Netherlands Commission for Environmental Assessment

Egypt

EIA profile

Updated to: 28 August 2019

Please note:

Egypt has legally adopted EIA in 1994. Since then EIA guidelines have been adjusted in 2002, 2005 and for the last time in 2009.

source

EIA guidelines, 2009.

Contact & history

Country contact

Ministry of State for Environmental Affairs

Egyptian Environmental Affairs Agency

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History of ESIA

Environmental Impact Assessment was introduced with Egypt's Environmental Protection law in 1994. Since then, the EIA system has been continuously reviewed and refined. The 1994 law requires continuous improvement of the EIA system as it should be reviewed every 5 years.

Since 1994 the law has been amended several times. In 2002, EIA procedures have been updated and EIA lists and forms were issued. In 2005 the law was amended by resolution no. 1741 and in 2009 by Law No. 9.

Since July 2009 guidance for application of EIA is provided through: Guidelines of principles and procedures for EIA - 2nd edition - January 2009.

source

El-Sayed A. Badr (2009) Evaluation of the environmental impact assessment system in Egypt, Impact Assessment and Project

Legal framework

Framework/Enabling law

Environmental protection law no. 4, 1994

source

Guidelines of principles and procedures for Environmental Impact Assessment - 2nd edition - 2009.

National detailed regulation for ESIA

The following document provides detailled guidelines for the application of EIA in Egypt:

Guidelines of principles and procedures for Environmental Impact Assessment - 2nd edition - 2009.

source

Cabinet of Ministries; Ministry of State for the Environment; Egyptian Environmental Affairs Agency: Guidelines of principles and procedures for Environmental Impact Assessment - 2nd edition - 2009 (hereafter referred as 'EIA guidelines, 2009').

Guidelines

EIA guidelines for the following sectors exist, to be used for category C projects:

- Oil and Gas;
- Cement Manufacturing Plants;
- Pharmaceutical Plants;
- Land Reclamation Projects;
- Assessment of Urban Development;
- Development of Ports, Harbours and Marinas;
- Municipal Waste Water Treatment Works;
- Industrial Estates Development.

source

The guidelines can be accessed via the website of the EEAA http://www.eeaa.gov.eg/en-us/services/eia.aspx

Sector specific procedures or regulations on EIA

As far as known, sector specific procedures or regulation on EIA does not exist.

Scope of ESIA application

EIA is required for both governmental and private activities.

source

EIA guidelines, 2009.

Exemptions from ESIA application

No exemptions are described in the EIA guidelines, 2009.

source

EIA guidelines, 2009.

Institutional setting

Central ESIA authority

The Egyptian Environmental Affairs Agency (EEAA) under the Ministry for Environment is the central authority on EIA. Main responsibilities of the EEAA is to set the requirements and criteria to undertake EIAs and to issue EIA guidelines. It is further responsible for the review of the EIA reports.

source

EIA guidelines, 2009.

Other key (governmental) parties involved in ESIA, and their roles

While the EEAA supervises the application of the law, sectoral ministries and governing bodies are the competent administrative authorities for EIA. These Competent Administrative Authorities (CAA) have executive powers in the EIA process. They issue licences for project construction and operation. As EIA is considered to be one of the requirements for receiving licences, the CAA are involved in the EIA process as an interface between the proponent and EEAA. They are involved in the initial screening. according to lists. They also receive EIA documents, check the EIA documents concerning the location of the activity and forward them to the EEAA for review. The CAA are the main interface between the project proponent and the EIA system. The CAA also provide technical assistance to the proponents and ensure the approval of the project site. Annex 3 of the EIA guidelines provides examples for CAAs which include the following types of entities: Ministries, Governorates, entities, authorities and sectors.

Line ministries are also consulted where applicable.

An independent review committee can be established by EEAA to review the EIA in case of complex projects.

A permanent appeal committee is responsible for assessing appeal to the review decision of EEAA.

source

EIA guidelines, 2009.

(De)centralisation of ESIA mandates

ESIA mandates are not decentralised. Governorates like Ministries are considered as Competent Administrative Authorities (CAA) and all CAAs apply the EIA guidelines, 2009.

source

EIA guidelines, 2009

Payment system

No information.

ESIA procedure

Overview ESIA procedure

In Egypt the EIA procedure is dependent on the classification of the project in category A, B or C, ranging from little (cat. A) to adverse environmental impact (cat. C).

Category A projects need to provide information on environmental effects and how to mitigate those effects. This information cannot be defined as an EIA report. Category B and C project result in an EIA report that is more extensive in case of the latter category.

