipment in order to monitor, control, manage, reduce or eliminate environmental pollution. **If it is impracticable**, it shall be arranged to dispose the wastes in accord with environmentally sound methods.

reduce environmental impact by project proponent/ business owner/private

A person or organization operating business in **the industrial estate** or business in **the special economic zone** or **category of business** stipulated by the Ministry:

- (a) is responsible to carry out by contributing the stipulated cash or kind in the relevant combined scheme for the environmental conservation including the management and treatment of waste;
- (b) shall contribute the stipulated users charges or management fees for the environmental conservation according to the relevant industrial estate, special economic zone and business organization;
- (c) shall comply with the directives issued for environmental conservation according to the relevant industrial estate, special economic zone or business.

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Environmental Impact Assessment Procedure (Draft)

Pursuant to Section 7 of the Law, **all Projects which need to conduct IEE or EIA** undertaken in Myanmar by any ministry, government department, organization, corporation, board, development committee, local government or authority, company, cooperative, institution, enterprise, firm, partnership or individual are **required to undertake IEE or EIA** and **all projects shall have to obtain an ECC in accordance with this Procedure.**

14

Environmental Impact Assessment Procedure (Draft)

- **Existing Projects or Projects under construction before the issuance of this Procedure shall develop an EMP within a timeframe prescribed by the Ministry and such EMP shall be subject to the review and approval of the Ministry.**
- **The Project Proponent shall arrange for appropriate public consultation through all phases of the IEE and EIA process as provided for in this Procedure.**

15

Environmental Impact Assessment Procedure (Draft)

The Project Owner shall, during all phases of the Project (pre-construction, construction, operation, decommissioning, closure and post closure), engage in continuous, pro-active and **comprehensive self-monitoring of the Project and activities related thereto, all Adverse Impacts, and compliance with applicable laws and standards, the ECC, and the EMP.**

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Environmental Impact Assessment Procedure (Draft)

The Ministry has the right, using its own officers at national, regional, state and/or local offices, the services of any consultant, or both, to conduct monitoring and inspections of a Project and activities related thereto in order to control and determine compliance by the Project with all applicable environmental and socio-economical requirements and, where possible, to prevent violations of the Project's obligations.

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The Foreign Investment Law, 2012

- significant follow to the government's reforms and **to promote sustainable economic development by growing foreign investments** in Myanmar.
- The investors **has to carry out not to cause environmental pollution or damage** in accord with existing laws in respect of investment business by this law.

