Government of Romania

Ministry of Internal Affairs

ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

for

Disaster Risk Management Project

May 2018

Table of Contents

ABREVIATION

DES	Department for Emergency Situations
DRM	Disaster risk management
EA	Environmental Assessment
EGO	Emergency Governmental Ordinance
EIA	Environmental Impact Assessment
EP	Environmental Permit
ESIA	Environmental Social Impact Assessment
ESMF	Environmental Social Management Framework
ESMP	Environmental Social Management Plan
GD	Governmental Decision
GIES	General Inspectorate for Emergency Situations
LRP	Livelihood Restoration Plan
ME	Minister for Environment
MoIA/DES/GIES	Ministry of Internal Affairs/Department of Emergency Situations/General Inspectorate Emergency Situations
NEAP	National Environmental Action Plan
OJ	Official Journal of Romania
OP	Operational Policy
PIU	Project Implementation Unit
SEP	Stakeholder Engagement Plan
WB	World Bank

1 INTRODUCTION

1.1 BACKGROUND

This Environmental and Social Management Framework (ESMF) has been prepared for the Romania Disaster Risk Management Project (DRMP) financed by the International Bank for Reconstruction and Development (IBRD) and the Romanian Government. It covers procedures and mechanisms that will be triggered by the Project to comply with World Bank Safeguard Policies, including OP/BP4.01 Environmental Assessment, OP/BP 4.11 Physical Cultural Resources, OP/BP 4.12 Involuntary Resettlement and OP/BP on Access to Information and with the legislation and normative and legal acts of Romania that govern preparation and implementation of environmental protection requirements.

ESMF will allow ensuring environmental and social sustainability of activities throughout their implementation cycle and to provide MoIA-DES-GIES engineering and technical staff and consultants with adequate institutional, normative and technical framework for future processes and procedures that should be observed when:

(i) Identifying Environmental and Social Assessment implementation arrangements, including assessment of potential impact of activities implemented under the DRMP;

(ii) Developing separate site-specific ESMPs for each subproject integrating the complex of social and environmental impact mitigation measures, environmental monitoring and institutional responsibility into the general project implementation plan by including the ESMP into the bidding documents and to ensure funding and supervision along with other components of the subproject;

(iii) Identifying requirements for environmental monitoring, social due diligence, and activities on institutional strengthening conducive to beneficial impacts of the project.

1.2 PROJECT CONCEPT

1.2.1 Project Development Objective

The project's objective is to enhance the resilience of critical disaster and emergency response infrastructure and to strengthen the government's capacities in disaster risk reduction and climate change adaptation.

1.2.2 Project components

The Project consists of the following components:

- **Component 1: Improving seismic resilience of disaster and emergency response infrastructure**

The main objective of this component is to improve the seismic safety and disaster resilience of critical disaster and emergency response buildings through investments in building infrastructure, structural strengthening and modernization. This is especially important given that most buildings were constructed prior to 1990, before the current seismic building codes were established. Such improvements will ensure that these critical buildings are fully operational before, during and post-disaster for all types of disasters – earthquakes, floods, storms, extreme weather and so forth – by considering the resilience of critical systems such as energy, water and

communications. Buildings will also receive energy efficiency improvements, aligned with EU and Romanian regulations which contribute to operational savings and Romania NDC Commitments. Finally, all building renovations achieve universal access and ensure equal access for men and women by the additional of gender appropriate facilities (e.g. bathrooms for women).

- **Component 2: Enhancing technical capacity for risk reduction investment planning**

The objective of this component is to improve the understanding of disaster and climate risks in Romania, with a focus on developing a national risk reduction program and investment strategy to guide future investments in subsequent phases of the Project.

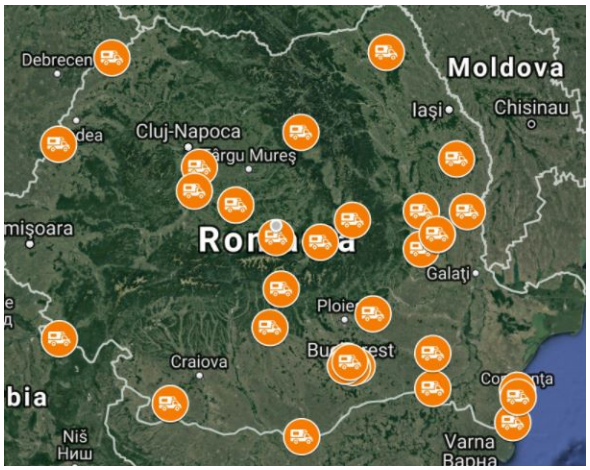
This will focus on financing activities that: i) improve hazard, exposure and vulnerability datasets critical to prioritize risk reduction actions, as well as additional risk modeling for all types of natural hazards so as to build on Ro-Risk; ii) forward-looking resilient investment planning for disasters and climate change; iii) development of a package of evidence-based priority investments to support strengthening of existing critical buildings across the country; and iv) development of designs, communications activities, and other activities to enhance the capacity of the Government to implement and manage large-scale retrofitting programs. This activity would also support, within the framework of a long-term investment plan, the commissioning of retrofit designs for investment activities that may potentially be considered in future phases.

- **Component 3: Project Management**

The component will support all costs related with implementing and managing the Project such as the hiring of external specialists and consultants for the GIES project units for technical issues, procurement, financial management, monitoring, and evaluation, etc. The project management component will also support incremental operational expenses of the project management and coordination units.

1.3 TARGETED PROJECT BUILDINGS

About 35 buildings from 22 counties in Romania are being considered for investments in infrastructure and structural strengthening. The map below indicates the locations of the 35 proposed buildings.



Picture 1. Location of proposed sites

These buildings include emergency response headquarters, fire and rescue stations and command centers. The inoperability of these buildings during an earthquake, storm or flood disaster would create a significant gap in the government's response capacity. They represent a small percentage of the total number of public buildings in Romania that are at risk from collapse or serious damage. However, this Project aims to develop the systems, frameworks and data for an eventual larger scale risk reduction program. It will also showcase the benefit of this approach for short-term gain, such as amenity and energy efficiency improvements, and long-term risk reduction and climate adaptation and will provide a very visible sign of the government commitment to, and progress in, risk reduction. This is particularly important given the limited progress in Romania in risk reduction in recent decades.

The structural retrofitting, functional upgrading or demolition and reconstruction, and energy efficiency investments will include the financing of (i) preparation, review and analysis of the Technical Surveys, Energy Efficiency Audits, Feasibility Studies and Technical Designs to obtain permits for (ii) civil works for retrofitting/upgrading or demolition/reconstruction of priority facilities, and (iii) supervision of construction works. This component will also finance non-structural activities focused on promoting best practices in seismic retrofitting and low-energy improvement techniques, such as implementation of guidelines and codes for infrastructure development, emergency response planning and capacity development, and increasing public awareness.

In order to assess the environmental, social and spatial conditions of the buildings, responsible persons from the territorial units of the Department for Emergency Situations were surveyed. According to the data provided by the respondents, the average age of the 35 buildings under consideration is 66 years. The oldest buildings are 125 years old, while the newest buildings are 19 years old. The graph below presents the total number of buildings and their year of construction.

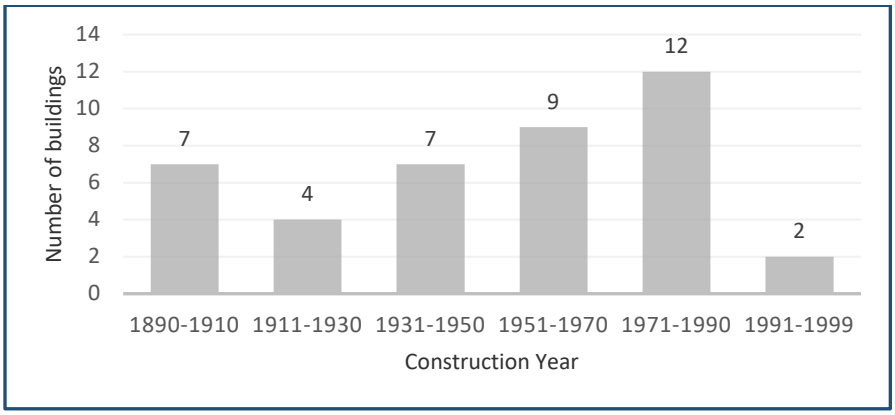


Figure 1. Construction years for targeted buildings

The average building footprint is 574 m^2 while the average total area of buildings is of 1176 m^2. The graph below presents the buildings grouped according to their total footprint area and the total area in m^2.

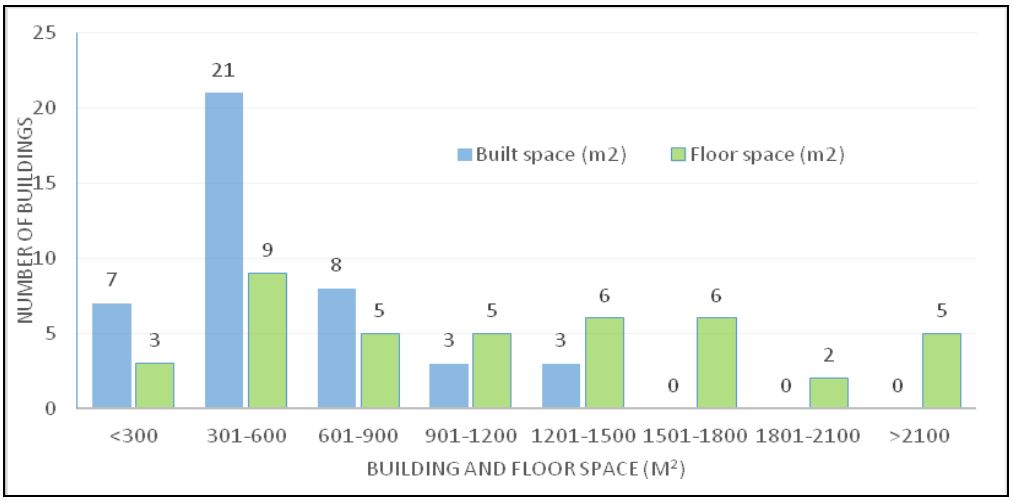


Figure 2. Built and floor spaces of the targeted buildings

Based on their functions, these buildings can be divided in three sub-categories: Administrative Buildings (2) Operational and Administrative Buildings (26) and Operational and Administrative Buildings with Garages (13).

All the buildings are in public property and the works are expected to take place within the existing premises. Still, the exact type of intervention has not yet been decided since this has to be done based on a technical analysis.

For all these proposed 35 buildings the final constructive solutions for rehabilitation/upgrading/new structures will be decided only after the completion of the feasibility studies that will be executed for each site.

Scope of works. The interventions for this component will entail new construction in limited cases as well as the refurbishment of existing buildings improving some interior spaces and plan layouts and adapting existing spaces for new functions. This will include moving interior partitions and providing new finishes.

The building envelope will be upgraded for better weather protection and greatly increased energy efficiency (windows and doors will be replaced, as will heating systems.) Technical infrastructure will be largely upgraded in all cases, including electrical and mechanical systems, communications, and security and public safety systems. Where additions are being made to existing buildings, there will be cases where parts of the existing structure will be demolished to accommodate the new designs. Restoration of existing details will be undertaken where architecturally appropriate.

The following parameters were considered for prioritizing the buildings that will be included in the project:

1) Hazard – design peak ground acceleration according P100-1/2013
2) Year of construction: before 1900, between 1901-1939, between 1940-1977, after 1977

3) Structural system: URM+FF, URM+RF, RM+RF, RC+RF or S+RF (URM: un-reinforced masonry, RM: reinforced masonry, RC: reinforced concrete, S: steel, FF: flexible floors, RF: rigid floors)
4) Importance in the disaster management system (relative score for the proposed buildings)

Buildings exposed to flood or landslide risk will not be included in the project.

2 LEGAL AND ADMINISTRATIVE FRAMEWORK

2.1 CURRENT ENVIRONMENTAL AND SOCIAL REGULATORY FRAMEWORK IN ROMANIA

This section briefly describes the main existing environmental regulations and standards relevant to the project, and refers to local and national levels institutions that are responsible for issuing permits and licenses and enforcing compliance of environmental standards. A more comprehensive list of the legal and institutional framework is provided in Annex 1.