Procedure:

The proponent submits a letter of intent to undertake the activity to the CAA. This application should be accompanied by form A in case of Category A projects, Form B for Category B projects and a full EIA report in case of Category C projects.

The CAA send the application to the EEAA for review and advice on approval including conditions. For Category A and B projects, the screening decision is combined with the project approval decision. Based on Form A, Category A projects may be approved with conditions or directed to follow the procedure for Category B (meaning that additional information is required). Category A can be rejected, but not on the basis of environmental reasons only. Category B projects may, after review of the information in Form B, be rejected, approved with conditions or requested to proceed with a full EIA.

As Category C projects are required to submit a full EIA report at this early stage, screening is effectively done by the proponent. Review and approval The CAA and EEAA then proceed to review the EIA report on its quality.

Scoping is not a obligatory stage in the EIA procedure.

source

EIA guidelines, 2009

Screening

Screening process

Screening is a legally required step. Four categories of projects are distinguished:

Category A: project with minimum environmental impacts;

Category B: project with potential adverse environmental impacts;

Category C: Projects with highly adverse impacts.

List of projects that have special conditions but do not require EIA.

The Competent Administrative Authority receives the application documents and officially notifies the proponent about the screening decision.

Annexes 1, 4, 5 and 6 of the EIA guidelines, 2009 provide respectively guidance for categorization of the projects in the four categories.

Special cases

Some projects need to be classified differently, these include:

- projects in areas that are environmentally sensitive;

- projects for which an Integrated or Strategic/ Regional EIA has been prepared;

- expansion of existing facilities / project.

source

EIA guidelines, 2009.

Contents of the starting document

The application document (screening form A) for Category A projects need to contain information on:

- the location of the project;
- description of the area where the project is proposed;
- products and by-products, types of power supply, raw materials used and source of water (public, groundwater, surface water), wastes resulting from the activity;
- projects starting dates for construction and operation;
- gaseous emissions, dust, temperature conditions and methods of control;
- methods of protection and control of noise; and
- description of any other mitigation measure.

For Category B projects (screening form B) require more information. In addition to the above:

- a more detailed description of the area of the project, including available infrastructure,
- methods of discharge of waste; and
- a preliminary analysis of environmental impact during operation and methods or mitigation, covering:

  a) impacts on the air quality

  b) impacts on quality and availability of water

  c) impacts on soil quality and fertility

  d) visiual impacts

e) noise impacts

f) other significant impacts

g) description of other measures

h) measures undertaken to protect the health and safety of workers and fire prevention facilities.

For Category A project a screening form does not exist.

source

EIA guidelines, 2009.

Timeline Screening

The EEAA reviews the application of all three categories of projects within 30 days. There is however no information on the maximum number of days for the CAA to process the application documents to the EEAA and communicate the outcome of the screening decision.

source

EIA guidelines, 2009.

Scoping

Scoping process

A formal scoping phase resulting in a scoping decision by for example the EEAA does not exisit.

For category B, EEAA might develop the ToR if a scoped EIA study is required.

For category C, the Proponent conducts scoping by making use of sector guidelines.

source

EIA guidelines, 2009,

Contents of the scoping document

Guidance to contents for scoping is not provided and therefore not available.

source

EIA guidelines, 2009.

Timeline scoping

Not applicable.

source

EIA guidelines, 2009.

Assessment

Assessment process

Category B and C projects needs to cover environmental, economic, technical as well as landuse and socio-culture aspects.

Methods for the assessment are not prescribed.

Only for category C projects the proponent has to consult stakeholders.

Only for category C projects the proponent has to develop and compare alternatives.

source

EIA guidelines, 2009.

Contents of the EIA report

Only for category C projects a table of contents for the EIA study is provided:

- executive summary;
- policy , legal and administrative framework;
- description of the proposed project;
- description of the environment;
- significant environmental impacts;
- analysis of alternatives;
- environmental management plan (incl. monitoring programm, description of mitigation measures);
- publich consultation;
- list of references;
- appendices: list of environmental assessment prepares; records of attendees in public consultation meetings, agenda of public consultation meetings

Accreditation of consultants

A accreditation system of consultants does not exist.

source

EIA guidelines, 2009.

Review

Review process

The CAA or the licensing body receives the EIA report (category B and C projects) and registers and executes an administrative compliance check. After a positive check, CAA sent the EIA report to EEAA for technical review.

Finally, the EEAA submits its advice to the CAA or the licensing authority and the CAA communicates the results of the review to the proponent through a registered letter.

source

EIA guidelines, 2009.

