

Information Bulletin



DEPARTMENT OF ENVIRONMENT
AND CONSERVATION

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NOTIFICATION OF PREPARATORY WORK ON LEVEL-2 AND LEVEL-3 ACTIVITIES.

INTRODUCTION

This Information Bulletin is aimed at assisting prospective proponents of development activities that may be classified as a Level 2 or Level 3 activity in accordance with the *Environment (Prescribe Activities) Regulation 2002* to meet their legal obligations under *Section 48* of the *Environment Act 2000*.

The *Act* requires a person or company who intends to carry out preparatory work in relation to a Level 2 or Level 3 activity to register that intention in writing with the Director of Environment.

To assist with this requirement, categories of activities that are prescribed as Level 2 and Level 3 in the Regulation are appended to this Bulletin.

THIS NOTIFICATION MUST BE IN THE FORMAT DETAILED BELOW AND PROVIDED AT LEAST ONE MONTH PRIOR TO COMMENCING ANY "PREPARATORY WORK" IN RELATION TO THE PROPOSED ACTIVITY.

"Preparatory work" is defined in the Act as work associated with —

- (a) undertaking a feasibility study, or
 - (b) carrying out other studies relevant to environmental issues, or
 - (c) applying for approval under the *Investment Promotion Act 1992* to carry out an activity, or
 - (d) applying for an approval or a permit or licence under another Act,
- in relation to a proposed activity.

INFORMATION REQUIRED

- 1. Name of Proponent?**
Details of individual, company, etc.
- 2. Name of Proponent's Authorised Contact and Spokesperson.**
Name of person authorised to represent the proponent.
- 3. Address of Principal Office in PNG.**
Contact details such as postal address, phone no., fax no., e-mail address, etc.
- 4. Company Registration Details.**
Registration details as registered with the Investment Promotion Authority.
- 5. Site Address.**
Address of the site activity will be conducted. Include details of allotment, section, street name, map coordinates for remote areas, etc.
- 6. Details of Site Ownership.**
Information on site ownership including lease, freehold, customary ownership, etc.
- 7. Has the Proponent negotiated and signed an Agreement with Government of Papua New Guinea in relation to this proposal?**
Include details of any agreement signed or negotiated with the State or any endorsement in principle given by the National Government.
- 8. Other Government Departments or Statutory Bodies Approached.**
Provide information on other National, Provincial or Local Level Government Agencies that have been approached and responses made in regard to the proposed activity.

9. Other formal Government Approvals that are required to be obtained.

Provide details of other Government approvals that are required in order for the proposed activity to commence operation.

10. Status of Negotiations with Relevant Landowner/Resource Owner Groups.

Provide details of negotiations (if any) that has taken place between the proponent and the land/resource owners.

11. Estimated Cost (In Kina) of Works.

Provide a approximate value of the works in Kina. The estimated cost is the amount in Kina needed to carry out the works to which an application relates other than the amount needed to buy land associated with the works and any amount needed to construct or modify any building which will not or does not contribute substantially to the control of pollution or to the production capacity of the plant.

12. Scope and Description of the proposed Activity or Works.

Provide a summary in less than 500 words. Any further information available may be provided only as an attachment. NOTE that the summary is still required!

13. Description of Project Site.

It is important that basic information on the existing status of the environment within and near the project site is described. For developments in urban areas, include zoning and other land use classifications. Development activities proposed for rural settings should provide information on environmentally sensitive areas, protected areas, risk of off-site impacts (e.g., riverine discharge), etc.

14. Applicant's Assessment of whether proposed activity is a Level 2 or Level 3 Activity.

Indicate which Category (Level 2 or Level 3), in the *Environment (Prescribed Activities) Regulation 2002* is most applicable to the planned activity.

To assist the proponent in determining if a proposed activity is a Level 2 or Level 3 activity, categories of activities that are prescribed under the Act, are attached to this Information Bulletin.

15. Timeline or Schedule for the Planned Activity.

This should include but not limited to important milestones that may be applicable such as -

- construction commencement date,
- construction completion date,
- commissioning period, and
- date of commencement of normal production.

