



GOVERNMENT OF THE REPUBLIC OF KIRIBATI
MINISTRY OF ENVIRONMENT LANDS AND AGRICULTURAL DEVELOPMENT
P.O. Box 234, Bikenibeu, Tarawa, Republic of Kiribati. Phone: 686 752 28000/28212

ENVIRONMENT LICENCE

is hereby issued in accordance with Section 57 of the Environment Act 2021

Licence Holder	Ministry of Tourism, Commerce and Industrial Cooperatives (MTCIC)
Description of Activity	Construction of Open Integrated Market (OIM)
Site	Betio, South Tarawa.
Licence Number	ELA 063/22

This Licence is issued subject to the attached conditions.

Signed this 7 day of August 2024.

Secretary - MELAD

CONDITIONS OF THE ENVIRONMENT LICENCE ISSUED TO THE LICENCE HOLDER

The conditions attached to this Environment Licence are as follows:

1. General

- 1.1. This Licence is for the **Construction of Open Integrated Market (OIM)** at Betio, South Tarawa as applied for in the Environment Application NO. 063/22.
- 1.2. The **Ministry of Tourism, Commerce and Industrial Cooperatives (MTCIC)** is the Licence Holder.
- 1.3. This Licence will come into effect upon issuance and is valid for **2 years ONLY** upon receiving of this Licence. The Licence Holder may apply for renewal of Environment Licence 2 weeks prior expiry of Licence.
- 1.4. The Licence Holder is to comply fully with the Conditions and to be responsible for compliance by its Contractors, employees/personnel or any other person(s) engaged in this activity.
- 1.5. The Licence Holder and its Contractor shall ensure that a copy of this Licence is made available to the Environment Inspectors, or other responsible authorities for inspection upon request.
- 1.6. This Licence may be transferred after written approval from the Secretary in accordance with section 65 of the Environment Act 2021.
- 1.7. The Licence Holder and its Contractor will be informed of any public complaints that are communicated to the Ministry of Environment Lands and Agricultural Development (**MELAD**) during the implementation of the activity. The Licence Holder and Contractor shall take reasonable measures to investigate and monitor all complaints in accordance with the Grievance Redress Mechanism in the EIA. If required, the Licence Holder and Contractor must stop the activity and address the issues raised in the complaints within 3 days of receiving.
- 1.8. The Secretary may amend the conditions of this Licence in writing, if required by **MELAD** and/or the Licence Holder.
- 1.9. The Licence Holder shall ensure that the Contractor submits a Construction Environmental Management Plan (**CEMP**) 2 weeks prior to commencement of implementation of activity and it is to be approved by **MELAD – ECD**. The approved CEMP is forms part of this Licence.

- 1.10. The Licence Holder and its Contractor shall adhere to all mitigation measures set out in the approved **CEMP** and the Environmental Management Plan (**EMP**) in the approved Environmental Impact Assessment (**EIA**)
- 1.11. Any discrepancies between the **EIA** and **CEMP** and the conditions of this Licence, the Environment Licence conditions shall prevail.
- 1.12. The Licence Holder shall report all environmental related incidents throughout the implementation of the activity using an Incident Report template approved by MELAD – ECD attached to this Licence. The Incident Report template forms part of this Licence.
- 1.13. Environmental related incidents shall be reported to MELAD – ECD within 24 hours of the incident occurrence via telephone communication 75228000 and 417 including written report to be submitted to the Director of ECD via email on this address decad@melad.gov.ki
- 1.14. The Secretary may suspend or revoke an Environment Licence on the recommendations of the Director and Environment Inspectors where deems fit and necessary.
- 1.15. If there is a suspected contravention of any of the Licence Conditions, the Secretary may issue a request for information or records in accordance with Section 53 of the Environment Act.
- 1.16. The validity of this Licence can be suspended until further notice when there are environmental damages foreseen or seen during the construction and the operation of the activity.
- 1.17. Legal action(s) under the Environment Act may be taken against the Licence Holder and its Contractor 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.

2. PRE-CONSTRUCTION

- 2.1. The Licence Holder and its Contractors shall obtain approval from the **MELAD – Agriculture and Livestock Division (ALD)** Quarantine Unit for the importation of construction materials including aggregate and timbers if any prior to a shipment from the country of origin.
- 2.2. The Licence Holder and its Contractors shall obtain a certified document from the country of origin to prove that the aggregates and timbers to be imported have been treated and are free from pests and diseases and invasive alien species to

the satisfaction of the MELAD – ALD Biosecurity Unit in Kiribati. Failure to comply will result in returning aggregates and timbers to their country of origin. The copy of the certified document shall be submitted to MELAD – ECD.