18

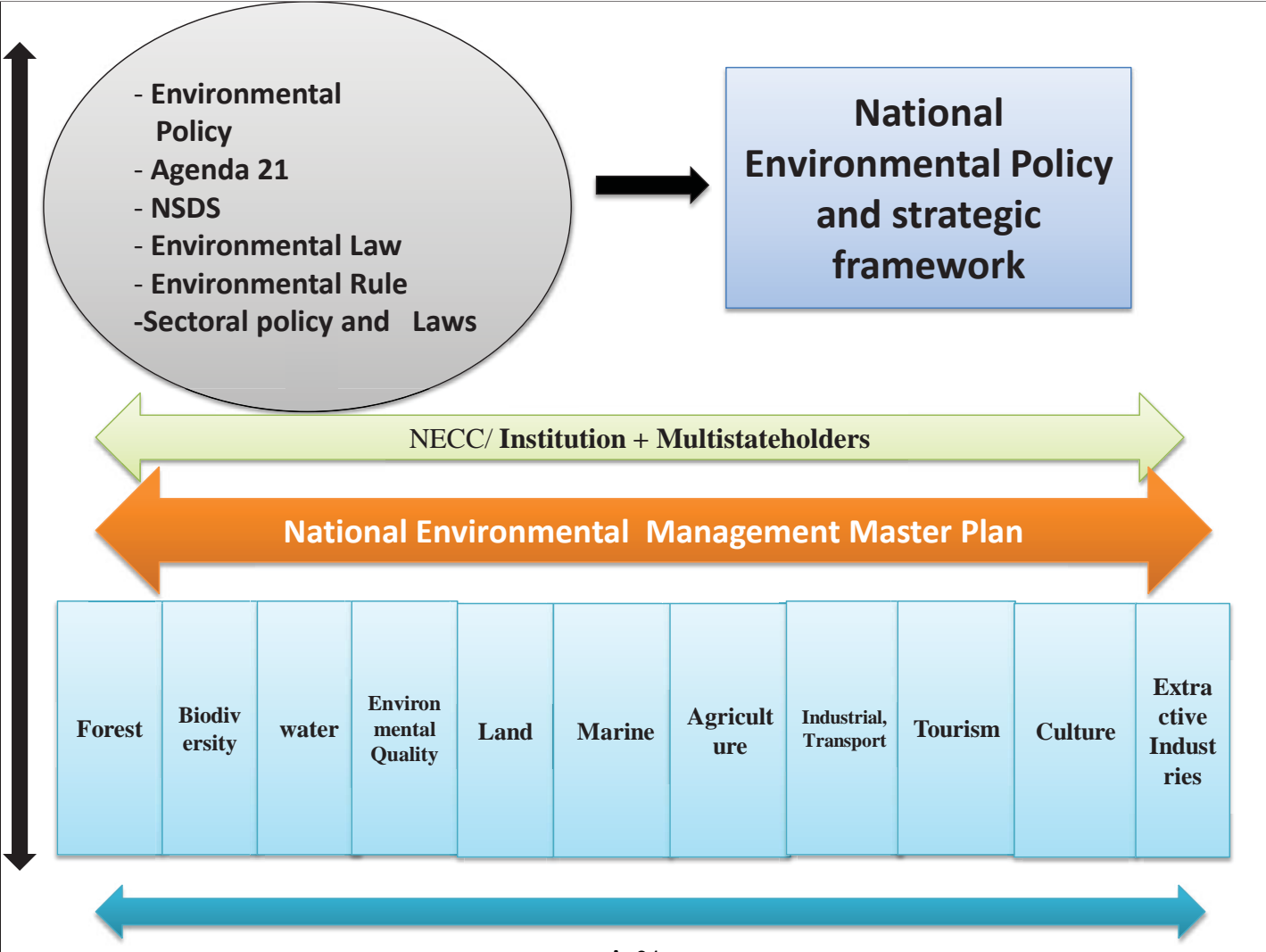
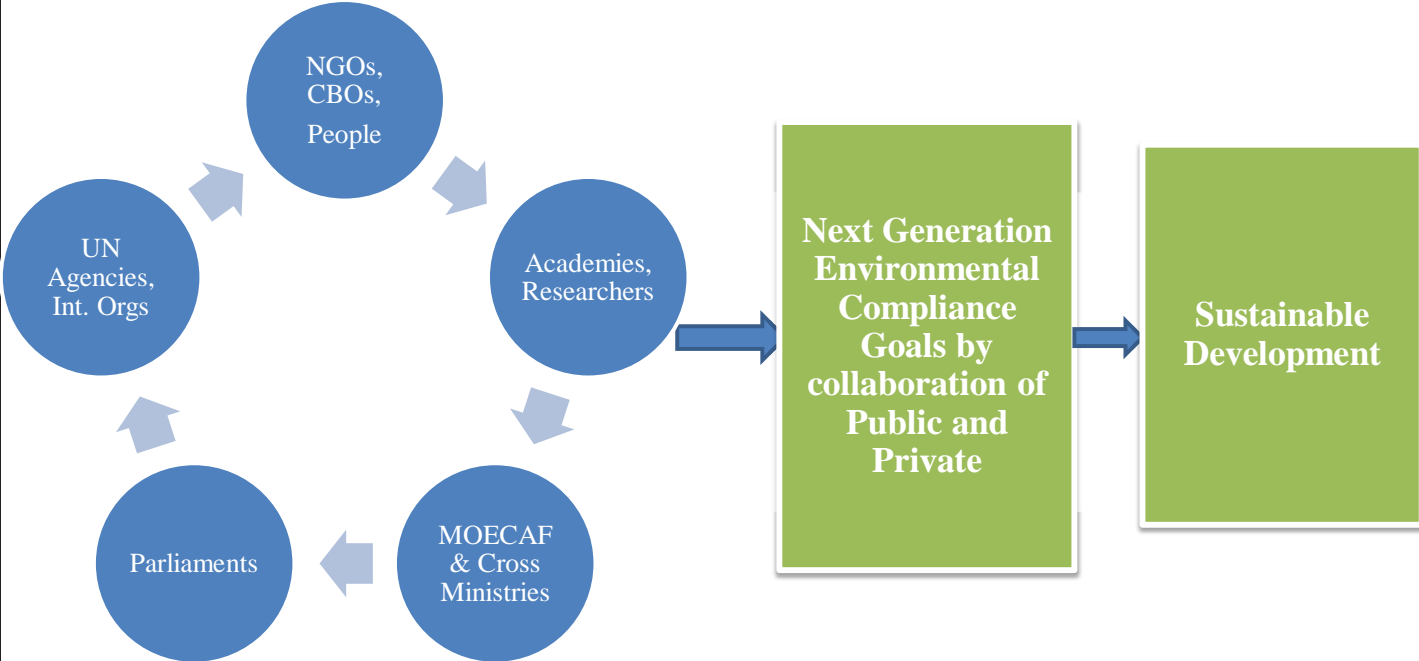
Standards of Myanmar Investment Commission

