

Part I. LEGAL DOCUMENTS**THE GOVERNMENT**

DECREE No. 21/2008/ND-CP OF FEBRUARY 28, 2008 AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF THE GOVERNMENT'S DECREE No. 80/2006/ND-CP OF AUGUST 9, 2006, DETAILING AND GUIDING THE IMPLEMENTATION OF A NUMBER OF ARTICLES OF THE LAW ON ENVIRONMENTAL PROTECTION

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 29, 2005 Law on Environmental Protection;

Pursuant to the June 29, 2006 Law on Standards and Technical Regulations;

At the proposal of the Minister of Natural Resources and Environment,

DECREES:

Article 1.- To amend and supplement a number of articles of the Government's Decree No. 80/2006/ND-CP of August 9, 2006, detailing and guiding the implementation of a number of articles of the Law on Environmental Protection (below referred to as Decree No. 80/2006/ND-CP).

1. To amend and supplement Article 4 as follows:

" Article 4.- Transitional provisions, review

and conversion of environmental standards into environmental technical regulations

1. Environmental standards announced by the State for compulsory application shall be converted into environmental technical regulations as follows:

a/ Standards of surrounding environment quality shall be converted into technical regulations on surrounding environment quality;

b/ Standards of waste shall be converted into technical regulations on waste.

2. The Ministry of Natural Resources and Environment shall review and convert national standards of surrounding environment quality and national standards of waste promulgated before January 1, 2007, into national technical regulations on surrounding environmental quality and national technical regulations on waste.

3. The review and conversion of standards of surrounding environment quality and standards of waste into technical regulations on surrounding environment quality and technical regulations on waste shall be conducted in accordance with the current provisions of law on standards and technical regulations."

2. To amend and supplement Article 5 as follows:

"Article 5.- Responsibilities, order and procedures for formulation, promulgation and stipulation of application of environmental technical regulations

1. The Ministry of Natural Resources and Environment shall formulate and promulgate national technical regulations on surrounding environment quality and national technical regulations on waste and stipulate roadmaps and coefficients for application of national technical regulations on waste for regions, areas and sectors.

2. Provincial-level People's Committees shall formulate and promulgate local technical regulations on waste to suit their local characteristics.

Local technical regulations on waste must be stricter than national ones and be applied according to corresponding roadmaps and coefficients of regions, areas or sectors prescribed in decisions promulgating national technical regulations on waste.

3. The order and procedures for formulation, evaluation and promulgation of environmental technical regulations comply with the provisions of law on standards and technical regulations.

4. Organizations and individuals are obliged to observe technical regulations on surrounding environment quality and technical regulations on waste promulgated by competent state agencies."

3. To amend and supplement Clause 1 of Article 6 as follows:

"1. To replace the list of projects subject to making of environmental impact assessment reports included in Appendix I to Decree No. 80/2006/ND-CP with the list included in the Appendix to this Decree.

For projects subject to making of environmental impact assessment reports emerging outside the list included in the Appendix to this Decree, the Minister of Natural Resources and Environment shall consider, decide and report them to the Prime Minister."

4. To add the following Article 6a:

"**Article 6a.**- Consultation of commune, ward or township People's Committees and community representatives in the process of making environmental impact assessment reports

1. Commune, ward or township Fatherland

Front Committees (below referred to as commune-level Fatherland Front Committees) shall represent communities in contributing opinions in the process of making environmental impact assessment reports of investment projects in their localities.

2. The project owner shall send a document on the project's major investment items, environmental issues and environmental protection measures and request the commune-level People's Committee and Fatherland Front Committee of the place where the project is to be executed to give opinions.

3. Within fifteen (15) working days after receiving a written request for opinions, the commune-level People's Committee and Fatherland Front Committee shall give their opinions in writing and make them public to local people.

Past this time limit, if they issue no written replies, the commune-level People's Committees and community representatives shall be considered having agreed with the project owner.

4. Consultation of commune, ward or township People's Committees and representatives of communities in the process of making environmental impact assessment reports is not required for the following projects:

a/ Investment projects located within industrial parks, export processing zones or hi-tech parks, if the projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks have had their environmental impact assessment reports approved by competent state agencies.

If the environmental impact assessment reports of projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks were approved after July 1, 2006,

inspection and certification by a competent state agency in charge of environmental protection of the strict implementation of the environmental protection contents of the approval decision and environmental impact assessment report is required.

b/ Projects in a sea area for which the administrative management responsibility of a commune People's Committee cannot be identified for consultation in the course of making environmental impact assessment reports;

c/ Investment projects in the domain of security or defense involving national secrets.”

5. To amend and supplement Article 11 as follows:

“Article 11.- Appraisal and approval of environmental impact assessment reports

1. People's Committees of provinces and centrally run cities (below referred to as provincial level People's Committees) shall organize an appraisal council or authorize a specialized environmental protection agency of the same level to organize an appraisal council or select an appraisal service organization to appraise environmental impact assessment reports of investment projects in their localities, except for projects specified at Points a and b, Clause 7, Article 31 of the Law on Environmental Protection

2. The time of submission of environmental impact assessment reports for appraisal and approval is prescribed below:

a/ Owners of investment projects on mineral exploitation shall submit environmental impact assessment reports for appraisal and approval before applying for mineral exploitation permits;

b/ Owners of investment projects on construction of works or involving construction

items shall submit environmental impact assessment reports for appraisal and approval before applying for construction permits, except for projects specified at Point a of this Clause;

c/ Owners of investment projects not falling into categories specified at Points a and b, of this Clause shall submit environmental impact assessment reports for appraisal and approval before commencing their projects.

3. Appraisal councils or appraisal service organizations have the function of giving advice to assist competent agencies in examining and assessing the quality of environmental impact assessment reports serving as the basis for consideration and approval according to regulations.

4. When necessary, before the opening of official meetings of appraisal councils, agencies responsible for conducting the appraisal may carry out the following support activities:

a/ Survey of the project's execution site and adjacent areas;

b/ Taking samples for analysis and verification;

c/ Consulting the community in the place where the project is to be executed;

d/ Collecting comments of related experts outside the appraisal council, related scientific and technological institutions, social and professional organizations, and non-governmental organizations;

e/ Holding appraisal seminars.

5. The Ministry of Natural Resources and Environment shall issue regulations on the operation of appraisal councils and appraisal service organizations appraising environmental impact assessment reports.

6. To amend Point b, Clause 1 of Article 13 as follows:

“b/ The project is executed only after 24 months following the date of approval of its environmental impact assessment report.

In case of no change in design capacity, technology and surrounding environment, it is not required to make an additional environmental impact assessment report but a written explanation must be submitted to the approving agency.”

7. To amend and supplement Article 17 as follows:

“*Article 17.-* Registration and certification of written environmental protection commitments

1. The time of registration and certification of written environmental protection commitments is specified as follows:

a/ Owners of investment projects on mineral exploitation shall register their written environmental protection commitments for certification before applying for mineral exploitation permits;

b/ Owners of investment projects on construction of works or involving construction items shall register their written environmental protection commitments for certification before applying for construction permits, except for projects specified at Point a of this Clause;

c/ Owners of investment projects not falling into categories specified at Points a and b, of this Clause shall register their written environmental protection commitments for certification before commencing their projects

2. The registration of written environmental protection commitments for investment projects to be executed in two or more rural districts, urban districts, towns or provincial cities (below collectively referred to as districts) is prescribed as follows:

a/ Owners of investment projects shall register

written environmental protection commitments with the People’s Committee of the district where the environment will be most negatively affected by the project;

In case a project will exert the same negative impact on a number of localities, the project owner may select one of these localities for registering written environmental protection commitments.

b/ The district-level People’s Committees with which project owners register written environmental protection commitments shall consult district-level People’s Committees of other concerned districts before certifying written environmental protection commitments and notify their certification to these localities.

3. Owners of projects on a sea area in which the administrative management responsibility of a district-level People’s Committee cannot not be identified shall register written environmental protection commitments with People’s Committees of districts where they have registered for waste treatment and disposal.

For projects which do not generate any waste in a sea area for which the administrative management responsibility of a district-level People’s Committee cannot be identified, they are not required to register written environmental protection commitments.

4. The Ministry of Natural Resources and Environment shall guide the form and contents of certificates of written environmental protection commitments.”

8. To add the following Article 17a:

“*Article 17a.-* Appraisal and approval of environmental impact assessment reports, certification of written environmental protection commitments of investment projects in economic zones, industrial parks, export processing zones

and hi-tech parks

1. State agencies competent to conduct appraisal and approval of environmental impact assessment reports and certify written environmental protection commitments may authorize management boards of economic zones to appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects in economic zones provided that these management boards have units or sections specialized in environmental protection.

2. State agencies competent to conduct appraisal and approval of environmental impact assessment reports and certify written environmental protection commitments may authorize management boards of industrial parks, export processing zones or hi-tech parks to appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects in these industrial parks, export processing zones or hi-tech parks when the following conditions are fully met:

a/ These management boards have units or sections specialized in environmental protection,

b/ Projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks have had their environmental impact assessment reports approved.

If the environmental impact assessment reports of projects on construction of infrastructure of industrial parks, export processing zones or hi-tech parks were approved after July 1, 2006, inspection and certification by a competent state agency in charge of environmental protection of the strict implementation of the environmental protection contents of the approval decision and environmental impact assessment report is required.

3. Authorized management boards of economic zones, industrial parks, export processing zones and hi-tech parks shall send reports on results of appraisal and approval of environmental impact assessment reports to provincial-level environmental protection agencies and results of certification of written environmental protection commitments to district-level environmental protection agencies of the localities where the economic zones, industrial parks, export processing zones or hi-tech parks are located."

9. To add the following Article 17b:

"Article 17b.- Elaboration and approval of environmental protection schemes and examination and inspection of environmental protection work in consolidated production, business and service zones and production, business and service establishments having operated since before July 1, 2006, without decisions on approval of environmental impact assessment reports or certificates of registration of satisfaction of environmental standards

1. Owners of consolidated production, business and service zones and owners of production, business and service establishments having operated since before July 1, 2006, without decisions on approval of environmental impact assessment reports or certificates of registration of satisfaction of environmental standards, shall elaborate environmental protection schemes and submit them before June 30, 2008, to state agencies in charge of environmental protection specified in Clause 2 of this Article for approval or certification.

2. The responsibility to approve and certify environmental protection schemes and examine and inspect environmental protection work of owners specified in Clause 1 of this Article is prescribed as follows:

a/ Provincial-level environmental protection agencies shall approve and certify environmental protection schemes and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments of a nature and size corresponding to those required to make environmental impact assessment reports:

The provincial-level environmental protection agency of the place most negatively affected by a consolidated production, business and service zone or a production, business and service establishment shall consult provincial-level environmental protection agencies of concerned localities before approving an environmental protection scheme, for consolidated production, business and service zones and production, business and service establishments located in two or more provinces and centrally run cities.

b/ District-level environmental protection agencies shall approve and certify environmental protection schemes and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments in their localities, except for those mentioned at Point a of this Clause.

The district-level environmental protection agency of the place most negatively affected by a consolidated production, business and service zone or a production, business and service establishment shall consult district-level environmental protection agencies of concerned localities before approving an environmental protection scheme, for consolidated production, business and service zones and production, business and service establishments located in two or more rural districts, urban districts, towns and provincial cities.

3. An environmental protection scheme of a consolidated production, business and service zone or a production, business and service establishment of a nature and size corresponding to those required to make environmental impact assessment reports has the following principal details:

a/ General information on the size, characteristics and major activities of the consolidated production, business and service zone or production, business and service establishment related to the environment;

b/ An overview of related natural, economic, social and environmental conditions;

c/ The current status of the environment in the area directly and negatively affected by the operation of the consolidated production, business and service zone or production, business and service establishment;

d/ Statistics on and assessments of sources negatively affecting the environment;

e/ Comprehensive solutions, environmental protection facilities and an implementation plan.

4. An environmental protection scheme of a consolidated production, business and service zone or a production, business and service establishment of a nature and size corresponding to those required to make environmental protection commitments has the following principal details:

a/ Statistics on and assessments of major waste sources;

b/ Solutions, environmental protection facilities and an implementation plan.

5. The Ministry of Natural Resources and Environment shall guide the elaboration and approval or certification of environmental protection schemes of those mentioned in Clause

1 of this Article.”

10. To add the following Article 17c:

“*Article 17c.-* Management of dossiers, examination and inspection of environmental protection work of consolidated production, business and service zones and production, business and service establishments which were granted certificates of registration of satisfaction of environmental standards before July 1, 2006

1. Provincial-level environmental protection agencies shall manage dossiers of certification of registration of satisfaction of environmental standards and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments of a nature and size corresponding to those required to make environmental impact assessment reports in their localities.

2. District-level People’s Committees shall manage dossiers of certification of registration of satisfaction of environmental standards and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments other than those mentioned in Clause 1 of this Article.

3. State management agencies in charge of environmental protection at all levels shall transfer dossiers of certification of registration of satisfaction of environmental standards of consolidated production, business and service zones and production, business and service establishments which they are keeping to agencies assigned to manage these dossiers under Clauses 1 and 2 of this Article before June 30, 2008.”

11. To add the following Article 17d:

“*Article 17d.-* Provisions on environmental protection applicable to investment projects and consolidated production, business and service zones and production, business and service establishments in the security and defense domain

1. Investment projects and consolidated production, business and service zones and production, business and service establishments in the security and defense domain must comply with environmental protection requirements and procedures in accordance with the law on environmental protection.

2. The Ministry of Public Security and the Ministry of Defense shall appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments in the security and defense domain.”

12. To add the following Article 21a:

“*Article 21a.-* Provisions on discharge of waste in the sea

1. It is strictly prohibited to discharge hazardous wastes in the sea of the Socialist Republic of Vietnam.

2. It is prohibited to discharge wastes in the sea areas of nature conservation zones, natural heritage areas, areas with new natural eco-systems, and regular or seasonal reproduction grounds of marine and aquatic species.

3. Ordinary wastes of means of transport and offshore oil rigs which have been treated in accordance with technical regulations on wastes may be discharged in the sea, except sea areas specified in Clause 2 of this Article.

4. The discharge of wastes from the mainland which have been treated in accordance with law and wastes dredged from canals and fairways in the sea is subject to consent of provincial-level environmental protection agencies.”

13. To amend and supplement Clause 3 of Article 22 as follows:

“ 3. The Ministry of Natural Resources and Environment shall guide the examination, evaluation and verification of waste treatment equipment and facilities before they are put into operation.”