The legal framework for environmental protection and related activities include the Emergency Governmental Ordinance (EGO) 195/2005 approved by Law no.265/2006, other organic and major laws on various domains, International Conventions and treaties signed and ratified by Romania, different governmental decisions or ministerial orders, and National Environmental Strategy and National Environmental Action Plan (NEAP) define The national environmental legislation is based on EU standards and sets four general principles of environmental policy (polluter-pays, integrated monitoring, sustainable development, NGOs and public participation, international cooperation, rehabilitation of degraded areas). It also adopts the general ways for the enforcement of these principles, such as: harmonization of environmental policies and development programs, correlation between special and environmental development, compulsory use of the environmental permitting procedure for certain economic and social activities with significant environmental impacts, use of economic incentives.

Proponents of new investment projects that are likely to have a significant environmental impact are required to apply for an environmental agreement. This might be awarded only after an environmental impact assessment is conducted by certified experts to identify potential impacts, mitigation measures and monitoring arrangements should be outlined in this process. After the project has been commissioned, an environmental permit (for operation) is required, which can be issued only after LEPA staff have verified compliance with environmental provisions. Without these permit, the proposed activity is not allowed to proceed. The environmental agreement is issues simultaneously with other approvals. The environmental permit is preceded by obtaining of other approvals (for telecommunication utilities, for natural gas network, for electric power, from the Fire Commandment, etc.) the Water Permit being one of the most important. The Beneficiary (the proponent of respective investment) has the obligation to set up its own internal or self-monitoring system for environmental protection. Parameters to be monitored are established according to the provisions included within environmental agreement and further in the environmental permit. Data must be registered and made available for LEPA or other agencies.

Environmental Impact Assessment (EIA). The accomplishment of full EIA on which basis the environmental agreement would be issued, is mandatory for all activities listed in Appendix I of the Governmental Decision (GD) no.445/2009 on the framework procedure for environmental impact assessment for certain public and private projects, as well as all projects proposed for the coastal zone and those proposed in protected hydro-geological areas. Projects listed in Appendix II of the same normative act, projects proposed within a natural protected area and those designated for the management of the natural protected areas are subject to the screening procedure. The result of the screening procedure is a decision based on which the project is further subject to the EIA or not. The current regulations require that the information provided by the developer of the EIA process shall include the measures envisaged in order to avoid, reduce and where possible, offset the significant adverse effects.

The EIA procedure comprises a mandatory involvement of the public and all public comments are considered in the EIA procedure. The environmental protection authorities setup and manage Technical Review Committees, which represent a mandatory requirement of the national EIA procedure.

The national EIA procedure is detailed within the Official Journal (OJ) 135/2010 and guided by the requirements of OJ 863/2002 (Screening, Scoping and Review Guidance) and, as appropriate, by OJ 864/2002 on the transboundary EIA procedure.

The proposed investments are not expected to trigger the requirement for a complete EIA under Romanian law (EGO 195/2005). Still, there might be situations where a simplified EIA procedure might be requested by the national/local environmental authorities. In such cases, the guidelines on EIA preparation presented in annex 2 will be applied.

A consultation process should be initiated by MoIA/GIES with the representatives of local DES and local authorities where the pre-selected buildings are located.

The Romanian legislation does not require a social assessment for investment projects, nor is this a requirement for issuance of any permit. However, the Environmental Impact Assessment (EIA) prepared for the Romanian national permitting procedure includes a chapter on social aspects that is consistent with the aim of this report. The main pieces of legislation, by-laws and government policies relevant to social impact assessment are listed in the below table:

Law	Purpose
Law no. 22/2001 on ratification of the Convention on Environmental Impact Assessment in a Transboundary Context Government Decision no. 918/2002 establishing the framework procedure for environmental impact assessment	Besides the fact that an EIA is carried out to determine the requisite measures to prevent adverse environmental impacts due to the implementation of certain planned objects and types of activities, it also covers to some extent the social aspects.
Law No. 53 of 24 January 2003 - Labor Code	Regulates every individual and collective employment relationship, the enforcement of the regulations regarding the employment relationships and the labor jurisdiction.
Law no. 481 of 8 November 2004 regarding the civil protection	Envisions an integrated set of specific activities, measures and organizational, technical, operative, humanitarian and public information tasks, planned,

Law	Purpose
	organized and realized in order to prevent and reduce risks of disasters; protection of population; goods and environment against the negative effects of emergency situations.
Law No. 448 of 06 December 2006 regarding the protection and promotion of the rights of disabled persons (republished in 2008)	Regulates the rights and obligations of disabled persons granted for the purpose of their social integration and inclusion.
Law no. 202/2002 regarding the Equal Opportunities of Women and Men	Regulates measures to promote equal opportunities and treatment between men and women, to eliminate all forms of discrimination based on gender in all spheres of public life in Romania.
Law no. 544 of 12 October 2001 regarding the free access to information of public interest	The free and unrestricted access of any person at any piece of information of public interest, defined as such by this law, constitutes one of the fundamental principles of the relations between persons and public authorities, in accordance with the Constitution of Romania and with the international documents ratified by the Parliament of Romania.

2.2 WORLD BANK SAFEGUARDS POLICIES AND PROCEDURES

The major WB environmental safeguard policy is **OP 4.01 *Environmental Assessment***, which is one of ten safeguard policies that the projects submitted for the Bank financing are to comply with.

Ten safeguard policies plus the policy on *Access to Information* represent the framework of safeguard mechanisms applied by the WB for the sake of interests of beneficiaries, clients, stakeholders and that of the Bank. Applying these policies allows avoiding adverse impacts on the environment and people's lives, minimizing and mitigating potential unfavorable environmental and social project impacts.

1. Environmental Assessment (OP 4.01)
2. Natural Habitats (OP 4.04)
3. Pest management (OP 4.09)
4. Physical Cultural Resources (OP 4.11)
5. Forests (OP 4.36)
6. Safety of Dams (OP 4.37)
7. Involuntary Resettlement (OP 4.12)
8. Indigenous Peoples (OP 4.10)
9. Projects on International Waterways (OP 7.50)
10. Projects in Disputed Areas (OP 7.60)

+1. Access to Information

The first six policies are environmental policies and they are mainly considered during the preparation of the Environmental Assessment. The seventh and eighth are social and the ninth and tenth are legal.

The objectives of safeguards policies are to:

- Avoid negative impacts where possible; otherwise minimize, reduce, mitigate, compensate;
- Match level of review, mitigation and oversight to level of risk and impacts;
- Inform the public and enable people to participate in decisions which affect them;
- Integrate environmental and social issues into project identification, design and implementation.

Principles of OP 10+ 1:

✓ In case of discrepancy between the requirements of OP 10+1 and those of the national legislation norms, the more stringent ones prevail;

✓ In case of conflict between the OP 10+1 and the national environmental requirements, the WB policies will prevail (even if some parts of the project are financed by the Government of Romania or third parties).

The legal basis for such approach is the Agreement ratified by the Romanian Parliament, which carries the force of an international treaty and prevails over the national legislative acts.

The major requirements of the environmental policies are stated in the Annex 2.

2.2.1 OP 4.01 Environmental Assessment (EA)

The Bank undertakes environmental screening of each proposed project to determine the appropriate extent and type of EA. The Bank classifies the proposed projects into one of four categories, depending on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts.

Category A: A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works. EA for a Category A project examines the project's potential negative and positive environmental impacts, compares them with those of feasible alternatives (including the "without project" situation), and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance. For a Category A project, the borrower is responsible for preparing a report, normally an EIA (or a suitably comprehensive regional or sectoral EA).

Category B: A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas – including wetlands, forests, grasslands, and other natural habitats--are less adverse than those of Category A projects. These impacts are site-specific; few if any of them are irreversible; and in most cases, mitigation measures can be designed more readily than for Category A projects. The scope of EA for a Category B project may vary from project to project, but it is narrower than that of Category A EA. Like Category A EA, it examines the project's potential negative and positive environmental impacts and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance.

Category C: A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further EA action is required for a Category C project.

Category FI: A proposed project is classified as Category FI if it involves investment of Bank funds through a financial intermediary, in subprojects that may result in adverse environmental impacts.

2.2.2. OP 4.12. Involuntary Resettlement

The OP 4.12 on Involuntary Resettlement policy is triggered in situations of physical or economic displacement, lost or restricted access to natural resources and lost livelihoods (permanent or temporary). There are three Policy objectives: Avoid or minimize resettlement by exploring all viable alternative project designs; Assist project affected people in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms;, to pre-displacement levels, treat resettlement as a sustainable development program; Provide affected people opportunities to participate in planning and implementing resettlement plans

2.2.4. World Bank Policy on Access to Information

The World Bank recognizes that transparency and accountability are of fundamental importance to the development process and to achieving its mission to alleviate poverty. Transparency is essential to building and maintaining public dialogue and increasing public awareness about the Bank's development role and mission. It is also critical for enhancing good governance, accountability, and development effectiveness. Openness promotes engagement with stakeholders, which in turn, improves the design and implementation of projects and policies, and strengthens development outcomes. It facilitates public oversight of Bank-supported operations during their preparation and implementation, which not only assists in exposing potential wrongdoing and corruption, but also enhances the possibility that problems will be identified and addressed on early stage.

3 PROJECT SAFEGUARDS AND OTHER MEASURES

3.1 PROJECT CATEGORY AND SAFEGUARDS TRIGGERED

DRMP will not finance any activities with significant or irreversible environmental impacts, and therefore has triggered the **WB safeguard policy OP/BP 4.01 – Environmental assessment**, with classification as Environmental Category "B" – partial assessment.

The main project interventions refer to the rehabilitation and limited new construction of GIES buildings all over the country. While the environmental and social impacts of the project will be largely positive, some adverse impacts may be generated.

3.2 POTENTIAL PROJECT INTERVENTIONS

Although there is not yet a final list of activities that will be performed under this project, following activities can be defined for each of project's components:

Project components	Activities to be undertaken
Component 1. Improving seismic resilience of disaster and emergency response infrastructure	Demolition and construction of new buildings Retrofitting / Upgrading: Structural strengthening: - Foundation; - Walls; - Floors & Roof; Upgrading - Access ways & entrances; - Activities that increase the operational capacity of the building; - In some cases, extension of the spaces of the existing building will be necessary in order to accommodate all functional needs; - The sewage system will be verified and modernized; - Some of the sites might need additional water sources thus drilling new water wells might also be an activity under this category. Investing in energy efficiency: - Improving the energy-efficiency of the building envelope; - Improving the energy-efficiency of the lighting system (and perhaps design the lighting system according to national standards - most of them are poorly designed); - Re-wiring/ Modernization of the building services systems; - Improving the energy-efficiency of the heating system; - Consumption monitoring (smart metering); - Installing alternative energy generation sources (renewable);

	- Installing an energy efficient HVAC (heating, ventilation, air cooling) system; - Installing a Building Energy Management System.
Component 2. Enhancing technical capacity for seismic risk reduction investment planning	Building technical capacity: - Hardware and software acquisition or upgrade; - Dataset development and management - Training and specialized courses in data management, software usage and risk modelling.
Component 3. Project management	Project management: - Stakeholder analysis; - Stakeholder engagement; - Grievance mechanism implementation; - Monitoring and evaluation; - Capacity Building - Reporting; - Coordination.

3.3 POTENTIAL ENVIRONMENTAL IMPACTS

The project is expected to have a net positive environmental impact by reducing the risk of damage and collapse of the selected buildings as a result of earthquakes—a direct positive public safety impact.

The potential adverse impacts of project implementation will be limited and temporary, and are mainly related to construction works which may include:

i increased pollution due to construction waste;

ii generation of dust, noise, and vibration due to the movement of construction vehicles and machinery;

iii associated risks due to improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery;

iv increase in traffic during construction which may impact community;

v impact on workers and community health and safety during construction activities;

vi improper reinstatement of construction sites upon completion of works;

vii possible negative impacts on buildings with cultural importance;

viii unsafe practices during operation of the building.

All these potential environmental impacts are readily identifiable, small scale, and are likely to have minimal impact. They can be effectively prevented, minimized, or mitigated by

referencing specific measures to be taken by contractors under close supervision of compliance by GIES-PIU. in the work contracts s.