1. Compliance with **new investment law**
2. **Paying intensive attention to environmental conservation**
3. Paying special attention to **social impacts**
5. Applying the auditing system in line with **international standards** in the financial sector
6. Creating **job opportunities** for the majority
7. Enabling compliance of existing **labor laws**
8. Enabling to **corporate social responsibilities**
9. **Technology** transfer

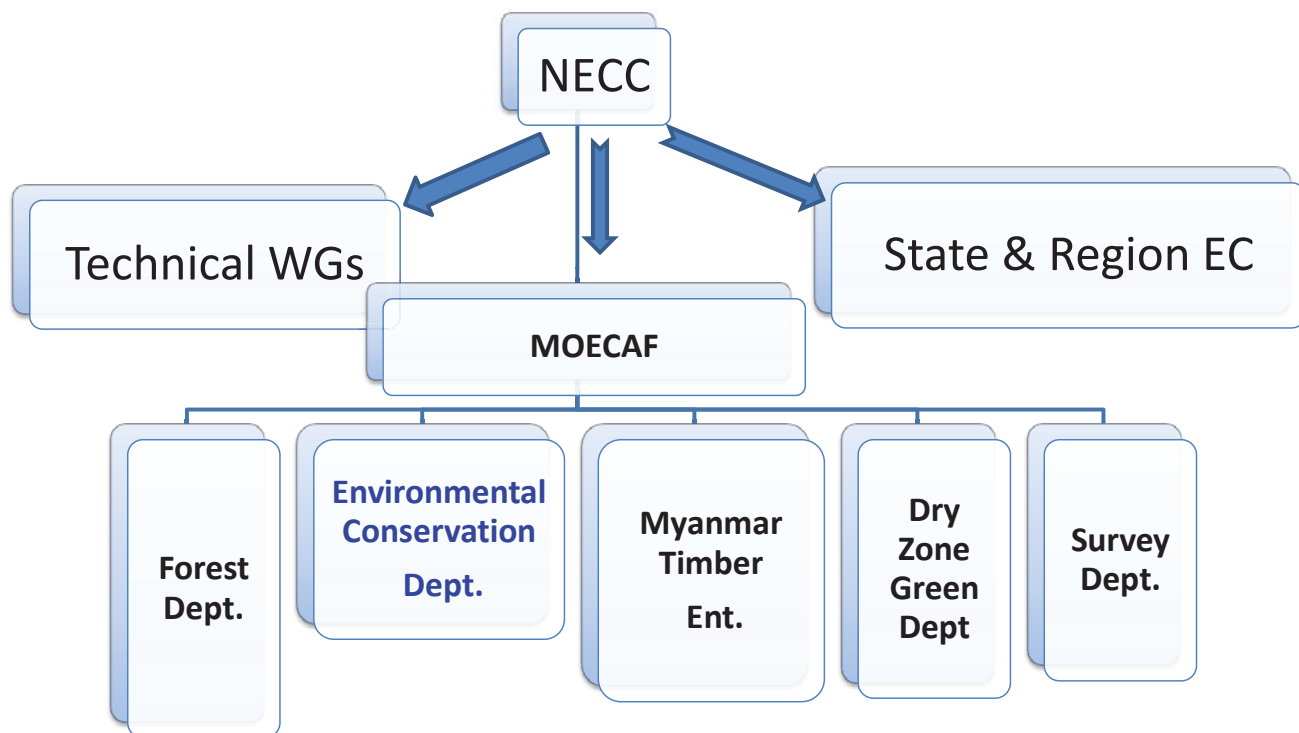
Policy guidelines : Guidelines of Investment by MIC



