

THE NATIONAL ENVIRONMENTAL ACT, No. 47 OF 1980

Order Under Section 23Z

BY virtue of the powers vested in me by Section 23Z of the National Environmental Act, No. 47 of 1980, as amended by Act, No. 56 of 1988, I, Wimal Wickramasinghe, Minister of Environment and Parliamentary Affairs, do by this Order, determine the projects and undertakings set out in the Schedule hereto as projects and undertakings for which approval shall be necessary under the provisions of Part IVC of the Act.

DR. WIMAL WICKRAMASINGHE,  
Minister of Environment and Parliamentary Affairs.

Colombo,  
18th June, 1993.

SCHEDULE

PART I

PROJECTS AND UNDERTAKINGS IF LOCATED WHOLLY OR PARTLY OUTSIDE THE COASTAL ZONE AS DEFINED BY COAST CONSERVATION ACT, NO. 57 OF 1981

- (1) All river basin development and irrigation projects excluding minor irrigation works (as defined by Irrigation Ordinance chapter 453).
- (2) Reclamation of Land, wetland area exceeding 4 hectares.
- (3) Extraction of timber covering land area exceeding 5 hectares.
- (4) Conversion of forests covering an area exceeding 1 hectare into non-forest uses.
- (5) Clearing of land areas exceeding 50 hectares.
- (6) *Mining and Mineral Extraction*
  - Inland deep mining and mineral extraction involving a depth exceeding 25 meters.
  - Inland surface mining of cumulative areas exceeding 10 hectares.
  - All off shore mining and mineral extractions.
  - Mechanized mining and quarrying operations of aggregate, marble, limestone, silica, quartz, and decorative stone within 1 kilometer of any residential or commercial areas.

(7) *Transportation Systems*

- Construction of national and provincial highways involving a length exceeding 10 kilometers.
- Construction of railway lines.
- Construction of airports.
- Construction of airstrips.
- Expansion of airports or airstrips that increase capacity by 50 percent or more.

(8) *Port and Harbour Development*

- Construction of ports.
- Construction of harbours.
- Port expansion involving an annual increase of 50 per cent or more in handling capacity per annum.

(9) *Power Generation and Transmission*

- Construction of hydroelectric power stations exceeding 50 Megawatts.
- Construction of thermal power plants having generation capacity exceeding 25 Megawatts at a single location or capacity addition exceeding 25 Megawatts to existing plants.
- Construction of nuclear power plants.
- All renewable energy based electricity generating stations exceeding 50 Megawatts.

(10) *Transmission Lines*

- Installation of overhead transmission lines of length exceeding 10 kilometers and voltage above 50 Kilovolts.

(11) *Housing and Building*

- Construction of dwelling housing units exceeding 1,000 units.
- Construction of all commercial buildings as defined by Urban Development Authority established by the Urban Development Authority Law, No. 41 of 1978 having built up area exceeding 10,000 square meters.
- Integrated multi-development activities consisting of housing, industry, commercial infrastructure covering a land area exceeding 10 hectares.

(12) *Resettlement*

- Involuntary resettlement exceeding 100 families other than resettlement effected under emergency situations.

(13) *Water Supply*

- All ground water extraction projects of capacity exceeding 1/2 million cubic meters per day.
- Construction of water treatment plants of capacity exceeding 1/2 million cubic meters

(14) *Pipelines*

- Laying of gas and liquid (excluding water) transfer pipelines of length exceeding 1 kilometer.

(15) *Hotels*

- Construction of Hotels or holiday resorts or projects which provide recreational facilities exceeding 99 rooms or 40 Hectares, as the case may be.

(16) *Fisheries*

- Acquaculture development projects of extent exceeding 4 hectares.
- Construction of fisheries harbours.
- Fisheries harbour expansion projects involving an increase of 50 per cent or more in fish handling capacity per annum.

(17) All tunnelling projects.

(18) *Disposal of Waste*

Construction of any solid waste disposal facility having a capacity exceeding 100 tons per day.

Construction of waste treatment plants treating toxic or hazardous waste.

(19) Development of all Industrial Estates and Parks exceeding an area of 10 hectares.

(20) *Iron and Steel Industries*

Manufacture of iron and steel products of production capacity exceeding 100 tons per day using iron ore as raw material.

Manufacture of iron and steel products of production capacity exceeding 100 tons per day using scrap iron as raw material.

(21) *Non-Ferrous Basic Metal Industries*

Smelting of aluminium or copper or lead of production capacity exceeding 25 tons per day.

(22) *Basic Industrial Chemicals*

Formulation of toxic chemicals of production capacity exceeding 50 tons per day.

