

Section 2: Environmental Legislation

2.0 Environmental Legislation

2.1 INTRODUCTION

The proposed project is subject to a variety of Egyptian regulatory requirements and policies in accordance to the published Egyptian laws. This section illustrates the permits required for the construction and operation of the project from the different agencies, governorates and municipalities. It also briefly describes the responsibilities and obligations of each agency and gives shortcuts on the laws enforced by them and most relevant to the project.

Because the Environmental Impact Assessment (EIA) of a project is mainly required by the Egyptian Environmental Affairs Agency (EEAA) and the Egyptian Natural Gas Holding Company (EGAS), found herein this section an overview of the requirements of the guidelines of both EEAA and EGPC (EGAS) concerning EIA. Also special attention was paid to Law 4/1994 (Environment Law) and its Executive Regulations (ER) issued by the Prime Minister's Decree No. 338 of 1995 (amended by Prime Minister's Decree No. 1741/2005). The articles of the law and that of the ER which are most relevant to the project are explained in this section. In addition, the maximum permissible limits of the emissions and maximum exposure periods are outlined below.

This section also illustrates the requirements of the *European Communities/Directive 97/11/EC* guidelines. The EA process of this project is done in line with the principles of these guidelines.

2.2. ADMINISTRATIVE RESPONSIBILITIES OF EGYPTIAN AGENCIES

Besides to their ultimate major responsibilities in the different sectors, a lot of Egyptian Ministries and Authorities have an implicit mandate on the environment. They are responsible for the enforcement of a set of laws which either directly or indirectly give hand in the protection of the environment. But, when dealing specifically with EIA, its purpose, role, and how officially to be established before the commencement of the project for the licensing of the construction and

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operation activities, the responsibilities of three major authorities should be particularly outlined, the Egyptian Environmental Affairs Agency (EEAA), the Egyptian Natural Gas Holding Company (EGAS) and the Governorates and Local Authorities.

2.2.1. EGYPTIAN ENVIRONMENTAL AFFAIRS AGENCY (EEAA)

The EEAA is established by virtue of law No.4 of the year 1994. The EEAA is responsible for the enforcement of law 4/1994 for the environment, environmental management plans, environmental data collection, pollution prevention & control and adaptation of International Environmental Agreements. It operates as the central environmental enforcement agency and coordinates between government entities. Regarding the EIA, responsibilities of EEAA are summarized in the following:

- EEAA is responsible, in agreement with EGAS, for issue a decree identifying the elements, designs, specifications and bases (EIA Guidelines) in the light of which the EGAS shall assess the environmental impact of the project for which the license is required.
- The Board of directors of the EEAA shall develop the selection criteria for consultants to be assigned by the EEAA to review the EIA.
- On receiving the documents of EIA sent by the developer via the Competent Administrative Authority (EGAS), EEAA undertakes the evaluation of these documents and submits to EGAS its opinion and possible proposals for measures to be taken in order to ensure the protection of the environment within *60 days* of the EEAA's receipt of the completed documents. Failure to do so is considered as an approval of the assessment.
- Legally, the developer has the right to appeal the final results of EEAA about the EIA evaluation when the decision is either *approval with certain condition* or *disapproval*. In such a case, EEAA is responsible for the invitation of the Appeal Committee to convene within fifteen days as of the date of the Agency's receipt of the written objection.



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2.2.2. EGYPTIAN NATURAL GAS HOLDING COMPANY (EGAS)

The EGAS is responsible for licensing gas pipelines construction & operation and processing activities. Concerning the EIA, EGAS has particular responsibilities represented by the following:

- The EGPC /EGAS, in coordination with EEAA, have a role in issuing the EIA Guidelines.
- On receiving the EIA documents from the developer, the EGAS should undertake the register of the documents and check whether information included in the EIA study complies with the EIA guidelines. The EGAS should formally submit the applicant's documents to the EEAA for review and evaluation.
- The EGAS is responsible for the notification of the developer by registered letter with an acknowledgment of receipt about the final result of the evaluation of EIA when received from the EEAA.
- After that, EGAS is responsible to ensure the implementation of the decision.