Lodge the above details with:

Director of Environment

Department of Environment
and Conservation
P.O. Box 6601,
BOROKO,
National Capital District,
Papua New Guinea.

Attention: *First Assistant Secretary*
Environment Division.

LEVEL (2) ACTIVITIES

Level 2 activities are prescribed in *Schedule 1 of Environment (Prescribed Activities) Regulation*. Information provided by a person or company during registration of intention to carry out preparatory works would be assessed against the activities prescribed in the Regulation in order for Director of Environment to determine if a proposed activity is a Level 2 activity.

<i>Column 1.</i> Category number	<i>Column 2.</i> Category of Activity
CATEGORY A	
Sub-Category 1: Petroleum Exploration	
1.1	Drilling of oil and gas wells.
Sub-Category 2: Mineral Exploration and Mining	
2.1	Any drilling program at a defined prospect where the aggregate depth of all holes drilled is greater than 2,500 metres.
2.2	Mechanised mining on a Mining Lease issued under the Mining Act 1992 involving non-chemical processing of no greater than 50,000 tonnes per annum.
2.3	Gravel extraction operating continuously for more than 6 months and involving the extraction of no greater than 10,000 tonnes per annum.
2.4	Quarrying involving the extraction of no greater than 100,000 tonnes per annum.
Sub-Category 3: Minor Forest Activities	
3.1	Activities carried out under a Timber Authority issued under the Forest Act.
Sub-Category 13: Other activities (SEE EXPLANATORY NOTE, BELOW)	
13.1	Damming or diversion of rivers or streams.
13.2	Discharge of waste into water or onto land in such a way that it results in the waste entering water, except where such discharge is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the discharge of waste.
13.3	Abstraction or use of water for commercial purposes, except where such abstraction or use is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the abstraction or use of water.
13.4	Import or export of ozone depleting substances or pesticides.
CATEGORY B	
Sub-Category 4: Manufacturing and chemical processes	
<i>Sub-Category 4A: Manufacturing operations (predominantly physical operations and blending not involving significant chemical reaction)</i>	
4.1	Cement clinker manufacturing and grinding.
<i>Sub-Category 4B: Processes involving chemical reactions</i>	
4.2	Manufacture of products by any chemical process in works designed to produce more than 100 tonnes per year of chemical products.
4.3	Manufacture of fibre-reinforced plastic (FRP) in works with a capacity of more than 50 tonnes per year.
4.4	Manufacture of acrylic compounds, fertilisers, herbicides, insecticides or pesticides by any chemical process.
4.5	Manufacturing operations involving the use of toluene di-isocyanate, methylene di-isocyanate, chlorofluorocarbons and halons.
EXPLANATORY NOTE:	<i>Level 2 – Sub-category 13 was incorrectly prescribed as Level 2 (Category B) activity instead of Level 2 (Category A). Amendment to the Regulation is being organised to correct this error.</i>