- 2.3. The Licence Holder and its Contractors shall provide to MELAD – ECD an inventory (list and quantity) of hazardous materials procured for the purpose of this Licence on a quarterly basis and or upon request of an Environment Inspector(s).
- 2.4. The Licence Holder and its Contractors shall set up a point of contact including a telephone hotline for receiving public complaints. Contact details including address, phone and mobile numbers to be displayed at the construction site for public information. Public complaints received through the hotline must be recorded and documented.
- 2.5. Visible safety signs shall be put up around the project sites to warn the public of dangers to ensure public safety.
- 2.6. The Licence Holder shall obtain official approval from **MELAD – Land Management Division (LMD)** for any State Land to be used including the proposed laydown areas, aggregate stockpiling areas and other hazardous materials storage sites for any site(s) aside the approved Construction site.
- 2.7. There shall be **NO** dredging or extraction of reef mud, sand and gravel to supply any activity for the purpose of this Licence. All locally sourced aggregates must be acquired from Te Atinimarawa Company Ltd (TACL) **ONLY**. Receipt of aggregates from TACL shall be available to the Environment Inspectors or other responsible authorities for inspection upon request.
- 2.8. The Licence Holder and its Contractor shall retain vegetation that does **NOT** obstruct construction work or operation as much as possible. Any impact to land vegetation must be **AVOIDED** unless the impact is necessary to enable the construction activity to proceed and there is no alternative available to avoid the impact.
- 2.9. The Licence Holder and its Contractor shall undertake a Unexploded Ordinance (UXO) survey prior commencing of construction works to avoid potential munitions/explosives onsite. Any UXO identified onsite and must be disposed of in accordance with the established government and police protocols and procedure. The Licence Holder and Contractor are required to apply for a separate Environment Licence for the disposal of UXO.

2.10. The Licence Holder and its Contractor shall consult or notify stakeholders within the vicinity of the project site prior to land clearing and construction works. Emerging issues must be addressed prior to any activity is undertaken.

2.11. The Licence Holder shall notify **MELAD – ECD**, in writing two weeks prior to the commencement of the activity.

3. CONSTRUCTION PHASE

3.1. The Licence Holder and its Contractors shall ensure that the construction work is carried out in accordance with the approved project site, design layout and specifications applied for in the environment licence application. Any changes in the design shall be approved by MELAD – ECD prior implementation.

3.2. The Licence Holder and its Contractor shall ensure that all construction activities are undertaken from 8:00AM - 5:00PM, Monday to Saturday **ONLY**. In case of an emergency, the Licence Holder and its Contractor may undertake work on Sunday.

3.3. The Licence Holder and its Contractor shall ensure that reticulated water used for construction work provided by Public Utilities Board (PUB) does **NOT** disrupt water distribution for the public on Betio.

3.4. The Licence Holder and its Contractor shall ensure that the electricity provided for construction by PUB is sufficient to **NOT** disrupt the current electricity distribution for the public on Betio.

4. OCCUPATIONAL HEALTH & SAFETY

4.1. The Licence Holder and its Contractor shall ensure that all employees and visitors always wear necessary Personnel Protective Equipment (PPE) at the construction site and storage yards to safeguard health and safety in conformance with the Ministry of Employment and Human Resource (MEHR) Occupation Health and Safety (OHS) requirements.

4.2. Fences shall be erected around the construction site to ensure public safety from construction materials prior to construction work. The Licence Holder shall put up

visible signs around the construction and storage site to warn the public of dangers to ensure public safety.

- 4.3. The Licence Holder and its Contractor shall ensure that the speed limit is observed via feeder routes for transportation of materials and machineries to and from the construction site.
- 4.4. The Licence holder and its Contractor shall ensure that construction yards should be operated in compliance with community safety standards and traffic controls during transportation of construction materials and aggregate such as sand, gravel and reef mud to the sites.
- 4.5. The Licence Holder shall ensure that Contractors and Employees are informed of their responsibility to maintain a clean and tidy environment at the construction and storage site(s).
- 4.6. Visible construction warning signs during the day and night at the construction site to ensure public safety.
- 4.7. The Licence Holder shall ensure that there are emergency oil/fuel spill and fire plans including instructions at the construction site provided for employee information, along with oil spill kits and other necessary kits for immediate response. Employees must be trained for immediate spill and fire response for the purpose of this Licence.
- 4.8. The Licence Holder and its Contractor shall ensure that all employees are trained for immediate spill and fire response for the purpose of this Licence.

