

THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE PROCESS and THE OIL & GAS INDUSTRY



Presented by
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June 21, 2012

Environmental Management Authority

The EMA is a statutory body established in 1995 under the Environmental Management Act, Chapter 35:05



The Environmental Commission



- The EC is a superior court of record
- Any decision of the EMA may be appealed to the EC
- Decisions of the EC are subject to appeals to the Court of Appeal
- There are specialized rules for the EC

The Environmental Management Act, Chapter 35:05



- The Act is the primary legislative instrument which governs environmental management in T&T.
- It sets out the framework within which the objects of the Act are to be achieved.

The Environmental Management Authority



The functions of the EMA are defined in the Act. They include regulatory, policy-making, enforcement, coordination, education and public awareness functions.

Subsidiary Legislation

The five primary subsidiary legislative instruments currently in force are the:

- **Certificate of Environment Clearance Rules**
- Water Pollution Rules, 2001 as amended
- Noise Pollution Control Rules, 2001
- Environmentally Sensitive Areas Rules, 2001
- Environmentally Sensitive Species Rules, 2001

Certificate of Environmental Clearance Legislative Framework

- Certificate of Environmental Clearance Rules
- Certificate of Environmental Clearance (Designated Activities) Order (as amended)
- Certificate of Environmental Clearance (Fees and Charges) Regulations

Certificate of Environmental Clearance Rules



The CEC Rules were made under Section 26(h) of the EM Act

- There is a defined process to be followed **to apply for and receive** a CEC

Under Section 39 of the EM Act

- Activities with final approval from other government entities and outline or final planning from TCPD prior to July 2001 are exempt from the CEC process

Certificate of Environmental Clearance (Fees and Charges) Regulations



- The CEC Regulations were made under Section 96(2) of the EM Act
- Lists all fees and charges associated with a CEC application

Certificate of Environmental Clearance (Designated Activities) Order (as amended)

The CEC Order was made under
Section 35 of the EM Act

- There are 44 designated activities which require a CEC
- No person shall proceed with any Designated Activity **unless a CEC is applied for and RECEIVED**