Manufacture of toxic chemicals of production capacity exceeding 25 tons per day.

(23) *Pesticides and Fertilizer*

Formulation of pesticides of combined production capacity exceeding 50 tons per day.

Manufacture of pesticides of combined production capacity exceeding 25 tons per day.

(24) *Petroleum and Petrochemicals*

Petroleum refineries producing gasoline, fuel oils, illuminating oils, lubricating oils and grease, aviation and marine fuel and liquified petroleum gas from crude petroleum.

Manufacture of petro-chemicals of combined production capacity exceeding 100 tons per day from raw materials obtained from production processes of oil refinery or natural gas separation.

(25) *Tyre and Tube Industries:*

Manufacture of tyre and tubes of combined production capacity exceeding 100 tons per day from natural or synthetic rubber.

(26) *Sugar Factories*

Manufacture of refined sugar of combined production capacity exceeding 50 tons per day.

(27) *Cement and Lime*

Manufacture of Cement.

Manufacture of lime employing kiln capacity exceeding 50 tons per day.

(28) *Paper and Pulp*

Manufacture of paper or pulp of combined production capacity exceeding 50 tons per day.

(29) *Spinning, Weaving and Finishing of Textiles*

Integrated cotton or synthetic textile mills employing spinning, weaving, dyeing and printing operations together, of combined production capacity exceeding 50 tons per day.

(30) *Tanneries and Leather Finishing*

Chrome tanneries of combined production capacity exceeding 25 tons per day.

Vegetable (bark) of combined production capacity exceeding 50 tons per day.

Provided however, where the projects and undertakings set out in items 20 to 30 are located within Industrial Estates and parks as described at (19) above, the approval shall not be necessary under the provisions of Part IVC of the Act.

- (31) Industries which involve the manufacture, storage or use of Radio Active Materials as defined in the Atomic Energy Authority Act, No. 19 of 1969 or Explosives as defined in the Explosives Act, No. 21 of 1956, excluding for national security reasons.

PART II

- (32) All projects and undertakings listed in Part I irrespective of their magnitudes and irrespective of whether they are located in the coastal zone or not, if located wholly or partly within the areas specified in Part III of the Schedule.

The following industries if located wholly or partly within the areas specified in Part III of the Schedule:

- (33) Iron and Steel.  
(34) Non-Ferrous Basic Metal.  
(35) Basic Industrial Chemicals.  
(36) Pesticides and Fertilizers.  
(37) Synthetic Resins, Plastic materials and Man-made Fibres.  
(38) Other Chemical Products.  
(39) Petroleum and Petro-chemical Products.  
(40) Tyres and Tubes.  
(41) Manufacturing and Refining of Sugar.  
(42) Alcoholic Spirits.  
(43) Malt Liquors and Malt.  
(44) Cement and Lime.  
(45) Non-metallic Mineral Products.  
(46) Paper, Pulp and Paperboard.  
(47) Spinning, Weaving and Finishing of Textiles.  
(48) Tanneries and Leather Finishing.  
(49) Shipbuilding and Repairs.  
(50) Railroad Equipment.  
(51) Motor Vehicles.  
(52) Air Craft.

PART III

1. Within 100m from the boundaries of or within any area declared under-  
the National Heritage Wilderness Act No. 3 of 1988,  
the Forest Ordinance (Chapter 451).  
whether or not such areas are wholly or partly within the Coastal Zone as defined in the Coast Conservation Act, No. 57 of 1981.
2. Within the following areas whether or not the areas are wholly or partly within the Coastal Zone:  
any erodible area declared under the Soil Conservation Act (Chapter 450).  
any Flood Area declared under the Flood Protection Ordinance (Chapter 449) and any flood protection area declared under the Sri Lanka Land Reclamation and Development Corporation Act, No. 15 of 1968 as amended by Act, No. 52 of 1982.  
60 meters from the bank of a public stream as defined in the Crown Lands Ordinance (Chapter 454) and having a width of more than 25 meters at any point of its course.  
any reservation beyond the full supply level of a reservoir.  
any archaeological reserve, ancient or protected monument as defined or declared under the Antiquities Ordinance (Chapter 188).  
any area declared under the Botanic Gardens Ordinance (Chapter 446).

In these regulations unless the context otherwise requires-

“hazardous waste” means any waste which has toxic, corrosive, flammable, reactive, radio active or infectious characteristics.

“reservoir” means an expanse of water resulting from man made constructions across a river or a stream to store or regulate water. Its “environs” will include that area extending up to a distance of 100 meters from full supply level of the reservoir inclusive of all islands falling within the reservoir.