14. To add the following Article 23a:

“The Ministry of Natural Resources and Environment shall guide the elaboration of environmental planning integrated into land use

planning, socio-economic development planning and branch or domain development planning.”

Article 2.- Implementation provisions

1. This Decree takes effect 15 days after its publication in “CONG BAO.”

2. Dossiers received before the effective date of this Decree shall be processed under the provisions of Decree No. 80/2006/NĐ CP.

3. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People’s Committees shall have to implement this Decree.

On behalf of the Government
Prime Minister
NGUYEN TAN DUNG

Appendix

LIST OF PROJECTS SUBJECT TO MAKING OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

(Attached to the Government’s Decree No. 21/2008/ND-CP of February 28, 2008)

Ordinal number	Projects	Size
1	Important national projects and works in which investment guidelines are submitted to the National Assembly for decision under the National Assembly’s Resolution No. 66/2006/NQ11 of June 29, 2006	All
2	Projects using part or the whole of land areas of nature conservation zones, national parks, historical-cultural relic areas, world heritages, biosphere reserves, and famous scenic places, ranked or not yet ranked, which are protected under decisions of provincial/municipal People’s Committees	All

3	Projects involving risks of directly and badly affecting water sources in river basins, coastal areas and areas having protected eco-systems	All
Group of construction projects		
4	Projects to build infrastructures in urban centers or residential areas	Covering 50 ha or more
5	Projects to build infrastructures in industrial parks, hi-tech parks, industrial clusters, export-processing zones or trade village clusters	All
6	Projects to build supermarkets or markets	With 200 business places or more
7	Projects to build sports centers	Covering 10 ha or more
8	Projects to build hospitals	With 50 hospital beds or more
9	Projects to build hotels and rest homes	With 100 rooms or more
10	Projects to build tourist and entertainment resorts	Covering 10 ha or more
11	Projects to build tourist service establishments (infrastructure and physical foundations) in coastal areas and on islands	With a wastewater volume of 1,000 m ³ or more per day and night
12	Projects to build golf courses	With 18 holes or more
13	Projects to build cemeteries (burial, incineration or other forms)	All
14	Projects to build underground works	All
15	Projects to build houses with basements	Basement of 10 m or more deep
16	Projects to build combat works, military training centers, shooting grounds and defense ports	All
17	Projects to build military warehouses	All
18	Projects to build defense economic zones	All
19	Projects to build prisons and detention camps	All
Group of projects to manufacture construction materials		
20	Cement production projects	Design capacity of 300,000 tons or more of cement per year
21	Projects on grinding of clinker for cement production	Design capacity of 1 million tons or more of cement per year

22	Projects to produce bricks and roofing tiles	Design capacity of 10 million or more standard tiles and bricks per year
23	Projects to produce other construction materials	Design capacity of 10,000 tons or more of products per year
Group of traffic projects		
24	Projects to build underground traffic works (subways and tunnels)	500 m or more in length
25	Projects to build motorways, and roads of grades I to III	All
26	Projects to build, renovate and upgrade motorways, and roads of grades I to III	50 km or more in length
27	Projects to build grade-IV roads	100 km or more in length
28	Projects to build railways	50 km or more in length
29	Projects to build overhead railways	All
30	Projects to build telpher lines	500 m or more in length
31	Projects to build permanent road and railway bridges	200 m or more in length (excluding the length of access roads)
32	Projects to build traffic works	Requiring resettlement of 1,000 or more people
33	Projects to build river ports and seaports	Accommodating vessels of 1,000 DWT or more
34	Projects to build fishing wharves	Accommodating fishing vessels with 100 arrivals or more per day
35	Projects to build airports and airfields	All
36	Projects to build passenger car terminals	Covering 0.5 ha or more
37	Projects to produce hot asphalt concrete	Design capacity of 30,000 tons or more of products per year
Group of energy and radiation projects		
38	Projects to build nuclear reactors	All
39	Projects to build production, business and service establishments using radioactive substances or discharging radioactive wastes	All

40	Atomic power or thermal nuclear projects	All
41	Thermo power projects	Design capacity of 30 MW or more
42	Wind power projects	Covering an area of 100 ha or more
43	Solar power projects	Covering an area of 100 ha or more
44	Hydropower projects	With a reservoir of a capacity of 300,000 m ³ or more of water
45	Projects to build high voltage power lines	100 km or more in length
46	Projects to manufacture electric wires and cables	Capacity of 2,000 tons or more of aluminum per year (or equivalent)
Group of electronic and telecommunications projects		
47	Projects to build radio transmission and radio transmission-receipt stations	Design capacity of 2 kW or more
48	Projects to manufacture electric and electronic appliances	Design capacity of 10,000 or more appliances per year
49	Projects to manufacture electric and electronic components	Design capacity of 500 tons or more of products per year
50	Projects to build telecommunications lines	100 km or more in length
51	Projects to manufacture telecommunications cables	All
Group of projects on irrigation, forest exploitation and forestation		
52	Projects on reservoirs and irrigation lakes	With a reservoir of a capacity of 300,000 m ³ or more of water
53	Projects on irrigation works	Covering 200 ha or more
54	Seaward expansion projects	All
55	River and sea embankment projects	1,000 m or more in length
56	Projects involving exploitation or conversion of use purposes of headwater protection forests, breakwater forests or special-purpose forests	Covering 5 ha or more
57	Projects involving exploitation or conversion of use purposes of natural forests	Covering 20 ha or more

58	Forestation and forest exploitation projects	Forestation of 1,000 ha or more; exploitation of forests of 200 ha or more
59	Projects to build consolidated rubber, cassava, sugarcane, coffee, cocoa, tea and pepper growing areas	Covering 100 ha or more
60	Projects to build consolidated vegetable and flower growing areas	Covering 100 ha or more
Group of mineral exploitation projects		
61	Projects to exploit minerals on the mainland for use as construction materials	Exploitation capacity of 50,000 m ³ or more of materials per year
62	Projects to exploit minerals for use and ground fill-up materials	Exploitation capacity of 100,000 m ³ or more of materials per year
63	Projects to exploit, dredge and salvage- exploit minerals in river beds for use as construction materials	Capacity of 50,000 m ³ or more of materials per year
64	Projects to exploit solid minerals (without using chemicals)	A mined volume (including minerals and discharged earth and rock) of 100,000 m ³ or more per year
65	Projects to exploit and process solid minerals containing hazardous substances or involving use of chemicals	All
66	Projects to process solid minerals	- Design capacity of 50,000 tons or more of products per year - A volume of 500,000 tons or more of discharged earth and rock per year, for coal sorting
67	Projects to exploit groundwater	Exploitation capacity of 10,000 m ³ or more of water per day and night
68	Projects to exploit natural mineral water (underground or on surface) for bottling	Exploitation capacity of 120 m ³ or more of water per day and night
69	Projects to exploit natural mineral water (underground or on surface) for service purposes (bathing, medical treatment and other purposes)	Exploitation capacity of 500 m ³ or more of water per day and night

70	Projects to exploit surface water	Exploitation capacity of 50,000 m ³ or more of water per day and night
Group of oil and gas projects		
71	Projects to exploit oil and gas	All
72	Projects on petrochemical refineries (except projects on LPG extraction and lubricant preparation)	All
73	Projects to produce petrochemical products (surfactants, plasticizers, methanol)	All
74	Projects to build oil and gas pipelines	All
75	Projects to build oil and gas entrecpots	Storage capacity of 1,000 m ³ or more
76	Projects to build oil and gas depot areas	All
Group of waste treatment projects		
77	Projects on re-processing and treating ordinary solid wastes	All
78	Projects to build dumping sites for industrial and hazardous wastes	All
79	Projects to build dumping sites for garbage	For 500 households or for use by people of a district or more
80	Projects to build concentrated industrial wastewater treatment systems outside industrial parks, export-processing zones and hi-tech parks	All
81	Projects to build concentrated daily-life wastewater treatment systems	Design capacity of 1,000 m ³ or more of wastewater per day and night
82	Projects on purchase and preliminary processing of scraps (including imported scraps)	Design capacity of 3,000 tons/year
83	Projects on vessel clean-up (all types of vessels)	All
84	Projects to dismantle old vessels (of all kinds)	All
Group of mechanical engineering and metallurgical projects		
85	Ferrous and non-ferrous metallurgy projects	Design capacity of 3,000 tons or more of products per year
86	Steel rolling projects	Design capacity of 5,000 tons or more of products per year
87	Vessel building and repair projects	Vessels of 1,000 DWT or more

88	Projects to manufacture, repair and assemble locomotives and cars	Design capacity of 500 units or more per year
89	Projects to manufacture, assemble and repair motorcycles	Design capacity of 10,000 units or more per year
90	Projects on mechanical engineering and manufacture of machines and equipment	Design capacity of 1,000 tons or more of products per year
91	Projects on metal plating, coating and polishing	Design capacity of 1,000 tons or more of products per year
92	Projects to manufacture shaped aluminum	Design capacity of 2,000 tons or more of products per year
93	Projects to manufacture and repair weapons and military materials and technical equipment	All
Group of timber processing and glass, ceramic and porcelain production projects		
94	Timber processing projects	Design capacity of 5,000 m ³ or more per year
95	Plywood processing projects	Design capacity of 100,000 m ² or more per year
96	Household woodwork manufacture projects	Design capacity of 10,000 or more products per year
97	Projects to produce fine art articles	Design capacity of 1 million or more products per year
98	Projects to produce glass, ceramic and porcelain	Design capacity of 1 million products or more per year
99	Projects to produce sanitary porcelain	Design capacity of 10,000 tons products or more per year
100	Projects to produce enameled tiles	Design capacity of 1 million m ² or more per year
101	Projects to produce bulbs and thermos flasks	Design capacity of 1 million or more products per year
Group of food processing and beverage projects		
102	Food processing projects	Design capacity of 5,000 tons or more of products per year
103	Cattle and poultry slaughter projects	Design capacity of 1,000 cattle or 10,000 poultry or more per day

104	Frozen aquatic product processing projects	Design capacity of 1,000 tons or more of products per year
105	Sugar production projects	Design capacity of 20,000 tons or more of sugar per year
106	Alcohol and spirit production projects	Design capacity of 100,000 liters or more of products per year
107	Beer and beverage production projects	Design capacity of 500,000 liters or more of products per year
108	Monosodium glutamate production projects	Design capacity of 5,000 tons or more of products per year
109	Milk processing projects	Design capacity of 10,000 tons or more of products per year
110	Edible oil processing projects	Design capacity of 10,000 tons or more of products per year
111	Confectionery production projects	Design capacity of 5,000 tons or more of products per year
112	Ice production projects	Design capacity of 3,000 ice bars or more per day and night (for 50 kg bars) or 150,000 kg or more of ice water per day and night
Group of agricultural product processing projects		
113	Cigarette production projects	Design capacity of 30,000 packs or more per year
114	Cigarette material processing projects	Design capacity of 1,000 tons or more of products per year
115	Cereals processing projects	Design capacity of 10,000 tons or more of products per year
116	Rice grinding and processing projects	Design capacity of 20,000 tons or more of products per year

117	Manioc starch processing projects	Design capacity of 1,000 tons or more of products per year
118	Cashew nut processing projects	Design capacity of 10,000 tons or more of products per year
119	Tea processing projects	Design capacity of 10,000 tons or more of products per year
120	Coffee processing projects	Design capacity of 5,000 tons or more of products per year, for the wet processing method; 10,000 tons or more of products per year for the dry processing method; 1,000 tons or more of products per year, for processing coffee powder and instant coffee
Group of feed processing and cattle, poultry rearing and aquaculture projects		
121	Cattle, poultry and aquatic animal feed processing projects	Design capacity of 5,000 tons or more of products per year
122	Projects to process aquatic by-products	Design capacity of 1,000 tons or more of products per year
123	Projects to process fish meal	Design capacity of 1,000 tons or more of products per year
124	Aquaculture projects (intensive/semi-intensive farming)	Water surface area of 10 ha or more
125	Extensive aquaculture projects	Water surface area of 50 ha or more
126	Projects on aquaculture on sand	All
127	Large-scale cattle raising projects	1,000 cattle heads or more
128	Large-scale poultry raising projects	20,000 poultry heads or more; 200 or more for ostriches; 100,000 or more for quails
Group of chemical fertilizer and plant protection drug projects		
129	Projects to produce chemical fertilizers	Design capacity of 2,000 tons or more of products per year

130	Projects on warehouses of chemicals and plant protection drugs	Storage capacity of 2 tons or more
131	Projects to produce plant protection drugs	All
132	Projects to bottle and pack plant protection drugs	Design capacity of 1,000 tons or more of products per year
133	Projects to produce organic fertilizers and micro-fertilizers	Design capacity of 1,000 tons or more of products per year
Group of chemical, pharmaceutical and cosmetic projects		
134	Projects to produce pharmaceuticals	Design capacity of 50 tons or more of products per year
135	Projects to produce vaccines	All
136	Projects to produce veterinary medicines	Design capacity of 50 tons or more of products per year
137	Projects to produce cosmetics	Design capacity of 50 tons or more of products per year
138	Projects to produce plastics and plastic products	Design capacity of 500 tons or more of products per year
139	Projects to produce plastic packages	Design capacity of 2 million or more products per year
140	Projects to produce paints and base chemicals	Design capacity of 500 tons or more of products per year
141	Projects to produce detergents and additives	Design capacity of 1,000 tons or more of products per year
142	Projects to produce projectile power, explosives and fire equipment	All
143	Projects to produce industrial explosives	All
144	Salt production projects	Covering 100 ha or more
Group of paper and stationery production projects		
145	Projects to produce pulp and paper (from raw materials)	Design capacity of 1,000 tons or more of products per year
146	Projects to produce paper from pulp and recycling	Design capacity of 5,000 tons or more of products per year
147	Projects to produce stationery	Design capacity of 1,000 tons or more of products per year

Group of dyeing textile and garment projects		
148	Projects on dyeing textiles	All
149	Projects on non-dyeing textiles	Capacity of 10 million m or more of fabric per year
150	Projects to produce and process garment products involving laundering and bleaching	Design capacity of 50,000 or more products per year
151	Projects on production and processing of garment products without laundering and bleaching	Design capacity of 2 million or more products per year
152	Industrial laundering projects	Design capacity of 50,000 or more products per year
153	Projects to produce silk and artificial yarn	Design capacity of 1,000 tons or more of products per year
Group of other projects		
154	Projects on rubber latex processing plants	Design capacity of 5,000 tons or more of products per year
155	Projects on rubber processing plants	Design capacity of 1,000 tons or more of products per year
156	Projects to manufacture footwear	Design capacity of 1 million or more of products per year
157	Projects on to manufacture car and tractor tires and tubes	Design capacity of 50,000 or more of products per year for cars and tractors; 100,000 or more products per year for bicycles and motorcycles
158	Projects to manufacture accumulators and batteries	Design capacity of 50,000 kWh per year or 100 tons or more of products per year
159	Projects on leather tanning plants	All
160	Projects to produce and extract liquefied CO ₂ gas	Design capacity of 30,000 tons or more of products per year
161	Projects to manufacture fire-fighting equipment and products	All
162	Other projects on renovation, upgrade and expansion	Of a nature, size and capacity equivalent to projects numbered 1 to 161, except for projects numbered 25 and 26 of this Appendix)

THE GOVERNMENT

DECREE No. 80/2006/ND-CP OF AUGUST 9, 2006, DETAILING AND GUIDING THE IMPLEMENTATION OF A NUMBER OF ARTICLES OF THE LAW ON ENVIRONMENTAL PROTECTION

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 29, 2005 Law on Environmental Protection;

At the proposal of the Minister of Natural Resources and Environment,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1.- Scope of regulation

This Decree details and guides the implementation of a number of articles of the Law on Environmental Protection regarding environmental standards; strategic environmental assessment; environmental impact assessment and environmental protection commitments; environmental protection in production, business and services; hazardous waste management; and disclosure of environmental information and data.

