



GOVERNMENT OF THE REPUBLIC OF KIRIBATI  
MINISTRY OF ENVIRONMENT LANDS AND AGRICULTURAL DEVELOPMENT  
P.O. Box 234, Bikenibeu, Tarawa, Republic of Kiribati. Phone: 686 28000. Fax: 686 28334

# ENVIRONMENT LICENCE

is hereby issued in accordance with Section 32 (1) (a) of the  
Environment Act 1999

<b>Licence Holder:</b>	Ministry of Public Works and Utilities
<b>Description of allowed activity:</b>	Kiribati Road Rehabilitation Project
<b>Site:</b>	Betio, South Tarawa, and Buota
<b>Licence Number:</b>	ELA 036/10

This licence is issued subject to the attached conditions.

Signed this 18<sup>th</sup> day of July 2013.

  
Principal Environment Officer



CONDITIONS OF THE ENVIRONMENT LICENCE ISSUED TO LICENCE HOLDER/  
KAETIETI IAAN TE RAITIENI ARE E ANGANAKI TE TIA BUBUTI

The conditions attached to this environment license are as follows:/Aikaikaetietiibukinteraitienti:

**General**

1. This licence is for the Rehabilitation of South Tarawa Road including Buota as applied for in the Environment Licence application **No. 036/10**.
2. Ministry of Public Works and Utilities is the nominated licence holder.
3. This licence does **NOT** give permission to the licence holder or its contractor to excavate or mine aggregates including sand, gravel, and reef mud to supply the rehabilitation of the road, and to construct seawalls.
4. The licence holder is responsible for compliance with the conditions and ensuring compliance by any contractors or any other person engaged to undertake any activity for the purpose of this licence.
5. The licence holder must ensure that a copy of this licence is made available to the Environment Inspector or other responsible authorities for inspection upon request.
6. This licence may be transferred in accordance with the Environment Act 1999 (as amended 2007).
7. The licence holder will be informed of any public complaints that are communicated to the Ministry of Environment Lands and Agricultural Development (MELAD) during the rehabilitation of the road. The licence holder must take reasonable measures to investigate and if required, temporarily cease the rehabilitation of the road to address significant issues raised in complaints to ensure compliance with these licence conditions.
8. The Principal Environment Officer (PEO) may amend the conditions of this licence in writing, if required by MELAD and/or the licence holder through consultation in accordance with the Environment Act 1999 (as amended 2007).

9. If there is a suspected contravention to any of the licence conditions, the Principal Environment Officer (PEO) may issue a request for information or records in accordance with Section 53 of the Environment Act 1999 (as amended 2007).
10. The licence holder shall notify MELAD in writing two weeks prior to the commencement of the construction.
11. The licence holder or its contractor shall adhere to all mitigation measures set out in the Environmental Management Plan and the Contractor's Environmental Management Plan to be approved by MELAD before construction start throughout the physical implementation of the rehabilitation of the road. A copy of the Environmental Management Plan and the approved Contractor's Environmental Management Plan forms part of this licence.
12. Legal actions under the Environment Act 1999 (as amended 2007) may be taken against the licence holder if there is evidence of non-compliance with any of the licence conditions and/or directions issued by the Environment Inspector(s) in relation to this activity.

**Pre-Construction Phase**

13. The licence holder shall obtain approval from the Quarantine Office for the importation of aggregate if any prior to a shipment from the country of origin.
14. The licence holder or its contractor shall obtain a certified document from the country of origin to prove that the aggregates to be imported have been treated and are free from pests and diseases and invasive alien species to the satisfaction of the Quarantine Officer in Kiribati.
15. Aggregates including sand and gravel imported and sourced locally required for the rehabilitation of the road shall be stockpiled at the Civil Engineering Unit Compound at Betio in a fenced and secured area or at other areas to be approved by the Principal Environment Officer in compliance with Condition No 17.

16. The main stockpile area for reef mud required for the rehabilitation of the road must be fenced and secured and must use an appropriate cover lining to minimize the risk of sediment being blown out of the area.
17. Should the licence holder or its contractor intend to stockpile aggregates, including reef mud, along the road alignment, proper and well secured depots for the stockpiles must be set up. Depot sites must be at least 20m away from the shoreline, flows of storm water, drainage courses, and low grounds.
18. Hazardous materials including coal tar, fuel, oil, and lubricants required for the rehabilitation of the road shall be stored at the Civil Engineering Unit Compound at Beflo in a secured area with a roof and concrete base that is bunded to hold any spillages or other secured placed to be approved by the Principal Environment officer. Any hazardous materials including coal tar transported during the construction shall be delivered with care to avoid any spillage during the transfer. Any spillage occurs during the transfer must be remediated by the contractor within a given timeline issued by Environment Inspector.
19. The asphalt mixing plant shall be kept for operation in a well secured area at least 20m away from the nearest resident to be approved by MELAD before operation and at least 20m away from the shoreline, underground water wells, and have a concrete base that is bunded to hold any spills.
20. The licence holder must get approval first from the Lands Management Division for any State Land to be used for aggregate stockpiling and hazardous materials storage including fuel, oil, and bitumen. For any use of private owned land, the licence holder shall deal directly with landowners to get their consents for the use of their land.
21. The licence holder must set up a point of contact including a telephone hotline for receiving public complaints. The general public must be informed or made aware of the hotline for sending complaints. Public complaints received through the hotline must be recorded and documented.