Regarding construction, the regulatory process in Romania addresses hazardous materials, debris disposal, impacts at the site, and cultural heritage impacts. Local and Central government approvals are required at the preliminary design stage, which obliges the responsible agency and its designers to address the full range of environmental issues raised by the proposed investment. In addition, all project construction contracts will include mitigation procedures, and will detail the responsibilities of the contractor in following these and local regulations. Requirements of the inspection, identification, and handling of hazardous materials and construction debris have to be consider. Requirements about contractors to take adequate precautionary and mitigating measures, if materials identified as hazardous are encountered. In addition, all project construction contracts will include mitigation procedures, and will detail the responsibilities of the contractor in following regulations and taking precautionary measures on inspection, identification, and handling of hazardous materials and construction debris.

The project will not finance Category-A activities or activities that target natural habitats or protected sites, and will prohibit those activities that can cause a significant loss or degradation of any significant natural habitat. The environmental screening process will check for the presence of physical cultural resources. In addition, cultural heritage/chance find procedures will be included in all works contracts.

***Other Safeguard Policies*.**

The project also triggers **OP/BP 4.11, Physical Cultural Resources** to include procedures and responsibilities for managing works in culturally and historically significant areas, as well as any accidentally discovered cultural artifacts to ensure that Cultural Heritage assets will not be adversely affected by World Bank-financed projects.

The ESMF includes requirements for the borrower and contractors, as will be reflected in further the site-specific ESMPs and the POM. These refer to specific measures that are necessary to comply with Romanian laws and procedures on physical cultural resources, and with the World Bank's requirements for managing impacts on cultural property.

Romania has a well-developed cultural heritage protection system, which is enforced and monitored by the Ministry of Culture (MOC) as per the provisions of Law (#422 of 2001) on the protection of historical monuments The Ministry's Directorate of Historic Monuments must approve all technical documentation for buildings that are officially listed, and can call specialists as members of a Consultative Board, as needed. Designers, contractors and site supervision engineers working on an investment project that involves an historic monument must be pre-certified and listed by the MOCC. 125 designers are listed in Romania for this purpose. For the project, MOCC and MTCT have appointed a working group to enable timely review and discussion of project investments in order to avoid bureaucratic delays and surprises in the approval process.

If any cultural assets are found during construction (excavation) works ("chance finds"), the measures outlined in the Law 422/2001 will be undertaken, including establishing a protection zone in compliance with the Law 422/2001, reporting to the local offices of MoC, and obtaining a special permit for the execution of works relating to the cultural assets that have been found.

This Project does not trigger any of the following safeguard policies:

- **Natural Habitats (OP 4.04)** – DRMP will not engage in changing the natural habitats;
- **Pest Management (OP 4.09)** – No pest management activities will be carried out under the Project;
- **Forests (OP 4.36)** – **DRM**P will not cover forests and forest areas;
- **Safety of Dams (OP 4.37)** - DRMP does not finance construction or repair of dams;
- **Involuntary Resettlement (OP 4.12)** – DRMP interventions are not expected to generate land acquisition and/or involuntary resettlement. The project will support retrofitting or reconstruction of high priority public buildings used for emergency response purposes and therefore, involuntary resettlement or land acquisition is not expected;
- **Indigenous Peoples (4.10)** – DRMP does not impact indigenous people, ethnic minorities or tribal groups;
- **Projects on International Waterways (OP 7.50)** – DRMP interventions are not expected to adversely affect water quality or quantity to downstream riparian states; and
- **Projects in Disputed Areas (7.60)** – DRMP will not be implemented in disputed areas and thus will not trigger this strategy.

3.4 THE ENVIRONMENTAL SCREENING PROCEDURE

The site-specific screening and review should carefully consider the following issues:

- Dust and noise due to the demolition and construction;
- Dumping of construction wastes
- Accidental spillage of machine oil, lubricants etc.;

In case of a new building (which includes demolition of the old one + waste disposal and final disposal), then an "ESMP specific site" based on a partial Environmental Impact Assessment will be made.

If there are only existing buildings / extensions, relatively small volumes and no significant impact, there will be used "EMP Checklists" instead of ESMP. However, all sub-projects will be in the "B" category.

EIA procedure for Category B sub-projects

After the initial environmental screening of sub-project proposal, for the Category B sub-projects – the implementers should initiate a site-specific EIA and prepare the site-specific ESMP for the sub-projects involving construction of new buildings/demolition. The sub-projects involving small scale construction/or reconstruction activities would only require the preparation of an EMP Checklist in order to identify, evaluate and prevent potential environmental impacts and identify mitigation measures that may be incorporated into the design documentation.

EMP Checklist for small scale construction and reconstruction activities.

In the case of subprojects, which would involve typical small-scale reconstruction activities, it is proposed that a generic EMP checklist-type format ("EMP Checklist") be used, developed by the World Bank to provide "pragmatic good practice" and designed to be user-friendly and compatible with safeguard requirements (see Annex 4). The checklist-type format attempts to cover typical preventive and mitigation approaches to common civil works contracts with localized impacts. It is anticipated, that this format would provide the key elements of an Environmental and Social Management Plan to meet Environmental Assessment requirements of the World Bank (under OP/BP 4.01). The EMP Checklist has four parts:

- **Part 1** is descriptive ("site passport") and describes sub-project specifics in terms of physical location, description and list of permits or notification procedures with reference to relevant regulations. Attachments for additional information can be supplemented if needed.
- **Part 2** includes safeguards information.
- **Part 3** includes the environmental and social screening and mitigation measures in a simple "Yes/No" format.
- **Part 4** is a site-specific monitoring plan for activities to be carried out during the construction/rehabilitation activities."

3.4.1 General Environmental Recommendations

The below list of recommendation is not an exhaustive one but it is highlighting the most relevant mitigation measures that will be considered during construction period. The below sections include more detailed recommendations as per type of impacts:

- Inadequate handling of hazardous materials such as asbestos and paint based on lead from transportation and handling of construction works will be minimized by water and other means such as enclosure of construction sites.
- To reduce noise, construction will be restricted during certain hours.
- All debris construction and wood waste will be stored within the work site.
- Wood waste will be stored separately and arranged to be recycled instead of disposing it.
- Open burning and illegal dumping will not be permitted.
- Proper sites for earth/clay and sand disposal will be determined and prior approval from relevant authority for disposal will be obtained.
- Stock piling of construction debris on site will be avoided and waste will be disposed of on a regular basis at the authorized government dumping ground. Debris chutes will be provided to transfer debris from higher floors to the ground.
- Traffic disruption must be avoided by internal planning.

3.5 ENERGY EFFICIENCY, INSULATION AND VENTILATION

Insulation should be tailored to the seasonal impacts of climate, internal thermal load, and characteristics of exposure. Vapor barriers should prevent moisture intrusion in the roof insulation and outer wall cavities and using damp course.

Window location should be determined on view, ventilation, light, thermal gain, privacy control and interior space functions.

High-efficiency systems for heating domestic water (including solar systems) and for interior space heating should be selected with maintenance and long term running costs in mind.

Plumbing should be coordinated to minimize this activity and also water service to toilets and utility rooms. Water-saving faucets, ring mains and other devices also require consideration. Construction materials will conform to national regulations and internationally accepted standards of safety and environmental impacts.

3.6 ELECTRICAL SYSTEMS

Incoming cables should be located underground. Main entrance feed and panel located away from places of work and waiting is prudent in avoidance of electromagnetic fields. Ground faulty wiring near any plumbing fixture is a precaution. Selecting the most energy efficient light fixtures, lamps, appliances and equipment will reduce energy demand but can introduce undesirable electromagnetic fields. Be aware that close proximity to table, floor and desk halogen, fluorescent and other high-efficiency fixtures and lamps can cause an exposure to harmful electromagnetic fields.

3.7 DEMOLITION WORK

Existing building elements (walls, foundations, ground cement slabs etc.) should be carefully demolished and the debris should be sorted and removed as directed by the ESMP (to be determined during the preparation phase of the project). All valuable materials (doors, windows, sanitary fixtures etc.) should be carefully dismantled and transported to the storage area assigned for the purpose. Valuable materials should be recycled within the project or sold.

3.8 SELECTION OF CONSTRUCTION MATERIALS AND CONSTRUCTION METHODS

Environmentally sound goods and services should be selected. Priority should be given to products meeting standards for recognized international or national symbols. Traditionally well-tried materials and methods should be chosen before new and unknown techniques. Construction sites should be fenced off in order to prevent entry of public, and general safety measures would be imposed. Temporary inconveniences due to construction works should be minimized through planning and coordination with contractors, neighbors and authorities. In densely populated areas, noisy or vibration generating activities should be strictly confined to the daytime.

3.9 WASTE MANAGEMENT

The handling of construction debris will be according to local and national regulations, and as specified in the EMP, and described above under site considerations. These regulations are developed and enforceable in Romania. Monitoring will be the responsibility of site supervisors and environmental safeguard specialist working for the GIES- PIU. In all the specific cases for which contractors should demolish or remove asbestos-containing materials, these categories of works should be done only with qualified personnel and fully in line with the specific legislation related to this specific field.

Annex 9 presents the special requirements for handling and management of asbestos-containing materials.

3.10 TRAFFIC MANAGEMENT

Based on the location of each proposed building to be included in the project, there might be situations where during construction period a disturbance of local traffic to occur. A traffic management plan would be drafted and prepared by GIES-PIU if the construction work will have a direct impact on roads or pedestrian walks.

3.11 OCCUPATIONAL HEALTH AND SAFETY AT WORK

Obligation to use helmets, gloves, goggles where appropriate and work uniforms. All these minimum protection rules, doubled by avoiding over-exhaustion of workers, prevent ergonomic injuries and other work-related accidents resulting from repetitive, excessive and manual handling of building materials.

Recommendations for their prevention and control include knowledge of the most common causes of wounds in construction and decommissioning by:

- Training of workers in the lifting and handling of materials, techniques in construction and decommissioning projects, including placement of weight limits over which mechanical assistance is required.
- Workplace site planning to minimize the need for manual heavy load transfer.
- Selecting tools and designing workstations that reduce the need for strength.
- Implement administrative controls in work processes, such as job rotation and rest breaks.

4 SOCIAL RISKS AND IMPACTS

4.1 POTENTIAL SOCIAL RISKS AND MITIGATION MEASURES

The current project will have a strong positive social impact in each targeted site/community. Without a doubt, the rehabilitation and/or renewal of buildings that are of major importance for the community will be perceived as a benefit by all the community members, including the persons working there.

It is anticipated that no resettlement or physical resettlement will occur during the project implementation. All the work that will be done will occur on public land. Still, there may be limited knowledge in some instances regarding the exact layout of the buildings and potential adverse impacts of impending construction. Therefore, a full social screening would need to be conducted prior to any construction so that the risks of negative impacts on persons or institutions can be minimized. Site specific Social Risk Management Plans would need to be developed for project interventions that may generate negative social impacts.

According to the information provided by project technical teams the investments foreseen for this project will not occur in natural protected areas in Romania. There will be no economic displacement impact associated with situations of restricted access to natural resources for local communities. Thus, there is no need for developing a process framework document to oversee engagement with local communities during the project development process.

The table below presents potential social risks that might generate negative social impacts prior, during or post construction phase of the project.

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
Demolishing (parts of) an existing building	Damaging the buildings located close to the work premises, thus causing social disturbances and losses for the inhabitants	Owner(s) of the buildings located near the site of works	Collect information/ data about the current status of the adjacent buildings that are to be affected and the persons living in those buildings. Prepare a site specific ESMP. This might include several arrangements such as the examples below: - Consultations with the owner of the affected property, reached joint agreement regarding the costs/losses and resolutions; - Payment to a third party who will do the repair works, in case the damage is severe; - The contractor that does the demolition works on the site will also complete the repair works for the affected third party buildings.
	Increased traffic congestion in the case of centrally located buildings, due to necessity to evacuate waste or access the site with heavy transportation and construction units	People living or working in the affected area as well as commuters that pass through the area.	Proper signalization should be put in place to avoid traffic congestion. Also, local authorities and police should be informed in order to ensure quick remediation of the problem if it appears
Construction works related to the modernization of an existing building or construction of a new building or infrastructure	Works related to the modernization of an existing building or construction of a new building or infrastructure may require access to private land or property for the duration of works	Owner(s) of the private land that must allow the access through their property.	Proper engagement/consultations with neighboring land owners based on the provisions set in stakeholder engagement plan/POM. Site specific information /grievance handling system with leaflets/ sign boards etc. .

