

Government of Romania  
Ministry of Internal Affairs  
General Inspectorate of Romanian Gendarmerie

**ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK**  
for

**Strengthening Preparedness and Critical Emergency  
Infrastructure**

November 2018

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**ABBREVIATIONS**

DES	Department for Emergency Situation
DRM	Disaster risk management
EA	Environmental Assessment
EC	European Commission
ECA	Europe and Central Asia
EGO	Emergency Governmental Ordinance
EIA	Environmental Impact Assessment
EP	Environmental Permit
EMP	Environmental Management Plan
ESIA	Environmental Social Impact Assessment
ESMF	Environmental Social Management Framework
ESMP	Environmental Social Management Plan
EU	European Union
E&S	Environmental and Social
GD	Governmental Decision
GO	Governmental Ordinance
GIRG	General Inspectorate of Romanian Gendarmerie
GIRP	General Inspectorate of Romanian Police
GIES	General Inspectorate for Emergency Situations
GRS	Grievance Redress Service
LRP	Livelihood Restoration Plan
ME	Ministry of Environment
MoIA	Ministry of Internal Affairs
MoCNI	Ministry of Culture and National Identity
NDC	Nationally Determined Contributions
NEAP	National Environmental Action Plan
OJ	Official Journal of Romania
OP	Operational Policy
PIU	Project Implementation Unit

POM	Project Operation Manual
SEP	Stakeholder Engagement Plan
SQM	Square meters
SPCEI	Strengthening Preparedness and Critical Emergency Infrastructure
TOR	Terms of reference
WB	World Bank

# 1 INTRODUCTION

## 1.1 BACKGROUND

Geophysical and climate-related disasters pose a considerable threat to Romania's efforts to alleviate poverty and to its sustainable economic growth, with disaster losses growing as climate change and urbanization occur. Romania is prone to a range of natural disasters, particularly earthquakes, floods, droughts, and extreme weather, which have resulted in significant physical, social, and financial impacts over recent decades. Since 1990, 77 severe disaster events<sup>1</sup> were recorded in Romania, including 44 floods, 15 extreme temperature events, seven storms, two earthquakes, one drought, and one landslide, resulting in over US\$3.5 billion of direct damage.<sup>2</sup> Disaster impacts are increasing for several reasons, including increased exposure of people and economic assets, insufficient funding for risk reduction, and climate change effects.

To ensure effective emergency preparedness and response, numerous Romanian agencies from different administrative levels of government work in coordination with the private sector and civil society. The Ministry of Internal Affairs (MoIA) is the lead authority for preparedness and response activities for all types of disasters in the country. Through its Department of Emergency Situations (DES), the MoIA coordinates key agencies involved in emergency response, including the General Inspectorate for Emergency Situations (GIES), the General Inspectorate of the Romanian Gendarmerie (GIRG), and the General Inspectorate of the Romanian Police (GIRP). The GIES conducts a broad range of emergency preparedness and response activities: it operationalizes the National Platform for Disaster Risk Reduction, implements the National Emergency Management System for Emergency Disaster and Response (SMISU), trains volunteer emergency responders, and actively engages with the private sector and local civil society to improve preparedness and response capabilities. In the event of an emergency, the Gendarmerie and the Police complement the response efforts led by GIES and provide the necessary boots on the ground to save lives and protect property. In the event of a major emergency that requires a national response, the National Committee for Special Emergency Situations (NCSES) can be convened. The NCSES comprises minister - or state secretary - level representatives of all government ministries, including the MoIA and the Ministry of Public Finance (MoPF).

The Gendarmerie, with more than 24,000 personnel, play both primary and support roles during different types of emergency situations in Romania. The institution comprises the General Inspectorate and its subordinate units, i.e., the General Gendarmerie Directorate of Bucharest, the Special Intervention Brigade of Gendarmerie, 41 county gendarmerie

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<sup>1</sup> To be classified as a disaster, an event must conform to at least one of the following criteria: 10 or more dead, 100 or more affected, declaration of state of emergency, or call for international assistance. D. Guha-Sapir, R. Below, and Ph. Hoyois, EM-DAT: The CRED/OFDA International Disaster Database, Université Catholique de Louvain, Brussels, Belgium, [www.emdat.be](http://www.emdat.be).