### Construction Phase

22. The licence holder or its contractor shall undertake the rehabilitation of the road according to the approved design specifications.
23. The licence holder shall not use PUB water in any aspects of the construction works including dust control, washing of equipment and machineries, EXCEPT for the concrete production and treatment only. The use of PUB water for concrete production and treatment shall be approved first by PUB CEO.
24. The licence holder must ensure that the noise level and vibration emitted from the rehabilitation of the road is acceptable and does not unreasonably interfere with the health or comfort of any person. The rehabilitation of the road along residential areas shall be limited to daylight hours only from 7am to 7pm. Subject to PEO approval, the Contractor shall however be permitted to work outside of the time given above if the work is needed for emergency reasons or for works that are being scheduled to mitigate the potential disruption to the travelling.
25. The depot for aggregate including sand, gravel and reef mud stockpiles along the road alignment must use geotextile silt fences or traps and sediment barriers, and must be covered during windy and rainy days or when not used.
26. The depot for aggregates including sand, gravel, and reef mud stockpiled along the road alignment must NOT occupy an area of more than what has been designated by the Land Management Division office or land owners and the stockpile must NOT block any access road.
27. Hazardous materials including coal tar, fuel, oil, and lubricants required for the rehabilitation of the road shall **NOT** be left along the entire road alignment at the end of each working day without proper and secure fencing.
28. The licence holder must ensure that no hazardous materials including coal tar, oil, fuel and lubricants from any machineries spill along the entire road alignment or into the sea or marine habitat. Any incident resulting in

unexpected impact or damage to the environment from the construction activity should be reported to MELAD immediately. Hazardous wastes, spills including contaminated soil should be removed within a given timeline issued by Environment Inspectors to the Civil Engineering Unit Compound at Betio in a secured area with a roof and concrete base that is bunded to hold any spillages, and any damage is to be rehabilitated within a given timeline issued by Environment Inspectors at the cost of the licence holder. Evidence of rehabilitation must be provided to MELAD within a given timeline issued by Environment Inspectors in a form of written reports including photos of damage and rehabilitation within one week of completing the rehabilitation work.

29. The licence holder must report any pre-existing soil contamination to MELAD for inspection before the work is undertaken. Any contaminated soil as a result of the rehabilitation of the road shall be de-contaminated within a given timeline issued by Environment Inspectors.
30. Contaminated soil from the rehabilitation of the road shall be removed off the island once they can no longer be de-contaminated and used at the end of the project.
31. Wastes and debris from the rehabilitation of the road shall be well contained at all times along the entire road alignment to a standard that ensures no waste or debris is washed away during rainfall events, tidal movements or dispersed by wind. No waste is to be dumped in the sea or lagoon.
32. All construction wastes and debris including surplus materials and demolishing wastes, shall be reused where possible and if no reuse is available for the material, the licence holder must remove unused wastes and debris including surplus materials and demolishing wastes from the site within a given timeline issued by Environment Inspectors and disposed of at an appropriate disposal site approved by MELAD.
33. The licence holder must ensure that waste water from cement mixing activity to be undertaken at the temporary construction yard should not

- be discharged into the sea or marine habitat but should be disposed of on site.
34. The licence holder must ensure that no substance or material, including dust and fumes from the construction activity, unreasonably interferes with the health or comfort of any person and important ecosystems that support the livelihoods and health of the local people.
  35. The licence holder or its contractor must spray water on site and on the road to reduce dust stirred during the rehabilitation of the road.
  36. Should there be any excessive dust, the licence holder shall suspend the rehabilitation of the road as soon as practical and find a suitable or effective method to address the issue with dust before the work could start again.
  37. The licence holder or its contractor must ensure that any impact or damage to land and coastal vegetation including mangrove ecosystem is **AVOIDED** unless the impact is necessary to enable the construction activity to proceed and there is no alternative available to avoid the impact.
  38. Any impact or damage to the environment including to land and coastal vegetation including mangrove ecosystem from the rehabilitation of the road should be rehabilitated or replanted within a given timeline issued by Environment Inspectors. Evidence of rehabilitation or replanting is to be provided to the MELAD within one week of completing the rehabilitation or replanting work. The licence holder must make sure that the replanting is successful and thrive.
  39. The licence holder must put up visible signs during the day and night at the construction site areas to warn road users of the construction activity to ensure public safety.