2.2.3. GOVERNORATES

The governorates have the responsibility for implementation, monitoring and enforcement of the national laws. They are also responsible for the specification of a land to serve as a landfill for dumping of any waste materials either industrial or domestic. EEAA is responsible for the establishment of regional offices in each governorate. These offices, in coordination with the governorate, shall undertake the requirement and evaluation of the EIAs of projects proposed to be established in the governorate. It is worth mentioning that the governorates have the right to refuse the establishment or operations of any project within its boundaries whenever find that the project seriously affects the residents or drastically consumes its natural resources.



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2.3. LAW NO. 4 OF 1994 AND ITS EXECUTIVE REGULATIONS

2.3.1 LAW NO. 4 OF 1994

Within the frame work of sustainable development and the increasing need to develop the country without causing any depletion or deterioration to our limited natural resources, Egypt has issued Law No. 4 of 1994 concerning the protection of the environment, the objectives of this law has not confined to addressing pollution problems emanating from existing establishments, but also to involve new establishments/factories including expansions of the existing ones.

Because EIA aims to insure the protection and conservation of the environment and natural resources including human health aspects against uncontrolled development, Law 4/1994 states that new establishments or projects, expansions or renovations of existing establishments must be subjected to and environmental impact assessment before a permit is issued.

Measures concerning the assessment of environmental impact of establishments or projects are stipulated in articles No.: 19, 20, 21, 22 & 23 of Law 4/1994.

Article 19

An assessment of the environmental impact of establishments requiring licenses shall be undertaken by the competent administrative authority or the licensing authority. The study shall include the elements, designs, specifications and the bases as determined by EEAA in agreement with the competent administrative authority. The Executive Regulations of this law shall specify the establishments that should comply with the regulations of this Article

Article 20

The competent administrative authorities, or the licensing authority shall send a copy of the environmental impact assessment study mentioned in the previous article to EEAA in order to present its opinion. EEAA will submit suggestions required to be implemented in the field of preparations and systems necessary for treating negative environmental effects. Such authority will carry out and verify the implementation of EEAA's suggestions. EEAA is required to reply to the competent administrative authority or the licensing authority stating its opinion within a maximum of 60 days of receipt of the study, otherwise, the evaluation is considered to be accepted by EEAA.

Article 21

The competent administrative authority shall inform the owner of the establishment of the result of the evaluation through a certified registered letter. The owner of the establishment may appeal such evaluation in writing thirty days after receiving the evaluation results to a committee to be established by a decision from the Minister of Environmental Affairs. Representatives of EEAA, and the competent administrative authority or the licensing authority, and the owner of the establishment will be members of this committee. The Executive Regulations shall specify the assignments of this committee and its operating procedures as well as the complaint procedures.



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Article 22

According to the provisions of this law, owners of establishments shall keep writing records of the environmental impact of their establishment's activities. The Executive Regulations will determine the standard form of the required written document as well as its time table to assure the compliance of establishments with such a record. EEAA is designated to review the data of these written records to ensure that they are truthful, to take the required samples, to analyze them, and to measure the environmental impact of the norms established for the protection of the environment. In case of any violation, EEAA will notify the competent administrative authority to mandate the owner of the establishment to rapidly correct these violations. If the owner does not comply within 60 days form the date of the notification EEAA in agreement with the competent administrative authority, will take the required legal and legislative procedures to shut down the activities of the establishment and will request adequate compensation to trait the harm resulting from these violations.

Article 23

Extensions and renovations of existing establishments shall be subject to the same rules mentioned in Articles 19, 20, 21 and 22 of this law.