<sup>2</sup> Data are from Guha-Sapir, Below, and Hoyois, EM-DAT.

inspectories, educational institutions, and other specialized units for medical and logistical support. Its primary functions include public order and safety; protection of citizens' rights, liberties, and property; crime prevention; protection of the state's fundamental institutions; and countering of terrorist acts. During emergencies, the institution is also mandated to provide operational support as follows: (i) in their primary role, the Gendarmerie lead search and rescue operations (including mountain rescue), and secure and restore public order after a disaster event; (ii) in their support role under the coordination of GIES, the Gendarmerie are responsible for establishing and preparing evacuation points, unlocking access for emergency vehicles and ambulances, monitoring affected areas for secondary hazards, and distributing water and food to those affected and/or evacuated. In 2017, 4,079 gendarmes were mobilized to respond to 936 emergency response interventions.

Despite recent improvements in the institutional, legal and operational aspects of disaster risk management, Romania continues to face challenges in disaster response, including in efforts to save lives and reduce damage to property. The first challenge arises from the deteriorated quality of its essential service buildings. Emergency personnel cannot carry out essential disaster response activities if their own facilities—e.g., fire stations or Police buildings—are damaged in the disaster. In the worst case, first responders can be among the first casualties. To address this challenge, the World Bank is currently supporting efforts to improve the seismic resilience of fire stations managed by GIES. However, other emergency response actors whose work complements that of GIES have not systematically sought to make their service buildings more resilient to disaster. The second challenge arises from the inadequate operational readiness of emergency institutions and personnel. Given that emergencies often occur with little or no warning, effective response requires a high level of readiness to act, which in turn requires prior planning, the availability of essential emergency equipment, and continuous training for all actors involved.

Building disaster and climate resilience is essential to the World Bank's twin goals of ending extreme poverty and promoting shared prosperity. The objective of the current project is to enhance the resilience of critical disaster and response facilities of the Romanian Gendarmerie and to strengthen its institutional capacities for emergency preparedness and response.

A number of sub-projects will be financed under this project and are expected to have few, if any, adverse impacts on the environment and local communities. However, minor adverse impacts that may occur during project preparation and implementation will be mitigated by the implementing agency, the Romanian Gendarmerie, in accordance with World Bank and Romanian Government policies and principles.

The objective of this Environmental and Social Management Framework (ESMF) is to ensure that adverse environmental and social impacts are identified and avoided or mitigated in an appropriate manner by the implementing agency. It covers procedures and mechanisms that will be followed by the Project and its sub-projects to comply with World Bank Safeguard Policies, including OP/BP4.01 Environmental Assessment, OP/BP 4.11 Physical Cultural Resources, and Bank Policy on Access to Information and with the legislation and normative

and legal acts of Romania that govern preparation and implementation of environmental protection requirements.

The guiding supporting this document is the integration of environmental and social concerns at all levels of project cycle management. In this way, these concerns will be identified and addressed during the stages of each sub-project in a manner that allows compliance with the policies and guidelines outlined in this ESMF document.

The framework document will work as a set of guidelines on addressing environmental and social issues for the project implementation unit (PIU) within the General Inspectorate of Romanian Gendarmerie, but also for other Gendarmerie staff, contractors and consultants involved in the implementation of the project. The ESMF sets the principles, guidelines, procedures and activities that will need to be incorporated in specific Environmental and Social Management Plans, developed for each sub-project of the Third Strengthening of Disaster Risk Management, including:

- Potential environmental and social risks/impacts;
- Environmental and social impact assessment and mitigation process;
- Institutional set-up for the sound implementation of assessment and mitigation activities;
- Mainstreaming ESMF principles in all other components of the project (procurement, capacity building, etc.)
- Assuring monitoring of environmental and social risk management indicators at the level of each sub-project;
- Stakeholder engagement through public consultations, grievance management and feedback mechanism and information sharing on both beneficial and potential adverse environmental and social impacts generated by the project.

## 1.2 ROLE OF GIRG IN EMERGENCY SITUATIONS

According to law no. 550/2004 regarding the organization and the operation of the Romanian Gendarmerie, the GIRG participates in limiting and removing the consequences of natural, technological, environmental or complex disasters, as well as ensuring the order and protection of the areas in which the imminent danger of fire, explosion or other emergency situations endangering the life, physical integrity of persons or their property has occurred or is imminent.

Also, according to the Government Decision no. 557/2016 regarding the management of risk types, in order to rescue people during and immediately after an emergency, an important role of the General Inspectorate of the Romanian Gendarmerie is that it has the jurisdiction and capabilities that integrate and coordinate the actions undertaken to ensure the risk types management, implicitly prevention, aimed at identifying, evaluating and reducing the risks of emergency situations in order to protect life, the environment and goods from their negative effects, as well as training, on all the measures and pre-actions included in the preventive and response activities carried on a permanent basis.



