

11 SITE ENVIRONMENTAL AUDIT

11.1 Site Inspections

- 11.1.1 Site inspections provide a direct means to assess and ensure the Contractor's environmental protection and pollution control measures are in compliance with the contract specifications. Site inspections shall be undertaken routinely by the Environmental Team Leader (ETL) (see Section 1) to inspect the construction activities in order to ensure that appropriate environmental protection and pollution control mitigation measures are properly implemented in accordance with the EIA.
- 11.1.2 The ETL is responsible for the formulation of an environmental site inspection, deficiency and remedial action reporting system and for carrying out the site inspection works. In consultation with the Independent Environmental Checker (IEC), the ETL shall prepare a procedure for the site inspection, deficiency and remedial action reporting requirements and submit this to the Contractor for agreement and to the Franchisee's Site Representative (FSR) for approval within 21 days of commencement to the construction contract.
- 11.1.3 Regular site inspections shall be carried out at least once per week. The areas of inspection shall not be limited to the site area and should also include the environmental conditions outside the site which are likely to be affected, directly or indirectly, by the site activities.
- 11.1.4 The ETL shall make reference to the following information while conducting the inspections:
- (i) the EIA recommendations on environmental protection and pollution control mitigation measures as stated in the EIA report;
 - (ii) work progress and programme;
 - (iii) individual works methodology proposals;
 - (iv) the contract specifications on environmental protection;
 - (v) the relevant environmental protection and pollution control laws;
 - (vi) previous site inspection results; and
 - (vii) environmental monitoring data.
- 11.1.5 The Contractor shall update the ETL with all relevant information on the construction works prior to carrying out the site inspections. The site inspection results and associated recommendations on improvements to the environmental protection and pollution control works shall be submitted, in a site inspection proforma (see Appendix B), by the ETL to the IEC, the FSR and the Contractor within 24 hours for reference and for taking immediate action. The Contractor shall follow the procedures and time-

frame, as stipulated in the environmental site inspection, deficiency and remedial action reporting system to report on any remedial measures subsequent to site inspections.

- 11.1.6 Ad hoc site inspections shall also be carried out by the ETL and IEC if significant environmental problems are identified. Inspections may also be required subsequent to receipt of an environmental complaint (an example of the complaint log is provided in Appendix B) or as part of the investigation work as specified in the Action Plan for environmental monitoring and audit.

11.2 Compliance with Legal and Contractual Requirements

- 11.2.1 There are contractual environmental protection and pollution control requirements as well as environmental protection and pollution control laws in Hong Kong with which the construction activities shall comply.
- 11.2.2 In order that the works are in compliance with the contractual requirements, all the works method statements submitted by the Contractor to the FSR for approval shall be sent to the ETL for vetting to see whether sufficient environmental protection and pollution control measures have been included.
- 11.2.3 The ETL shall also review the progress and programme of the works to check that relevant environmental laws have not been violated and that any foreseeable potential for violating the laws can be prevented.
- 11.2.4 The Contractor shall regularly copy relevant documents to the ETL so that the checking work can be carried out. The documents shall include at minimum the updated Work Progress Reports, the updated Works Programme, the application letters for different licence/permits under the environmental protection laws and all valid licence/permit. The site diaries shall also be available for the ETL's inspection upon request.
- 11.2.5 After reviewing the document, the ETL shall advise the IEC, the FSR 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. The ETL shall also advise the IEC, the Contractor and the FSR on the current status on licence/permit applications and any environmental protection and pollution control preparation works that may not be suitable for the works programme or may result in potential violation of environmental protection and pollution control requirements.
- 11.2.6 Upon receipt of the advice, the Contractor shall undertake immediate action to remedy the situation. The ETL, IEC and the FSR shall 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.

11.3 Environmental Complaints

- 11.3.1 Complaints shall be referred to the ETL for carrying out complaint investigation procedures. The ETL shall prepare a flow chart of the complaint response procedures that addresses, complaint receiving channels, responsible parties/contacts for information, the investigation process, procedures for the implementation of

mitigation/remedial action, guidelines for communication and public relation with the complainant etc. The flow chart should be agreed by all parties and issued to the Contractor, FSR and IEC for reference.

11.3.2 The ETL shall undertake the following procedures upon receipt of a complaint:

- (i) log complaint and date of receipt into the complaint database and inform the IEC immediately;
- (ii) investigate the complaint and discuss with the Contractor to determine its validity and to assess whether the source of the problem is due to works activities;
- (iii) if a complaint is considered valid by the FSR or EPD and due to the works, the ETL shall identify mitigation measures in consultation with the IEC;
- (iv) if mitigation measures are required, the ETL shall advise the Contractor accordingly;
- (v) review the Contractor's response on the identified mitigation measures and the updated situation;
- (vi) if the complaint is transferred from EPD, an interim report shall be submitted to EPD on the status of the complaint investigation and follow-up action within the time frame assigned by EPD;
- (vii) undertake additional monitoring and audit to verify the situation if necessary and ensure that any valid reason for complaint does not recur;
- (viii) report the investigation results and the subsequent actions on the source of the 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
- (ix) record the complaint, investigation, the subsequent actions and the results in the monthly EM&A reports.

11.3.3 During the complaint investigation work, the Contractor and FSR shall cooperate with the ETL in providing all the necessary information and assistance for completion of the investigation. If mitigation measures are identified in the investigation by the ES, in consultation with the IEC, the Contractor shall promptly carry out the mitigation measures. The ETL and FSR shall approve the proposed mitigation measures and check that the measures have been carried out by the Contractor.

11.4 Choice of Construction Method

11.4.1 At times during the construction phase the Contractor may submit method statements for various aspects of construction. This state of affairs would only apply to those construction methods that the EIA has not imposed conditions while for construction methods that have been assessed in the EIA, the Contractor is bound to follow the requirements and recommendations in the EIA study. The Contractor's options for



alternative construction methods may introduce adverse environmental impacts into the project. It is the responsibility of the ETL, in accordance with established standards, guidelines and EIA study recommendations and requirements, to review and determine the adequacy of the environmental protection and pollution control measures in the Contractor's proposal in order to ensure no unacceptable impacts would result. To achieve this end, the ETL shall provide a copy of the Proactive Environmental Protection Proforma as shown in Appendix B to the IEC for approval. The IEC should audit the review of the construction method and endorse the proposal on the basis of no adverse environmental impacts.