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
	Increase discomfort of the neighbors due to noise and dust pollution	Inhabitants and workers (implicitly owners of the near-by located properties) working in close proximity to the working site	. The construction company should cover the building with construction nets. A works schedule should be presented to the possible affected parties and agreed with them. Where the case, the schedule should comply with the "quite hours" regulations.
	People connected to the same gas/electrical or water supply lines as the working site may experience temporary interruptions in power/gas or water supply due to works on the site. It may also lead to economic loss due to the temporary lack of access to power/gas/water infrastructure for businesses.	Near-by inhabitants or owners of the buildings close to the working site that could be disconnected from the mentioned services due to the required works on the site	Public consultations/ information sharing with all prenatally affected/ persons/groups. A schedule of interruptions should be communicated in advance to all possible affected parties. If an economic damage occurred due to these works it should be reimbursed to the affected party by the contractor. A contingency cost to be included in the contractor budget
Drilling new water wells	Drilling works may cause damages to the buildings located close to the working site, this may result in further economic losses for their owners due to reconstruction works necessary	Owner(s) of the buildings located near the site of works	If an economic damage occurred the owner should be properly compensated for all the damages and losses or contractor is liable to reinstate/repair all the damages.
Relocation of the employees and volunteers	Worsening of the work conditions due to relocation to a smaller/already occupied building for the relocated personnel as well as for the	Employees from the GIES and territorial DES units that have to relocate or in whose building would be relocated new personnel	In case of over-crowded or unfit places, a relocation to a different, alternative site can be considered, also, where possible working shifts can be scheduled in order to ensure proper work conditions for all the employees

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
	employees working in the building		
	Increasing the commuting time/costs for the relocated personnel	Employees from the GIES and territorial DES units that have to relocate	Transport arrangements for workers to commute new locations
	Local traffic congestion and reaction time increase due to relocation	The inhabitants of the area serviced by the relocated unit as well as inhabitants using the road infrastructure near the site of relocation	Conduct an analysis of the reaction time, road infrastructure and accessibility is required to establish any potential risks related to the new, temporary location. Ensure proper communication with local authorities, police and other responsible institutions is required in order to adapt the infrastructure to the activity of the unit and avoid serious congestion problems.

The above impacts are generic and should be confirmed during the feasibility study preparation when a detailed site specific social screening and impact assessment will be conducted. Based on the available information, the activities foreseen for the buildings proposed to be included in the project are not falling under the category of a major social risks.

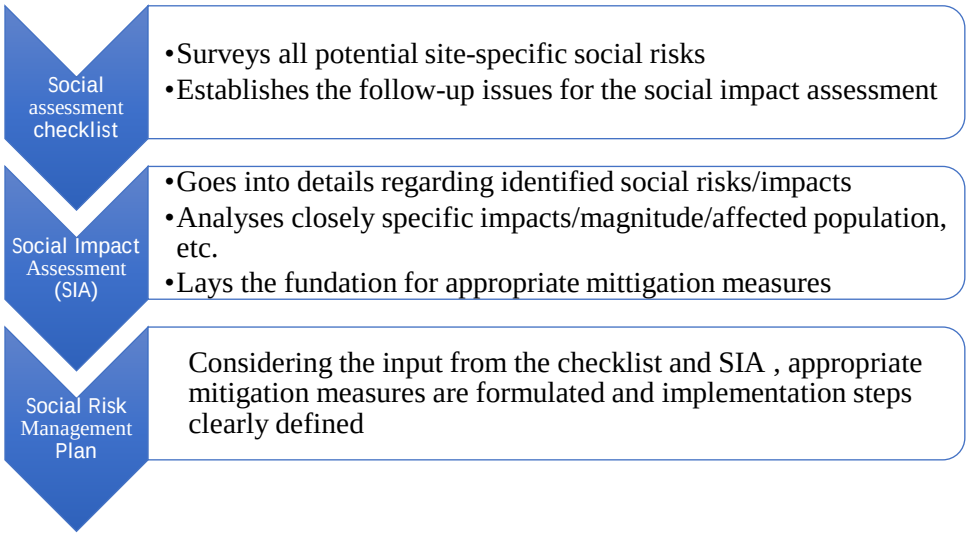
4.2 SOCIAL RISK MITIGATION PROCESS

This ESMF confirms the need to prepare site-specific Environmental and Social Management Plans, based on three distinct arguments:

1. The situation of every building in the project list is different, thus the type of works from one building to another may differ greatly. Given these differences, a clear understanding of social impacts can be reached only by applying a site specific Social Screening and/or Social Impact Assessment. This assessment should be followed further on by a specific risk management plan designed on a site level.
2. Given the different locations for the targeted buildings, the possibility to implement an over-arching, general risk mitigation plan is quite limited. An effective plan requires therefore a detailed understanding of the context and subsequent local designed and implemented plan. There might be cases where neighboring properties to be impacted at different levels. The impacts can vary from only disturbances due to noise and dust to losses incurred due to destruction of properties / assets.
3. Given the nature of construction works, unpredictable evolutions can happen in some cases that might lead to negative social impacts. Such type of situations requires an effective and targeted local mechanism of impact assessment and mitigation. For such situations, based on social monitoring reports, there might be a decision to develop an emergency social risk management plan.

In order to mitigate the significant negative social impacts associated with the activities performed under this project, GIES will prepare a site specific Environmental and Social Management Plan (ESMP).

ESMP will be prepared based on the initial social and environmental screening and additional social impact mitigation measures need to carry out in case significant social negative impacts are identified. The paragraphs below describe the guiding methodology for preparing a ESMP. As shown in the below picture, the process of ESMP development is composed of three interconnected parts: social assessment checklist, social impact assessment and the ESM plan.



Step 1. Social screening checklist

Given the different specificities of intervention sites as well as different works to be carried out, social impact assessment should rely on a checklist table presented in Annex 7. The social expert(s) responsible will prepare all the required safeguards documents based on the magnitude of social risks/impacts identified.

Social Safeguards specialist within GIES-PIU will apply the checklist and prepare a report highlighting the main findings and mitigation measures

The outcomes of the checklist analysis will be shared with the WB social safeguard expert and a decision will be made if a SIA will need to be performed.

Step 2. Social Impact Assessment

If this initial screening reveals any adverse impacts that may requires mitigation and due diligence, following action should be undertaken;

Social Safeguards specialist within PIU will work on preparing the social impact assessment.

- If initial screening identified significant impacts on persons, properties and or economic assets, then undertake a quick survey all affected parties. A plan which will contain practical actions may be required for addressing vulnerable group needs if they are among the Aps.
- In case of temporary losses, restriction to access for livelihood resources, then social impact mitigation plans / Accesses Restriction Plans/ or other necessary impact mitigation plans to be prepared.

The impacts will be analyzed following the matrix below:

Impact severity		**Occurrence probability**				
		Unexpected but predictable	**Rare**	**Possible**	**Expected**	**Expected and repeatable**
1	Very low or no effect	1	2	3	4	5
2	Low	2	4	6	8	10
3	Average	3	6	9	12	15
4	High	4	8	12	16	20
5	Very high	5	10	15	20	25

The resulting risk levels and their acceptability are explained below:

Score	Risk level	Description
1-4	**Low**	Low Risks are largely acceptable, subject to reviews periodically, or after significant change.
5-12	**Moderate**	Moderate Risks should only be tolerated for the short-term and then only whilst further control measures to mitigate the risk are being planned and introduced, within a defined period. Moderate risks can be an entity's greatest risk, a very sensitive aspect, because they can be tolerated in the short-term.
15-25	**High**	High Risks activities should cease immediately until further control measures to mitigate the risk are introduced.

For all identified negative impacts appropriate mitigations measures will be designed and a **Social Risk Management Plan (SRMP)** prepared.

Step 3. Social Management Plan (incorporated in the overall ESMP)

Social safeguards specialists within PIU will work on preparing the ESMPs.

Relying on the info from the social assessment checklist and the SIA, a detailed plan should outline the main mitigation measures considered for every identified social impact.

Annex 4 below suggests the table of content for the Environmental and Social Management Plan.

5 Environmental and Social Management Plans (ESMPs)

GIES-PIU will follow the mechanism of development and execution of safeguards documents according to correlative list throughout all DRMP development stages in line with the requirements of environmental/social legislation and the World Bank's safeguards policies.

Based on this ESMF, an individual (site-specific) Environmental and Social Management Plan (ESMP) will be produced for each subproject, including detailed sections "Environmental protection" (as needed), the state of environmental appraisal, the activities ensuring environmental mitigation measures, institutional framework for preventative arrangements, environmental monitoring program with use of templates (Annex 5)

The ESMP outlines the mitigation, monitoring and institutional strengthening measures to be taken during project implementation/project operation to avoid or eliminate negative environmental and social impacts. For projects of intermediate environmental risk (Category B) an ESMP may be an effective way of summarizing the activities needed to achieve effective mitigation of negative environmental/social impacts.

Site Specific Environmental Screening and Review

As part of the ESMF/ESMPs, all project-supported activities for construction / rehabilitation of the GIES buildings would be subjected to a site-specific environmental screening and review process, according to the requirements of the Environmental Protection Law. In accordance with the national legislation, the local environmental authorities have the obligation to submit an Environmental Agreement for the anticipated civil works. This process is based on the mitigation of site-specific environmental impacts and uses a standardized appraisal format that includes, but is not limited to the reviewing of:

a) current environmental problems on respective site (soil erosion, water supply contamination, etc.);

b) potential environmental impacts, if any, due to the project (disposal of waste from construction, waste handling and disposal, construction noise and dust etc.);

c) any cultural assets that might be found in the place of construction, and

d) potential pedestrian and vehicle traffic disruption and associated public safety risks.

An environmental screening checklist is presented in annex 7.

For typical small-scale reconstruction activities included under this project, ESMP Checklists will be use and will also cover typical preventive and mitigation approaches to common civil works contracts with small-scale, local impacts. It is anticipated, that this format would provide the key elements of a safeguards document to meet EA requirements of the World Bank's policy (OP/BP 4.01).

Supervision

The environmental issues including mitigation measures would be supervised periodically by the GIES-PIU and local staff undergoing rehabilitation works.

No unusual environmental impacts related to construction activities are anticipated under the proposed program given the relatively small size of most of the investments and the siting in existing developed urban areas. These investments are expected to be environmentally beneficial since they will be following new improved planning and design standards; there is no expected large scale, significant and/or irreversible impacts for any of the buildings included in the project.

The potential negative environmental impacts are expected to be localized or able to be mitigated during the implementation stage. In addition, there are environmental regulations in force in Romania, which make control and supervision of construction works mandatory. Contracts and bill of quantities will include clauses for appropriate disposal of construction debris, including hazardous materials that may be encountered. Existing regulations require, and procurement documents will specify, that no environmentally unacceptable materials can be used. The environmental management guidelines included in Annex 8 should be provided to contractors engaged in civil works under the project, and should be made an integral part of the civil works contracts.

6 Institutional and Implementation arrangements

The overall responsibility for implementing the current ESMF remains with the GIES PIU dedicated for this project GIES-PIU will have detailed TOR for project management, and will be staffed, among others, with procurement specialists and civil works engineers who will be primarily focusing on the Sub-Component 1. Plans for each GIES building to be rehabilitated will include measures to ensure that the social and natural environment is not negatively affected during the project cycle. Proponents of buildings rehabilitation will have the responsibility to prepare the application file by taking the following steps:

- clarify the legal status of land sites allocated to the future subproject;
- prepare a technical documentation that should describe the subproject; this documentation should also contain description of the internal monitoring system;
- request an Urbanism Certificate from the Local County or the County Council; and
- obtain all approvals specified within such Urban Certificate.

GIES-PIU will create monitoring arrangements for environmental aspects of the approved projects during the whole project lifecycle. During project implementation, GIES-PIU will have overall supervision responsibility for ensuring that the measures indicated in the ESMF/ESMPs are being properly performed.

The GIES-PIU in collaboration with the local authorities of the selected buildings, will perform the environmental monitoring during both, construction and operation phases, as specified in the monitoring plan of the ESMPs. The project will rely on the Romanian laws (fully aligned with the EU environmental acquis) governing the process for environmental permitting and review.