Article 2.- Subjects of application

This Decree applies to state agencies, domestic

organizations, households and individuals; overseas Vietnamese, foreign organizations and individuals engaged in activities in the territory of the Socialist Republic of Vietnam.

Chapter II

SPECIFIC PROVISIONS

Section 1. ENVIRONMENTAL STANDARDS

Article 3.- Principles of application of national waste standards according to roadmap, by region, geographical area and branch

1. Region-, geographical area- or branch-based coefficient means a figure by which the permitted value of each pollution parameter in the national waste standards shall be multiplied in order to determine the value to be compulsorily applied to each particular region, geographical area or branch to suit environmental protection requirements.

2. Roadmap for application of national waste standards shall be set in the direction of greater strictness to meet environmental protection requirements in each period and specified in decisions announcing the compulsory application of such standards.

3. Waste standard coefficients shall be determined on the following principles:

a/ Region- and geographical area-based coefficients of waste standards shall be stricter for areas zoned off for nature conservation, areas with sensitive eco-system, urban centers, residential areas and polluted areas;

b/ Branch-based coefficients of waste standards shall be determined based on the environmental characteristics of each particular production branch.

Article 4.- Responsibility to formulate and competence to promulgate and announce national environmental standards for compulsory application

1. The formulation of national environmental standards shall be organized according to the following provisions:

a/ The Ministry of Natural Resources and Environment shall guide formulation methods, assume the prime responsibility for, and coordinate with concerned ministries and branches in, identifying national environmental standards which need to be promulgated and assigning the tasks of formulating national environmental standards;

b/ Ministries, ministerial-level agencies and government-attached agencies shall organize the formulation of national environmental standards within the branches and domains under their respective management or assigned to them, then send them to the Ministry of Natural Resources and Environment for evaluation and promulgation.

2. The Ministry of Natural Resources and Environment shall promulgate and announce national environmental standards for compulsory application to each particular region, geographical area or branch.

Article 5.- Order and procedures for formulation, evaluation, promulgation and declaration of national environmental standards for compulsory application

1. The formulation of national environmental standards shall involve the following steps:

a/ Referring to relevant international standards and standards applied by countries with conditions comparable with Vietnam's;

b/ Assessing basic requirements on national environmental standards and forecasting impacts of the compulsory application thereof;

c/ Identifying the scope of regulation, subjects of application, parameters of national environmental standards and limit value of each parameter enclosed with standard methods of measurement, sampling and analysis used for determining such parameters;

d/ Organizing the compilation of environmental standards;

e/ Organizing the collection of opinions of interested parties on and finalizing draft national environmental standards;

f/ Requesting the Ministry of Natural Resources and Environment to expertise draft national environmental standards before promulgating them.

2. A dossier of request for expertise of a draft national environmental standard consists of:

a/ An official letter requesting expertise of the environmental standard;

b/ A rationale document on the necessity, objective and process of formulation, divergent opinions and the opinion of the environmental standard-formulating agency;

c/ The draft environmental standard.

3. Expertise and promulgation of national environmental standards shall be as follows:

a/ After receiving the valid dossier of request for expertise, the Ministry of Natural Resources and Environment shall set up a technical board for national environmental standard, comprising experts who have professional competence and experience relevant to the standard concerned and authorized representatives of concerned ministries, ministerial-level agencies and/or government-attached agencies;

b/ Within no more than 30 (thirty) working days after receiving the complete and valid dossier of request for expertise, the technical board for national environmental standard shall have to expertise the

draft national environmental standard and submit the expertise result to the Ministry of Natural Resources and Environment.

Within 15 (fifteen) working days after receiving the expertise result report, the Ministry of Natural Resources and Environment shall decide to promulgate the national environmental standard; if disagreeing with the expertise result or refusing to promulgate the national environmental standard, it shall request the technical board for national environmental standard to re-expertise the draft standard or request the standard-formulating agency to further improve the draft environmental standard.

4. Announcement of national environmental standards for compulsory application shall be as follows:

a/ Depending on each national environmental standard, the Ministry of Natural Resources and Environment shall set a roadmap for application thereof and coefficients for each particular region, geographical area or branch on the basis of the principles laid down in Article 3 of this Decree and announce the compulsory application thereof;

b/ Organizations and individuals shall have to comply with national environmental standards from the effective date of the decisions announcing the compulsory application thereof.

5. The technical board for national environmental standard, in the capacity as a technical advisory body, shall be set up upon request and operate to assist the Ministry of Natural Resources and Environment in expertising draft national environmental standards and shall dissolve after finishing its duties.

The Ministry of Natural Resources and Environment shall stipulate in detail the operation of the technical board for national environmental standard.

Section 2. STRATEGIC ENVIRONMENTAL ASSESSMENT, ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL PROTECTION COMMITMENTS

Article 6.- List of projects subject to making of environmental impact assessment report and guidance on the financial regime applicable to activities of making, appraising and monitoring environmental impact assessment reports

1. Projects subject to making of environmental impact assessment report are listed in Appendix I to this Decree.

2. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment in, providing guidance on the financial regime applicable to activities of making, appraising, and monitoring the implementation of, strategic environmental assessment reports, environmental impact assessment reports and written environmental protection commitments.

Article 7.- Inter-branch and inter-provincial projects with environmental impact assessment reports to be appraised and approved by the Ministry of Natural Resources and Environment

Inter-branch and inter-provincial projects with environmental impact assessment reports to be appraised and approved by the Ministry of Natural Resources and Environment are listed in Appendix II to this Decree.

Article 8.- Conditions and scope of operation of organizations providing the consultancy service on making environmental impact assessment reports

1. Organizations providing the consultancy service on making environmental impact assessment reports

shall have to meet all the following conditions:

a/ Having technical, technological and environmental personnel with expertise appropriate to the project's domain;

b/ Having facilities, machinery and equipment up to standard and quality according to regulations on measurement and taking of environmental samples and other related samples suitable to the characteristics and execution sites of projects;

c/ Having material and technical foundations and laboratories ensuring the processing and analysis of environmental samples and other samples related to projects. In case of having no qualified laboratories, consultancy service-providing organizations must hire on a contractual basis other laboratories that are qualified.

2. All domestic and foreign organizations that have registered to operate in Vietnam and meet all conditions specified in Clause 1 of this Article shall be allowed to provide the consultancy service on making environmental impact assessment reports, except those of projects in the security and defense domain and projects involving state secrets.

3. Agencies and units shall have to check the conditions specified in Clause 1 of this Article before hiring organizations to provide the consultancy service on making environmental impact assessment reports.

Article 9.- Dossiers of request for appraisal of strategic environmental assessment reports, environmental impact assessment reports and dossiers of registration of written environmental protection commitments

1. A dossier of request for appraisal of a strategic environmental assessment report shall comprise:

- a/ The project owner's written request for appraisal;
- b/ The strategic environmental assessment report;

c/ The draft document on the strategy, planning or plan.

2. A dossier of request for appraisal of an environmental impact assessment report shall comprise:

- a/ The project owner's written request for appraisal;
- b/ The environmental impact assessment report;
- c/ The project's feasibility study or investment report.

3. A dossier of registration of written environmental protection commitments shall comprise:

- a/ Written environmental protection commitments;
- c/ The project's feasibility study or investment explanation report.

4. Dossiers of request for appraisal of strategic environmental assessment reports, dossiers of request for appraisal of environmental impact assessment reports and dossiers of registration of written environmental protection commitments shall be addressed to competent agencies specified in Articles 17, 21 and 26 of the Law on Environmental Protection.

5. The Ministry of Natural Resources and Environment shall provide guidance on dossier forms and number of dossier sets for dossiers of request for appraisal of strategic environmental assessment reports, dossiers of request for appraisal of environmental impact assessment reports and dossiers of registration of written environmental protection commitments.

6. If receiving improper dossiers, dossier-receiving agencies shall, within five working days, have to notify the project owners thereof for addition and completion.

Article 10.- Appraisal of strategic environmental assessment reports

1. Heads of agencies specified in Clause 7, Article 17 of the Law on Environmental Protection shall issue decisions to set up appraisal councils for strategic environmental assessment reports of projects.

2. Results of appraisal of strategic environmental assessment reports shall be expressed in the form of minutes of meetings of the appraisal council, which shall fully contain the meeting proceedings, conclusions and signatures of the council's chairman and secretary.

3. The Minister of Natural Resources and Environment shall report to the Prime Minister, the Government and the National Assembly on results of appraisal of strategic environmental assessment reports of projects, enclosed with the appraisal council's minutes serving as the basis for project approval.

4. Specialized environmental protection agencies of ministries, ministerial-level agencies, government-attached agencies and provincial/municipal People's Committees shall report to the ministers or agency heads who are competent to approve projects on results of appraisal of strategic environmental assessment reports of projects, enclosed with the appraisal council's minutes serving as the basis for project approval.

5. Appraisal councils for strategic environmental assessment reports shall operate according to regulations issued by the Minister of Natural Resources and Environment

Article 11.- Appraisal of environmental impact assessment reports

1. Heads of agencies specified in Clause 7, Article 21 of the Law on Environmental Protection shall issue decisions to set up appraisal councils for environmental impact assessment reports of projects.

2. Heads of agencies specified in Clause 7, Article 21 of the Law on Environmental Protection shall base themselves on the technical, technological and environment complexity of projects to decide on the form of appraisal either by an appraisal council or appraisal service organization. For projects in the security and defense domain and projects involving national secrets, only service organizations within the security or defense branch shall be selected.

3. Appraisal councils or appraisal service organizations shall have the function of giving advice to assist competent agencies in examining and assessing the quality of environmental impact assessment reports serving as the basis for consideration and approval according to regulations.

4. In case of necessity, before the opening of official meetings of appraisal councils, agencies responsible for conducting the appraisal may conduct auxiliary appraisal in the following forms:

a/ Survey of the project's execution site and adjacent areas;

b/ Taking samples for analysis and verification;

c/ Gathering opinions of the population community in the place where the project is to be executed;

d/ Collecting comments of related experts outside the appraisal council, related scientific and technological institutions, socio and professional organizations, and non-governmental organizations;

e/ Holding appraisal seminars.

5. Appraisal councils and appraisal service organizations appraising environmental impact assessment reports shall operate according to regulations issued by the Minister of Natural Resources and Environment.

Article 12.- Time limit for appraisal of strategic environmental assessment reports and environmental

impact assessment reports

1. For projects falling under the deciding and approving competence of the Prime Minister, the Government or the National Assembly, and inter-branch and inter-province projects, the time limit for appraisal shall be 45 (forty five) working days counting from the date of receipt of complete and valid dossiers.

2. For projects other than those mentioned in Clause 1 of this Article, the time limit for appraisal shall be 30 (thirty) working days counting from the date of receipt of complete and valid dossiers.

3. In case a strategic environmental assessment report or environmental impact assessment report is not approved and therefore needs to be re-appraised, the time limit for re-appraisal shall be as provided for in Clause 1 and Clause 2 of this Article.

Article 13.- Making of additional environmental impact assessment reports

1. Additional environmental impact assessment reports shall be made in the following cases:

a/ There is a change in the project's location, size, design capacity or technology;

b/ The project fails to be executed within 24 months following the date of approval of its environmental impact assessment report.

2. An additional environmental impact assessment report shall cover the following particulars:

a/ Changes in the project's content;

b/ Changes in the natural environmental conditions and economic and social factors up to the time the additional environmental impact assessment report is made;

c/ Changes in environmental impacts and measures to minimize negative impacts;

d/ Changes in the project's environmental

management and monitoring program;

e/ Other changes.

3. Within 30 (thirty) working days after the date of receipt of complete and valid dossiers, state agencies competent to approve environmental impact assessment reports shall have to examine and approve additional environmental impact assessment reports.

Article 14.- Responsibilities of project owners after environmental impact assessment reports are approved

1. To send a report to the district-level People's Committee of the place where the project shall be executed on the contents of the decision approving the environmental impact assessment report enclosed with a copy of the decision.

2. To publicly post up at the project execution site a summary of the approved environmental impact assessment report, clearly stating the categories and volume of waste; waste treatment technology and equipment; degree of treatment according to typical parameters of waste against set standards; other environmental protection measures.

3. Designing, building and installation of environmental treatment facilities:

a/ On the basis of the fundamental plan of environmental treatment facilities included in the approved environmental impact assessment report, to design, build and install these facilities according to current investment and construction regulations;

b/ After the detailed designs of projects' environmental treatment facilities are approved, to send a report on the building and installation plan enclosed with the detailed design dossier of environmental treatment facilities to the state agency which has approved the environmental impact

assessment reports for monitoring and supervision.

4. Environmental protection in the course of project execution:

a/ In the course of project execution, to take measures to protect the environment and minimize negative environmental impacts caused by the projects and carry out environmental observation according to requirements set in the approved environmental impact assessment reports as well as other requirements stated in the decisions approving the environmental impact assessment reports;

b/ During the project execution, to propose adjustments to or changes in the approved or certified contents and related environmental protection measures, to send a report thereon to the approving or certifying agency and to effect these adjustments or changes only after obtaining written approval of this agency;

c/ If environmental pollution occurs in the course of project execution and trial operation, to immediately stop the execution or trial operation and send a report thereon to the district-level Natural Resources and Environment Section of the place where the project is executed and the agency having approved the environmental impact assessment report;

d/ To cooperate with and create favorable conditions for the state management agency in charge of environmental protection to monitor and supervise the implementation of environmental protection contents and measures of the projects; to supply sufficient relevant information and data upon request.