Review expertise

EEAA uses internal reviewers and independent consultants for the review process. EEAA can make use of technical expertise from the Egyption universities and research centres.

An independent review committee can be established by EEAA to review the EIA in case of complex projects.

source

EIA guidelines, 2009.

Timeline Review

The EEAA has 30 days to evaluate whether the project was correctly classified and review the quality of the EIA report.

The final results of the review process done by EEAA can be the following:

- Approval of the EIA study/form, while indicating the environmental requirements with which the project propnent should comply

- Objection of the EIA and a recommendation to refuse the project. Reasons for objection usually are related to environmental impacts of the project and the maximum carrying capacity for pollution in the project area.

source

EIA guidelines, 2009.

Decision making

Integration of ESIA into decision-making

The CAA are responsible for project approval and a positive EIA review is a condition for project approval.

Based upon the review of the EIA report the EEAA decides on environmentally acceptability of the project. EEAA formulate conditions for project license to be approved by the CAA.

source

EIA guidelines, 2009.

Decision justification

No information

Timeline decision-making

No information

Follow up

Compliance monitoring

For category B and C projects an Environmental Management Plan needs to be part of the EIA study consisting of (i) summary of environmental aspects and impacts (ii) mitigation measures (iii) self-monitoring plan and (iv) institutional arrangements.

Before the CAA grant the operation license, they review the requirements that the facility should abide and undertake a field visit to check the compliance with the EIA approval conditions.

The EEAA is mandated to follow up entries in the register kept by the proponent to ensure that it conforms to the facts, to take samples as required and to conduct appropriate tests to determine the impact of the activities on the environment and the extent of its compliance with the conditions.

source

EIA guidelines, 2009.

Non-compliance penalties

In case of violation of the environmental conditions the EEAA notifies the CAA to direct the owner of the establishment to rectify the violations. If the owner fails to comply within 60 days EEAA is entitled, in agreement with the CAA, to take legal and judicial procedures, such as halting the violating activity until compliance is ensured again.

source

EIA guidelines, 2009.

Stakeholder engagement

Public participation requirements for ESIA process stages

Public consultation is only mandatory for category C projects. Consultation has to be undertaken during the scoping phase and after the preparation of the draft EIA.

The proponent needs to prepare a public consultation plan before the start of consultation. The proponent will meet EEAA to discuss this plan.

During the scoping phase individual meetings with the concerned parties can be held of unified meetings. The stakeholder are then informed about the project and the aspects to be addressed in the study. Then the stakeholders discuss their opinion on the scope of the study. Results of individual meetings are summarized in a report, which is then discussed with EEAA to find an agreement on the final study

content. In case of a unified meeting, an agreement on the study content is reached during the meeting.

Public participation during the review phase of the draft EIA report takes place as a hearing session which involves representatives of all concerned parties. The participants will receive an executive summary of the study 15 days before the session. During the meeting, the results of the study and the mitigation measures are presented. A discussion follows where objections can be made regarding the presented mitigation measures.

The EIA report has a separate chapter on public participation. It should include the methodologies used, the analysis of the data, methodologies of the proponent to ensure the continuity of the consultation process during the construction and operation phases of the project and commitments of the project owner to improve the surrounding environment and support the neighbouring communities. Also documentation of the public meetings have to be attached to the EIA report.

source

EIA guidelines, 2009.

Timeline for public comments

Not specified

Access to information

For category B and C projects the EIA report will be published on the website of EEAA.

source

EIA guidelines, 2009.

Appeal

Possibilities for appeal

Appeal is open to the proponent on the EIA approval decision by EEAA. The proponent should make an objection within 30 days to the Permanent Appeal Committee. This commmittee consists of a representative form the EEAA, the proponent or attorney, a representative of the licensing body, three experts selected as members for three years.

source

Law no 4. (1994) and executive regulations of law no. 4

ESIA practice

Annual no. of ESIAs

In the period 199-2008 on average 12.000 category A, B and C projects were received by EEAA, on average 180 category A projects.

source

El-Sayed A. Badr (2009) Evaluation of the environmental impact assessment system in Egypt, Impact Assessment and Project Appraisal, 27:3, 193-203

Central ESIA database

The EEAA keeps a register of the applications, the EIA reports, forms, final results of the review process and measures that the project proponent has to take as required by EEAA.

The proponent is advised keep a register to record the impact of the established activities (Environmental Record).

source

EIA guidelines, 2009.

Professional bodies

No professional body exists.

Relevant links

- Egyptian Environmental Affairs Agency (EEAA)
- Egyptian Environmental Affairs Library