Major issues concerning project implementation challenges (e.g. revisions to the list of pre-selected buildings etc.), including the ones related to the environmental performance of the projects portfolio, will be resolved through the sector's existing coordination systems, with the support of the GIES-PIU.

Each ESMP will be monitored by a specialized supervision and project management consultant, as part of the overall supervision services for each site, during construction stage. Thus, each periodic monitoring report, will include a specialized chapter dedicated to Environmental and Social Supervision and Performance, which shall include the following:

- the results of the field supervisors screening and review procedures;
- a description of any operations not currently in compliance with environmental requirements as per its corrective action measures and of the actions GIES-PIU through the consultancy supervision firm, or directly, has taken or intends to take to correct the situation.

Appropriate training on Bank safeguards will continue to be provided under the DRMP to local officials, contractors, and community representatives.

Establishment of Environmental and Social Expertise within GIES-PIU.

Technical Specialists within GIES-PIU will be responsible for full coordination and supervision of the environmental plans and risk mitigation measures undertaken within the project. The Specialists will work in close coordination with supervision project coordination staff and technical staff and will:

a) coordinate environmental and social risk management training/orientation for staff, designers and local contractors;

b) disseminate existing environmental and labor and safety management guidelines and develop guidelines in relation to issues not covered by the existing regulations, in line with the Bank and EU standards for implementation, monitoring and evaluation of mitigation measures;

c) ensure that contracting processes for construction works and supply of equipment include reference to appropriate guidelines and standards; and

d) conduct periodic site visits to inspect and approve plans and monitor compliance.

GIES-PIU experts will also be responsible for ensuring the WB safeguards are properly and effectively covered during the project implementation. A project management including safeguards implementation capacity needs to be strengthened through identification of missing competencies (knowledge, skills, attitudes) for which dedicated trainings should be developed and implemented. This should also ensure equal opportunities with regard to the gender dimension.

7 GRIEVANCE REDRESS MECHANISM

Communities and individuals who believe that they are adversely affected by a WB supported project may submit complaints to existing institutional redress mechanism including the MoIA's Public Relations Department or the WB's Grievance Redress Service (GRS).

To address a request or complaint to GIES or DES territorial units rely on either a direct address to the institution or an online form to be completed (request or complaint) on the institution's website. In either case, these type of requests or complaints are treated under the Law no.544/2001 Regarding the free access to public information. There are no other Grievance Redress Mechanisms (GRM) available at the level of GIES/DES units on the websites of those units.

Additional to the existing GRM, GIES and DES units could consider implementing a project specific GRM that would include four component parts:

- A printed form available at DES units and GIES that could be filled in and submitted directly to the DES/GIES.
- Site/Building level Grievance Lodge (Box) for the public to submit their grievances, proposals and compliments

A responsible person (Public Relations Officer/Desk) at the DES units to centralize and answer the complaints/requests locally. A responsible person from the GIES to address complaints/requests that were not solved or addressed locally or answer those complaints/requests that were sent directly to the GIES.

A dedicated page on the DES/GIES website were all the complaints would be addressed and the resolution would be presented.

This project-specific GRM would allow for a quick reaction to any complaints/suggestions, ensuring that project's externalities (both, positive and negative) are timely and properly addressed.

Institutional channels: the right to petition is guaranteed by the Romanian Constitution. The petition-related procedure is regulated by the Government Ordinance no. 27/2002, approved by the Law no. 233/2002 and other regulations in the field.

The petitions may be submitted to the MoIA Public Relation Department:

Piaţa Revoluţiei nr.1 A, sector 1, Bucureşti

Phone: 021/264.87.05

Fax: 021/264.86.77

adresa de email: petitii@mai.gov.ro

World Bank GRS

The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. The project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit http://www.worldbank.org/GRS. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

8 MONITORING AND SUPERVISION

The monitoring will be performed by the GIES – PIU team based on the monitoring guidelines presented in Annex 5.

A regular monitoring by the GIES-PIU is required to ensure that ESMF requirements are being implemented adequately. This monitoring should involve all components and will include the environmental indicators presented in annex 5 and the following social indicators:

- Number of complaints registered, resolved and pending for each sub-component
- Training needs identified for different components
- Total number of trained persons
- Number of women that participated at trainings

- Number of persons/institutions engaged during consultation processes
- Number of persons affected by economic displacement and that receive compensatory actions

Based on these indicators the GIES-PIU will prepare monthly progress reports with regard to ESMF implementation.

9 PUBLIC CONSULTATIONS

The ESMF was publicly consulted with potentially affected parties including the workers of respective buildings and interested groups. The ESMF was published in Romanian language on the GIES webpage and WB webpage. The draft ESMF was publicly disclosed on IGES website on May, 2nd 2018. During the disclosure period there were no suggestions/comments to ESMF received by GIES or WB.

A public consultation session was organized with representatives of DES and local authorities where the ESMF was presented and consulted. The public consultation meeting was organized by GIES and held on the May 16th, 2018 in Bucharest. About 40 persons participated at the meeting. The participants were the representatives of the DES and local environmental agencies. The full list of participants at the public consultation meeting is presented in Annex 10.

The meeting started with a general introduction made by the GIES-PIU project manager follow by a project summary and detailed presentation of the ESMF document.

The presentation included the following project related elements:

- Project components have been introduced to the participants
- Technical information related to buildings proposed to be included in the project
- Prioritization criteria for getting the ranking of the buildings
- Types of construction works envisaged to take place
- WB Environmental and Social safeguard policies and procedures triggered by the project and national legal provisions
- Project's potential environmental and social risks and their appropriate mitigation measures
- Grievance redress mechanism.

The following topics have been subjects of discussion during the public disclosure meeting:

- ***Technical subjects*** related to: access to public utilities, provisions envisaged in the building code
- ***Environmental aspects*** related recovery of construction materials resulting from dismantling; alternative energy sources and access to renewable energy production systems; waste management

- ***Social aspects***: relocation of personnel during the construction work. One question was address in relation to how and where the relocation of personnel would take place during construction period. The representatives of GIES-PIU have explained that this impact is addressed in ESMF and will vary from each site. A further analysis will be conducted to address this issue when site specific ESMF will be prepared.
- ***Other aspects***: eligibility of costs associated with furniture and communication systems, project implementation period, details about cost allocation for each component

All the above aspects will be considered site specific and agreed to address in preparing site specific ESMPs. During the public consultation meeting there were no specific suggestions or comments addressed to ESMF, its content of form.

When the subproject site-specific ESMPs will be prepared, the documents will be disclosed at central level in Bucharest and in each related subproject area. The disclosure process will include:

- preparing a brief leaflet with information about the project and details about the constructions activities, period, impacts, etc. for each site included in the project
- if an Environmental Impact Assessment will be conducted, this will follow and perform all the public disclosure activities as required by the environmental authorities.
- GIES-PIU should undertake organization and holding of public consultations for groups that may be impacted by subproject before finalization of Site Specific Environmental and Social Management Plan. These groups are usually represented by those who live near construction site, as well as by representatives of local NGOs, central/local environmental authorities and other stakeholders. Public consultations will be organized as well as to each location where ESMPs will be prepared, with the main purpose to inform stakeholders on planned socio-economic safety measures and to consult public opinion.
- Minimum 10 days before the public consultation the ESMPs for new buildings will be published and made accessible to the public, information about the location and time of each public consultation meeting will be provided well in advance to the public.
- Public consultations usually take the form of meetings, which enable the best information exchange: subproject initiators inform local communities on their activities and local communities can raise issues that are topical for them. Household visits will be used to inform vulnerable and marginalized categories of people (people with disabilities, landless persons, and elderly).
- GIES-PIU should post the Site Specific ESMPs on its website after they are approved by the WB, and send them to relevant local beneficiaries in order to publish these at their local levels in public places.

Annex 1. LEGAL AND INSTITUTIONAL FRAMEWORK ON EIA

International Laws

1. Article 11(2) of Romania's Constitution (as revised by Law No. 429/2003) provides that treaties ratified by Parliament according to the law are part of national law.

2. The following treaties to which Romania is party relate to the protection of natural habitats:

- Ramsar Convention on Wetlands (Ramsar, 1971), ratified by Romania on 21/9/91.
- The Danube Delta and Small Island of Braila have been designated as Ramsar Sites.
- Convention on the Conservation of Migratory Species (Bonn, 1979), ratified by Romania on 1/7/98.
- Convention on Biological Diversity (Rio de Janeiro, 1992), ratified by Romania on 17/8/94.
- Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979). Accession by Romania on 18/5/93.
- Convention concerning the protection of the World Cultural and Natural Heritage (Paris, 1972). Accession by Romania on 16/5/90. Several areas, including the Danube Delta are designated as UNESCO World Heritage Site.
- Danube River Protection Convention signed in 1994.

3. On environmental assessment, relevant treaties ratified by Romania include:

- UN/ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus, 1998), ratified by Romania by Law no.86/2000.
- Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991), ratified by Romania by Law no.22/2001.

4. The following treaties ratified by Romania relate to cultural property:

- European Convention on the Protection of the Archaeological Heritage (revised) (Valetta, 1992), ratified by Romania 20/11/97.
- Convention concerning the protection of the World Cultural and Natural Heritage (Paris, 1972). Accession by Romania on 16/5/90. Several areas, including the Danube Delta are designated as UNESCO World Heritage Site.

European Union's *"acquis communautaire"*

5. Relevant legal texts include:

- Treaty concerning the Accession of the Republic of Bulgaria and Romania to the European Union, signed by the EU Member States and Bulgaria and Romania in Luxembourg on 25 April 2005.

• Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union (Annex VII; list referred to in Article 20 of the protocol; transitional measures, Romania; Section 9 on environment).

Environmental Assessment

• Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

• Directive 2001/42/EC on Strategic Environmental Assessment.

Pollution Prevention and Control; Integrated Permitting

Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control).

Waste Management

• Council Directive 1999/31/EC of 26 April 1999, on the landfill of waste.

• Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

• Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste.

• Council Directive 86/278/EEC of 12 June 1986, on the protection of the environment, and in particular the soil, when sewage sludge is used in agriculture (as amended by Directive 91/692/EEC, EC No. 807/2003 of 14 April 2003, EC No. 219/2009).

• Council Directive 94/62/EC of 20N December 1994 on packaging and packaging of waste (as implemented by Commission Decisions 97/129/EC and 97/138/EC and amended by Directive 2004/12, Directive 2005/20, Regulation 219/2009, Directive 2/2013, Directive 720/2015).

Water and Waste Water

• Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Commission Directive 98/15/EC, Regulation 1882/2003, Regulation 1137/2008, Directive 2013/64/EU.

• Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption as amended by Regulation 1882/2003, Regulation 596/2009.

• Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.

• Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community.

Nature Protection

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna.

Air Quality

Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.

Romanian Law

Relevant Romanian law includes the following:

Environmental Assessment

- EGO 195/2005 on environmental protection, approved by Law no.265/2006. Framework Law on Protection of the Environment.
- GD 445/2009 (published in M.Of no. 481 of 13/07/2009). Framework procedure for environmental impact assessment, and approval of list of public and private projects subject to this procedure.
- MO 135/2010 (published in M.Of. no. 274 of 04/27/2010). for approval of the EIA application methodology.
- MO 863/2002 (published in M.Of. no. 52 of 01/30/2003). Guidelines on EIA methodology (screening, scoping, and review of study).
- MO 864/2002 (published in M.Of. no. 397 of 06/09/2003) on procedures and public consultation in case of transboundary impacts.
- MO 1026/2009 (published in M.Of 562 on 08/12/2009) approval of the conditions for the development of the environmental report, EIA and other environmental documentations,.
- MO 1798/2007 (published in M.Of. 808 on 11/27/2007) Methodology for the environmental permit issuance.

Strategic Environmental Assessment

- GD 1076/2004 (published in M. Of nr. 707 of 05.08.2004) on procedures for environmental assessment of plans and programs.
- MO 995/2006 on the list of plans and programs subject to the environmental assessment procedure.

Nature Protection

- EO 57/2007 regarding the protected natural areas and the conservation of natural habitats, wild flora and fauna.
- GD 230/2003.
- MO 552/2003.
- MO 1052/2014.