5. Trial operation of environmental treatment facilities:

a/ After the completion and take-over of construction and installation of environmental treatment facilities, these facilities shall be operated on a trial basis to check technical and environmental parameters against their designs;

b/ To draw up a trial operation plan and notify it to the agency which has approved the environmental impact assessment reports, the provincial/municipal Natural Resources and Environment Service and the district-level Natural Resources and Environment Section as well as the population community in the place where the project is executed for preparing monitoring and supervision plans;

c/ If unable to measure and analyze by themselves technical and environmental parameters, to sign contracts with professionally and technically capable organizations to conduct such measurement and analysis;

d/ After completing the trial operation, to send a report requesting certification of the result of trial operation of environmental treatment facilities to the agency which has approved the environmental impact assessment reports for certification.

Article 15.- Responsibilities of state agencies after having approved environmental impact assessment reports

1. Ministries, ministerial-level agencies and government-attached agencies shall send their respective original decisions approving environmental impact assessment reports to the provincial-level People's Committees of the places where projects shall be executed.

2. Provincial-level People's Committees shall send copies of their decisions approving environmental impact assessment reports and those of ministries, ministerial-level agencies or government-attached agencies to the district-level People's Committees of the places where the projects shall be executed.

3. After having approved environmental impact assessment reports, competent state agencies shall have the following responsibilities:

a/ To examine and compare dossiers on design,

construction and installation of environmental treatment facilities against the approved environmental impact assessment reports; if detecting any inconsistencies with the environmental impact assessment reports, within 7 (seven) working days after receiving the dossiers and reports, to inform in writing the project owners concerned thereof for adjustment and/or supplementation;

b/ To receive and process proposals and recommendations of project owners, interested organizations and individuals concerning the implementation of environmental protection contents and measures in the course of execution and construction of projects;

c/ To plan and conduct monitoring and supervision of the implementation of environmental protection contents and measures; to handle violations according to their competence or propose the handling thereof;

d/ To supervise and control the project owners' trial operation of environmental treatment facilities after receiving project owners' trial operation plans;

e/ To examine and certify the results of trial operation of environmental treatment facilities;

f/ To preserve and manage all dossiers and documents on post-appraisal activities sent by project owners and concerned agencies and individuals.

Article 16.- Dossiers, order and procedures for examining and certifying compliance with requirements set in decisions approving environmental impact assessment reports

1. A dossier of request for examination and certification shall consist of:

a/ Written request for examination and certification;

b/ Written description of environmental protection facilities and measures stated in the environmental impact assessment report, enclosed with the design

dossier and technical parameters of environmental protection facilities and equipment.

Environmental protection and treatment facilities must be technically surveyed before requests for examination and certification are filed.

c/ Relevant recognition and survey certificates.

2. Within 15 (fifteen) working days after receiving valid dossiers of project owners, agencies having issued decisions approving environmental impact assessment reports shall have to examine and certify in writing the project owners' compliance with the contents of the approved environmental impact assessment reports. For projects involving complicated matters which need more time for examination, this time limit may be extended for no more than 10 (ten) working days. If, through examination, detecting that the project owner fails to fully and properly comply with the contents of the environmental impact assessment report, to request the project owner to do so and report its compliance to the agency having issued the decision approving the environmental impact assessment report for further examination and certification.

3. For each particular project, the contents to be examined and certified shall depend on the contents of its approved environmental impact assessment report, with the following contents to be taken into special consideration:

a/ The waste water collection and treatment system;

b/ Equipment for collecting and detaining hazardous waste and measures for treating them;

c/ Measures for managing ordinary solid waste;

d/ Measures and equipment for treating and collecting discharged gas and dust;

e/ Measures and equipment for reducing noise and vibration;

f/ Plan, measures and necessary conditions for preventing and responding to environmental incidents.

4. The forms and specific contents of reports and certification documents shall comply with the guidance of the Ministry of Natural Resources and Environment.

Article 17.- Registration of written environmental protection commitments

1. After receiving complete and valid dossiers and within the time limit specified in Clause 2, Article 26 of the Law on Environmental Protection, district-level People's Committees or authorized commune-level People's Committees shall have to grant certificates to entities required to register written environmental protection commitments.

2. The form and contents of certificates of registration of written environmental protection commitments shall comply with the guidance of the Ministry of Natural Resources and Environment.

Section 3. ENVIRONMENTAL PROTECTION IN PRODUCTION, BUSINESS AND SERVICE ACTIVITIES

Article 18.- Environment-friendly production and service establishments and products

1. Environment-friendly production and service establishments are those meeting the following requirements:

a/ Strictly observing the law on environmental protection and acquiring a certificate of satisfaction of environmental standards;

b/ Having policies on managing products throughout their life and managing waste according to the provisions of law, with over 70% of total quantity of waste to be re-processed and/or re-used;

c/ Successfully performing environmental

management and acquiring an ISO 14001 certificate therefor;

d/ Saving over 10% of material, energy, fuel and water compared to the common consumption level;

e/ Actively participating in and contributing to programs on enhancing public awareness and protecting the public environment;

f/ The recognition of the title of environment-friendly establishment is not opposed by the population community in the production or service provision area.

2. Environment-friendly products are those meeting one of the following requirements:

a/ Being re-processed from waste which are up to environmental standard;

b/ Being easy to disintegrate in the nature after use;

c/ Being non-polluting products produced to substitute natural material;

d/ Being organic farm produce;

e/ Being granted with eco-marks by a state-accredited organization.

3. Environment-friendly production and service establishments shall enjoy priority and preferential treatment policies and supports of the State in accordance with the provisions of law.

4. The Ministry of Natural Resources and Environment shall guide the evaluation and consideration and procedures for recognition of environment-friendly production and service establishments and products.

Article 19.- Environmental protection in the import, temporary import, border gate-to-border gate transport and transit of scraps

1. If organizations and individuals importing scraps

fail to comply with the provisions of Clause 1 and Clause 2, Article 43 of the Law on Environmental Protection, they shall, depending on the nature and severity of their violations, be administratively handled or examined for penal liability. If causing damage, they shall have to compensate therefor according to the provisions of law.

2. Temporary import and border gate-to-border gate transport of scraps shall have to strictly meet the following requirements:

a/ Scraps must not be unpacked, used and dispersed in the course of transportation and storage in Vietnam;

b/ Scraps must not be altered in nature and weight;

c/ Scraps must all be re-exported or transported out of Vietnam;

3. Transit of scraps through the Vietnamese territory shall have to meet similar environmental protection requirements prescribed in Article 42 of the Law on Environmental Protection for transit of goods.

Section 4. WASTE MANAGEMENT

Article 20.- State agencies' responsibilities for hazardous waste management

1. The Ministry of Natural Resources and Environment shall have the following responsibilities:

a/ To guide the process of minimizing, making statistics on, declaring and managing hazardous waste;

b/ To issue the list of hazardous wastes;

c/ To grant permits and codes of management of hazardous wastes to organizations engaged in waste management in two or more provinces and centrally run cities;

d/ To guide the transport of hazardous wastes to

abroad for treatment under international conventions to which Vietnam is a contracting party in cases where there is no appropriate treatment technology or equipment in the country.

2. Provincial/municipal People's Committees shall have the following responsibilities:

a/ To make statistics on and assess hazardous wastes arising in their localities and take appropriate management measures;

b/ To arrange ground areas and conditions necessary for management of hazardous wastes in the localities in line with the approved plannings on collection, treatment and burial of hazardous wastes;

c/ To grant permits and codes of management of hazardous wastes to organizations engaged in waste management in the localities, except for cases specified at Point c, Clause 1 of this Article.

Article 21.- Retrieval and disposal of used or discarded products

1. Products specified in Clause 1, Article 67 of the Law on Environmental Protection must bear codes of their hazard level and re-processing capability in order to define responsibilities and measures to retrieve and dispose of expired products or products discarded by consumers.

In case of import, importing organizations and individuals shall have to register quantities and necessary information of products with the central state management agency in charge of environmental protection in order to define responsibilities and measures to retrieve or dispose of products discarded by consumers.

2. Depending on the practical situation and environmental protection requirements in each period, the Ministry of Natural Resources and Environment shall submit to the Prime Minister regulations on retrieval and disposal of expired or used products.

Section 5. OTHER PROVISIONS

Article 22.- Appraisal and assessment of environmental technologies and management of bio-products used in environmental protection

1. Environmental technologies to be appraised and assessed include:

a/ Newly invented environmental technologies;

b/ Imported environmental technologies of unknown origin;

c/ Other environmental technologies upon request of suppliers, users or competent state management agencies.

2. Publicization, certification and transfer of appraised and assessed environmental technologies shall comply with the provisions of law on science and technology.

3. The Ministry of Science and Technology shall assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment in, providing specific guidance on the assessment of environmental technologies in accordance with the provisions of law on science and technology and environmental protection.

4. The Ministry of Natural Resources and Environment shall issue the list of bio-products to be used for waste prevention, minimization and treatment and the list of polluting bio-products banned from import.

Article 23.- Publicization of environmental information and data

1. The responsibility to publicize environmental information and data defined in Clause 1, Article 104 of the Law on Environmental Protection is prescribed as follows:

a/ The Ministry of Natural Resources and Environment shall have to publicize information and data on the national environment;

b/ Ministries, ministerial-level agencies and government-attached agencies shall have to publicize environmental information and data in the branches or domains under their respective management;

c/ Specialized environmental protection agencies of the People's Committees at all levels shall to publicize environmental information and data in the localities under their respective management;

d/ The Management Boards of economic zones, industrial parks and export processing zones and owners of production and service establishments shall to publicize environmental information and data under their respective management.

2. Forms of publicization of environmental information and data are prescribed as follows:

a/ Wide dissemination in the forms of books and news reports in the press and websites of the units, for cases specified at Point a and Point b, Clause 1 of this Article;

b/ Wide dissemination in the forms of books, news reports in the press and websites of the units (if any), reports at People's Council meetings, announcements at population quarter meetings, posting at head offices of units and People's Committees of communes, wards and townships where units operate, for cases specified at Points c and d, Clause 1 of this Article.

Chapter III

IMPLEMENTATION PROVISIONS

Article 24.- Implementation effect

1. This Decree shall take effect 15 days after its publication in "CONG BAU."

2. To hereby repeal the following decrees:

a/ The Government's Decree No. 175/CP of October 18, 1994, on implementation of the 1993 Law on Environmental Protection;

b/ The Government's Decree No. 143/2004/ND-CP of July 12, 2004, amending and supplementing Article 14 of the Government's Decree No. 175/CP of October 18, 1994, guiding the Implementation of the 1993 Law on Environmental Protection.

Article 25.- Implementation responsibilities

1. The Minister of Natural Resources and Environment shall have to guide and organize the implementation of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People's Committees shall have to implement this Decree.-

On behalf of the Government
Prime Minister
NGUYEN TAN DUNG

Appendix I

LIST OF PROJECTS SUBJECT TO MAKING OF ENVIRONMENTAL IMPACT ASSESSMENT REPORT

(Enclosed with the Government's Decree No. 80/2006/ND-CP of August 9, 2006)

Ordinal number	Projects	Size
1	Projects on key national works	All
2	Projects using part or the whole of land areas of or adversely affecting nature conservation zones, national parks, historical-cultural relic areas, natural heritages and famous scenic places, ranked or not yet ranked, which are protected under decisions of provincial/municipal People's Committees	All
3	Projects involving risks of directly and badly affecting water sources in river basins, coastal areas and areas having protected eco-systems	All
4	Projects on nuclear power plants	All
5	Projects on thermonuclear power plants	All
6	Projects on building nuclear reactors	All
7	Projects on building production, business and service establishments using radioactive substances or discharging radioactive wastes	All
8	Projects on building telecommunications facilities	All
9	Projects on building infrastructures in urban centers or residential areas	All

10	Projects on building infrastructures in industrial parks, hi-tech parks, industrial clusters, export-processing zones or trade village clusters	All
11	Projects on building infrastructures in economic and commercial zones	All
12	Projects on building, renovating and upgrading motorways, grade-I, grade-II and grade-III roads	All
13	Projects on building grade-IV roads	50 km or more in length
14	Projects on building, upgrading and renovating railways	100 km or more in length
15	Projects on building permanent road and railway bridges	200 m or more in length (excluding the length of access roads)
16	Projects on building, upgrading and renovating traffic works	Requiring resettlement of 2,000 or more people
17	Projects on building and repairing ships	Ships with a tonnage of 1,000 DWT or more
18	Projects on plants of building, repairing and assembling locomotives and automobiles	Design capacity of 500 vehicles or more per year
19	Projects on constructing, renovating and upgrading riverports and seaports	For ships with a tonnage of 1,000 DWT or more
20	Airports and airfields	All
21	Projects on building subways and tunnels	500 m or more in length
22	Projects on building overhead railways	2,000 m or more in length
23	Projects on exploitation of oil and gas	All
24	Projects on petrochemical refineries (except projects on LPG extraction and lubricant preparation)	All
25	Projects on building oil and gas pipelines	All
26	Projects on petrol depots	Capacity of 1,000 m ³ or more
27	Projects on production of petrochemical products (surfactants, plasticizers, methanol)	All
28	Projects on vessel clean-up	All
29	Projects on building oil and gas entrepots	All
30	Projects on thermopower plants	Capacity of 50 MW or more
31	Projects on hydropower plants	Reservoir with a capacity of 1,000,000 m ³ or more
32	Projects on building high-voltage power lines	50 km or more in length
33	Projects on iron, steel and non-ferrous metals rolling and refining plants	Design capacity of 5,000 tons or more of products per year
34	Projects on plastics plants	Design capacity of 1,000 tons or more of products per year
35	Projects on chemical fertilizer plants	Design capacity of 10,000 tons or more of products per year