2.3.2. PRIME MINISTER'S DECREE NO. 338 OF THE YEAR 1995

On February 28,1995, the Egyptian Official Journal "al-wakaa al masriya" has published the Prime Minister's Decree No. 338 promulgating the Executive Regulations of the Law for Environment, Law No. 4 of 1994.

The objectives of these regulations represented by, but not limited to, the following:

- To specify the establishments that should undertake an assessment of the environmental impact.
- To specify the assignments of the Appeal Committee and its operating procedures as well as the complaint procedures.
- To define the specifications and norms which must be compiled with by industrial establishments allowed discharging treated degradable polluted substances.
- To specify the non-degradable polluting substances which are prohibited from discharge into the water environment.
- To specify the permissible limits of air pollutants in emissions.
- To specify the permissible limits of sound intensity and safe exposure periods.



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To regulate the procedures and conditions that shall be followed in cases of construction of any installations on or near the seashore.

Besides the aforementioned, articles of Law 4/1994 concerning the EIA, they are complemented by the provisions of articles No. 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19 of the Executive Regulations (ER).

Article 10

The competent administrative body or the body that grants permits shall assess the environmental impact of establishments that are requesting permits, according to the elements, designs, specifications and bases which are issued by the EEAA in agreement with the competent administrative body and which shall be reviewed by EEAA, whenever necessary.

Article 11

The provisions of article 10 of these Executive Regulations shall apply to the establishments given in Annex 2 of these Executive Regulations.

Article 12

It shall be mandatory for permit applicants to attach to their applications a statement, duly filled out, containing the data included in the form prepared by the EEAA in agreement with the competent administrative authority. The EEAA shall prepare a register including copies of this form and the assessment results as well as the EEAA requirements form establishment owners.

Article 13

The EEAA may resort to any experts whose names are included in a list to be issued by the EEAA according to the criteria set by the EEAA's board of directors, so that such experts may give their opinions on the assessment of the environmental impact of an establishment intended to be constructed and for which a permit is being requested.

Article 14

The competent administrative body shall notify owners of establishments of the assessment results by registered letter with return receipt requested. The owner is entitled to object in writing to this result before the Permanent Review Committee with in a period of thirty days from the date of his notification. This committee shall be formed by decree by the competent minister for the environment. It shall be chaired by a counselor from the state council and the membership is as follows:

- A Representative from EEAA nominated by its Executive Head.
- The establishment's owner or his representative with an official power of attorney.
- A representative from the concerned body or the body granting permits unless it is the competent body.
- Three experts to be selected as members of the committee for three years upon their nomination by the EEAA's executive head.

The committee may form, from among its members and others, sub-committees to study the objections referred to them and to present reports thereof to the committee. The said committee may also, when carrying out its duties, resort to whomever they consider advisable for that purpose. It shall issue its decision within sixty days from the date of receipt of the completed objection documents.

Article 15

The permanent review committee, described above in article 14 of these executive regulations, shall be concerned with hearing the objections to assessment results that are submitted or referred to it or with the proposals that revue execution as seemed necessary by EEAA. It shall issue its opinion regarding these objections with respect to the standard prescribed in article 10 of these Executive Regulations. Objections shall be submitted in writing to the EEAA and shall include the reasons for the objection and the legal and scientific grounds on which the project owner substantiates his objection. He shall also attach there to the documents that he seems support the reasons for his objection.



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Article 16

The committee shall convince upon an invitation from the EEAA's Executive Head within 15 days from the date of the EEAA's receipt of the written objection. A EEAA representative nominated by the Executive Head shall draw up the meeting's minutes. He shall not have a vote in the discussions taking place. The committee's decision shall be issued by simple majority of votes. The meeting's minutes shall be signed by all attending members.

Article 17

Establishment owners shall, according to the provisions of these regulations, maintain a register to record the extent of their establishment's impact on the environment as follows:
Emissions there from or discharges.

Specifications of discharges after the treatment process, and the efficiency of utilized treatment units.