In this context, based on Order no. 181 of August 12, 2010 for the approval of the Regulation regarding the management of emergency situations specific to the types of risk allocated to the Ministry of Internal Affairs, to perform the support functions during the management of emergency situations, GIRG and the subordinated structures execute the following types of missions:

- a) establishes and communicates through staff in service the first data and information on the effects of emergency situations affecting the area of competence;
- b) informs, notifies and alerts the competent structures about the possibility of occurrence of conflicting situations that may lead to disruption of public order;
- c) participates, when the situation requires it, in actions of searching and rescuing of captives in hostile environments or declared missing;
- d) monitors specific hazards and risks as well as their adverse effects;
- e) ensures the security of the large audience areas in which actions are taking place;
- f) secures and monitors affected / evacuated areas;
- g) participates, when needed, to the transport of certain categories of forces and means of intervention, evacuated persons and other resources, as well as the distribution of water and food for affected and evacuated persons and animals;
- h) provides measures for public order and protection in areas where the imminent danger of emergency situations has occurred or is imminent and restores public order in the affected area and in its immediate vicinity;

All these interventions are carried out with the intervention subunits of the Gendarmerie County Inspectorates, the Mobile Gendarmes Group, the Special Gendarmerie Intervention Brigade and the General Gendarmerie Directorate of the Municipality of Bucharest.

## **1.3 PROJECT CONCEPT**

### **1.3.1 Project Development Objective**

The current project's objective is to enhance the resilience of critical disaster and response facilities and to strengthen the institutional capacities for emergency preparedness and response.

### 1.3.2 Project components

The project will have three key components: (i) Resilience of Preparedness and Emergency Response Facilities, (ii) Institutional Capacity and Public Awareness, and (iii) Project Management.

**Component 1: Resilience of Preparedness and Emergency Response Facilities** seeks to improve the seismic safety and disaster and climate resilience of critical disaster and emergency response buildings managed by Gendarmerie through investments in building infrastructure, structural strengthening, and modernization. This is especially important given that all buildings were constructed before 1990—i.e., before modern seismic and building codes were established. Improvements will ensure that these critical buildings are fully operational before, during, and after all types of events, including earthquakes, floods, storms, and extreme weather events, by incorporating measures to improve the resilience of the associated lifeline systems for each building (e.g. energy, water, and communications connectivity). In addition, the buildings will receive energy efficiency improvements that align with EU and Romanian regulations. These interventions are expected to contribute to overall operational savings and fulfilling Romania’s commitments under the EU NDC such as expected reductions in Green House Gas (GHG) emissions.<sup>3</sup> Finally, all building renovations will achieve universal access and ensure equal access for men and women by the addition of gender-appropriate facilities, as necessary.

Proposed activities: The structural retrofitting, functional upgrading, and energy efficiency investments would include financing of (i) preparation, review, and analysis of the technical surveys, energy efficiency audits, feasibility studies, and technical designs; (ii) civil works for retrofitting or reconstruction of priority facilities, including improvement of their functionalities according to the relevant standards in place, improving energy efficiency, and strengthening the resilience of critical infrastructure services such as electrical, water, and telecommunication systems (e.g. through the installation of generators, water storage facilities, and backup communications); and (iii) supervision of construction works. This component will also finance communication activities to inform local communities where facilities are being retrofitted or reconstructed.

**Component 2: Institutional Capacity and Public Awareness** seeks to enhance institutional capacity for emergency preparedness and response through the following proposed activities: (i) purchasing equipment and conducting drills, workshops, and trainings to strengthen the operational readiness of Gendarmerie personnel and to improve coordination mechanisms with the other agencies involved in emergency response; (ii) planning seismic risk reduction and climate resilience investments to help guide future evidence-based priority investments by the Gendarmerie to enhance the resilience of emergency facilities; and (iii) conducting public

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<sup>3</sup> The EU NDC states a collective binding target of at least 40% domestic reductions in greenhouse gas emissions by 2030 compared to 1990.

awareness and outreach campaigns to let local communities know how they can reduce their risks and prepare for an event; campaigns will explain the key roles of the Gendarmerie in emergency interventions and clearly communicate the objective of the physical investments under Component 1.