36	Projects on warehouses of chemicals and plant protection drugs	Capacity of 10 tons or more
37	Projects on paint and base chemical plants	Design capacity of 1,000 tons or more of products per year
38	Projects on detergent and additive plants	Design capacity of 1,000 tons or more of products per year
39	Projects on plant protection drug plants	Design capacity of 500 tons or more of products per year
40	Projects on rubber latex processing plants	Design capacity of 10,000 tons or more of products per year
41	Projects on rubber processing plants	Design capacity of 1,000 tons or more of products per year
42	Projects on pharmaceutical and cosmetics plants	Design capacity of 50 tons or more of products per year
43	Projects on plants to manufacture car and tractor tires and tubes	Design capacity of 50,000 or more of products per year
44	Projects on accumulator plants	Design capacity of 50,000 kWh or more per year
45	Projects on cement plants	Design capacity of 500,000 tons or more of cement per year
46	Projects on tile and brick plants	Design capacity of 20 mil. tiles and bricks or more per year
47	Projects on plants to produce other construction materials	Design capacity of 10,000 tons or more of products per year
48	Projects on exploitation of construction materials (earth, rock, sand and gravel) on the mainland	Design capacity of 50,000 m ³ or more of materials per year
49	Projects on exploitation, dredging and full extraction of construction materials from river beds (sand and gravel)	Design capacity of 50,000 m ³ or more of materials per year
50	Projects on exploitation of solid minerals (without using chemicals)	Volume of 100,000 m ³ or more of solid minerals, earth and rock per year
51	Projects on exploitation and processing of solid minerals containing hazardous substances or involving the use of chemicals	All
52	Projects on processing of solid minerals	Design capacity of 50,000 tons or more of products per year
53	Projects on exploitation of groundwater	Design capacity of 1,000 m ³ or more of water per day and night
54	Projects on exploitation of surface water	Design capacity of 10,000 m ³ or more of water per day and night

55	Projects on food processing plants	Design capacity of 1,000 tons or more of products per year
56	Projects on frozen aquatic product processing plants	Design capacity of 1,000 tons or more of products per year
57	Projects on sugar plants	Design capacity of 20,000 tons or more of sugarcane per year
58	Projects on alcohol and spirit plants	Design capacity of 100,000 liters or more per year
59	Projects on beer and beverage plants	Design capacity of 500,000 liters or more of products per year
60	Projects on monosodium glutamate plants	Design capacity of 5,000 tons or more of products per year
61	Projects on milk processing plants	Design capacity of 10,000 tons or more of products per year
62	Projects on coffee processing plants	Design capacity of 5,000 tons or more of products per year
63	Projects on cigarette plants	Design capacity of 50,000 packs or more per year
64	Projects on slaughter plants/houses	Design capacity of 100 cattle or 1,000 poultry or more per day
65	Projects on ice plants	Design capacity of 500 ice bars or more per day and night or 25,000 kg or more of ice water per day and night
66	Projects on cereals processing mills	Design capacity of 10,000 tons or more of products per year
67	Projects on manioc processing mills	Design capacity of 1,000 tons or more of products per year
68	Projects on leather tanning plants	All
69	Projects on dyeing textile plants	All
70	Projects on non-dyeing textile plants	Capacity of 10,000,000 m of fabric per year
71	Projects on mechanical and engineering plants	Design capacity of 1,000 tons or more of products per year
72	Projects on timber and plywood processing plants	Design capacity of 100,000 m ² or more per year
73	Projects on plants to manufacture electric and electronic appliances	Design capacity of 10,000 or more appliances per year
74	Projects on plants to manufacture electric and electronic components	Design capacity of 10,000 tons or more of products per year
75	Projects on plants to produce fine art articles	Design capacity of 1,000,000 tons or more of products per year

76	Projects on constructing reservoirs and irrigation lakes	Capacity of 1,000,000 m ³ of water or more
77	Projects on building irrigation and anti-salinization systems	Covering an area of 500 ha or more
78	Projects on sea progradation dykes	All
79	Projects on aquaculture zones: intensive/semi-intensive farming	Water surface area of 10 ha or more
80	Projects on extensive aquaculture	Water surface area of 50 ha or more
81	Projects on aquaculture on sand	All
82	Projects on cattle farms	100 cattle heads or more
83	Projects on poultry farms	10,000 poultry heads or more
84	Projects on feed processing plants	Design capacity of 10,000 tons or more of products per year
85	Projects on forestation and forest exploitation	Area of 1,000 ha or more
86	Projects on building concentrated cassava and sugarcane growing zones	Area of 100 ha or more
87	Projects on building coffee growing zones	Area of 100 ha or more
88	Projects on building tea growing zones	Area of 100 ha or more
89	Projects on building rubber growing zones	Area of 200 ha or more
90	Projects on building tourist and entertainment resorts	Area of 5 ha or more
91	Projects on building golf courses	18 holes or more
92	Projects on building hotel and rest-home complexes	50 rooms or more
93	Projects on building hospitals	50 patient beds or more
94	Projects on plants to re-process and treat ordinary solid wastes	All
95	Projects on building dumping sites for industrial and	All
96	Projects on building dumping sites for garbage hazardous wastes	For 100 households or more
97	Projects on building concentrated industrial wastewater treatment systems outside industrial parks, export-processing zones and hi-tech parks	Design capacity of 1,000 m ³ or more of wastewater per day and night
98	Projects on building concentrated daily-life wastewater treatment systems	Design capacity of 1,000 m ³ or more of wastewater per day and night
99	Projects on building incinerators	All
100	Projects on building cemeteries	Area of 15 ha or more
101	Projects involving the use of part of headwater protective forest, breakwater forest, sea progradation forest or special-purpose forest areas	Area of 5 ha or more
102	Projects involving the use of part of natural forest areas	Area of 50 ha or more

Appendix II

**LIST OF INTER-BRANCH AND INTER-PROVINCIAL
PROJECTS WITH ENVIRONMENTAL IMPACT
ASSESSMENT REPORTS TO BE APPRAISED AND
APPROVED BY THE MINISTRY OF NATURAL
RESOURCES AND ENVIRONMENT**

*(Promulgated together with the Government's
Decree No. 80/2006/ND-CP of August 9, 2006)*

1. Projects involving the use of part or the whole of land areas of national parks, nature conservation zones, biosphere reservation zones, world heritages and historical-cultural relics areas which are of national grade.
2. Projects on nuclear power plants, thermonuclear plants and nuclear reactors
3. Projects on thermal power plants with a design capacity of between 300 MW and under 500 MW, located less than 02 km away from urban centers and residential areas; projects on other thermal power plants with a capacity of 500 MW or more.
4. Projects on hydropower plants and irrigation works with reservoir capacity of 100,000,000 m³ or more of water or affecting the sources of supply of surface and groundwater of two or more provinces and centrally-run cities.
5. Projects involving the destruction of headwater protective forests, breakwater forests, sea progradation forests or special-purpose forests of 20 ha or more or involving the destruction of other natural forests of 200 ha or more according to the Government-approved planning on conversion of land use purposes.
6. Projects on aquaculture on sand covering an area of 100 ha or more.
7. Projects on petrochemical refineries; projects on plants to manufacture base chemicals, plant protection drugs, detergents, additives or chemical fertilizers with a capacity of 20,000 tons or more of products per year; projects on accumulator plants with a design capacity of 300,000 Wh per year; projects on cement plants with a capacity of 1,200,000 tons or more of cement per year; projects on plants or workshops containing radioactive substances or discharging radioactive wastes.
8. Projects on oil and gas exploitation; projects on exploitation of solid minerals with a capacity of 500,000 m³ per year (including earth, discarded rock, lean ore); projects on exploitation of radioactive metal minerals, rare earth; projects on exploitation of groundwater with a capacity of 50,000 m³ of water per day and night, exploitation of surface water with a capacity of 500,000 m³ of water per day and night.
9. Projects on building infrastructures in industrial parks, export-processing zones, hi-tech parks, industrial clusters, tourist and entertainment resorts of 200 ha or more in area; projects on building ports to accommodate ships of a tonnage of 50,000 DWT or more; projects on iron and steel refining with a design capacity of 300,000 tons or more of products per year.
10. Projects on re-processing hazardous waste, treating and dumping hazardous waste.
11. Projects with one or more component among projects from 1 to 10 above.
12. Other projects specified in Appendix 1 and located in two or more provinces and centrally run cities.-

On behalf of the Government
Prime Minister
NGUYEN TAN DUNG

**APPENDIX 2:
RECORD OF STAKEHOLDER
MEETINGS, SOCIAL AND ECONOMIC
CONDITION QUESTIONNAIRES,
COMMENTS OF THE CONCERNED
AUTHORITIES**

First Stakeholders Meeting, THE HHTP PROJECT

Date: November 14th, 2008

Venue: Conference room of the Start-up Center of HHTP

Meeting started at 8:50 am.

Attendants list of the meeting are given in Appendix 1

1. Opening Remark

Mr. Duong from Hoa Lac High-Tech Park Management Board (HHTP-MB) delivered a speech to introduce the delegates and purposes of the meeting.

2. Explanation of the project outline

Mr. Duong presented the Outline of the Project and the Feasibility Study of JICA. During his presentation, he emphasized on following points:

- Explanation of the area of 1,586 hectares (ha) and the area of 1,036 ha (Phase 1); From 1996 to 1998, the Prime Minister of Vietnam agreed to implement the Hoa Lac High-Tech Park project. In October 1998, a site of about 1,650 ha was allocated for the HHTP. In May 2008, the Prime Minister of Vietnam approved the updated Master Plan for the HHTP, including some changes of the size of the study area, which now comprises a land area of 1,586 ha. Feasibility Study area corresponds to an area of 1,036 ha out of the total 1,586 ha in the approved Master Plan (priority area in the north of Lang Hoa Lac Highway) which is to be urgently improved.
- Up to Oct 2006: Only 3 projects investment licenses were given. Total investment: 500 million USD. Estimated to 2009: over 1 billion USD will be invested in HHTP.

3. Explanation of social and environmental consideration survey

Mr. Lan from INEST was in charge of the following presentation about the survey for social and environmental consideration.

4. Discussion

Following four subjects were offered to the attendants for discussion:

- Perception of residents to the project
- Intention of resettlement
- Condition of tenant farmers in communes

- Needs of compensation for agriculture and aquaculture to be affected by the project implementation

In general, all of the commune representatives made consensus of the implementation of HHTP Project. They did believe that, under the leadership of the Party and the Government, when taken into implementation, the Project will be helping to improve the social and economic conditions of local residents. However, attendances also expressed some strong inquiries as follows:

1) Mr. Nguyen Van Loi, representative of Tan Xa Commune

- What is the Amenity zone? and what is for?
- Golf-course project: Due to the properties of the area's topography, where the golf- course project to be implemented, high to the west, low to the east, the issues of any substance, either organic , inorganic, botanical, or microbial, that are used to destroy insects, must be of special attention; otherwise, the local residents will be affected.

Answer of Mr. Duong

- According to Decision 621 of the Prime Minister, the amenity zone has function of supporting for different activities in the HHTP, especially for 4 specific functional zones:
 - Software park : 76 ha
 - Research and Development: 229 ha
 - High-tech industry zone : 549.5 ha
 - Education and Training zone : 108 ha
- The main purpose of amenity zone is to meet the requirements of employment, to help create a good living environment for local people in order to attract foreign-invested projects and to make HHTP become a hi-tech city having many kinds of services (restaurants, hospitals, schools, golf course; hi-standard residential buildings.
- For golf-course issues: Before the implementation of this project, an EIA study will be taken in order to make sure that there will be no environmental issues and effects to the living condition of nearby residents. However, at this moment, for Feasibility Study - Fist phase, this golf course project has not been studied yet.

2) Representative of Ha Bang commune

- According to the Decision 198: in Ha Bang commune, the area of 250 ha were fully acquired for HHTP. Up to now, the remaining 50 ha has not been acquired because the local residents have not received compensation. As planned in the Update of Master Plan, there is still more 40 ha belonging the cemetery area here needed to be acquired. Over 90% of the farmers here are seriously affected in terms of job opportunities. At the time being, 900 local residents are jobless.

This Commune plans to develop rattan and bamboo products for export, but only 200 local residents can be qualified enough for this job. It is suggested that those farmers whose land are acquired should be of great concern from relevant agencies.

- Local residents, in view of resettlement, wish to be given the new accommodation, which should be equal or better than the old one.
- Compensation for local residents is not adequate.
- The issue of golf course mentioned by Tan Xa Commune is also local residents' concern.
- According to the Decision No.621, Ha Bang must accelerate delivery of 40 ha in the cemetery area with approximately 5,000 graves for the project. This work actually encountered many difficulties due to the faith of local residents who want to bury deaths in high-land area. The representative wonders where this cemetery can be relocated while all of his commune land has been acquired. He strongly requested HHTP-MB to establish the resettlement zone as soon as possible.

3) Representative of Thach Hoa Commune

- The entire land of this commune is used for project with 100% of people affected. Problems related with solving resettlement and compensation must be concerned.
- Problem of losing jobs for local residents must also be resolved.
- Within a few years, the prices of everything have considerably increased. However, there is not change in compensation price.
- Regarding the social-environmental issues, the sampling locations for the environment survey should be of equal distribution, expanding to muddy areas.
- It is suggested to promulgate the regulations on environment management, explicitly referring responsibilities for individuals, organizations causing pollution. For instance, LISOHAKA Company discharged untreated solid, causing serious pollution.
- It is recommended that inter-regional views should be taken into consideration in the environmental survey.

4) Representative of Binh Yen Commune

- Criteria for resettlement needed to adjust in order to satisfy with the current conditions. From 1998 to the present (10 years), the number of households have undergone great change. Previously, there was one household, now two or three households have been born.
- Compensation Price is very low, insufficient amount of employment assistance for local residents fails to meet their needs.

- As regulated, families whose land is acquired by 30% will be entitled with a substitution land which can be used for service activities. However, those families encountered many difficulties in asking for legal documents to receive this land. Up to now, no households here have been provided with the service land. At present, the Government has decided no longer to provide the service land for the satisfied local residents but to increase the compensation price, causing displeasure for them. The question is how to solve compensation for those who have received compensation without receiving the service land?

5) Mr. Binh from the land-acquisition Committee

- According to the policy of Former Ha Tay province, if the acquired land was about 30%, people will be received substitution land and can be used for service activity.; However, when there was a merger between Ha Tay and Hanoi, the policy changed. People will be no longer receiving service land instead of they may receive an increasing price compensation for land compensation. Anyhow, the situation is still not clear for the compensation.
- Review the planning in water supply and drainage in the area to avoid the flood situation. The current condition of dams, rivers, streams and especially Tan Xa Lake and Tich River should also be taken into consideration and invested when the entire area has been urbanized.
- Interested to the aspiration of the people in the project area, authorities should have planned to find suitable place to make the cemetery for the entire area.
- During the past 10 years from 1998 to present, the movement of households face difficulties due to the compensation policies, many people still have not been granted land for resettlement. Their living condition is going worse in some location because they neither build a new house nor transfer to new place.
- Support for vocational training does not meet the requirement especially proper care to workers in age from 35 – 55 years old. Orientation for job is also insufficient.
- One enterprise in project area signing contract with local workers in 2 years with the commitment that wage will be increased after 2-year employment, but then automatically terminate the contract without given the explanation.