Procedures of follow-up and environmental safety applied at the establishment.

Periodical tests and measurements and their results.

The name of the person in charge of follow-up.

The register shall be prepared according to the form described in Annex 3 of these Executive Regulations.

Establishment owners or their representatives are obliged to notify the EEAA immediately, why registered letter with return receipt requested, of any deviation in the criteria and specifications of emitted or discharged pollutants and the procedures taken to rectify them.

Article 18

The EEAA shall be competent for the follow-up of the registered data to ascertain its conformity with actual fact. It shall also take the necessary samples and conduct the appropriate tests that show the impact establishment activities on the environment and establishment compliance with the criteria set for protecting the environment.

Such follow-up shall be undertaken every year. A report on each follow-up shall be filed with the competent sector within the EEAA, shall be signed by the officer in charge of follow-up tests, and shall include dates. If any violations are discovered, the EEAA will notify the competent administrative authority which shall demand for the establishment's owner, by registered letter with return receipt requested, expeditious rectification of such violations according to industry norms. If he fails to accomplish this within 60 days, the Executive Head is entitled, in coordination with the competent administrative authority, to take the following measures:

1. to close down the establishment.
2. to suspend the damaging activity.
3. to file a lawsuit demanding suitable compensation to remedy the damages resulting from the violation.

Establishments shall maintain the registers, daily completed, on a permanent basis according to the form in article 17 of these Executive Regulations. Whenever new data is registered, establishments shall maintain it for a period of ten years effective from the date of the signature of the EEAA representative in the register confirming its review.

Article 19

Expansion or renewals of existing establishments are subject to the same provisions as prescribed in articles 19, 20, 21 and 22 of the aforementioned law for the environment.

Changes in production patterns of the operating machines or an increase in the number of staff in a way that exceeds the capacity of the working place or any essential modifications to an establishment's buildings are considered to be expansions and renewals. Particularly, essential modifications concerning the ventilation system or the change of work location or other similar modifications that may result in harmful effects on the environment or on the establishment's staff, are considered to be expansions and renewals.

2.3.3 STANDARDS OF ANTICIPATED IMPACTS AS SPECIFIED IN ER

The legislative framework for air, water & soil pollution is included in Law No. 4/1994 and its Executive Regulations (Decree 388/95). The law establishes regulations for air quality to protect health and environment. The ER, as described before, specifies the maximum permissible limits of pollutants which



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may be generated from the various industrial activities and affect the environment parameters and defines the standards that must be obeyed. Hereinafter, a discussion of the limits of the pollutants that are likely generated from the proposed project and illustration of the maximum standards in accordance to those mentioned in the Executive Regulations.

2.3.3.1 ATMOSPHERIC EMISSIONS AND AIR QUALITY

The Egyptian law for environment (Law 4/1994) stipulates that for granting a permit for the establishment of a project, the site chosen should be appropriate for its activity to ensure compliance with the accepted limits of air pollutants, and that it should be observed that the total pollution resulting from all the establishments in one area lies within the permissible limits. Thus the project, while practicing its activities, must ensure that no leaked or emitted air pollutants exceed the maximum permissible levels specified in the Executive Regulations of the law. The law also prohibited the use of machines, engines or vehicles that emit exhaust fumes exceeding the limits set by the Executive Regulations. Tables (2.1, 2.2 & 2.3) set out the maximum permissible limits of air pollutants in emission as passed in the ER of the Law.

