

FORM 5

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
SECTION 13(1)

Application for Variation of an Environmental Permit

PART A PREVIOUS APPLICATIONS

 No previous application for variation of an environmental permit. The environmental permit was previously amended.

Application No. : VEP-395/2013

PART B DETAILS OF APPLICANT

B1. Name : (person or company)

Civil Engineering and Development Department

[Note : In accordance with section 13(1) of the Ordinance, the person holding an environmental permit or a person who assumes responsibility for the designated project may apply for variation of the environmental permit.]

B2. Business Registration No. :

(if applicable)

B3. Correspondence Address :

B4. Name of Contact Person :

B5. Position of Contact Person :

B6. Telephone No. :

B7. Fax No. :

B8. E-mail Address : (if any)

PART C DETAILS OF CURRENT ENVIRONMENTAL PERMIT

C1. Name of the Current Environmental Permit Holder :

Civil Engineering and Development Department

C2. Application No. of the Current Environmental Permit : VEP-395/2013 (EP-210/2005/B)

C3. The Current Environmental Permit was Issued in : month / year

04 / 2013

Important Notes : Please submit the application together with

(a) 3 copies of this completed form; and

(b) appropriate fee as stipulated in the Environmental Impact Assessment (Fees) Regulation to the Environmental Protection Department at the following address :

The EIA Ordinance Register Office,
27th floor, Southorn Centre, 130 Hennessy Road,
Wan Chai, Hong Kong.

 Tick (✓) the appropriate box

D1 Condition(s) in the Current Environmental Permit	D2 Proposed Variation(s)	D3 Reasons for Variation(s)	D4 Describe the environmental changes arising from the proposed variation(s) :	D5 Describe how the environment and the community might be affected by the proposed variation(s)	D6 Describe how and to what extent the environmental performance requirements set out in the EIA report previously approved or project profile previously submitted for this project may be affected :	D7 Describe any additional measures proposed to eliminate, reduce or control any adverse environmental impact arising from the proposed variation(s) and to meet the requirements in the Technical Memorandum on Environmental Impact Assessment Process :
Part B (Descriptions of Designated Project) Scale and Scope of Designated Project	To add "5. Construction and Operation of a Construction Demolition Materials Sorting Facility (C&DMSF)"	There is will be a C&DMSF of handling capacity of approximately 10,400 tonnes /day to operate from 0700 to 2300 hrs as compared with previous operation.	Based on the assessment as stated in the Section 3, 4 & 5 of the Environmental Review Report, potential air quality impact, noise impact, water quality impact, landscape and visual and landfill gas hazard are considered insignificant. (applicable for other proposed variations below)	Based on the assessment as stated in the Section 3, 4 & 5 of the Environmental Review Report, potential air quality impact, noise impact, water quality impact, landscape and visual and landfill gas hazard are considered insignificant. (applicable for other proposed variations below)	Please refer to Sections 3, 4 & 5 of the Environmental Review Report. All predicted environmental impacts are within the relevant environmental standards set out in the Project Profile (DIR-113/2005) and the Technical Memorandum on EIA Process. (applicable for other proposed variations below)	<u>Air Quality</u> The mitigation measures are described in Section 3 of the Environmental Review Report. To minimise the potential air quality impacts due to vehicular emissions from internal trucks of TMFB and the C&DMSF to the nearby ASRs, the following additional measures are proposed; a) The haul road, R11 serving the C&DMSF shall be no less than 75m away from the western boundary of the project to reduce potential air quality impact to EcoPark. b) A vertical barrier of 5 m high shall be erected along the west side of the haul road R11 to reduce potential air quality impact to EcoPark. c) The sorted material from the C&DMSF shall be delivered to barging point B3 via an enclosed conveyor belt system to avoid material delivery by trucks. d) The internal trucks used for material handling within the project area shall be at least of Euro V emission standard. e) The C&DMSF and its associated enclosed conveyor belt system with CLP power supply to avoid emissions from diesel generators. No additional measures are required for noise, water quality, landscape and visual impacts, and landfill gas hazard.