6) Answer of Mr. Duong

- First of all, thanks for cooperation and appreciate the importance role of those communes in the past 10 years for the development of HHTP Project.
- About the role of the MB: Follows the guidelines of the Party and Government in the development of HHTP Project.

- About environmental issues of the project area: HHTP-MB is trying to maintain maximum natural conditions.
- HHTP-MB as the implementing body of HHTP project will try to listen to all the aspiration of the local people, find the optimal conditions for improving the living conditions of local people.
- About employment issues for people: trying to maximum resolved work for people but also have to face many difficulties due to the slow clearance progress of the project. Until now, not many projects have been operated so that the demand for the workers has not provided much. HHTP-MB has been requested cooperation from the enterprises located in the project for the commitment to use local workers.
- Currently there are two area used for resettlement and have been serving for 700 households in total households in 1,200. Other location has been searching to serve for the rest households.
- Golf course: EIA study will be done in order to give the full assessment proposing suggestions, specific solutions as well as measures for this project, adhere strictly the government regulation on environmental protection and the sustainable development before issue the license for the golf course.

7) Answer of Mr. Lan, INEST

- Based on the initial results of the survey in the rainy season, in general, the project area was only dust pollution for those locations along the national way no 21 and Lang-Hoa Lac highway. Detail results will be presented in the second meeting (December, 2008)
- Comments made by the delegates will be recorded and INEST will try to make a full and complete EIA report, as well as proposed solutions to protect the environment during and after the project was put into work.

5. Closing Remarks

Mr. Duong expressed the thankfulness to the participation for the attendance and their valuable comments.

Meeting ended 11:10 am.

Appendix 1

LIST OF ATTENDANTS

No	Name	Organization
1	Nguyen Van Binh	Dept of Land Clearance of Thach That District
2	Nguyen Thi Cuoc	Secretary of Binh Yen commune's Party
3	Vuong Van Giang	Vice- Chair of Binh Yen commune
4	Nguyen Xuan Huong	Land officer of Binh Yen commune
5	Nguyen Van Hoach	Secretary of Ha Bang commune's Party
6	Nguyen Van Quan	Vice- Chair of Ha Bang commune 's Mother Front
7	Nguyen Duc Thanh	Secretary of Thach Hoa commune's Party
8	Kieu Dang Khoa	Vice- Chair of Thach Hoa commune 's Mother Front
9	Nguyen Van Ngu	Vice –Chair of Thach Hoa commune People committee
10	Dao Xuan Viet	Land officer of Thach Hoa commune
11	Bui Van Dac	Tan Xa commune representative
12	Le Van Duc	Tan Xa commune representative
13	Ngo Hong Thu	Tan Xa commune representative
14	Le Van Loi	Land officer of Tan Xa commune
15	Pham Dinh Duong	Dept of commercial and small scale industry, Hanoi City
16	Pham Dai Duong	Vice- Chairman, HHTP Management Board
17	Tran Hong Phong	HHTP Management Board
18	Tran Phuung Thanh	HHTP Management Board
19	Kim Giang Nam	HHTP Management Board
20	Tran The Nam	HHTP Management Board
21	Tran Dac Trung	HHTP Management Board
22	Nguyen Chi Cuong	HHTP Management Board
23	Le Thi Mai Dung	HHTP Management Board
24	Nguyen Duy Thang	HHTP Management Board
25	Tran Huy Anh	VCC
26	Nguyen Ngoc Lan	Institute for Environmental Science and Technology (INEST)
27	Duong Thuy Linh	INEST
28	Nguyen Thu Hien	INEST
29	Vu Ngoc Thuy	INEST
30	Kenji Okamura	JICA Vietnam Office
31	Nobuhiro Oshima	JICA Study Team
32	Takahiro Kamishita	JICA Study Team

Second Stakeholders Meeting, THE HHTP PROJECT

Date: December 5th, 2008

Venue: Room 121 of the Start-up Center of HHTP

The meeting started at 9:10 am.

The Attendant list of the meeting is given in the Appendix

1. Opening Remark

Mr. Duong from HHTP-MB delivered a speech to introduce the delegates and purposes of the 2nd meeting. He also emphasized that MB already had a meeting to report the progress of the Project with the Ministry and relevant agencies 2 weeks ago.

2. Explanation of the progress study

Mr. Anh from VCC presented the Progress of the Feasibility Study of JICA.

3. Explanation of the progress of social and environmental consideration survey

Mr. Lan from INEST was in charge of the following presentation about the progress of survey for social and environmental consideration.

4. Discussion

First, Mr. Duong from MB summarized all the questions given in the first meeting. There were sixteen questions in total raised by participants for following main issues:

- Resettlement quality
- Compensation policy
- Employment issues for people whose land was acquired by the Project
- Progress of land acquisition and difficulty

Most of the given questions were answered in the first meeting; however, in this meeting, some of the answers will be explained in detail.

- Regarding the employment for local residents:

HHTP-MB is trying to resolve job opportunities for local resident; however, it also has to face many difficulties due to the slow progress of land acquisition for the project. Until now, only a few projects have been in operation in HHTP, so that the demand for workers has been still in small magnitude. HHTP-MB has been requested cooperation from the enterprises located in the

project area for their commitment to use local workers. At present, there are only two big companies (NOBLE and Kim Cuong) already used approximately 1,000 local workers.

- About the quality of resettlement: Hanoi People's Committee tried to develop the technical infrastructure for resettlement areas. Currently, there are two resettlement areas serving for 700 households out of 1,200 households.
- According to the policy of the Former Ha Tay province, if the acquired land was about 30%, people will be received a substitution land which can be used for service activities; however, when Hatay was merged into Hanoi, the policy changed. People will be no longer receiving service and instead of they will receive an increasing price compensation for land acquisition.
- LISOHAKA Company discharged untreated solid waste, causing serious pollution. However, LISOHAKA does not belong to the HHTP Project and may be used for land acquisition.
- It is recommended that the inter-regional views should be taken into consideration in the environmental survey. MB will contact with MARD for planning to avoid flood.
- MB will contact and strongly request all the investors in the Project area to follow the commitment in using the local residents as well as follow the Labor regulation and law.

MB will finalize all the questions and answers to prepare an officially written document and return to the participants of the previous meeting. Mr Duong thanked for all valuable comments from participants and called for more opinions.

Opinion of Mr. Can Hoang Tung from the PMU PMU of Industrial and small-scale Industrial groups development and investment

- The first phase of JICA FS will focus on the area of 1036 ha out of 1586 ha of the HHTP Project. The social and environmental conditions must be taken into consideration.
- In the Project area, it is estimated that there would be 1288 households having their residential houses and approximately 10 000 households whose land will be acquired. Due to the huge amounts of land acquired, many local residents will lose their income and the settlement of work problem faced many difficulties.
- In the area of 1036 ha, at least three (3) resettlement areas are needed to meet the requirement. At present, there are over 2,000 graves, mostly in Ha Bang commune (1600 graves) needed to be moved into the new area. This work actually encountered many difficulties due to the faith of local residents who want to bury deaths in high-land area. This problem must be solved, especially in the area of Thach Hoa and Ha Bang commune. Taken the aspiration of the local residents in the project area into consideration, the related authorities should have planned to find a suitable location for the cemetery relocation for the entire project area.

- **Regarding the resettlement issue:** Currently, there are more than 100 households already given resettlement land in the resettlement area of 7.8 ha (Stage 1). The second Stage of resettlement will be conducted on an area of 36.5 ha, serving for 600 households. These resettlement areas have fully met the local residents' expectation, new resettlement accommodations must be equal or better than the old one and strictly follow the Government's regulation.
- **The progress of land acquisition :**
 - + The area of land already acquired: 598 ha
 - + Not acquired yet: approximately: 700 ha. It is targeted to acquire 300 ha in 2009, and 400 ha in 2010.
- Resettlement for military area: According to the meeting with the Ministry of Defense held in last August, 68 ha of military area would be acquired for the HHTP project and it will receive 51 ha for resettlement. This plan was already submitted to the Prime Minister for approval. There still many works need to be conducted, such as listing, investigating and paying the compensation.
- Tan Xa Lake is another issue needed to be concerned. The total area of Tan Xa Lake is about 110 ha which is now serving for 2 main purposes:
 - + Irrigation and
 - + Local ecosystem regulation

It is required to have a study on this Lake in order to maintain the environment of this area and ensure the functions of the lake.

At present, Phu Sa Company is in charge of managing the surface area of the lake.

The HHTP-MB already contacted with MONRE, MARD in order to ask their cooperation for the study on Tan Xa lake.

5. Closing Remarks

Mr. Duong expressed his thanks to the participants and their valuable comments for the meeting.

The meeting ended 10:30 am.

Appendix 1

LIST OF ATTENDANTS

No	Name	Organization
1	Cam Hoang Tung	PMU of Industrial and small-scale Industrial groups development and investment
3	Vuong Van Giang	Vice- Chair of Binh Yen commune
4	Nguyen Xuan Huong	Land officer of Binh Yen commune
5	Nguyen Duc Tam	Land officer of Ha Bang commune
6	Do Van Dung	Vice- Chair of Ha Bang commune
9	Nguyen Thanh Tung	Thach Hoa commune People committee
10	Dao Xuan Viet	Land officer of Thach Hoa commune
11	Pham Dinh Duong	Dept of commercial and small scale industry
12	Pham Dai Duong	Vice- Chairman, HHTP Management Board
13	Tran Hong Phong	HHTP Management Board
14	Tran Phuong Thanh	HHTP Management Board
15	Kim Giang Nam	HHTP Management Board
16	Nguyen Duy Thang	HHTP Management Board
17	Le Thi Mai Dung	HHTP Management Board
18	Tran The Nam	HHTP Management Board
19	Tran Huy Anh	VCC
20	Nguyen Ngoc Lan	Institute for Environmental Science and Technology (INEST)
21	Nguyen Lan Phuong	INEST
22	Nguyen Thu Hien	INEST
23	Vu Ngoc Thuy	INEST
24	Hideyuki Wakasa	JICA Study Team
25	Takahiro Kamishita	JICA Study Team

Third Stakeholders Meeting, THE HHTP PROJECT

Date: February 6th, 2009

Venue: Conference Room of the Start-up Center of HHTP

The Meeting started at 9:00 am.

The Attendant list of the meeting is given in the Appendix

1. Opening Remark

Mr. Duong from HHTP-MB delivered a speech to introduce the delegates and purposes of the meeting.

2. Explanation of the draft final report of JICA study

Mr. Anh from VCC presented the proposed infrastructures in F/S Study of JICA.

Mr Duong expressed the thankfulness to Mr. Anh's presentation and in the mean time gave some more information related to the progress of the project as follows:

At the end of February, 2009 JICA study team will present the detail report of Feasibility Study, focus on the proposed infrastructure and one part related to environmental impact assessment.

3. Explanation of the social and environmental consideration survey and EIA

Mr. Lan (INEST) presented the report on environmental and social study and introduced about the examination in EIA report.

Mr. Duong summarized the content of the presentation of Mr. Lan and asking for opinions from the delegates attending the conference.

4. Discussion

(1) Mr. Nhat, Hamlet No 7 of Thach Hoa commune

+ When the HHTP project come into operation, HHTP-MB has to ensure that the wastewater discharge from wastewater treatment plant(WWTP) will not pollute the surrounding environment due to the fact that it is now located near the residential area of Ha Bang commune. If wastewater will not be treated properly, discharge to the receiving bodies can affect the ground water and directly influence the resident's living standard. We strongly request the HHTP-MB to ensure that the effluent of WWTP must be supervised for not disrupting the living of people in Ha Bang commune.

+ The project must resolve the employment of people when the project put into operation. Because most of agriculture land will be used for the project, the number of redundant

workers increase and most of them are low level of skill workers. They may have many difficulties in finding jobs. In case the project needs manual workforce such planting tree and cleaning, employments of local people should be prioritized.

(2) Mr. Ngu, Thach Hoa commune

The nature of the project area is hilly. In implementation, the ecosystems should not be disrupted ensuring the drainage and flood prevention.

About the service land issue, Thach Hoa commune had sent an official document to HHTP-MB. The answer from HHTP-MB stated that it is not under the authority of HHTP-MB. People of Thach Hoa communes have suggested that the HHTP-MB should arrange a small land area of HHTP area for service area and provide to the people's communes in order people can benefit from the project, contribute to solving employment problems for the people in the project area. Currently the average ages of workers in the commune are between 35 and 40 with low education so that resolve work problem encountered many difficulties.

+ Questions are set out whether in F/S of JICA has reviewed the issue related to vocational training for workers, if there any criteria should have priority to local people in these communes.

+ C * is road is under construction and has not been continued, in the rainy season this road will cause difficulties for people in traveling around this area. It is suggested to execute or make plans for improvement for the people convenience.

+ Study should be taken into consideration if move the current WWTP down the Northern Phu Cat in order to take the advantage of the terrain with slopes of the region.

(3) Mr. Dung, Ha Bang commune

+ People of Ha Bang commune all support the implementation of the project. They did believe that under the leadership of Party and Government, when taken into implementation, the Project will be helping to change the social and economic condition of local residents while sufficient attentions should be paid to environment issues.

+It is suggested that to consider further predictions about the impact of project activities to the environment of project and surrounding area as well as the ecological, social environment of project area.

+ Currently, the water quality in the project area is quite good and meets the standard for water usage however when the project put into operation, the solid waste and chemical waste from industrial, high technology may affect the quality of this water. Whether the living condition of local people will be affected and how?

(4) Mr. Loi, Tan Xa commune

Due to the characteristic of the terrain in this area, land slopes down from North-West to South-East. There is concern if the location of the amenity zone is appropriate. Where is the source of water used for golf-course? Measures to protect the environment? What kind of chemical used for grass protection and in case they can penetrate to the ground water and affecting the lives of local residents? What mitigations are considered?

(5) Mr. Dong – Ha Bang commune

+ Currently, the research focus only to the investigation within the project area only, not yet determine the impact of bad effect to the water, soil and air environment in the surrounding area of the project. Wastewater drainage system is quite long thus in case there was a leakage, how was the environment affected? And how's about other substance such as radiation waste? How to treat them?

+ Since most of land in this commune are acquired for the project, a lot of the redundant workers exist. It is necessary to resolve employment issue.

+ The clean water system should supply not only for the project area but also for surrounding residents.

(6) Mr. Duong of HHTP-MB answered questions of attendants

+ Regarding WWTP system, HHTP Project has been filtered according to the criteria of a high technology park by the MONRE that is not affecting the environment. Environmental impact assessment of projects also complies with related to environment protection laws.