Table (2.1) The Maximum Limits Of Emission From Fuel Burning Sources

POLLUTANT	MAXIMUM PERMISSIBLE LIMIT
Smoke	250 mg/m ³
Suspended Ashes	
Sources in urban areas or near residential areas.	250 mg/m ³
Sources far from inhabited urban areas	500 mg/m ³
Burning of waste	500 mg/m ³
Sulfur Dioxide	
Existing	4000 mg/m ³
New	2500 mg/m ³
Aldehydes	



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POLLUTANT	MAXIMUM PERMISSIBLE LIMIT
Burning of waste	20 mg/m ³
Carbon Monoxide	
Existing	4000 mg/m ³
New	2500 mg/ m ³

Table (2.2) Maximum Limits Of Outdoor Air Pollutants (micrograms/m³)

POLLUTANT	MAXIMUM LIMIT	EXPOSURE PERIOD
Sulfur Dioxide	350	1 hr
	150	24 hrs
	60	1 year
Carbon Monoxide	30 mg/m ³	1 hr
	10 mg/m ³	8 hrs
Nitrogen Dioxide	400	1 hr
	150	24 hrs
Ozone	200	1 hr
	120	8 hrs
Suspended Particulate (to be measured as black smoke)	150	24 hrs
	60	1 yr
Total Suspended Particulate	230	24 hrs
	90	1yr
Thoracic Particles (PM ₁₀)	150	24 hrs
	70	1 yr
Lead	0.5	1yr - Urban areas
	1.5	1yr - Rural areas

Table (2.3) Permissible Limits of Air Pollutants In Emissions-Total Particulate

KIND OF ACTIVITY	MAXIMUM LIMIT FOR EMISSIONS (MG/ M3 IN EXHAUST)
Petroleum Industries and Oil Refining.	100

2.3.3.2 NOISE LEVELS

Law 4/1994 stipulates that all entities while performing production or other activities and using tools or equipment must abide by the permissible limits of

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sound intensity. Authorities issuing licenses for noise emitting sources must monitor and ensure that total sound produced from fixed sources within one area being within the permissible limits. The permissible limits of sound intensity and the permissible time limits for exposure to said sound as defined by ER are set out in tables (2.4, 2.5, 2.6 & 2.7).

Table (2.4) Maximum Permissible Limits Of Sound Intensity inside Places of Productive Activities

N ^o .	TYPE PLACE / ACTIVITY	MAXIMUM ALLOWABLE SOUND LEVEL DECIBEL (A)*
1	Work premises with up to 8 hour shifts with the aim of limiting noise hazards on hearing.	90
2	Places of work for the follow up, measuring and adjustment of operations, with high performance.	80
3	Places of work for the follow up, measurement and adjustment of high performance operations.	65
4	Places of work with computers or typewriters or similar equipment.	70
5	Places of work for activities that require routine mental concentration.	60

* A : intensity of noise not exceeding 90 dB during a daily work shift

Table (2.5) The Maximum Permissible Periods For Exposure To Noise At Work Premises

Noise Intensity level decibel (A)	95	100	105	110	115
Period of Exposures (Hours)	4	2	1	1/2	1/4

Table (2.6) Maximum Permissible Exposure Periods (Number Of Knocks During The Daily Shift) Depending On The Noise Intensity

Noise intensity (Decibels)	Number of Permissible Knocks During Daily Working Hours
135	300
130	1000
125	3000
120	10000
115	30000

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Table (2.7) Maximum Permissible Limits For Noise Intensity in Different Zones

TYPE OF ZONE	PERMISSIBLE LIMITS FOR NOISE INTENSITY DECIBEL (A)*		
	Day	Evening	Night
	from 7 a.m. to 6 p.m.	from 6 p.m. to 10 p.m.	from 10 p.m. to 7 a.m.
Rural residential areas (hospitals and gardens)	45	40	35
Residential suburbs having low traffic flow	50	45	40
Residential areas in the city	55	50	45
Residential areas including some workshops or commercial businesses or on public roads	60	55	50
Commercial, administrative and downtown area	65	60	55
Industrial areas (Heavy industries)	70	65	60

* A : intensity of noise not exceeding 90 dB during a daily work shift

Day time: from 7 am to 6 pm

Evening time: from 6 pm to 10 pm

Night time: from 10 pm to 7 am

2.3.3.3 WASTE MANAGEMENT

Law 4/1994 strictly prohibits the dumping, treating or burning of garbage and solid waste except in especially designated places which must be far from residential, industrial and agricultural areas and waterways.