<i>Column 1.</i> Category number	<i>Column 2.</i> Category of Activity
Sub-Category 5: Activities involving petroleum or chemicals	
5.1	Manufacturing of organic chemicals requiring a Petroleum Processing Facility Licence issued under the <i>Oil and Gas Act 1998</i> .
5.2	Pipeline transport and storage using facilities with a holding capacity of more than 0.5 million litres.
Sub-Category 6: Forestry and production of timber products	
6.1	Activities associated with a logging operation which are or should be undertaken under a timber permit or a licence, unless such licence holder is a subcontractor of a timber permit, (including sewage disposal, camp construction including power & water reticulation, operation of machinery workshops and construction of road and other infrastructure works including wharf and ship loading and unloading facilities).
6.2	Operation of stationary sawmills and treatment facilities with a production capacity of greater than 30,000 m ³ per year of sawn timber.
6.3	Chemical treatment of timber using copper-chrome-arsenate solutions with a capacity of greater than 100 tonnes of treated wood product per year.
6.4	Processing of wood to form veneer, plywood, particleboard or fibre board.
6.5	Processing of wood, wood products, waste paper or other cellulose materials to form pulp, paper or cardboard.
Sub-Category 7: Mining and extraction	
7.1	Mechanised mining on a Mining Lease issued under the Mining Act 1992 involving chemical processing of no greater than 50,000 tonnes per annum.
7.2	Mechanised mining on a Mining Lease issued under the Mining Act 1992 involving non-chemical processing of more than 50,000 tonnes per annum.
7.3	Mineral beneficiation or processing other than alluvial mining in accordance with an Alluvial Mining Lease issued under the Mining Act 1992.
7.4	Quarrying involving the extraction of more than 100,000 tonnes per year.
7.5	Gravel extraction operating continuously for more than 6 months and involving the extraction of more than 10,000 tonnes per year.
7.6	Commercial salt harvesting.
Sub-Category 8: Aquaculture and agriculture	
8.1	Intensive animal industries including the raising of cattle, sheep, pigs, poultry and crocodiles with an annual production capacity of more than 200 animal units.
8.2	Operation of livestock holding pens with a capacity of more than 2,000 animal units per year.
8.3	Operation of aquaculture facilities with a design discharge flow rate greater than 1 per day or 100 tonnes of wet product per year.
8.4	Aquaculture carried out in “open sea” (cage) operations.
8.5	Agricultural cultivation of an area greater than 1,000 hectares.
Sub-Category 9: Food processing and plant product processing	
9.1	Processing of alcoholic and non-alcoholic beverages in a plant with a design production of more than 5,000 litres per day.
9.2	Operation of abattoirs and poultry processing facilities processing more than 200 animal units per year.
9.3	Processing coconut oil in plants producing more than 10,000 tonnes per year.
9.4	Processing of coffee or cocoa in plants producing more than 5,000 tonnes per year.
9.5	Palm oil extraction and processing in plants producing more than 5,000 tonnes per year.
9.6	Seafood processing operations which involve the production of more than 500 tonnes per year.
9.7	Production of stock feed in mills producing more than 5000 tonnes per year.
9.8	Processing of latex and rubber in operations producing more than 500 tonnes per year.
9.9	Sugar refining operations with a production capacity of more than 5,000 tonnes per year.

<i>Column 1.</i> Category number	<i>Column 2.</i> Category of Activity
Sub-Category 10: Energy production	
10.1	Operation of hydroelectric plants with a capacity of more than 2 Megawatts (MW).
10.2	Operation of fuel burning power stations with a capacity of more than 5MW, but not including emergency generators.
10.3	Operation of fuel burning appliances including furnaces and boilers with a rated thermal output of 20MW.
Sub-Category 11: Waste treatment	
11.1	Sewage treatment in plants serving more than an equivalent population of 5,000 people.
11.2	Septic tank sludge disposal systems intended to serve an equivalent population of greater than 500 people.
11.3	Operation of public and private landfills for the disposal of municipal wastes, serving a population of more than 10,000 people.
11.4	Incineration, reprocessing, treatment or disposal of industrial or biomedical waste of a capacity greater than 10 tonnes per year.
11.5	Operation of rendering works with a capacity of greater than 500 tonnes per year.
11.6	Recycling waste material including but not limited to glass, oil, metal, paper and putrescible materials with a capacity greater than 100 tonnes per year.
11.7	Commercial drum reconditioning.
Sub-Category 12: Infrastructure	
12.1	Operation of maritime construction, deballast and repair facilities designed to handle vessels of a mass of greater than 50 tonnes.
12.2	Construction of marinas and boating facilities designed or used to provide moorings for more than 50 powered vessels at any one time.
12.3	Operation of potable water treatment plants with a design capacity of greater than 1 million litres per day.
12.4	Construction of aerodromes or airfields except unpaved airstrips more than 10 km from an urban area.
12.5	Construction of new national roads.
12.6	Construction of electricity transmission lines or pipelines greater than 10 km in length.
12.7	Construction of housing estates with an area of more than 5 hectare.
Sub-Category 13: Other activities (See Note below)	
13.1	Damming or diversion of rivers or streams.
13.2	Discharge of waste into water or onto land in such a way that it results in the waste entering water, except where such discharge is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the discharge of waste.
13.3	Abstraction or use of water for commercial purposes, except where such abstraction or use is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the abstraction or use of water.
13.4	Import or export of ozone depleting substances or pesticides.
NOTE: Level 2 – Sub-category 13 was incorrectly prescribed as Level 2 (Category B) activity instead of Level 2 (Category A). Amendment to the Regulation is being organised to correct this error.	