PART D

D1, D2 and D3

Item	D1 Condition(s) in the current Environmental Permit	D2 Proposed Variation(s)	D3 Reasons for Variation(s)
1.	<p>Condition 1.7 "The Permit Holder shall ensure that the Project is designed, constructed and operated (including stockpile and removal of public fill material) in accordance with the information and recommendations described in the Project Profile (Register No. PP-236/2005), the application documents for variation of an environmental permit (Application Nos. VEP-277/2008 and VEP-395/2013), other relevant documents in the Register, the information and mitigation measures described in this Permit, mitigation measures to be recommended in submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or impliedly amended in this Permit."</p>	<p>Condition 1.7 "The Permit Holder shall ensure that the Project is designed, constructed and operated (including stockpile and removal of public fill material) in accordance with the information and recommendations described in the Project Profile (Register No. PP-236/2005), the application documents for variation of an environmental permit (Application Nos. VEP-277/2008, VEP-395/2013 and VEP-XXXX [to be inserted by EPD]), other relevant documents in the Register, the information and mitigation measures described in this Permit, mitigation measures to be recommended in submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or impliedly amended in this Permit."</p>	To cover the application documents for this proposed VEP-
2.	<p>Condition 3.5 "Haul roads for entering and leaving the site shall be watered every 2 hours so as to maintain the entire road surface wet during operation of the project."</p>	<p>Condition 3.5 "Haul roads for entering and leaving the site shall be watered every hour so as to maintain the entire road surface wet during operation of the project."</p>	To strengthen this dust control mitigation measures.
3.	<p>Condition 3.15 "Pathway of loading and unloading of public fill to and from barges shall not be directly on top of the marine water as to prevent the dropping of material into the sea."</p>	<p>Condition 3.15 "No material shall be dropped into the sea in the course of loading and unloading of public fill to and from barges."</p>	To improve the clarity of this condition.
4.	<p>Condition 3.21 "The Project shall be fully decommissioned by 31 December 2018"</p>	<p>Condition 3.21 "The Project shall be fully decommissioned by 31 December 2023"</p>	Extension of public fill bank operation at Tuen Mun Area 38 up to 2023 in order to meet current envisaged need for temporary stockpiling public fill generated from construction industry.
5.	Figures 1, 2, 3 and 4	<p>Figures 1, 2, 3 and 4 of the General Conditions Site boundary of Tuen Mun Fill Bank revised (refer to Figures D1, D2, D3 and D4 respectively of Annex D of the Environmental Review Report)</p> <p>Figure 1 of the General Conditions Revised with Site boundary of the Tuen Mun Fill Bank</p>	To reflect the latest TMFB site boundary of the current TGLA application.
6.	NA	<p>Addition of Condition 3.23 "Any person/contractor/organisation, who is allowed by the Permit Holder to erect and operate (hereinafter called "operator") Sorting Facility for Public Fill (hereinafter called "C&DMSF") in the area as shown in Figure 1 of this Permit, is deemed to be "any person working on the Project" referred to in Condition 1.1 above and shall comply with all conditions set out in this Permit. If the proposed operation of any additional sorting facility deviates from the information and recommendations described in the documents referred to in Condition 1.7 above, the operator shall make additional submission to the Director for approval, at least one month before its proposed operation. The submission shall include, inter alia, the changes involved, an environment impacts resulting from such changes and proposed mitigation measures, if any. Any non-compliance with the submissions approved by the Director may</p>	Given that the proposed sorting facility is designed, erected and operated by persons or companies other than the Permit Holder, it is necessary to ensure that they shall comply with the EP and shall bear the consequences arising out of their breaches of EP conditions.

		if any. Any non-compliance with the submissions approved by the Director may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499). For the avoidance of doubt, notwithstanding Condition 1.9 above, all submissions or any variation of the submissions required under this Condition are not required to be checked by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to in Conditions 2.1 and 2.2 above, before submitting to the Director under this Permit.”	
7.	N/A	<p>Addition of Condition 3.24</p> <p><u>Operation of the Construction Demolition Materials Sorting Facility (C&DMSF)</u></p> <p>a) The haul road, R11 serving the C&DMSF shall be no less than 75m away from the western boundary of the project to reduce potential air quality impact to EcoPark.</p> <p>b) A vertical barrier of 5 m high shall be erected along the west side of the haul road R11 to reduce potential air quality impact to EcoPark.</p> <p>c) The sorted material from the C&DMSF shall be delivered to barging point B3 via an enclosed conveyor belt system to avoid material delivery by trucks.</p> <p>d) The internal trucks used for material handling within the project area shall be at least of Euro V emission standard.</p> <p>e) The C&DMSF and its associated enclosed conveyor belt system with CLP power supply to avoid emissions from diesel generators from July 2019.</p>	
8.	N/A	<p>Addition of Condition 3.25</p> <p><u>Review of the Operation of the Construction Demolition Materials Sorting Facility (C&DMSF)</u></p> <p>If operation with CLP power supply could not be completed before 30 June 2019, the Permit Holder shall notify the Director at least 2 months in writing with an air quality assessment including recommendations for mitigation measures, improvement works and other measures and works within the lot shall be submitted for his approval. In addition, from June 2019 to expiry of this Permit, an air quality assessment shall be conducted to review the operational conditions of the project every 12 months or such other extended period as may be approved by the Director.</p>	
9.	Condition 4, Figures 5 and 6	Proposed to delete	The planned holiday camp is no longer valid as confirmed by Planning Department and Lands Department.

PART E DECLARATION BY APPLICANT

E1. I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief. I understand the environmental permit may be suspended, varied or cancelled if any information given above is false, misleading, wrong or incomplete.



Signature of Applicant



Full Name in Block Letters



Position



on behalf of Civil Engineering and Development Department 8 August 2018
Company Name and Chop (as appropriate) Date

NOTES :

1. A person who constructs or operates a designated project in Part I of Schedule 2 of the Ordinance or decommissions a designated project listed in Part II of Schedule 2 of the Ordinance without an environmental permit or contrary to the permit conditions commits an offence under the Ordinance and is liable to a maximum fine of \$5,000,000 and to a maximum imprisonment for 2 years.
2. A person for whom a designated project is constructed, operated or decommissioned and who permits the carrying out of the designated project in contravention of the Ordinance commits an offence and is liable to a maximum fine of \$5,000,000 and to a maximum imprisonment for 2 years.