

8.2 Compliance with Legal and Contractual Requirements

- 8.2.1** There are contractual environmental protection and pollution control requirements as well as environmental protection and pollution control laws in Hong Kong that the construction activities should comply with.
- 8.2.2** In order that the works are in compliance with the contractual requirements, all the works method statements submitted by the Contractor to the ER for approval should be sent to the EAT Leader for vetting to see whether sufficient environmental protection and pollution control measures have been included.
- 8.2.3** The EAT Leader should also review the progress and programme of the works to check that relevant environmental laws have not been violated, and that the any foreseeable potential for violating the laws can be prevented.
- 8.2.4** The Contractor should regularly copy relevant documents to the EAT Leader so that the checking work can be carried out. The document should at least include the updated Work Progress Reports, the updated Works Programme, application letters for different licence/permits under the environmental protection laws, and all the valid licence/permit. The site diary should also be available for the EAT Leader's inspection upon his request.
- 8.2.5** After reviewing the document, the EAT Leader should advise the ER and the Contractor of any non-compliance with the contractual and legislative requirements on environmental protection and pollution control for them to take follow-up actions. If the EAT Leader's review concludes that the current status on licence/permit application and any environmental protection and pollution control preparation works may not cope with the works programme or may result in potential violation of environmental protection and pollution control requirements by the works in due course, he should also advise the Contractor and the ER accordingly.
- 8.2.6** Upon receipt of the advice, the Contractor should undertake immediate action to remedy the situation. The ER should follow up to ensure that appropriate action has been taken by the Contractor in order that the environmental protection and pollution control requirements are fulfilled.

8.3 Environmental Complaints

- 8.3.1** Complaints should be referred to the EAT Leader for carrying out complaint investigation procedures. The EAT Leader in association with the EMT should undertake the following procedures upon receipt of the complaints:
- (a) log complaint and date of receipt onto the complaint database;
 - (b) investigate the complaint to determine its validity, and to assess whether the source of the problem is due to works activities;
 - (c) if a complaint is valid and due to works, identify mitigation measures;
 - (d) if mitigation measures are required, advise the Contractor accordingly;
 - (e) review the Contractor's response on the identified mitigation measures, and the updated situation;
 - (f) if the complaint is transferred from EPD, submit interim report to EPD on status of the complaint investigation and follow-up action within the time frame assigned by EPD;
 - (g) undertake additional monitoring and audit to verify the situation if necessary, and review that any valid reason for complaint does not recur;
 - (h) report the investigation results and the subsequent actions to the source of complaint for responding to complainant (If the source of complaint is EPD, the results should be reported within the time frame assigned by EPD); and

- (i) record the complaint, investigation, the subsequent actions and the results in the monthly EM&A reports.

8.3.2 During the complaint investigation work, the Contractor and ER should cooperate with the EAT Leader in providing all the necessary information and assistance for completion of the investigation. If mitigation measures are identified in the investigation, the Contractor should promptly carry out the mitigation. The ER should ensure that the measures have been carried out by the Contractor.

8.3.3 A flow chart of the complaint response procedures is shown in **Figure 8.1**.

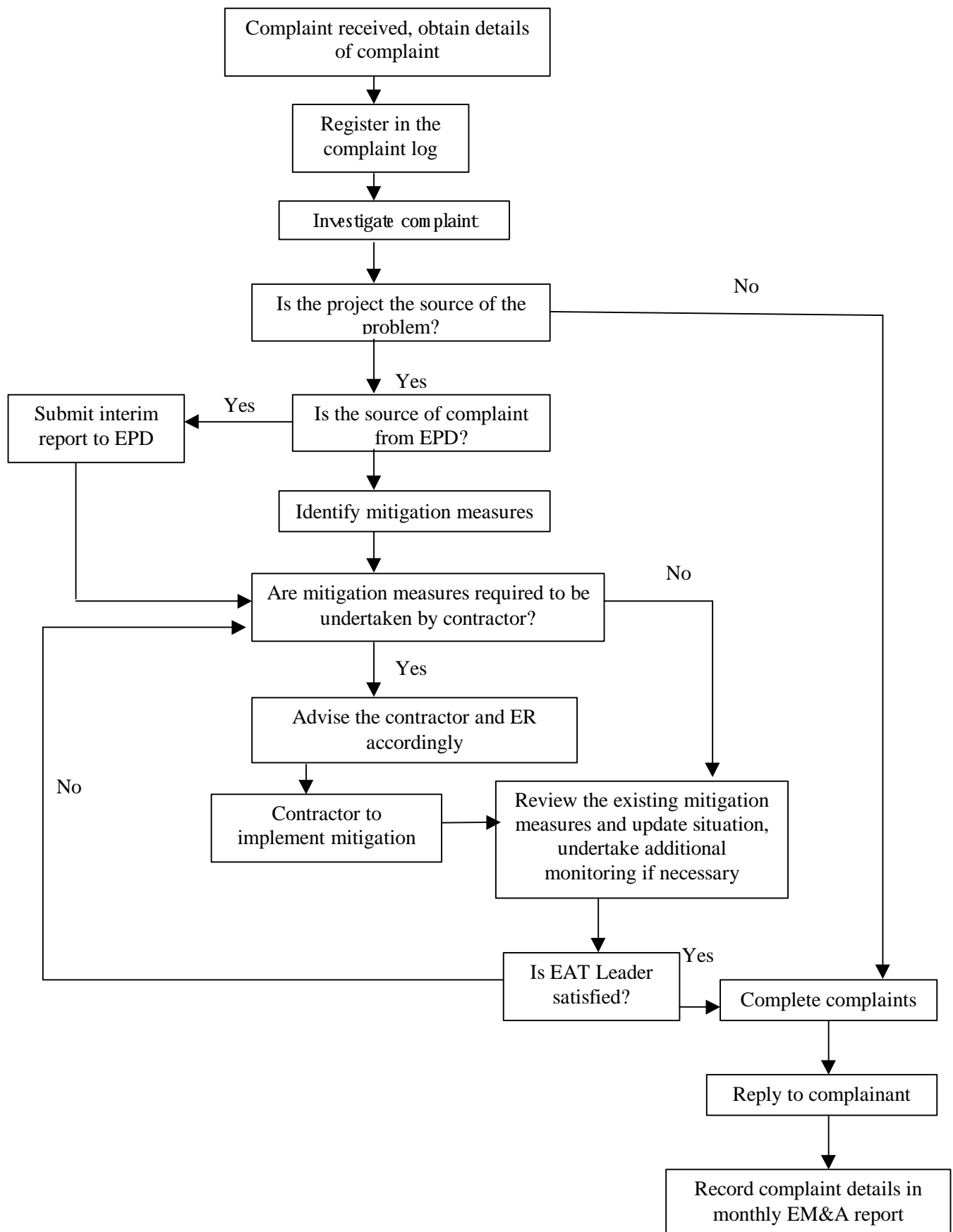


Figure 8.1 Complaint Response Procedures