+ Each enterprise located in the project area has to invest his own WWTP and ensure that their wastewater was treated before go into the WWTP system of whole area. Because the characteristic of this project is high technology, most of the small projects in this area release less waste or no waste.

+ When the current WWTP was constructed with the capacity of 6 000 m³/day, the master plan of the HHTP area was not yet include Northern Phu Cat area. Anyhow with the revised master plan, a individual wastewater treatment plant for Norther Phu Cat area. will be developed.

+ Wastewater treatment technology was chosen as one of the advance and best technology to ensure that the operation will be good for effluent water quality meet the TCVN prior to discharge to the receiving bodies.

+ Issues on wastewater drainage system: Two types of pipes will be used for separation of domestic wastewater and industrial wastewater to ensure against leakage and corrode.

+ Labor Problems: It is estimated that total workers for the Hoa Lac is 200,000 people. However, at present, only 3 factories have come into operation and use the local labor with total about 1,200 people. HHTP MB has been requested cooperation from the enterprises located in the project for the commitment to use local workers.

+ About the training of human resources program: there have been some quite large training programs for the training of human resources provided for HHTP project (the program of the Government). HHTP-MB has established a training center for implementing the training field to provide workers for investors in the high technology park area. Investor makes collaboration with the activity of organization of the human resource training. On March 15, 2009, there will be a workshop on vocational training, organized by Vice President, Minister of Education and Training, Mr. Nguyen Thien Nhan. Guests will be the business and investors in the HHTP, the center of vocational training, universities and colleges, training center etc. Currently, HHTP-MB already set up a training center and plan to expand it. As planned of HHTP, there will have 2 universities located in the HHTP area.

+ About the official document for service land : HHTP-MB cannot deliver the service land for local people, this is under the authority of Dept of Land acquisition and resettlement under the Ha Tay People's Committee formerly and now Hanoi People's Committee . According to the planning, function zone will have the service area and HHTP-MB will attempt to re-plan this area, take a small portion for a project business services for local residents.

+ Water supply system is outside the authority of the project management but owned by Vinaconex. District, commune should send official request directly to Vinaconex if you have the demand for water supply.

+ On going C* road project and try to finish on time.

+For golf-course issues: Before the implementation of this project, an EIA study will be conducted in order to make sure that there will be no environmental issues and effects to the living condition of nearby residents. The EIA report has to apply to MONRE together with proposed solution for mitigation of impact for approval prior to obtaining the license of development. However, at this moment, for Feasibility Study of Fist phase, this golf course project has not been studied yet.

(7) Mr. Lan of INEST answered some questions related to environmental issues

+ Emphasize on Mr. Duong's opinion about the technology of investment projects in the high-tech park is clean technology ensures no or very little pollution discharge to the environment.

+ Wastewater is processed through 2 levels, treated on site at each production facilities then later were collected and treated once more at the WWTP of whole area, stabled before

discharging to the receiving bodies. Operation of wastewater treatment activity must be ensured, however these issues related to directly management of each production units and by HHTP-MB. Department of Natural Resources and Environment should periodically check the quality of effluent, as well as monitoring the operation of the system's processing factories to ensure wastewater output quality before discharging to receiving resources, prevent pollution to the surrounding areas.

+ Related to the terrain of the project area, the project plan is trying to maintain the natural condition and keep the ecological balance.

+ Air pollution just released and depends on kind of production of each enterprise thus each small project before going into operation has to equip with the air treatment system if there is air emission to the environment. The radiation substances (if there is any) also must be taken into consideration.

+ Regarding to pollution evaluation and forecasting, EIA report not only focus on the study area but also the surrounding area, for example calculating the modeling of pollution spread in water receiving bodies such as Tich river

+ The EIA report mentioned and proposed solution to mitigate the environment impact when the project taken into operation not only for the study area itself but also for the surrounding area of HHTP.

(8) Mr. Chuc, Ha Bang commune

Where is the location of stabilization lagoon for wastewater?

Mr. Duong: Stabilization lagoon is one kind of tank in the WWTP system (specific term) not the natural lake.

5. Closing Remarks

Mr. Duong of HHTP-MB expressed the thankfulness to the participation for the attendance and their valuable comments.

The meeting ended 10:30 am.

Appendix

LIST OF ATTENDANTS

No	Name	Address
1	Pham Dinh Duong	Dept of commercial and small scale industry of Hanoi City
2	Nguyen Thi Cuoc	Secretary of Binh Yen commune's Party
3	Le Van Mao	Chair of Binh Yen commune
4	Đào Xuan Nhan	Chair of Binh Yen commune 's Mother Front
5	Nguyen Xuan Huong	Land officer of Binh Yen commune
6	Nguyen Đức Tam	Land officer of Ha Bang commune
7	Nguyen Van Chuc	Vice- Chair of Ha Bang commune 's Mother Front
8	Đo Van Dung	Vice-Chair of Ha Bang commune
9	Nguyen Van Đông	Head of Hamlet 1- Ha Bang commune
10	Đo van Huong	Head of Hamlet 3- Ha Bang commune
11	Nguyen Van Truong	Head of Hamlet 5- Ha Bang commune
12	Phung Van Nhat	Head of Hamlet 7- Ha Bang commune
13	Nguyen Duc Thanh	Secretary of Thach Hoa commune's Party
14	Nguyen Van Ngu	Vice-Chair of Thach Hoa commune
15	Kieu Dang Khoa	Chair of Thach Hoa commune 's Mother Front
16	Đào Xuan Viet	Land officer of Thach Hoa commune
17	Nguyen Van Bang	Head of Hamlet 2- Thach Hoa commune
18	Bui Đức Hung	Head of Hamlet 6- Thach Hoa commune
19	Nguyen Quang Hoc	Head of Hamlet 5- Thach Hoa commune
20	Chu Van Quang	Head of Hamlet 8- Thach Hoa commune
21	Nguyễn Thanh Tung	Head of Hamlet 3- Thach Hoa commune
22	Le Van Bac	Chair of Tan Xa commune
23	Ngo Hong Hai	Chair of Tan Xa commune 's Mother Front
24	Le Van Loi	Land officer of Tan Xa commune
25	Nguyen Van Thieu	Head of Hamlet 9- Tan Xa commune
26	Nguyen Van Thang	Head of Hamlet 4- Tan Xa commune
27	Pham Dai Duong	Vice- Chairman, HHTP Management Board
28	Tran Hong Phong	HHTP Management Board
29	Tran Phuong Thanh	HHTP Management Board
30	Kim Giang Nam	HHTP Management Board
31	Tran The Nam	HHTP Management Board
32	Tran Đac Trung	HHTP Management Board
33	Le Thi Kim Dung	HHTP Management Board
34	Pham Kieu Vinh	HHTP Management Board
35	Tran Huy Anh	VCC (local consultant for engineering subcontracted in the JICA Study)
36	Nguyen Ngoc Lan	INEST (local consultant for environmental study subcontracted in the JICA Study)
37	Nguyen Lan Phuong	
38	Nguyen Thu Hien	
39	Vu Ngoc Thuy	
40	Dang Xuan Ngoc	
41	Nobuhiro Oshima	JICA Study Team
42	Takahiro Kamishita	JICA Study Team

SOCIO – ECONOMY INVESTIGATION SHEET

1. Investigation area

- Name of area: Ha Bang Commune
- Number of household: 1,304; Total of inhabitants: 5896; Average:4.52 person/household
- Number of migrant household: 11 households
- Number of resettled household: 11 households

2. Status of land use:

- Total area of the land: 699.99 ha Of which, land for agriculture: 274.02 ha
- Land for industry: 423.5 ha Land for forestry: 0 ha Other: 2.47 ha
- Total area of acquired land when implementing the project: 250 ha

3. Status of socio-economy

- Number of households doing agriculture: 1,299 households Rice production: 210 ton/ha
- Secondary crop production: 07 ton/ha Non-agricultural households: 05
- Number of workers in local factories: 150 person
- Number of workers in centre factories: 96 person
- Income: Average: 900,000 VND/month.
Highest: 1,500,000 VND/month.
Lowest: 600,000 VND/month

Rich household: 309 household. Poor household: 362 households.

4. Public construction and infrastructure:

- Office: 01 establishment. Secondary school: 01. High school: 0
- Factory: 03 establishment Manufactory:... establishment Market: 01
- Hospital: 0 establishment Medical station: 01 establishment
- Communal house: 05 Pagoda: 01 Temple: 01 Church: 01
- Burial ground: 03
- Moved tombs when implementing the project of high-tech area: 2,600
- Road:
 - Earth road: 11 km Aggregate road: 0 km
 - Concrete road: 08 km Brick road: 0.7 km
- Status of power and water usage:
 - Energized household: 1304 Water supplied household: 0
 - Household using water from bored well: 16(the rest are dug well).

INVESTIGATOR

Ha Bang, November 26th, 2008
CERTIFICATION OF LOCAL
VICE-CHAIRMAN
Do Van Dung
(signed and sealed)

SOCIO – ECONOMY INVESTIGATION SHEET

1. Investigation area

- Name of area: Tan Xa Commune
- Number of household: 1,119 Total of inhabitants: 4,200 Average: ...person/household
- Number of migrant household: 467 households
- Number of resettled household: 467 households

2. Status of land use:

- Total area of the land: 834.85 ha Of which, land for agriculture: 150.76 ha
- Land for industry: 544.34 ha Land for forestry: 0 ha Other: 139.75 ha
- Total area of withdrawn land when implementing the project: 544.34 ha

3. Status of socio-economy

- Number of households doing agriculture: 932 households Rice production: 119 ton/ha
- Secondary crop production: 112 ton/ha Non-agricultural households: ...
- Number of workers in local factories: 0 person
- Number of workers in centre factories: 0 person
- Income: Average: 266.6 VND/month. Highest:VND/month. Lowest:VND/month
Rich household: household. Poor household: 183 households.

4. Public construction and infrastructure:

- Office: 01 establishment. Secondary school: 01. High school: 01
- Factory: ... establishment Manufactory: ... establishment Market:
- Hospital: 0 establishment Medical station: 01 establishment
- Communal house: 05 Pagoda: 01 Temple: 01 Church: 01
- Burial ground: 03
- Moved tombs when implementing the project of high-tech area:
- Road:
 - Earth road: 12 km Aggregate road: 05 km
 - Concrete road: 06 km Brick road: 0 km
- Status of power and water usage:
 - Energized household: 1119 Water supplied household: 0
 - Household using water from bored well:

INVESTIGATOR
NGO HONG HAI
(signed)

Tan Xa, December 25th, 2008
CERTIFICATION OF LOCAL
VICE-CHAIRMAN
NGUYEN VAN DUC
(signed and sealed)

SOCIO – ECONOMY INVESTIGATION SHEET

1. Investigation area

- Name of area: Thach Hoa Commune
- Number of household: 2,522 ; Total of inhabitants: 8,714; Average: 3.4 person/household
- Number of migrant household: 1,058 households
- Number of resettled household: 828 households

2. Status of land use:

- Total area of the land: 3291.40 ha Of which, land for agriculture: 232.49 ha
- Land for industry: 3056.55 ha Land for forestry: 0 ha Other: 2.36 ha
- Total area of acquired land when implementing the project: 631.84 ha

3. Status of socio-economy

- Number of households doing agriculture: 1,949 households Rice production: 5189 ton
- Secondary crop production: 8.5 ton/ha Non-agricultural households: 537
- Number of workers in local factories: 230 person
- Number of workers in centre factories: 250 person
- Income: Average: 500,000 VND/month.
Highest: 3,000,000 VND/month.
Lowest: 180,000 VND/month
Rich household: 540 household. Poor household: 50 households.

4. Public construction and infrastructure:

- Office: 03 establishments. Secondary school: 01. High school: 0
- Factory: 03 establishments Manufactory: ... establishment Market: 02
- Hospital: 0 establishment Medical station: 01 establishment
- Communal house: Pagoda: Temple: Church:
- Burial ground: 03
- Moved tombs when implementing the project of high-tech area: 2,600
- Road: 48.7 km
Earth road: 27.7 km Aggregate road: 11 km
Concrete road: 10 km Brick road: 0 km
- Status of power and water usage:
Energized household: 2522 Water supplied household: 0
Household using water from bored well: 500(the rest are dug well).

INVESTIGATOR

Ha Bang, November 26th, 2008
CERTIFICATION OF LOCAL
CHAIRMAN
Duong Nhu Hung
(signed and sealed)

COMMUNITY HEALTH INVESTIGATION SHEET

1. Investigation area:

- Name of area: Ha Bang commune
- Number of household: 1034 Total of inhabitant: 5896 Average: ... person/household

2. Status of local medical establishment:

- Name of hospital and medical station: Thach Hoa
- Number of doctor: 01 Number of nurse: 04 Number of nurse:
- Number of bed: 10 Number of room: 08 Capacity: 32 people
- Type of house (4-level house, flat roof house, storey flat): Flat roof, 2 row and 4-level house : 01

3. Public health status:

- Average of people going to the doctor: 300 people/month
- Number of people affected by contagious disease: 10 Making up...3.33. .%
- Number of people affected by respiration disease: 60 Making up ...20 ..%
- Number of people affected by dermal disease: 15 Making up ...5.. %
- Number of people affected by neuropathy: 15 Making up ...5...%
- Number of people affected by chronic disease: 05 Making up 1.67 %
- Chronic disease: chronic pharyngitis and chronic ulcerative colitis.
- Number of people affected by occupational disease: 0 Making up..... %
- Occupational disease:

4. Environmental issues relevant to public health in local and proposals:

- Industrial solid waste
- Domestic solid waste
- Pesticides
- Sanitation and food safety

Recommendations:

- Build a WWTP for the whole area
- Solid waste management and treatment
- Limitation on using of pesticides

INVESTIGATOR

Date: November 27th, 2008
**CERTIFICATION OF LOCAL
HEAD OF CENTER**

PHUNG VAN TUAN
(signed and sealed)

COMMUNITY HEALTH INVESTIGATION SHEET

1. Investigation area:

- Name of area: Tan Xa commune
- Number of household: 1,119 Total of inhabitant: 4,200 Average:... person/household

2. Status of local medical establishment:

- Name of hospital and medical station: Tan Xa
- Number of doctor: 01 Number of nurse: 04 Number of nurse:
- Number of bed: 16 Number of room: 04 Capacity: 16 people
- Type of house (4-level house, flat roof house, storey flat): Flat roof, 2 row and 4-level house : 01