**Component 3: Project Management** will support all costs related to project implementation and strengthening of staff capacity in operations management, including staff salaries (for non-civil servants), external technical specialists, consultants for procurement, prioritization of subprojects, management of social and environmental safeguard issues, financial management, monitoring and evaluation, and project reporting, as necessary. This component will also support incremental operational expenses of the project implementation units, as well as costs for goods, consulting services, non-consulting services, trainings, and audits.

#### 1.4 TARGETED PROJECT BUILDINGS

Currently, about 27 out of about 1,600 buildings across Romania have been identified by GIRG as both critical to emergency response and at high risk of partial damage or complete damage during an earthquake or other natural disaster event. The buildings identified are public assets of the Romanian State, in the administration of MoIA, through the units subordinated to the GIRG (and thus, no resettlement or land acquisition is expected) and are located across 14 counties in the south and south-west regions of Romania.

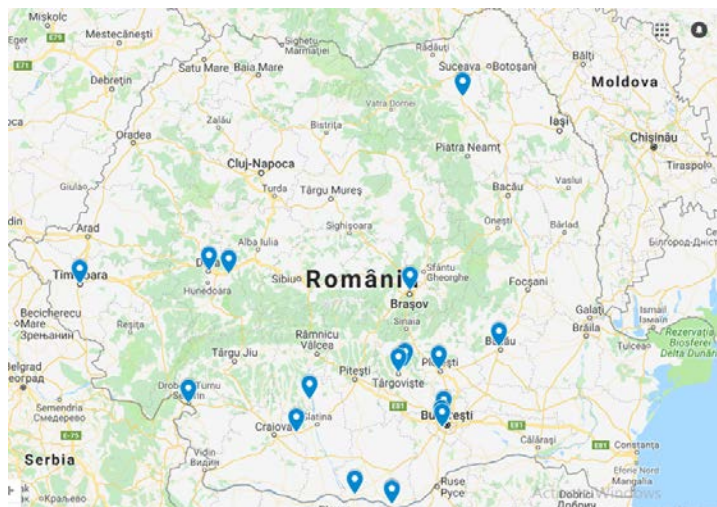


Figure 1 Distribution of buildings across Romania

The identified buildings, however, represent a small subset of the overall inventory of at-risk public buildings that require reconstruction or retrofitting, and this project will seek to help the GIRG establish the capacity, systems, frameworks, and data for an eventual long-term risk reduction program to address this challenge.

The functionality of the selected buildings is divided in five categories: operational troops headquarters, detachments, housing headquarters, administrative buildings and educational buildings including offices, meeting rooms, training rooms, deposits, dormitories, dispatches, etc. The oldest building in the list is from 1833, while the newest was built in 1984. The average year of construction for the selected buildings is 1934. Figure 1 shows the distribution of buildings in respect to their year of construction.

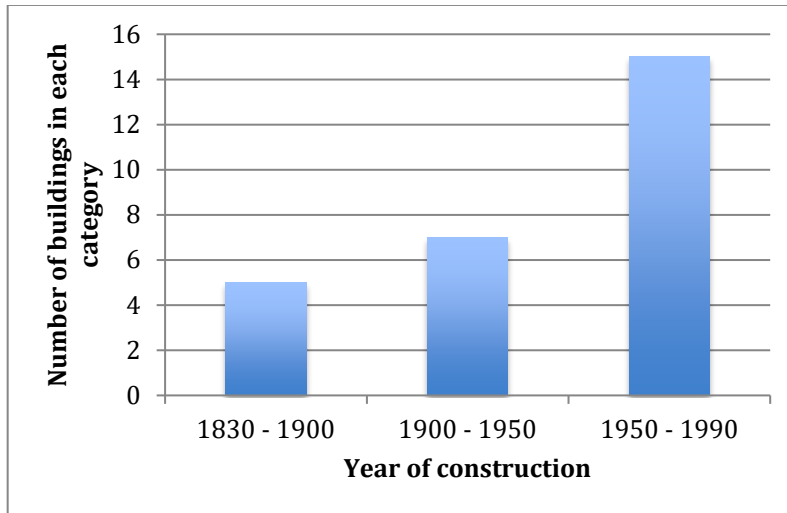


Figure 2 The distribution of construction years

In terms of built-up area, the average area of the selected buildings is 1430 sqm with the largest building (4548 sqm) in Bucharest and the smallest (261 sqm) in Balș, Olt County.