5. DUST AND AIR POLLUTION

- 5.1. The Licence Holder and its Contractor shall minimize generation of dust at the construction site including storage and laydown areas shall install Dust Screens around the sites. Daily monitoring shall be undertaken and should there be excessive dust emitted within the sites the Licence Holder and its Contractors must dampen the ground from the groundwater to avoid causing discomfort and interfering with the health of employees/visitors and nearby residents.
- 5.2. Aggregate stockpiles including sand, gravel and reef mud stockpiles along the road alignment and at stockpiling area(s) including construction site shall be covered during windy and rainy days or when not used.

- 5.3. Transported aggregates to and from construction sites and stockpile yards shall be always covered to **AVOID** dust emission to neighboring residences, road users and or overflowing of aggregate materials onto the road.
- 5.4. The construction and stockpiling site shall be regularly monitored to ensure no dust emission is generated from the sites. In the case where dust emission is generated, the concerned sites shall be sprayed with water every day including weekends to prevent dust emission onsite.
- 5.5. Machineries/equipment and vehicles used for the purpose of this Licence shall be monitored daily and regular maintenance undertaken to ensure they do **NOT** emit excessive smoke. Machineries/equipment and vehicles emitting excessive black smoke for more than 5 seconds shall **NOT** operate but shall be serviced for repair work until smoke problem is fixed. The Maintenance and servicing on equipment and machineries shall be well recorded.
- 5.6. Operations and activities occurring within the construction and stockpile site(s) shall be maintained in a condition which minimizes or prevents dust and fume emission from the premises.
- 5.7. Any ground levelling at the construction site shall **NOT** generate high levels of dust that could cause health problems and discomfort to the public including employees.
- 5.8. The Licence Holder and its Contractor shall apply for a General Licence at MELAD – ECD for the import of air-conditioning gases, installation of air-conditioners and maintenance of air-conditioners if any is required for KIT and YLC.

6. NOISE AND VIBRATION

- 6.1. The Licence Holder and its Contractor shall ensure that noise emitted does not unreasonably cause discomfort to the public especially to the by installation noise control measures where necessary such as regular maintenance of equipment, fitting of silencers to engines, acoustic screening and soundproofing.
- 6.2. The Licence Holder and its Contractors shall take precautionary action when noise cannot be adequately controlled at the source, the use of enclosures and barriers should be considered.
- 6.3. Machineries/equipment and vehicles used for the purpose of this Licence shall be monitored daily and regular maintenance undertaken to ensure they do **NOT** emit excessive vibration and noise that unreasonably interfere with the health or comfort of any person.

7. LAND DISCHARGE

- 7.1. The Licence Holder and its Contractors shall implement Reduce, Reuse and Recycle (3R's) of all site-clearing debris and materials, civil works wastes, including surplus materials throughout the construction phase. Whenever the 3'Rs are not possible the Licence Holder and its Contractors shall collect and remove wastes and debris promptly from the site and dispose of at an appropriate disposal site approved by MELAD – ECD.
- 7.2. Any additional disposal sites shall be approved first by MELAD – ECD.
- 7.3. Where reuse of wastes is considered, the Licence Holder and its Contractor shall inform MELAD – ECD of the reuse plans one-week prior implementing plan, to ensure that these wastes do **NOT** create other environmental problems and that they are used in an environmentally sound manner.
- 7.4. The Licence Holder and its Contractor shall provide an inventory list of reused wastes reflecting the type of waste, quantity of waste, location and reuse purposes.
- 7.5. The Licence Holder and its Contractors shall ensure that the construction sites and stockpile site(s) are always kept clean with litter bins installed within the site(s) to prevent littering.
- 7.6. General waste must be always contained within designated waste bins at the construction, storage and stockpile site(s) and regularly disposed of at the nearest landfill.
- 7.7. Hazardous construction materials including fuel, oil, and lubricants required for the construction shall be stored in a fenced, ventilated and secured area with sufficient roof and concrete base that is banded to hold any spillages.
- 7.8. Proper and labeled suitable waste containers that allows for correct segregation of wastes shall be made available at construction, storage, stockpile and laydown site(s). It shall be kept in a secure manner to ensure that access is protected from vandals and animals, and regularly monitored for leaks or replaced when no longer suitable for storage.
- 7.9. **NO** hazardous materials including paint, oil, fuel and lubricants shall spill/leak at the construction, stockpile and laydown site(s). Any incident spill/leak shall be addressed promptly and reported to MELAD – ECD using an Incident Report within 24 hours of the incident occurrence.