Waste, Waste Water, Air and Noise Pollution

- MO 662/2006 for the approval of the procedure and competencies for issuing water management permits and authorizations
- Water Law 107/1996 with subsequent modifications
- MO no. 1012/ 2005 for the approval of the procedure for public information access related to the water management field
- MO no. 1182/2005 MoEWM and 1270 /2005 MoAFRD for the approval of the Code of the agricultural good practices for the protection of the waters against pollution with nitrates from agricultural sources, as it was amended by MO 990/2015.
- MO no. 296/216/2005 regarding the framework Program of actions for the elaboration of the action programs in vulnerable zones at the pollution with nitrates from agricultural sources
- MO no. 242/197/2005 regarding the monitoring system of the sole from the vulnerable and potential vulnerable zones
- Law 458/2002 regarding drinking water quality, republished
- GD 974/2004 on inspection and monitoring of drinking water
- GD 349/2005 regarding management of solid waste
- GD 188/2002 for the approval of certain norms concerning the conditions of discharging waste water into the aquatic environment
- GD 235/2007 regarding management of oil waste
- Law 249/2015 regarding management of packaging and packaging of waste
- GD 856/2002 regarding records of disposal and collection of solid waste and approval of list including hazardous waste
- Law 211/2011 regarding solid waste
- Law 104/2011 regarding ambient air quality.
- GD 1470/2004 regarding approval of National strategy for solid waste management and National Plan for solid waste management.

Cultural Property

- Law 422/2001 on protection of historic monuments, republished
- GO 43/2000 on protection of the archaeological heritage, republished

Law 150/1997 ratification of the European Convention on the Protection of Archeological Heritage (Valetta, 1996).

Annex 2. Romanian Licensing and Permitting Procedures

Introduction

In conformity with Emergency Ordinance for Environmental Protection No.195/2005 including the respective updates - the Governmental Decision No. 445/2009, and the MO No. 863/2002 and 135/2010, the decision-making process of the EIA regarding the issuance of the Environmental License to construct and the Environmental Permit to operate is well developed. The Environmental Protection regulation sets out the EIA requirements and principles; the GD 445/2009 sets out the procedures, while the OM 863/2002 and 135/2010 present in detail the procedures for EIA and for issuing the environmental license.

Based on the Romanian law, any development of a new facility or modification of an existing one requires the approval of an EIA before the environmental license (environmental agreement) and permit to operate (environmental authorization) is approved by LEPAs. For any activities not covered in the list of mandatory EIA (Annexes I and II of the GD no. 445/2009), the LEPAs use selection criteria to determine whether such activities could have a significant environmental impact. Existing facilities require an environmental permit from the LEPAs, which includes assessment of compliance with the environmental standards (e.g., conditions related to air, water, and soil reflecting existing standards).

The GD 445/2009 presents the steps of the procedure, the requirements that the physical or legal certified persons to prepare the impact studies, and the list of activities which are subject to the EIA procedure. Overall, the EIA procedure includes a screening stage, a scoping stage, and a validation stage.

Procedures for Receiving an Environmental License to Construct (or the Environmental Agreement)

The procedure for issuing the environmental license to construct is described in detail in the following steps and briefly presented in the flow chart.

Step 1. The initial screening of the new project/investment

This is determined by the local EPA responsible for the location (commune, city) where the investment will develop. When requesting the Environmental License to Construct, *the Beneficiary is responsible to* present to the local EPA or MEWF *a Technical File* including the following documentation:

- Request Form of the EA in conformity with the MO No. 135/2010; this request is attention to the local EPA or to the MEWF depending on the geographical location of the project;
- Urban Planning Certificate and the corresponding licenses and permits (obtained at the level of Feasibility Study) based on the corresponding law;

- Contracts with the local solid waste company for collection of the solid wastes and with "*Apele Romane*" for water supply and sewage discharges (other authorizations from local utilities may be required based on necessity);
- Technical Memorandum (standard form) in conformity with Annex .2 of the MO No. 1798/2007 (prepared by the Consultant/Firm that developed the Feasibility Study);
- Technical Note (standard technical form) in conformity with the OM No. 839/2009 (prepared by the Consultant/Firm that developed the Feasibility Study);
- Fee (differs depending on the stage of the EA process);
- Public announcement/debate regarding the request to obtain the Environmental Permit in conformity with Annex 3 of the MO No. 1798/2007.

Within the EPA, a Technical Review Committee (TRC) is formed, which includes members of the local EPA, the National Environmental Guard (NAG), the National Water Administration "*Apele Romane*", Sanitary and Urban Institutes and those authorities responsible for environmental permits authorizations. The TRC members analyze the documentation presented within the Technical File and issue one of the following three classifications of the project investments: (i) activities are of insignificant environmental impact and therefore the project is NOT subject to environmental procedure; (ii) activities are of low environmental impact and the simplified licensing procedure will apply; and (iii) activities are of significant environmental impact and the full environmental permitting procedure will apply. Furthermore, (for cases (ii) and (iii)) the EPA authorities together with the members of TRC and the Beneficiary are visiting the site of the future investment to: (i) verify its location as presented in the Technical File; and (ii) complete the List of Control developed according to the OM No. 863/2002.

Step 2. EIA Report Preparation

The EPA reviews and approves the List of Control which includes the conclusion presented by the TRC, based on which documents it announces the Beneficiary of his obligation to develop the EIA study (the impact study).

The Beneficiary is obliged to:

- Prepare the EIA report in conformity with the OM No. 863/2002. The EIA report should be developed only by physical persons or consulting firms independent of the Beneficiary and the person who developed the Feasibility Study, that are accredited for developing such technical studies for Infrastructure Projects/Investments including the legal conditions stipulated in the OM No. 1026/2009;
- Hire based on contract and competition through expression of interest/invitation to submit proposals process the firm/physical person who will develop the EA report;

- Prepare and sponsor the public announcement of the definition of the project (this is the 2nd public information in the EIA process approval);

Step 3. The Review of the EIA Report

At this stage, the EPA is in charge with the following steps: (i) completes the List of Control for the EIA Report analysis process; (ii) prepares the Public Consultation; and (iii) communicates the results to the Beneficiary.

The Beneficiary is obliged to:

- Present to the local EPA the EIA report, with the help of the consulting firm that developed the EIA;
- Prepare and launch the public consultation in the presence of those affected, NGOs, or interested persons including presentation of the project and the EIA Report during of a public debate;
- Evaluate the discussions and conclusions received during the public consultation;
- Reply to the public comments and requests with a valid technical solution.

Step 4. Decision and Approval of the Environmental License to construct

The EPA issues the Environmental License to start construction of the investment within 30 days after the final decision.

The Beneficiary is obliged to:

- Announce the public about the approval of the Environmental License;
- Request of Environmental Permit to Operate

Additional points:

- The EIA report is prepared at the level of the project's Feasibility Study, in conformity with GD No. 445/2009;
- The minimum information presented by the Beneficiary during the request to obtain the Environmental License should be also completed based on conditions recommended by the foreign donors (EBRD, WB, EIB) and/or as required by the EU legislation and the Romanian legislation in force;
- For those investments obtained through ISPA or SAPARD funds, the conditions during the project operation established through the Environmental Permit will take in consideration the limits of the pollutants' discharges required by the EU and Romanian legislation. However, the national limits will prevail if they are more restrictive than those imposed by the EU legislation.

- The Environmental License is valid during the entire period of the project construction, but will expire if the investment works will not start in maximum 2 years from its approval. During the period of investment constructions, the local environmental protection authorities will monitor those conditions imposed by the Environmental License (please note detailed information on the monitoring process in the next section);
- The Beneficiary is obliged by law to inform the environmental protection authorities in writing any time when there is a significant modification of the initial conditions of the project based on which the current Environmental License was issued.

Procedures for Obtaining an Environmental Permit to Operate

The Environmental Permit to Operate investments with significant impact on the environment is issued by the EPA in conformity with OM No. 1798/2007. The local EPA together with the local National Environmental Guard as well as representatives of National Agency "Apele Romane" is inspecting the site after construction and issue a technical note with observations at the site (e.g., Environmental Audit).

The Environmental Audit of existing facilities is carried out only by certified persons paid by the Investor and includes: (i) a checklist including characteristic elements of the investment; (ii) an environmental study including data collection and technical review of all environmental aspects, before taking a decision on the scale of potential or existing environmental impacts from the site; and (iii) site investigations to quantify the potential scale of contamination of the site. Compliance programs are usually required based on the result of the environmental audit.

The Beneficiary is in charge with:

- Request the Environmental Permit to the local EPA;
- Prepare a *Technical File* as in the previous case;
- Announce the public about the request to start operations;
- Annual renewal of the permit once it is issued (it is valid for 5 years).

Standards (ambient and emission limits) are usually followed to comply with the environmental protection as requested by EU. Currently there are ambient standards for air, noise, waste and discharges of certain substances in the water.

Monitoring capacity during the Construction Period and After the Issuance of the Environmental Permit to Operate

During constructions, LEPAs together with the NGA and "Apele Romane" are in charge with visiting the site of the project and inspecting the environmental compliances stipulated in the Environmental License and Environmental Permit.

The NGA inspectors may accompany the LEPAs' inspectors for site visits according to an inspection program. Following the site visit and checking the compliance, the inspectors prepare a report based on which they may advise the operators on how to meet standards and permit conditions. If a facility/project does not comply with relevant standards, it will first receive a warning from the inspector followed by a certain amount of time necessary to take care of the steps that comply with the permit.

Implementation of EMP

The environmental impact mitigation and monitoring activities will be carried out in parallel with the construction activities. As these are existing facilities that are already under operation, the project will not monitor operations after implementation of the retrofitting activities.

Collection of Data: monitoring data will be collected by Local Consultants/Private companies accredited by MoE on monthly basis, with monthly reports.

Analysis of Data: will be carried out by the Environmental specialist. The results of the analysis will be used to check the effectiveness of mitigation measures, and if required, to revise/modify the mitigation plan.

Reporting: environment specialist on quarterly basis will prepare the report of monitoring data.

ENVIRONMENTAL MANAGEMENT PLAN

A. MITIGATION PLAN

Phase	Issue	Mitigating Measure	Cost	Institutional Responsibility		Comments
			Operate	Install	Operate	
1	2	3	5	6		7
I. Design and Planning	Infrastructure services	All buildings already exist and are connected to existing infrastructure networks.	NA	NA		
II. Construction	Dust raised at the construction sites, and from material carrying trucks.	During dry periods sprinkle the roads with water (Law of Environment Protection nr.137/1995, art.61, a - maintaining the cleaning of the streets)	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site		

	Noise generated by construction machinery	-Compliance with the Law of Environment Protection nr.137/1995, art.43, d; art.47, e technical regulations concerning phonic threshold and noise limitation special measures and endowments for phonic isolation and protection of the noise and vibrations sources - According to STAS 6161/1-79 the maximum level of the noise is 50 dB (A), measured outside, at 2 m from the construction area - Allowed only during normal working hours	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
	Disposal of non-hazardous wastes in compliance with the Law of Environment Protection nr.137/1995, art.23	a) Collection at special designated temporary locations, properly enclosed in the construction sites	Minor and covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		b) Transport and disposal to landfill areas of the municipalities, that are licensed by the local authorities	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		c) Possible recycling of excavated non-hazardous materials; i.e. utilization of excavated soil for landfills	Covered within construction budget	Contractors that obtain from the local authorities the environment license for each construction site	

	Disposal of hazardous wastes (such as asbestos, leaded paints, etc.) in compliance with the Law of Environment Protection nr.137/1995, art.23	a) Collection at special designated temporary locations, properly enclosed in the construction sites, but separated from the non-hazardous wastes	Minor and covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		b) Identification, handling and disposal of hazardous construction materials in compliance with Law nr.426/2001 for the approval of the **Government Ordinance nr.78/2000 on waste treatment, 19 - Waste handling**	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		c) Transport and disposal to landfill areas of the municipalities, that are licensed by the local authorities	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
	Pedestrian traffic disruption	Planning of traffic on the sidewalks and placing of appropriate traffic signs. (Only in the case of the buildings bordering the public domain)	Covered construction budget	Contractors	

B. MONITORING PLAN

						Cost		Responsibility
Phase	**What parameter is to be monitored?**	**Where is the parameter to be monitored?**	**How is the parameter to be monitored?**	**When is the parameter to be monitored?**	**Why is the parameter to be monitored?**	**Install**	**Operate**	**Install and operate**
1	2	3	4	5	6	7	8	9
I. Planning and Design	This phase has already been completed by taking into consideration the mitigation measures mentioned in "Mitigation Plan"							
II. Construction	Dust	At construction sites	Visual	On daily basis	To assure compliance with the Law of Environment Protection nr.137/1995, art.43 a and e and to mitigate any potential negative environmental impacts	NA	Project budget	Environmental specialist
	Noise	Near construction sites	Sound meter (noise-measuring meter) used by the County Office of MoEnvironment	During construction activities	To assure compliance with the Law of Environment Protection nr.137/1995, art.43, d; art.47, e and to mitigate any potential negative environmental impacts	NA	Project budget	Environmental specialist.