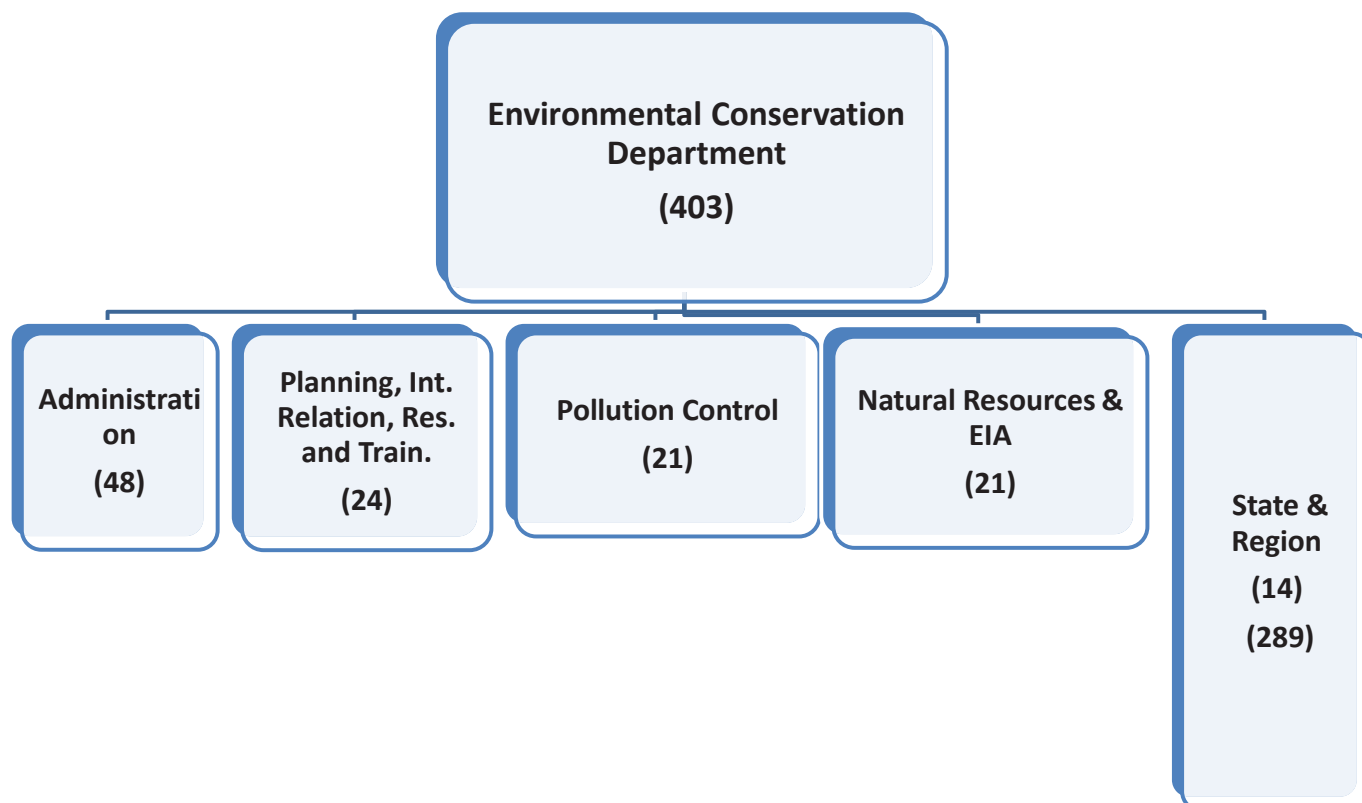
The Way Forward Collaborative effort



Institutions for Environmental Compliance



Environmental Conservation Department



Priority areas for Country Next Generation Environmental Compliance

- To formulate Environmental Policy, Strategic Framework and Action Plan
- To strengthen institution and the capacity building,
- The coordination mechanism among different sectors and NGOs, privates and local communities
- To develop national environmental quality & standards
- To formulate National Environmentally Sound Waste and Chemical Management Policy and Framework
- To develop SIA for Social Safeguards
- To conduct environmental awareness programme through raising aware, promoting participation and environmental education
- To develop comprehensive monitoring mechanism
- To promote regional and international cooperation