- 7.10. Hazardous wastes including contaminated soil from fuel/oil spills shall be removed from incident site to and stored in labeled hazardous storage containers and disposed of at an appropriate disposal site approved by MELAD – ECD. An inventory on the list of hazardous wastes and their quantity to be provided to MELAD – ECD prior disposal and upon Environment Inspector(s) request.
- 7.11. The Licence Holder and its Contractors shall ensure that hazardous wastes are disposed at the hazardous disposal site approved by MELAD – ECD or shipped off island for proper disposal. An inventory on the list and type of hazardous wastes their quantity to be provided to MELAD – ECD prior disposal and upon Environment Inspector(s) request.
- 7.12. **No** waste shall be dumped at non-designated disposal area(s). Any heap spoils shall be reused where possible. Spoils requested from Licence Holder and Contractor by the public for seawall backfill or other purposes must be approved by MELAD – ECD (backfill/infill permit), otherwise proper disposal at designated site(s) must be approved by MELAD – ECD.
- 7.13. **NO** waste generated from any activity for the purpose of this Licence shall be burned at the construction site or anywhere else.
- 7.14. **NO** machinery maintenance and repair work shall be undertaken at the construction site. Maintenance and repair works shall be undertaken in a licensed workshop.
- 7.15. The Licence Holder and its Contractor shall ensure that **NO** wastewater from cement mixing or concrete works for the purpose of this Licence shall be discharged directly to the ground but must be treated through a settling pond. Settling ponds must be located away from the domestic water wells, and the accumulated sediments in the settling pond are collected for reuse or disposed of at the nearest landfill.
- 7.16. The Licence Holder and its Contractors shall install a drainage outlet system for the building into existing drainages or approved soak away to accommodate storm water to prevent flooding in the area.
- 7.17. The sewerage system for temporary toilet and washroom facilities shall be connected to a sealed septic tank or sump. Septage collected in the septic tank or sump shall be regularly cleared and disposed offsite to the nearest licensed septage disposal point.

- 7.18. The sewerage system shall be regularly monitored for leaks and septic capacity to ensure maintenance work is undertaken should there be any leaks, and regular removal of sewage from septic tank to prevent overflow at the site.
- 7.19. Any environmental related accidents or incidents during the construction under this Licence shall be responded to promptly. The incident report shall be submitted to **MELAD-ECD** using an Incident Report template provided within 24 hours of incident occurrence.

8. MARINE DISCHARGE

- 8.1. The Licence Holder and its Contractor shall ensure that sources of water pollution such as oil/fuel, paint, solvents and other harmful chemicals including construction debris and soil at the construction site are prevented from run-off to the marine environment.
- 8.2. The Licence Holder and its Contractors shall ensure that water runoff from the construction site are directed to the existing drainage system to prevent coastal erosion and flooding within the site.
- 8.3. Wastewater from cement mixing from the construction shall **NOT** be discharged directly to sea BUT shall be treated through settling pond.
- 8.4. All wastes and debris from the construction shall be well contained at all times to a standard that ensures **NO** waste or debris is washed away to sea during rainfall events or dispersed by wind. **NO** waste is to be dumped in the marine environment (beach and sea) but shall be disposed at approved disposal site(s).
- 8.5. There shall be **NO** dredging or extraction of reef mud, sand and gravel to supply any activity for the purpose of this Licence. All locally sources aggregates must be sourced from Te Atinimarawa Company Ltd (TACL) **ONLY**.

9. POST-CONSTRUCTION

- 9.1. The Licence Holder shall ensure that the equipment and machineries being used for the construction of this project are not abandoned at the construction site. Handover of machineries and equipment must be reported to MELAD-ECD. Equipment and machineries that are not in the condition to operate or cannot be repaired or will no longer be used, must be shipped off the island.
- 9.2. The Licence Holder and its Contractors shall notify MELAD – ECD one month prior to the completion of the Construction.