	Disposal of non-hazardous wastes	- At the temporary store site - Check the contractors license	Visual	- On weekly basis - Every three months	To assure compliance with the Law of Environment Protection nr.137/1995, art.23 and to mitigate any potential negative environmental impacts	NA	Project budget	Contractors that obtain the environment license for each construction site from the local authorities.
	Disposal of hazardous wastes	- At the temporary store site - Check the contractors license	Visual	- On weekly basis - Every three months	To assure compliance with the Law of Environment Protection nr.137/1995, art.23 and to mitigate any potential negative environmental impacts	NA	Project budget	Contractors that obtain from the local authorities the environment license for each construction site Relevant municipalities
	Material supply	- At the quarries and concrete plants - In the bidding documentation it is a certification that no hazardous materials such as asbestos or leaded paints are supplied	Designer's review of the licenses and inspection of quality	Before the constructio n begins	To mitigate potential negative impacts	NA	Project budget	Environmental specialist

Annex 3. SAFEGUARDS POLICIES OF THE WORLD BANK

Below are the key extracts from OP that give the idea of preventive mechanisms of the World Bank and help to understand and analyze information on environmental, social and legal policies.

OP 4.01 Environmental Assessment

EA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. EA evaluates a project's potential environmental risks and impacts in its area of influence; examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project implementation.

EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and physical cultural resources); and transboundary and global environmental aspects.

EA considers natural and social aspects in an integrated way. EA is initiated as early as possible in project processing and is integrated closely with the economic, financial, institutional, social, and technical analyses of a proposed project

OP 4.04 Natural habitats

The Bank promotes and supports natural habitat conservation and improved land use by financing projects designed for environmental conservation. The Bank promotes the rehabilitation of degraded natural habitats and does not support projects that involve the significant conversion or degradation of critical natural habitats.

OP 4.09 Pest Management

In assisting borrowers to manage pests that affect either agriculture or public health, the Bank supports a strategy that promotes the use of biological or environmental control methods and reduces reliance on synthetic chemical pesticides.

The Bank requires that any pesticides it finances be manufactured, packaged, labeled, handled, stored, disposed of, and applied according to standards acceptable to the Bank. The FAO's Guidelines for Packaging and Storage of Pesticides (Rome, 1985), Guidelines on Good Labeling Practice for Pesticides (Rome, 1985), and Guidelines for the Disposal of Waste Pesticide and Pesticide Containers on the Farm (Rome, 1985) are used as minimum standards.

OP 4.11 Physical Cultural Resources

This policy addresses physical cultural resources, which are defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources include everything that remained after ancient inhabitants (holy places and battlefields) and unique natural sites such as waterfalls and canyons.

The Bank does not support projects threatening cultural resources that are property of population. The Bank supports only those projects that are located or designed in such a way as to prevent damage to the environment.

OP 4.36 Forests

Management, protection and sustainable development of forest ecosystem and its resources are necessary for reducing poverty and sustainable development.

The Bank does not finance plantations that involve any conversion or degradation of critical natural habitats due to potential risk to biodiversity.

The Bank may finance harvesting operations conducted by small-scale landholders, by local communities under community forest management, or by such entities under joint forest management arrangements, if these operations:

(a) have achieved a standard of forest management developed with the meaningful participation of locally affected communities, consistent with the principles and criteria of responsible forest management; or

(b) adhere to a time-bound phased action plan to achieve such a standard. The action plan must be developed with the meaningful participation of locally-affected communities and be acceptable to the Bank.

OP 4.37 Safety of dams

The Bank distinguishes between small and large dams. Small dams are normally less than 15 meters in height. This category includes, for example, farm ponds, local silt retention dams, and low embankment tanks. For small dams, generic dam safety measures designed by qualified engineers are usually adequate.

OP 7.50 Projects on international waterways

This policy applies to the following types of international waterways: (a) any river, canal, lake, or similar body of water that forms a boundary between, or any river or body of surface water that flows through, two or more states; (b) any tributary or other body of surface water that is a component of any waterway described in (a) above.

This policy applies to the following types of projects: hydroelectric, irrigation, flood control, navigation, drainage, water and sewerage, industrial, and similar projects that involve the use or potential pollution of international waterways as described above.

OP 7.60 Projects in disputed areas

Projects in disputed areas may raise a number of delicate problems affecting relations not only between the Bank and its member countries, but also between the country in which the project is carried out and one or more neighboring countries. In order not to prejudice the position of either the Bank or the countries concerned, any dispute over an area in which a proposed project is located is dealt with at the earliest possible stage.

Document references to OP WB, Procedures for Environmental Assessment of WB and Environmental Protection Policy of WB are presented below.

Annex 4 Content of an Environmental and Social Management Plan and Monitoring Plan

An Environmental and Social Management Plan (ESMP) outlines the mitigation, monitoring and institutional strengthening measures to be taken during project implementation and project operation phases to avoid or eliminate negative environmental/social impacts. For projects of intermediate environmental risk (Category B) an ESMP may be an effective way of summarizing the activities needed to achieve effective mitigation of negative environmental/social impacts.

The format in this annex provides a model for development such an ESMP. The model divides the project cycle into two phases: construction, and operation. For each phase, the preparation team identifies any significant environmental and social impacts that are anticipated based on the analysis done in the context of conducting an environmental and social review or preparing an environmental assessment, including social aspects (if required). For each impact, mitigation measures are identified and listed. Estimates are made of the cost of mitigation actions broken down by estimates for implementation (investment cost) and operation (recurrent cost). The ESMP format also provides for the identification of institutional responsibilities for implementation and operation of mitigation devices and methods.

To keep track of the requirements, responsibilities and costs for monitoring the implementation of environmental/social mitigation identified in the analysis included in an environmental review or assessment for Category B projects, a monitoring plan may be useful. A format is provided in this annex. Like the ESMP, the project cycle is broken down into two phases (construction and operation). The format also includes a row for baseline information that is needed to achieve reliable and credible monitoring. The key elements of the matrix are:

What is being monitored?

Where is monitoring done?

How is the parameter to be monitored to ensure meaningful comparisons?

When or how frequently is monitoring necessary or most effective?

Why is the parameter being monitored (what does it tell us about environmental impact)?

In addition to these questions, it is useful to identify the costs associated with monitoring (both investment and recurrent) and the institutional responsibilities. When a monitoring plan is developed and put in place in the context of project implementation, GIES-PIU will request reports from the local implementation actors (supervising engineers, contractors etc.) at appropriate intervals, and include the findings in its periodic reporting to the World Bank; in addition, GIES-PIU will make the findings available to Bank staff in the course of implementation support missions.

Environmental & Social Management Plan

_____

_____

(subproject, location, description)

Environmental and Social Elements	Impacts	Proposed mitigation measures[1]	Institutional responsibility for mitigation	Cost of mitigation activities[2]
Construction period				
Physical Environment				
Soils				
Water Resources				
Air Quality				
Biological Environment				
Fauna and Flora				
Social Environment				
Aesthetics and Landscape				
Human Communities				
Traffic				
Resettlement				
Income losses				
Health and safety				
Historical and Cultural Sites				

[1]Activities requiring financial expenses are to be included in BoQ.
[2] Cost of mitigation activities is defined by a contractor in relevant items in bidding documents.

Safety and health of staff and population				
Operation period				
Physical Environment				
Soils				
Water Resources				
Air Quality				
Biological Environment				
Fauna and Flora				
Social Environment				
Aesthetics and Landscape				
Human Communities				
Historical and Cultural Sites				
Safety and health of staff and population				

Annex 5. Environmental & Social Monitoring Plan

_____

_____

(subproject, location, description)

Subproject implementation stage	**What** parameter is subject to monitoring?	**Where** will monitoring of parameter be carried out?	**How** will monitoring of parameter be carried out/type of monitoring equipment	**When** will monitoring of parameter be carried out-frequency	**Monitoring cost**[3] What cost of equipment or expenses of contractor required to conduct monitoring?	**Institutional responsibility for monitoring**	**Date of commencement**	**Date of completion**
Construction								
Operation								

Annex 6. SUMMARY DATA ON IMPACT AND MITIGATION MEASURES FOR DEVELOPMENT OF INDIVIDUAL MONITORING PLANS

Potential Environmental impact/risks	Activity types	Main types of environmental impact	Preventive/mitigation measures	Responsible	Monitoring
Increased pollution due to construction waste	Site organization construction works	Contamination of adjacent area, soil, water resources. Dusting.	Prior to commencement of works, means of collection and removal of waste should be applied together with location of main types of waste produced during dismantling and construction works. Mineral waste from construction and dismantling works should be separated from common waste and organic, liquid and chemical waste through sorting and keeping in special containers. All documents on waste removal and disposal should be maintained properly as a proof of appropriate management of waste at the site. In all possible cases, contractor should ensure recycling of materials (except for asbestos). Asbestos materials shall be subject to immediate burial. Proper collection and removal of construction waste should be undertaking by a contracted utility. As for domestic waste, installation of collection tanks and timely removal of waste should be arranged with local waste collection companies.	Contractors	GIES-PIU, supervising engineers, state authorities

Possible asbestos waste materials	Improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery	Contamination of adjacent area, soil, water resources.	Identify waste material containing asbestos Establish codes for the sorted waste, according to Decision *2000/532/EC* establishing a list of wastes Employ a licensed waste operator to remove asbestos waste using appropriate safety equipment Dispose of asbestos waste at a landfill site licensed to receive such waste Execute the respective works with authorized companies/specialists	Contractors	GIES-PIU, supervising engineers, state authorities
Increase in traffic during construction	Site organization construction works	Potential pedestrian and vehicle traffic disruption and associated public safety risks	Traffic control Temporary traffic regulations Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities. Provide markers, lights and temporary connections by bypasses for safety and convenience Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities. Provide markers, lights and temporary connections by bypasses for safety and convenience	Contractors Local authorities	GIES-PIU, supervising engineers, state authorities

Impact on workers and community health and safety	General conditions of works	Industrial accidents	Local communities will be properly notified on works by means of publications and /or notices in mass media and/or bill boards in public places (and at work sites). In addition, fences will be installed; in case trenches are excavated, lighting will be provided. All permission required by legislation for use of land plots, natural resources, waste landfill, as well as permissions from sanitary inspection etc. in construction and rehabilitation works at this site, have been obtained. Individual protective means should meet safety standards (obligatory application of helmets, protective face masks, when needed, protective glasses, safety belts and boots). Sites will be provided with proper information boards and signs informing the workers about the rules and norms of works to be followed.	Contractors	GIES-PIU, supervising engineers, state authorities
Improper reinstatement of construction sites after works completion	Construction works	Deterioration in existing landscape quality or visual comfort Damage and cutting of plantations. Disturbance of habitat.	Avoid, reduce, and where possible remedy or offset any adverse effects on the environment arising from the proposed works Address the remaining/residual adverse effects arising from the executed works Address landscape and visual impacts Relocation and fencing of trees. Required tree cutting is agreed with local environmental agencies. All marked environmental zones of habitat and protected areas adjacent to the site should not be affected or used during operations.	Contractors Designers	GIES-PIU, supervising engineers, state authorities

Historical and cultural sites.	Damage and degradation of site structures	Possible negative impacts on buildings with cultural importance	If works are carried out at the site being a protected historical monument, or works are carried in close proximity to such site or at protected historical site, local authorities should be notified thereof. If needed, respective permission should be obtained. Once permission is obtained, works should be carried out in thorough compliance with provisions and norms of local and national legislation. Works will be arranged to ensure that all artifacts or other incidental findings detected in excavation and construction works are registered and documented properly.	Contractors Designers	GIES-PIU, supervising engineers, state authorities Local residents
Unsafe practices during the operation of the building		Contamination of adjacent area, soil, water resources. Dusting.		Contractors Designers	GIES-PIU, supervising engineers, state authorities

Annex 7. ESMP CHECKLIST FOR CONSTRUCTION AND REHABILITATION ACTIVITIES

(SOCIAL INFRASTRUCTURE)

General Guidelines for use of EMP checklist: For low-risk topologies, such as school and hospital rehabilitation activities, the ECA safeguards team developed an alternative to the current EMP format to provide an opportunity for a more streamlined approach to preparing EMPs for minor rehabilitation or small-scale works in building construction, in the health, education and public services sectors (including justice). The checklist-type format has been developed to provide "example good practices" and designed to be user friendly and compatible with safeguard requirements.