LEVEL (3) ACTIVITIES

Level 3 activities are prescribed in *Schedule 2 of Environment (Prescribed Activities) Regulation*. Information provided by a person or company during registration of intention to carry out preparatory works would be assessed against the activities prescribed in the Regulation in order for Director of Environment to determine if a proposed activity is a Level 3 activity.

<i>Column 1.</i> Category number	<i>Column 2.</i> Category of Activity
Sub-Category 14: General	
14.1	Activities involving investment of a capital cost of more than K50 million, except where such investment is made in pursuing an activity otherwise dealt with in this Regulation in which case that category of activity will apply to the investment.
14.2	Activities involving the generation of a volume of liquid waste of more than 7,000,000 m ³ per year (approximately 20 million litres per day).
14.3	Activities that will involve the discharge, emission or deposit of hazardous contaminants, except where such discharge, emission or deposit is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the discharge, emission or deposit.
14.4	Activities that may result in a significant risk of serious or material environmental harm within Wildlife Management Areas, Conservation Areas, National Parks and Protected Areas or any area declared to be protected under the provisions of an International Treaty to which Papua New Guinea is a party and which has been ratified by the Parliament of the Independent State of Papua New Guinea.
Sub-Category 15: Manufacturing and processing	
15.1	Activities involving investment of a capital cost of more than K20 million and which involve manufacturing or chemical processes not previously used in Papua New Guinea.
15.2	Manufacture of hazardous contaminants, except where such manufacture is ancillary or incidental to, or associated with, any other activity in this Regulation in which case that category of activity will apply to the manufacture.
Sub-Category 16: Forest harvesting and land clearance	
16.1	Logging operations where the minimum annual allowable cut is greater than 70,000 m ³ per annum.
16.2	Any large scale clearing carried out under section 90 (a), (b), (c) or (d) of the Forest Act.
Sub-Category 17: Mining and extraction	
17.1	Mining activities which require the issue of a Special Mining Lease under the Mining Act 1992.
17.2	Mechanised mining on a Mining Lease involving chemical processing, except where the activity falls within the ambit of a Category B, Level 2 activity.
17.3	Extraction of off-shore coral deposits for roading, commercial lime making or similar use.
17.4	Submarine tailings disposal.
Sub-Category 18: Petroleum and gas production and processing	
18.1	Recovery, processing, storage or transportation of petroleum products requiring the issue of a Petroleum Development Licence or a Pipeline Licence under the <i>Oil and Gas Act 1998</i> .
18.2	Refining of petroleum or manufacture and processing of petrochemicals or liquefaction of natural gas requiring a Petroleum Processing Facility Licence issued under the <i>Oil and Gas Act 1998</i> , except where the activity falls within the ambit of a Category B, Level 2 activity.

<i>Column 1.</i> Category number	<i>Column 2.</i> Category of Activity
Sub-Category 19: Infrastructure construction	
19.1	Construction of major hydropower schemes or water supply reservoirs inundating an area greater than 5 km ² .
19.2	Construction of sea ports and ship repair facilities serving ships of an individual tonnage of more than 500 tonnes.
19.3	Infrastructure construction that requires the reclamation of more than 5 hectares of land below the high water mark.
19.4	Construction of sewage treatment plants designed to serve an equivalent population of greater than 50,000.
Sub-Category 20: Fisheries	
20.1	Aquaculture operations designed to discharge a volume of waste greater than 10 million litres per day.
Sub-Category 21: Waste Disposal	
21.1	Construction and operation of municipal landfills serving populations of more than 20,000 people.
21.2	Construction of commercial sites for the storage, treatment, reprocessing, incineration or disposal of hazardous contaminants.