Law 4/1994 also stipulates that when carrying out activities requiring exploration, digging, construction or demolition work, or while transporting waste substances or soil, necessary precautions must be taken to store or transport this waste in a safe way to prevent it from being dispersed. The licensing authority for building or demolition should monitor the following:

- Safe stacking of waste on site so that no impediment to traffic and pedestrian movement may take place.
- Transportation of waste substances and soil resulting from digging, demolishing and constructing work in special containers or receptacles by using licensed trucks for this purpose.



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2.3.3.4 WATER POLLUTION

Marine Environment

In all cases, discharge into the marine environment is not permitted except at a minimum distance of 500 meters from the shoreline and may not be effected in fishing zones, bathing zones or nature reserves in order to preserve the economic or aesthetic value of the area.

Table (2.8) CRITERIA AND SPECIFICATIONS FOR CERTAIN SUBSTANCES WHEN DISCHARGED INTO THE MARINE ENVIRONMENT

PARAMETER	MAXIMUM LIMITS OF CRITERIA AND SPECIFICATIONS (MG/LTR) - UNLESS OTHERWISE INDICATED
Temperature	Not more than 10 degrees over existing level and maximum 38 °C
pH	6-9
Color	Free of colored agents
Biochemical Oxygen Demand	60
Chemical Oxygen Demand (Dichromate)	100
Total Dissolved Solids	2000 more or less than the marine environment at which is drained
Suspended Solids	60
Turbidity	NTU 50
Sulphides	1
Oils and Grease	15
Phosphates	5
Nitrates	40
Phenols	0.015
Fluorites	1
Aluminium	3
Ammonia (Nitrogen)	5
Mercury	0.005
Lead	0.5
Cadmium	0.05
Arsenic	0.05
Chromium	1
Copper	1.5
Nickel	0.1
Iron	1.5
Manganese	1
Zinc	5
Silver	0.1



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PARAMETER	MAXIMUM LIMITS OF CRITERIA AND SPECIFICATIONS (MG/LTR) - UNLESS OTHERWISE INDICATED
Barium	2
Cobalt	2
Other metals	0.1
Pesticides	0.2
Cyanide	0.1
Detergents	0.5
Fecal Coliform Count in 100 cm ³	4000

River Nile

Giving the consideration to the provisions of Law No. 48 of 1982 concerning the protection of the River Nile, and its Executive Regulations, the analysis of effluent generated from the hydrostatic test shall be done versus the parameters indicated hereunder.

Table (2.8) Maximum Permissible Limits and Specifications of water quality

PARAMETER	MAXIMUM LIMITS AND SPECIFICATIONS (MG/L- UNLESS OTHERWISE INDICATED)
Temperature	Not more than 10 degrees over existing level
pH	6-9
Color	Free of colored agents
Biochemical Oxygen Demand	60
Chemical Oxygen Demand (Dichromate)	100
Total Dissolved Solids	2000

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2.4. EEAA/ EGPC GUIDELINES FOR EIA

The Executive Regulations relating to Law No. 4 identifies establishments or projects which must be subjected to an Environmental Impact Assessment based upon the following main principles:

1. Type of activity performed by the establishment.
2. Extent of natural resources exploitation.
3. Location of the establishment.
4. Type of energy used to operate the establishment.

The numbers of projects subject to this provision are many and will form a heavy burden to administrative authorities and the EEAA. A flexible system for the management of EIA projects has therefore been developed in order to use limited economic and technical resources in the best possible way.

The system encompasses a flexible screening system and projects are classified into three groups or classes reflecting different levels of Environmental Impact Assessment according to severity of possible environmental impacts.