The EMP checklist-type format attempts to cover typical core mitigation approaches to civil works contracts with small, localized impacts. It is accepted that this format provides the key elements of an Environmental Management Plan (EMP) or Environmental Management Framework (EMF) to meet World Bank Environmental Assessment requirements under OP 4.01. The intention of this checklist is that it would be applicable as guidelines for the small works contractors and constitute an integral part of bidding documents for contractors carrying out small civil works under Bank-financed projects.

The checklist has three sections:

Part 1 includes a descriptive part that characterizes the project and specifies in terms the institutional and legislative aspects, the technical project content, the potential need for capacity building program and description of the public consultation process. This section could be up to two pages long. Attachments for additional information can be supplemented when needed.

Part 2 includes an environmental and social screening checklist, where activities and potential environmental issues can be checked in a simple Yes/No format. If any given activity/issue is triggered by checking "yes", a reference is made to the appropriate section in the following table, which contains clearly formulated management and mitigation measures.

Part 3 represents the monitoring plan for activities during project construction and implementation. It retains the same format required for EMPs proposed under normal Bank requirements for Category B projects. It is the intent of this checklist that Part 2 and Part 3 be included into the bidding documents for contractors, priced during the bidding process and diligent implementation supervised during works execution.

CONTENTS

EMP Checklist for Construction and Rehabilitation Activities

A. GENERAL PROJECT AND SITE INFORMATION

INSTITUTIONAL & ADMINISTRATIVE				
Country				
Project title				
Scope of project and activity	Small scale construction works for rehabilitation of buildings under the _____project			
Institutional arrangements (Name and contacts)	WB (Project Team Leader)	Project Management	Local Counterpart and/or Recipient	
Implementation arrangements (Name and contacts)	Safeguard Supervision	Local Counterpart Supervision	Local Inspectorate Supervision	Contactor
SITE DESCRIPTION				
Name of site				
Describe site location			Attachement 1: Site Map [ ]Y [ ] N	
Who owns the land?				
Description of geographic, physical, biological, geological, hydrographic and socio-economic context				
Locations and distance for material sourcing, especially aggregates, water, stones?				
LEGISLATION				
Identify national & local legislation & permits that apply to project activity				
PUBLIC CONSULTATION				
Identify when / where the public consultation process took place				
INSTITUTIONAL CAPACITY BUILDING				
Will there be any capacity building?	[ ] N or [ ]Y if Yes, Attachment 2 includes the capacity building program			

Social Checklist for Construction and Rehabilitation Activities

	Social Impacts/Risks	Yes	No	Not Known	Details
	1. Will the project development suppose an additional workload for locally employed personnel?				
	2. Will the project development stage require local personnel to undertake specific trainings?				
	3. Will the intervention include demolishing/construction works on (parts of) an existing building? *(Please specify what types of works are expected – 1. demolition&reconstruction, 2. only demolition, 3. only construction)*				
	4. Are there near-by private properties that could be affected by these works?				
	5. Could the demolition/construction works affect the local traffic/accessibility for the near located inhabitants/workers/business owners?				
	6. Will the works require access to private property?				
	7. Is (are) the owner(s) of the private property willing to grant access during the period of works?				
	8. Could the required access to the private property disturb/cause significant financial losses to the affected party (explain if applicable)?				
	9. Will the demolition/construction works affect the water supply to inhabitants/workers/business in the area?				
	10. Will the demolition/construction works affect power supply to inhabitants/workers/business owners in the area?				
	11. Will the demolition/construction works affect gas supply to inhabitants/workers/business owners in the area?				
	12. Will the demolition/construction works affect the supply of the thermal agent to inhabitants/workers/business owners in the area?				
	13. Are there expected to be drilling works on the site?				
	14. Could those works affect the private buildings/land placed in close proximity?				

	15. Is there any possibility to move out, close of business/commercial/livelihood activities of persons during demolition/constructions?				
	16. Is there any physical displacement of persons due to constructions?				
	17. Does this project involve resettlement of any persons? If yes, give details.				
	18. Will there be loss of incomes and livelihoods?				
	19. Will people permanently or temporarily lose access to facilities, services, or natural resources?				
	20. Will project cause loss of employment/Jobs				
	21. Is the project expected to lead to permanent or temporary relocation of the working personnel from the affected building?				
	22. Will the relocation increase the workload for the personnel?				
	23. Will the working conditions of the relocation personnel be worsen due to movement?				
	24. Will that relocation lead to increased transportation costs for the relocated persons?				
	25. Will project generate excessive labor influx as a result of new constructions?				

B: SAFEGUARDS INFORMATION

ENVIRONMENTAL /SOCIAL SCREENING			
	Activity	**Status**	**Triggered Actions**
Will the site activity include/involve any of the following??	A. Building rehabilitation	[] Yes [ ] No	See Section **A** below
	B. Minor new construction	[ ] Yes [] No	See Section **A** below
	C. Wastewater treatment system	[ ] Yes [] No	See Section **B** below
	D. Historic building(s) and districts	[ ] Yes [] No	See Section **C** below
	E. Acquisition of land[4]	[ ] Yes [] No	See Section **D** below
	F. Hazardous or toxic materials[5]	[] Yes [ ] No	See Section **E** below
	G. Impacts on forests and/or protected areas	[ ] Yes [] No	See Section **F** below
	H. Handling / management of medical waste	[ ] Yes [] No	See Section **G** below
	I. Traffic and Pedestrian Safety	[] Yes [ ] No	See Section **H** below

C: MITIGATION MEASURES

ACTIVITY	PARAMETER	MITIGATION MEASURES CHECKLIST
0. General Conditions	Notification and Worker Safety	
A. General Rehabilitation and /or Construction Activities	Air Quality	
	Noise	
	Water Quality	
	Waste management	
B. Individual wastewater treatment system	Water Quality	
C. Historic building(s)	Cultural Heritage	
D. Acquisition of land	Land Acquisition Plan/Framework	
E. Toxic Materials	Asbestos management	
	Toxic / hazardous waste management	

[4] Land acquisitions includes displacement of people, change of livelihood encroachment on private property this is to land that is purchased/transferred and affects people who are living and/or squatters and/or operate a business (kiosks) on land that is being acquired.

[5] Toxic / hazardous material includes but is not limited to asbestos, toxic paints, noxious solvents, removal of lead paint, etc.

F. Affected forests, wetlands and/or protected areas	Protection	
G. Disposal of medical waste	Infrastructure for medical waste management	
H Traffic and Pedestrian Safety	Direct or indirect hazards to public traffic and pedestrians by construction activities	

D: MONITORING PLAN

Phase	**What** (Is the parameter to be monitored?)	**Where** (Is the parameter to be monitored?)	**How** (Is the parameter to be monitored?)	**When** (Define the frequency / or continuous?)	**Why** (Is the parameter being monitored?)	**Cost** (if not included in project budget)	**Who** (Is responsible for monitoring?)
During activity preparation							
During activity implementation							
During activity supervision							

Annex 8. ENVIRONMENTAL GUIDELINES FOR CIVIL WORK CONTRACTS

Contractors will be obliged to apply environmentally sound construction standards and procedures. All civil works contracts will have the following environment-protecting provisions:

1. Take measures and precautions to avoid adverse environmental impacts, nuisance or disturbances arising from the execution of the works. This shall be done by avoidance or suppression whenever possible rather than abatement or mitigation of the impact once generated.

2. Comply with all national and local environmental laws and regulation. Assign responsibilities for implementation of environmental actions and to receive guidance and instructions from the engineer or environmental authorities.

3. Minimize dust emissions to avoid or minimize adverse impacts on air quality.

4. Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities. Provide markers, lights and temporary connections by bypasses for safety and convenience.

5. Prevent or minimize vibration and noise from vehicles, equipment and blasting operations.

6. Minimize disturbance to and restore vegetation where it is disturbed as a consequence of the works.

7. Protect surface and groundwater and soil quality from pollution. Appropriately collect and dispose of water material.

Annex 9. MAIN ISSUES REGARDING ASBESTOS CONTAINING MATERIALS (ACM) and ASBESTOS WASTE TO BE CONSIDERED WITHIN THE SITE-SPECIFIC ESMP

Asbestos is a group of naturally occurring fibrous silicate minerals. It was once used widely in the production of many industrial and household products because of its useful properties, including fire retardation, electrical and thermal insulation, chemical and thermal stability, and high tensile strength.

Today, however, asbestos is recognized as a cause of various diseases and cancers and is considered a health hazard if inhaled. Because the health risks associated with exposure to asbestos area now widely recognized, global health and worker organizations, research institutes, and some governments have enacted bans on the commercial use of asbestos.

In the European Union the use of asbestos is banned since January 1, 2005, and in Romania through a Governmental Decision no. 734/2006 this was banned only for new materials. Products containing asbestos and which have been installed or were in operation before the date 1 January 2005 can be used until the end of their lifecycle.

Good practice is to minimize the health risks associated with ACM by avoiding their use in new construction and renovation, and, if installed asbestos-containing materials are encountered, by using internationally recognized standards and best practices to mitigate their impact. In all cases, the World Bank expects borrowers and other clients to use alternative materials wherever feasible. ACM must be avoided in new construction.

In reconstruction, demolition, and removal of damaged infrastructure, asbestos hazards must be identified and a risk management plan adopted that includes disposal techniques and end-of-life sites. Asbestos-containing (AC) products include flat panels, corrugated panels used for roofing, water storage tanks, water, and sewer pipes etc.. Thermal insulation containing asbestos and sprayed asbestos for insulation and acoustic damping were widely used through the 1970s and should be looked for in any project involving boilers and insulated pipes.

As asbestos is often used in construction (mainly for roofing) in many countries including Romania, it can present a risk for the health of workers and population, who live near buildings that need capital repair with replacement of roofing or demolition.

GIES-PIU specialists must inform beneficiaries on potential risk for their health and instruct not using asbestos as construction material during construction/rehabilitation works.

Any asbestos product or material that is ready for disposal is defined as asbestos waste. Asbestos waste also includes contaminated building materials, tools that cannot be decontaminated, personal protective equipment and damp rags used for cleaning. Always this type of waste must be treated as ‘Hazardous Waste’.

In this regards, ACM and asbestos waste must be properly removed, stored in a separate closed area and disposed (with the consent of local administration and environmental inspectors) on a landfill on the special area for disposal of that type of waste.

GIES-PIU must require the contractors that the removal, repair, and disposal of ACM shall be carried out in a way that minimizes worker and community asbestos exposure. During reconstruction works, workers must avoid destroying asbestos sheets and properly dispose them at construction sites until final disposal happens. Workers must wear protective over garment, gloves and respirators during work with asbestos sheets. Proper disposal of ACM is important not only to protect the community and environment but also to prevent scavenging and reuse of removed material. ACM must be transported in leaktight containers to a secure landfill operated in a manner that precludes air and water contamination that could result from ruptured containers. The removal and disposal of ACM and asbestos waste as well as all other ESMP measures have to be included in both the technical specifications and bill of quantities (BoQs). Contractor shall develop site-specific ESMP where requirements to ACM and asbestos waste will be contained.

Annex 10. List of participants at the public consultation meeting

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LIST OF PARTICIPANTS AT THE PUBLIC CONSULTATION SESSION DATED 16.05.2018
ON THE IMPLEMENTATION OF THE PROJECT "RISK MANAGEMENT AT DISASTER"

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3

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4