Designated Activities for the Oil & Gas Sector

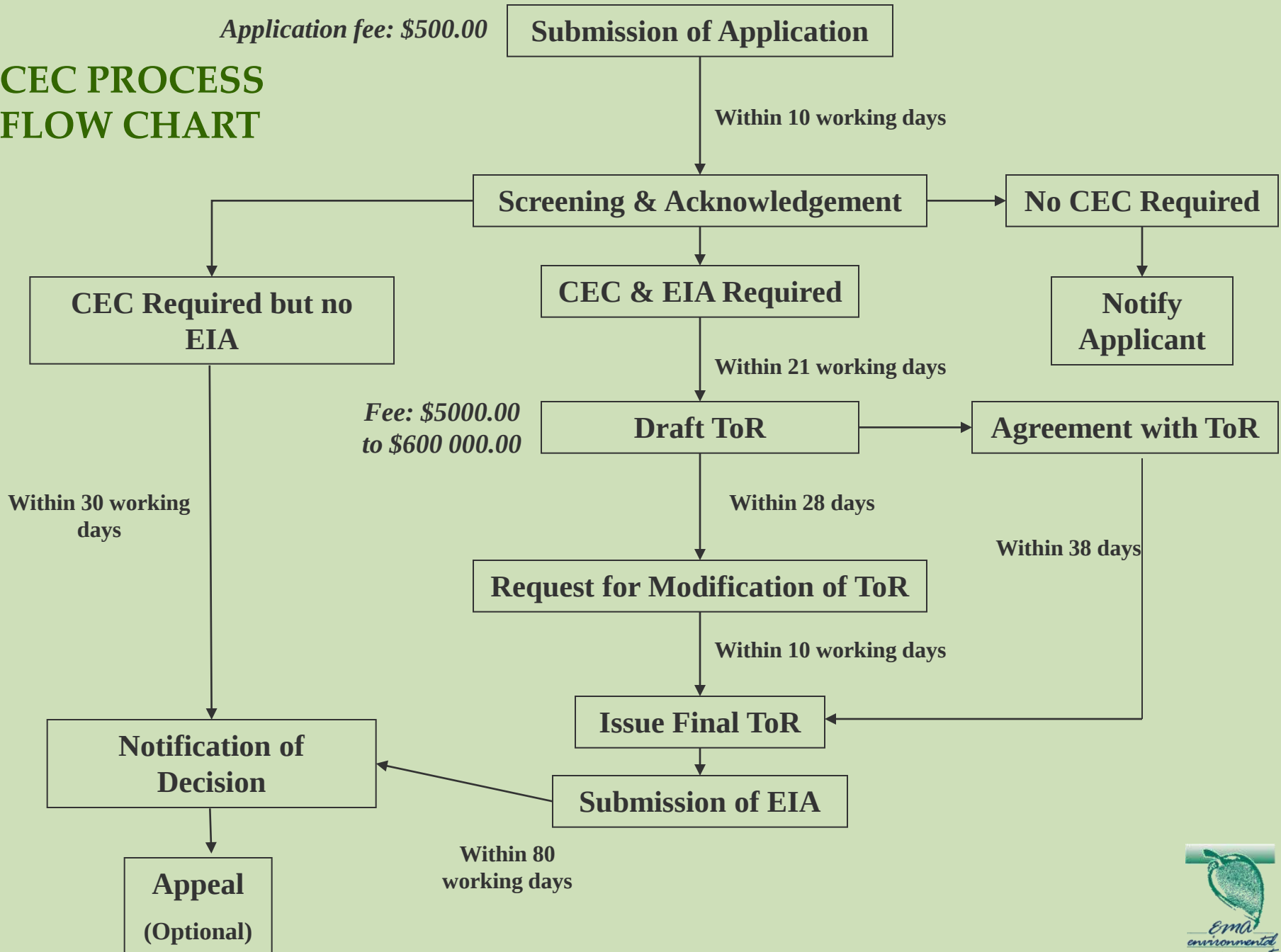
Designated Activity	Definition
24	Exploration for crude oil or natural gas
25	Establishment of a facility for primary or secondary production of crude oil, condensate or associated gas
26	Establishment of a facility for natural gas or condensate production
27	Establishment of infrastructure for pipeline systems
28	Establishment of infrastructure for crude oil refining
29	Establishment of infrastructure for the storage of petroleum or liquid petroleum gas or their derivatives

OBJECTIVES OF THE CEC PROCESS

- Identify environmental impacts which might arise out of any new or significantly modified development defined in the CEC (Designated Activities) Order, as amended
- Promote environmentally-sound decisions
- Promote sustainable development

CEC PROCESS FLOW CHART

Application fee: \$500.00



Acknowledgement of a CEC application

Application Received and Screened by the EMA

Within 10 working days

Acknowledgement Letter issued to Applicant acknowledging receipt of application and informing that further information is required

Further information submitted by Applicant

After further information is reviewed, a Notification Letter is issued to Applicant advising one of the following:

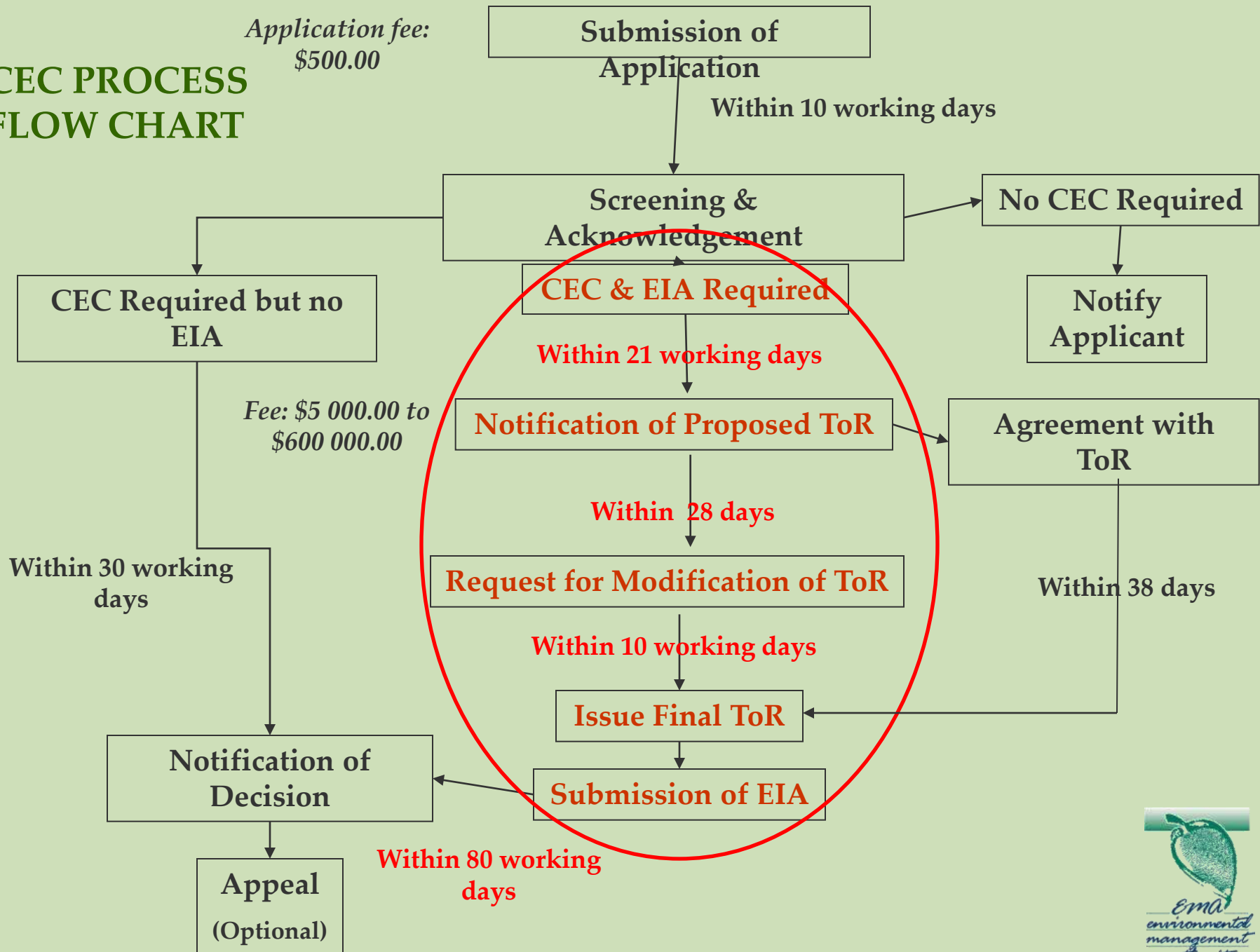
- Additional information/clarification required
- No CEC required
- CEC required but no EIA
- CEC and EIA required
- CEC denied

EIA Process

- A proposed project may require an EIA depending on its nature, scale and location
- There are defined standards for the preparation and submission of an EIA
- Preparation of an EIA should be guided by the TOR issued by the EMA specific to the CEC application

CEC PROCESS FLOW CHART

Application fee:
\$500.00



EIA Review Process

- Multi-disciplinary team comprising:
 - ❖ EMA
 - ❖ Government Agencies
 - ❖ Expert consultants
 - ❖ Other relevant stakeholders
- Public Comment Period of no less than 30 days
- Determination of application within 80 working days (if no further information is required)

Information is Reviewed For.....

- Completeness
- Accuracy
- Clarity
- Compliance with the Terms of Reference

Possible Decision Outcomes

- EIA is deficient and requires additional information before a decision could be made
 - Review and Assessment Report issued if EIA is deficient
 - Applicant submits revised EIA
- CEC granted with conditions
- CEC denied with reasons

DOs and DON'Ts

- **DO** – The EMA encourages pre-application meetings to discuss proposed project(s) and to clarify the CEC process.
- **DO** – The EMA insists on documentation of CEC-related communication for the purposes of accountability and transparency through the National Register.
- **DON'T** – The EMA does not review and approve information that forms part of an application outside of the application process.
- **DON'T** – The EMA does not accept EIAs as part of CEC applications. Submission of EIA-type information does not circumvent the need for an EIA through the application process.

CONTACT INFORMATION

Visit the EMA's website at www.ema.co.tt

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Thank You!