3. Public health status:

- Average of people going to the doctor: 365 people/month
- Number of people affected by contagious disease: 13 Making up 3.6 %
- Number of people affected by respiration disease: 111 Making up 30.4 %
- Number of people affected by dermal disease: 7 Making up 2 %
- Number of people affected by neuropathy: 10 Making up 3.7 %
- Number of people affected by chronic disease: 6 Making up 1.64 %
- Chronic disease: sinusitis, chronic bronchitis, chronic pharyngitis and chronic ulcerative colitis.
- Number of people affected by occupational disease:..... Making up..... %
- Occupational disease:

4. Environmental issues relevant to public health in local and proposals:

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INVESTIGATOR
NGO HONG HAI
(signed)

Date: December 25th, 2008
CERTIFICATION OF LOCAL
VICE-CHAIRMAN
NGUYEN VAN DUC
(signed and sealed)

COMMUNITY HEALTH INVESTIGATION SHEET

1. Investigation area:

- Name of area: Thach Hoa commune
- Number of household: 2522 Total of inhabitant: 8714 Average: 3.4 person/household

2. Status of local medical establishment:

- Name of hospital and medical station: Thach Hoa
- Number of doctor: 01 Number of nurse: 06 Number of nurse:
- Number of bed: 03 Number of room: 04 Capacity: 16 people
- Type of house (4-level house, flat roof house, storey flat): Flat roof, 2 row and 4-level house : 01

3. Public health status:

- Average of people going to the doctor: 210 people/month
- Number of people affected by contagious disease: 0 Making up.... %
- Number of people affected by respiration disease: 780 Making up%
- Number of people affected by dermal disease: 42 Making up %
- Number of people affected by neuropathy: 07 Making up%
- Number of people affected by chronic disease: 543 Making up 1.64 %
- Chronic disease: chronic pharyngitis and chronic ulcerative colitis.
- Number of people affected by occupational disease: 0 Making up..... %
- Occupational disease:

4. Environmental issues relevant to public health in local and proposals:

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INVESTIGATOR
NGO HONG HAI
(signed)

Date: December 25th, 2008
CERTIFICATION OF LOCAL
CHAIRMAN
DINH DIEM LAN
(signed and sealed)

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

The People's Committee of Ha Bang commune has received the official letter No. 493/CNCHL-QHXDMT dated December 23, 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project on the area of Thach That district. On the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, we would like to send the official letter to reply with the contents as follows:

1. Opinions on bad impacts of the Project on the natural environment and socio-economy

The execution of Hoa Lac High-tech Park Project is in line with the guidelines and policies of the Communist Party of Vietnam and the State with the orientation that Vietnam shall be an industrial country in the future. Besides, with the favorable geographical location in terms of economic, scientific and technical development, Hoa Lac High-tech Park shall operate effectively and contribute to the national technological and scientific achievements.

When the project is put into operation, it shall not avoid bad impacts on the surrounding environment, particularly the living environment of the communal inhabitants. However, with such bad impacts on the natural environment and socio-economy, Ha Bang commune realizes that the influences can be overcome basing on measures of pollution minimization and treatment of each functional areas and units within the project area. Therefore, the People's Committee of Ha Bang commune consents to the execution of Hoa Lac High-tech Park Investment and Construction Project on the communal area.

Opinion of disapproval: None

2. Opinion on minimization measures and solutions of bad impacts of the Project on the natural environment and socio-economy

The proposed measures on the environmental protection are reasonable. However, the Project must commit to comply fully with Law on Environmental Protection as well as related circulars and decrees.

3. Petitions to the Investor

So that the project is promptly completed and achieved high effect, contributing to the development of national economy in general and of the High-tech Park in particular, the People's Committee of Ha Bang commune would like to request the Management Board of Hoa Lac High-tech Park comply with the following requirements:

- Strictly comply with regulations of Vietnam in terms of land management, construction management and other related regulations during the execution in the project area.
- During the space clearance, the Management Board of the project should pay attention to and give reasonable compensation and removal with regard to a big number of graves at the local. This is a very sensitive matter because it is related to spiritual factor; so it is proposed the Management Board to take care and settle reasonably and satisfy the inhabitants' desire.
- Propose the Government measures on space clearance, speed up progress of project execution in order to stabilize the inhabitants' life;
- Support the local inhabitants to have more jobs, increase their income; propose policy on vocational training and orientation for the local inhabitants

The People's Committee of Ha Bang commune would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

FOR PEOPLE'S COMMITTEE OF HA BANG COMMUNE

Vice Chairman

Do Van Dung

(Signed and sealed)

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

The People's Committee of Tan Xa commune has received the official letter No. 494/CHCHL-QHMT dated December 23, 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project on the area of Thach That district. On the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, we would like to send the official letter to reply with the contents as follows:

1. Opinions on bad impacts of the Project on the natural environment and socio-economy

When Hoa Lac High-tech Park is executed, it shall be a center of the national high-tech development network; research in high-tech development; combine production and business of high-tech products with creation of high-tech enterprises; tend to a national scientific-technological city. It is considered a high-tech environment with full infrastructure for activities of training-research-application; good legal environment and managed professionally in the field of high-tech in order to marketing and promote the investment with different entities.

The execution of Hoa Lac High-tech Park is in line with outside condition, create favorable conditions for Vietnam to integrate into ASEAN; be the fastest way to the scientific-technological standard of the advanced countries in the world; be model leading other technology parks to develop continuously in Vietnam.

When the project is put into operation, it shall create jobs to the communal inhabitants, increase living standard of the inhabitants, and create condition for the inhabitants to approach achievements in research of development as well as renovation of science and technology.

The People's Committee of Tan Xa commune- Thach That district- Hanoi City consents to and supports the planning and construction of the project on the communal area.

Opinion of disapproval: None

2. Opinion on minimization measures and solutions of bad impacts of the Project on the natural environment and socio-economy

The construction project of Hoa Lac High-tech Park is huge-sized and modern. The business organizations have proposed particular measures on treatment of exhausted fumes, wastewater and solid waste in the functional areas when the project is put into operation. Such measures of treatment and minimization shall be inspected seriously by the Management Board of the High-tech Park together with the environmental functional agencies in Hanoi.

3. Petitions to the Investor

So that the project is promptly completed and achieved high effect, and contributes to the national renovation, the People's Committee of Tan Xa commune would like to suggest the Management Board of Hoa Lac High-tech Park comply with the following requirements:

- Strictly comply with regulations of Vietnam in terms of land management, construction management and other related regulations during the execution in the project area;
- Coordinate with the District and City in guaranty of security and order, fire prevention and fighting in the project area;

- Propose the Government measures on **space** clearance; speed up the project progress to stabilize the inhabitants' life;
- Support the local inhabitants to have more jobs, increase their income; propose policy on vocational training and orientation for the local inhabitants;
- When surveying design, it is necessary to have connecting points such as: Road, electricity, water in line with local planning; prefer surrounding areas when having demand on using services in Hoa Lac High-tech Park

The People's Committee of Tan Xa commune would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

PEOPLE'S COMMITTEE OF TAN XA COMMUNE

Chairman

Le Van Bac

(Signed and sealed)

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

The People's Committee of Thach Hoa commune has received the official letter No. dated December....., 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project on the area of Thach That district. On the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, we would like to send the official letter to reply with the contents as follows:

1. Opinion of approval:

The People's Committee of Thach Hoa commune always consents to the planning and implementation of the Project because when the Project is finished, it shall create the foundation and motivation of the technological and scientific development in Vietnam. The finished project shall contribute to helping Vietnam integrate the regional economy and increasing Vietnam's prestige in the world.

When the project of Hoa Lac High-tech Park is put into operation, it shall create favorable conditions for the local inhabitants to approach the modern industry, increase the inhabitant's cultural standards and change living style and thought of the communal inhabitants towards civilization and modern. Besides, the Project shall help the inhabitants orient their occupation, create jobs for a part of local laborers of agricultural leisure, and speed up the development of communal economy.

The project operations have paid attention to the protection of the inhabitant's interests, the environmental protection and area landscape.

The communal People's Committee consents to the guidelines and policies of the Communist Party of Vietnam and the State on the execution of Hoa Lac High-tech Park phase 1 with the area of 1036 ha.

2. Opinion of disapproval: None

3. Other opinions

So that the project is promptly executed, the People's Committee of Thach Hoa commune proposes the Management Board of Hoa Lac High-tech Park to carry out the following requirements:

- Execute the project as per regulation of the State;
- Seriously comply with the measures of arisen pollutant treatment; regularly inspect the environment in order to limit bad impacts on the community health and living environment.

The People's Committee of Thach Hoa commune would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

PEOPLE'S COMMITTEE OF THACH HOA COMMUNE

Chairman

Duong Nhu Hung

(Signed and sealed)

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

The Ha Bang communal Committee of Vietnamese Fatherland Front has received the official letter No. 493/CNCHL-QH dated December 23, 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project on the area of Thach That district. On the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, we would like to send the official letter to reply with the contents as follows:

1. Opinion of approval

- The Ha Bang communal Committee of Vietnamese Fatherland Front consents to the execution of Hoa Lac High-tech Park Investment and Construction Project and hopes that the project shall be executed promptly in line with given progress.
- The construction of Hoa Lac High-tech Park is in appropriation with the aim of the national socio-economic development in the front of demand on integration and internationalization.

2. Opinion of disapproval: none

3. Other opinions

The Ha Bang communal Committee of Vietnamese Fatherland Front requests the Investor:

- During the execution of the project, it must be complied with approved design document in terms of withdrawn land areas used for the project;
- Seriously inspect the execution of the project in order to avoid arisen environmental matters as well as impacts on the communal inhabitants' life;
- Speed up the progress of the project in order to avoid impacts on the production plan and farming seasons of the communal inhabitants;
- Minimize impacts on the local inhabitants (impacts on daily activities, land, road...) and the environment;
- Cooperate with the Management Board of Hoa Lac High-tech Park during the recruitment; register plan of recruitment with the Management Board of Hoa Lac High-tech Park before the recruitment;

The Ha Bang communal Committee of Vietnamese Fatherland Front would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

**HA BANG COMMUNAL COMMITTEE OF VIETNAM
FATHERLAND FRONT**

**Chairman
Nguyen Van Chuc
(Signed and sealed)**

No. 01

Ref: *Public opinion on the execution of Hoa Lac High-Tech Park Investment and Construction Project*

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Tan Xa, February 05, 2009

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

The Tan Xa communal Committee of Vietnam Fatherland Front and the People's Committee of Tan Xa commune have received the official letter No. dated December....., 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project on the area of Thach That district. On the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, we would like to send the official letter to reply with the contents as follows:

1. Opinions on bad impacts of the Project on the natural environment and socio-economy

The project of Hoa Lac High-tech Park shall be a big project, executed in line with the guidelines and policies of the Communist Party of Vietnam and the Government. The completed project shall speed up the national economy in general and the local in particular; help the country develop in keeping pace with the developed countries in the world. In terms of bad impacts of the project on the natural environment and socio-economy, the Tan Xa communal Committee of Vietnam Fatherland Front would like to propose the following opinions:

- When being constructed and put into operation, the project shall change the natural environment in terms of ecosystem, creature resource, vegetation and animals; simultaneously, the quality of land, air and water environment shall be changed. Such impacts can be unavoidable during the execution of any project. However, scale and level of impacts depend on the planning of space and system of waste treatment in the High-tech Park. These impacts are undesirable and the Tan Xa communal Committee of Vietnam Fatherland Front suggests that the Management Board of Hoa Lac High-tech Park propose the Government to give reasonable measures on minimization of bad impacts during the execution and space clearance as well as when the project is put into operation.
- The project has huge meaning in terms of socio-economy because the execution of the project creates motivation for the high-tech industry of Vietnam to develop in keeping pace with the world scientific and technology advances.
- The project contributes to improving the cultural and spiritual life of the local inhabitants. The Tan Xa communal Committee of Fatherland Front supports the execution of Hoa Lac High-tech Park Investment and Construction Project and hopes that the project is promptly executed in line with the given progress.

2. Opinion on minimization measures and solutions of bad impacts of the Project on the natural environment and socio-economy

The Tan Xa communal Committee of Vietnam Fatherland Front consents to and supports the minimization measures and solutions of bad impacts of the Project on the natural environment and socio-economy.

3. Petitions to the Investor

The Tan Xa communal Committee of Vietnam Fatherland Front requests the Investor:

- During the execution of the project, it must be complied with approved design document in terms of withdrawn land areas used for the project;
- Minimize impacts on the local inhabitants (impacts on daily activities, land, road...) and the environment;

The Tan Xa communal Committee of Vietnam Fatherland Front would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

**FOR TAN XA COMMUNAL COMMITTEE OF VIETNAM
FATHERLAND FRONT**

Chairman

Ngo Hong Hai

(Signed and sealed)

To: THE MANAGEMENT BOARD OF HOA LAC HIGH-TECH PARK

In reply to the official letter No. 495/CNCHL-QHMT dated on December 23, 2008 by the Management Board of Hoa Lac High-tech Park on the execution of Hoa Lac High-tech Park Investment and Construction Project in the area of Thach That district; and on the foundation of basic contents of the project, arisen environmental matters and measures of environmental protection, the Thach Hoa communal Committee of Vietnam Fatherland Front would like to send the official letter to reply with the contents as follows:

1. Opinion on bad impacts of the Project on the natural environment and socio-economy

The investment and construction of Hoa Lac High-tech Park shall bring the socio-economic effects to Vietnam in general and the communal inhabitants in particular; and contribute to the strategy of national economic development.

Therefore, the Thach Hoa communal Committee of Vietnam Fatherland Front always consents to the execution of Hoa Lac High-tech Park Investment and Construction Project on the communal area. We are ready to create favorable conditions so that the project is executed the most promptly.

2. Opinion of disapproval: None

3. Other opinions

During the execution of the project, it cannot avoid impacts on the environment and the area of project. Therefore, it is suggested that the Investor must comply with a number of requirements as follows:

- *During the execution of the project:* inspect the construction, the implementation of measures on labor safety, measures fire and explosion prevention and fighting, and the collection and treatment of waste.
- *During the operation of the project:* regularly inspect the implementation of measures on minimization and treatment of wastes such as exhausted fumes, wastewater, solid waste, noise and vibration.

The Thach Hoa communal Committee of Vietnam Fatherland Front would like to send above-mentioned opinions to the Management Board of Hoa Lac High-tech Park for solutions.

Recipients:

- As above;
- Filing: Archives

**THACH HOA COMMUNAL COMMITTEE OF VIETNAM
FATHERLAND FRONT**

**Chairman
Kieu Dang Khoa**

(Signed and sealed)