THANK YOU

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**MINISTRY OF ENVIRONMENT
CAMBODIA**

Panel 2: Role of the Public and the Regulated Community
“Ensuring engagement of the public and regulated community in development of new environmental code”

SUM Sokhamphou, Deputy Director General, General Department of
Environmental Protection
Next Generation Compliance in Asia
September 21-23, 2015
Anantara Riverside Hotel
Bangkok, Thailand

9/21/2015

1

Content

- I. How to encourage public to express their hidden interests in participating in the process?**
- II. How to encourage them to be pro-active?**
- III. How to ensure sustainable participation?**

9/21/2015

2

Definition of the Topic

- **Public : General Public** (Government and local authorities excluded, but include local community, minority ethnic, Students, Researchers, ...) **& regulated community** (CSO, IO, Academic institutions, law firm, regulated State Owned Enterprise .etc.)
- **Free Participation** vs **regulated participation**
- **Why regulated participation?**
 - ✓ Law making, an exclusive work for jurist and/or law maker Vs works for all to secure their respective interests
 - ✓ From law, as tool to govern and regulate to law as tool to self regulate (Social Contract)

9/21/2015

3

I. How to encourage public to express their hidden interests in participating in the process?

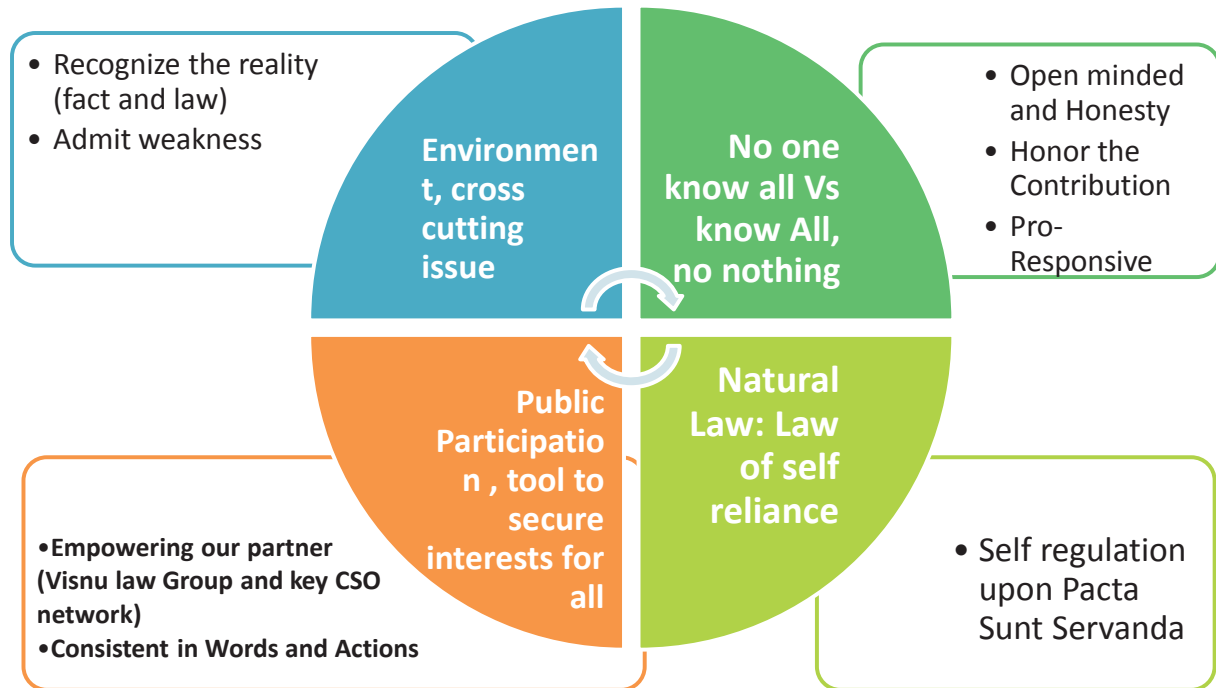
Ground for building relationship & “Common Interest, as Guiding Principle”

- Know what we want (expected products, quality of products, content and subject matter, what we can offer and what we cannot)
- Know who we want to talk to and work with
 - » CSO, international development partner (CSO sponsors),
 - » Private sector (relevant sector selected in alignment with determined objective (goal))
- Know why our partner don't want to talk to us (don't trust us?)
- Know what our partners really want to hear from us (respect, dignity, equal treatment, secured interests, fairness, promotion of their right and interests...)