- 9.3. The Licence Holder shall apply for an Environment Licence for the operation of the facility prior to the full operation of the facility.
- 9.4. The Licence Holder and its Contractors shall **NOT** leave wastes and debris, hazardous materials including lubricants, oil, and fuel, along the roadside, laydown/stockpile areas or within the compound after the completion of the construction. All remnants of discarded and remains of used and obsolete hazardous materials shall be disposed of at MELAD – ECD approved disposal site or shipped off the island after the official completion of the construction.
- 9.5. Wastes and debris shall be taken away from roadsides, construction and stockpile site(s) at the completion of the construction for proper disposal at disposal site approved by MELAD – ECD.
- 9.6. Any handover of unused hazardous materials, if necessary, shall be approved first by MELAD – ECD before the decommissioning of the project and the Licence Holder shall ensure that these hazardous materials are **NOT** obsolete.
- 9.7. The Licence Holder and its Contractors shall be responsible for a proper decommissioning/landscaping and rehabilitation of temporary stockpile areas and other sites used for aggregate stockpiling, storage of hazardous materials including oil and fuel at the end of the construction. Report of rehabilitation shall be submitted to MELAD – ECD, 3 days after the completion of work.
- 9.8. MELAD – ECD 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 Licence Holder and its Contractors before the project can be officially decommissioned. The project will **NOT** be considered complete until all issues identified in the report are addressed.
- 9.9. The Licence Holder is responsible for the integrity and maintenance of the building's surrounding environment to avoid any environmental problems caused by the design failing.

- 9.10. Should any environmental problems caused by the design failing such as flood occurring, septic overflow or any other the Licence Holder shall be responsible for fixing it.
- 9.11. Any impact or damage to the environment including land, trees and vegetation from the construction shall be rehabilitated or replanted immediately. The Consultation for replanting of vegetation to the MELAD – ALD shall be coordinated by the Licence Holder. Evidence of rehabilitation or replanting is to be provided to MELAD – ECD within 3 days of completing the rehabilitation or replanting work. The Licence Holder and its Contractors shall make sure that the replanting is successful and thriving.

10. MONITORING

- 10.1. The Licence Holder and its Contractors shall undertake regular environmental monitoring on:
- (a) Complaints in accordance to the Grievance Redress Mechanism in the EIA.
 - (b) Dust and air monitoring from machineries/equipment and construction works and operation
 - (c) Noise and vibration from machineries/Equipment, construction works and operation
 - (d) Waste bins within construction/operation, stockpile and laydown site(s) for regular removal of waste for proper disposal at MELAD – ECD approved disposal site(s)
 - (e) Spills of fuel, oil and lubricants within the storage, stockpile and construction site(s).
 - (f) Sewerage systems for signs of any leaks and overflow.
 - (g) Storage containers for hazardous materials/wastes including machineries/equipment to be inspected for leaks, structural integrity and any sign of deterioration.

11. REPORTING

- 11.1 The Licence Holder shall submit a report based on the monitoring requirements in condition 10.1 a – g on a quarterly basis.
- 11.2 The Licence Holder shall submit an incident Report within 24 hours of the incident occurrence on the following to MELAD – ECD:
- a) All incidents environmental related incidents in accordance with Condition 1.12, 1.13, 7.9, and 7.19
- 11.3 The Licence Holder shall submit a report to MELAD – ECD on rehabilitation work including replanting undertaken, 3 days after the completion of the work as per Conditions 9.7 and 9.11
- 11.4 The Licence Holder and its Contractor shall submit a quarterly environmental monitoring report to MELAD – ECD on:
- a) Monitoring required under Condition number 1.7
 - b) Consolidated record of incidences in accordance with Condition 11.2
 - c) Consolidated record on any rehabilitation and replanting work undertaken in accordance with Condition 11.3
 - d) Action(s) undertaken to address issues raised in public complaints and compliance directions by Environment Inspector(s)
 - e) Health and safety related incidents
- 11.5 The Licence Holder and its Contractors shall submit a quarterly report on;
- a) Inventory list of hazardous materials procured as per Condition 2.3
 - b) Inventory list of hazardous wastes and quantity disposed in Condition 7.10 and 7.11

If any further clarification is required on the above points, please contact the Director at the Environment and Conservation Division, 686 75228000.

Signing the conditions means you are now aware and agree with the requirements of this Environment Licence

Section 53 of the Environment Act, Contraventions of Conditions of an Environment Licence:

Maximum penalty: fine of \$100,000, imprisonment for ten years.

ANGINAKO TAAKE, Applicant (or on behalf)	<u>Stake</u> Signature	<u>Tenue-Eink / Hwehi</u> MELAD staff Signature
Date: 23/08/24	23 AUG 2024	Date: 23/08/24

OFFICE
686 75228000 75228211