1. **Category 'A'** list projects for establishments/projects with minor environmental impact:
2. **Category 'B'** list projects for establishments/projects which may result in substantial environmental impact.
3. **Category 'C'** list projects for establishments/projects which require complete EIA due to their potential impacts.

With respect to the **GASCO** project, a full EIA is required as the onshore pipeline more than 50km project is categorized under the Category 'C' as described in the Egyptian Guidelines for the Environmental Impact Assessment issued by EEAA.

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2. 5. THE APPEAL SYSTEM

The decision taken by the authorities regarding the assessment and/or the proposals required to be implemented as considered necessary by the EEAA can be appealed to the Permanent Appeals Committee by developer within 30 days after receiving such decision. The classification according to environmental impacts of the project (*Category 'A'*, *Category 'B'* or *Category 'C'*) cannot be appealed.

The appealed must be presented in writing to the EEAA and sent by registered letter with acknowledgment of receipt. The appeal must fulfill reasons for the objection, legal and scientific grounds on the part of the project's owner. Documents supporting the appeal shall be attached.

The Permanent Appeals Committee has to make its decision within 60 days from the date of receiving the appeal documents.

2.6. PERMITS REQUIRED FOR THE CONSTRUCTION AND OPERATION OF THE PIPELINES

For the purpose of constructing and operating the pipelines, **GASCO** shall obtain number of permits from several governorates and authorities mainly:

AUTHORITY/GOVERNORATE	PORT FOAD- EL TENA
North Sinai Governorate	√
Ministry of Irrigation & Water Resources	√
Ministry of Agriculture	√
Military	√
Authority of Roads & Bridges	√
Authority of Archaeology	√



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2.7. THE EUROPEAN COMMISSION GUIDELINES

The EIA study shall be conducted according to the Egyptian Environment Law 4/94 and the EIA guidelines issued by the EEAA/EGPC and shall be in line with the principles of the European Commission Guidelines.

Environmental Impact Assessment (EIA) is a key instrument of European Union environmental policy. Since passage of the first EIA Directive in 1985 (Directive 85/337/EEC) both the law and the practice of EIA have evolved.

Article 2 of the Directives requires that *“Member States shall adopt all measures necessary to ensure that, before consent is given, projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location are made subject to a requirement for development consent and an assessment with regard to their effects.”*

Article 3 states *“The environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of each individual case and in accordance with Articles 4 to 11, the direct and indirect effects of a project on the following factors:*

- *Human beings, fauna and flora;*
- *Soil, water, air, climate and the landscape;*
- *Material assets and the cultural heritage;*
- *The interaction between the factors mentioned in the first, second and third indents.”*

Article 4(1) requires that *“...projects listed in Annex I shall be made subject to an assessment...”* EIA is therefore mandatory for the categories of projects listed in Annex I. The Annex I defines about 21 categories of projects for which EIA is mandatory. *“Pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 Km”* is listed in



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Annex I. *Thus, Abr Sinai Pipeline are subjected to EIA which is mandatory by the European Commission Directives.*

Article 4(2) requires that for “...projects listed in Annex II, the Member States shall determine through (a) a case-by-case examination, or (b) thresholds and criteria set by the Member State whether the project shall be made subject to an assessment.....Member States may decide to apply both procedures referred to in (a) and (b)”

Article 6(2) this requires “... Member States shall ensure that any request for development consent and any information gathered pursuant to Article 5 are made available to the public within a reasonable time in order to express an opinion before the development consent is granted”.

Article 6(3) this states “The detailed arrangements for such information and consultation shall be in particular, depending on the particular characteristics of the projects or sites concerned:

- Determine the public concerned,
- Specify the places where the information can be consulted,
- Specify the way in which the public may be informed, ...,
- Fix appropriate time limits for the various stages of the procedures in order to ensure that a decision is taken within a reasonable period”.

Article 8 then requires that “The results of consultations and information gathered pursuant to [the EIA procedure] must be taken into consideration in the development consent procedure”.