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4

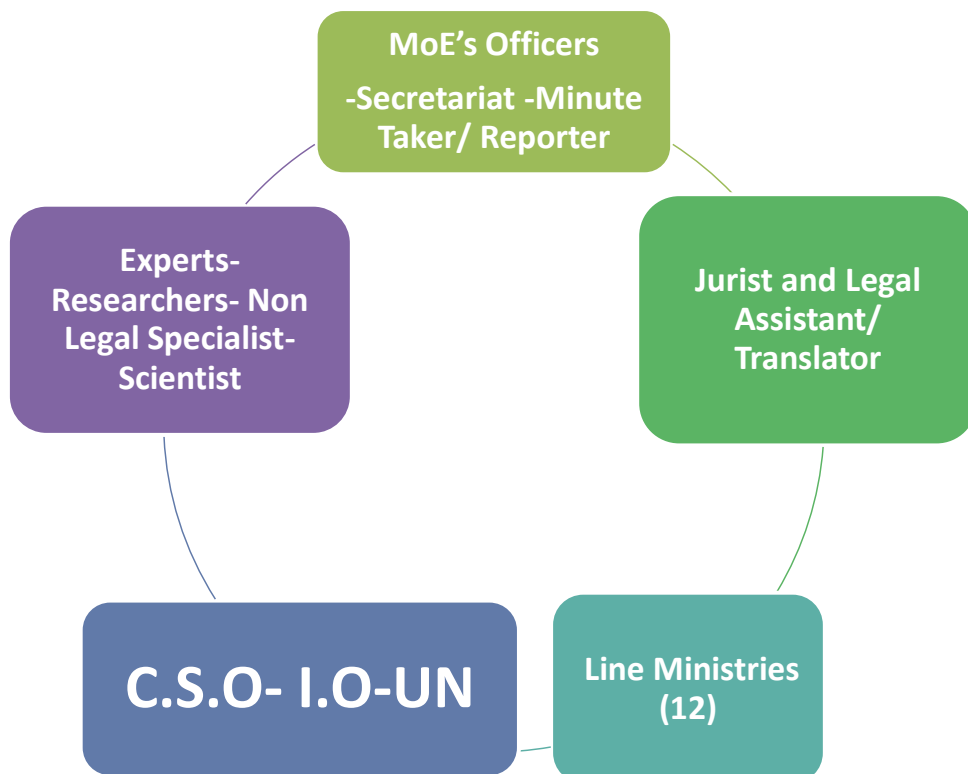
II. How to encourage PUBLICs to be pro-active? Self Participation and Pro-Promotion



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Composition of TWG : As Determined Factors to encourage broader participation



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III. How to ensure sustainable participation from stakeholders? What to regulate?

- **Environmental Code** (*and Its Guiding Value*) :
 - As a Common Passion for real and true sustainable development for the nation and for the Planet;
 - As a tool to materialize a hope to become a civilized nation
 - and Constitute ipso facto an Expert Evidence to prove the existence of a real and true friendship
- **Selecting the participants (Qualification, commitment...)**
- **Materializing the engagement** (*Letter of Interests, Official Recognition, Operational rule and Proceeding on how to participate in the day to day working progress*)
- Clear Timeline, Action plan and Permanent Development of Supporting Guidance.
- A new code of conducts for all:
 - Behave and Act as Law Maker: A new code of conducts for all participants
 - Sharing info for brighter future for all Vs access to info for a better fight or revenge

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7

The Question of
“**How to make sure the participation is effective and efficient**”

Remains one of **CONCERNS** and **CHALLENGES**

Despite

a series of mechanisms newly invented **TO AVOID OR MINIMIZE RISKS!**

Thank You !

9/21/2015

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