#### **Post construction**

40. The licence holder or its contractor shall notify MELAD one month prior to the completion of the expansion of the rehabilitation of the road.

41. The licence holder or its contractor shall not leave wastes and debris, hazardous materials including coal tar, lubricants, oil, and fuel, along the road side after the completion of the rehabilitation of the road. All remnants of discarded used hazardous materials must be stored properly at the Civil Engineering Unit Compound at Betio for removal off the island once they can no longer be used after the official completion of the road project.
42. Wastes and Debris be taken away from road sides at the completion of the rehabilitation work for proper disposal at authorized disposal site such as landfills.
43. The licence holder or its contractor shall remove from Kiribati any machineries imported for the purpose of the project once these machineries are malfunctioned and can no longer be maintained or used at the end of the project.
44. Any handover of unused hazardous materials including bitumen if necessary must be approved first by MELAD before the decommissioning of the project.
45. The licence holder or its contractor shall be responsible for a proper decommissioning/landscaping and rehabilitation of temporary construction yards and other sites used for aggregate stockpiling, storage of hazardous materials including oil, fuel, and bitumen, and asphalt plant yards at the end of the project.
46. MELAD will conduct a final inspection upon completion of the project and to produce a report on the level of compliance with the Environment Licence conditions by the Contractor before the project can be officially decommissioned. The project won't be considered completed until all issues identified in the report are addressed.
47. Any impact or damage to the environment caused after the rehabilitation of the road should be rehabilitated within a given timeline issued by Environment Inspectors. Evidence of rehabilitation is to be provided to the MELAD within two weeks of completing the rehabilitation work.



48. The licence holder will be informed of any public complaints that are communicated to the Ministry of Environment Lands and Agricultural Development (MELAD). The licence holder must take reasonable measures to investigate and, if required, address issues raised in complaints to ensure compliance with these licence conditions.
49. The licence holder is responsible for the integrity and maintenance of the road to avoid any environmental problems caused by the road design failing. Should any environmental problems caused by the road design failing such as flooding occurs, the licence holder shall be responsible for fixing it.

#### Monitoring

50. The licence holder or its contractor shall undertake monitoring according to the Environmental Monitoring Plan, provided in the Environmental Impact Assessment Report. A copy of the Environmental Monitoring Plan is attached, which forms part of this licence.
51. The licence holder or its contractor shall carry out a daily monitoring by means of visual the dust level and noise to ensure that it is not causing nuisance to the general public.

#### Reporting


52. The licence holder or its contractor must submit a monitoring report to MELAD on:
- Monitoring required under Condition No.51 one month after the start of the rehabilitation of the road, and then every 3 months thereafter using a field monitoring check list provided in the EIA report as Annex B.
  - A compiled monitoring results required by Condition No.52, one week after the start of the rehabilitation of the road, and then every week thereafter.

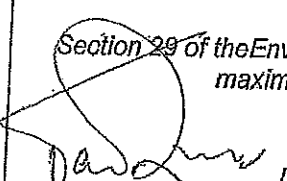
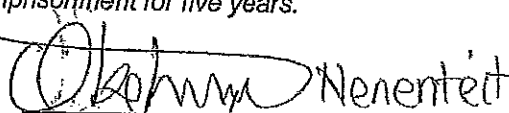
- c) Consolidated record on any rehabilitation work undertaken in accordance with condition 28, 38, and 47.
- d) Report on action undertaken to address significant issues raised in public complaints as required under condition number 7 to be submitted to MELAD one day after the issue is addressed.

If any further clarification is required on the above points please contact the Director at the Environment and Conservation Division, 686 28000.

**(Signing the conditions means you are now aware and agree with the requirements of this Environment Licence) / (Tiainakin te beeba aio e kaotia bwa koa matata raoi ao n nanoraoi ni kanoan kaetieti nte raitienti aio)**

*Section 29 of the Environment Act, Contraventions of Conditions of an Environment Licence: maximum penalty: fine of \$100,000, imprisonment for five years.*



<p>          Applicant (or on behalf) (sign and print name)</p>	<p>          MELAD Staff (sign and print name)</p>
<p><u>2/08/13</u> Date</p>	<p><u>2/8/13.</u> Date</p>