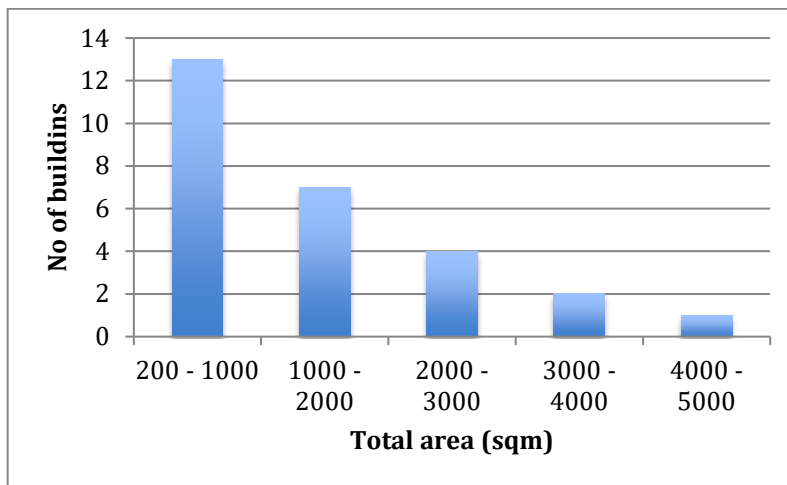


Figure 3 Distribution of total area of selected buildings

The following parameters were taken into account when prioritizing the buildings selected for the investment program:

- The year of construction
- Seismic hazard : constructions made prior to the entry into force of the antiseismic design norms P100-78 and which are located in areas for which the peak value of the ground acceleration for earthquake design of  $a(g)$ - gravitational acceleration,

according to the zoning map of the territory of Romania in the seismic design code P100-1, approved according to the law, is greater than or equal to 0,16 g;

- The materials from which the constructions were executed.
- Prioritisation of the construction batch was made taking into account the area of intervention (national, regional, county, and local level), respectively constructions where the technical expert recommended the demolition and poses a danger to the the staff that is working in these buildings (as seen in Bals unit).

At the time of elaborating the current ESMF, it was not possible to determine with accuracy which of the selected buildings will need to be reconstructed or just retrofitted, except the cases that have recent technical expertise that confirms the demolition of the buildings and the reconstruction of a new one. However, based on preliminary technical assessment, some suggestions were made in relation to the intentions to demolish/reconstruct, at a high level that allows for a generic identification of potential social and environmental risks, necessary to outline the recommendations within this report.

Although there is not yet a final list of activities that will be performed under the project's Component 1, following activities can be defined for selected buildings:

- Demolition and construction of new buildings
- Retrofitting / Upgrading:
  - Structural strengthening:
    - Foundation;
    - Walls;
    - Floors & Roof;
  - Upgrading
    - Access ways & entrances;
    - Activities that increase the operational capacity of the building;
    - In some cases, extension of the spaces of the existing building will be necessary in order to accommodate all functional needs;
    - The sewage system will be verified and modernized;
    - Some of the sites might need additional water sources thus drilling new water wells might also be an activity under this category.
    - Investing in energy efficiency:
    - Improving the energy-efficiency of the building envelope;
    - Improving the energy-efficiency of the lighting system (and perhaps design the lighting system according to national standards - most of them are poorly designed);
    - Re-wiring/ Modernization of the building services systems;
    - Improving the energy-efficiency of the heating system;
    - Consumption monitoring (smart metering);
    - Installing alternative energy generation sources (renewable);
    - Installing an energy efficient HVAC (heating, ventilation, air cooling) system;
    - Installing a Building Energy Management System.

## 2 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

### 2.1 ENVIRONMENTAL AND SOCIAL REGULATORY FRAMEWORK IN ROMANIA

This section briefly describes the main existing environmental and social regulations and standards relevant to the project, and refers to local and national levels institutions that are responsible for issuing permits and licenses and enforcing compliance of environmental and social standards. A more comprehensive list of the legal and institutional framework is provided in Annex 1.

#### Environmental Regulatory Framework

The legal framework for environmental protection and related activities include the Emergency Governmental Ordinance (EGO) 195/2005 approved by Law no.265/2006, other organic and major laws on various domains, International Conventions and treaties signed and ratified by Romania, different governmental decisions or ministerial orders, and National Environmental Strategy and National Environmental Action Plan (NEAP) define The national environmental legislation is based on EU standards and sets four general principles of environmental policy (polluter-pays, integrated monitoring, sustainable development, NGOs and public participation, international cooperation, rehabilitation of degraded areas). It also adopts the general ways for the enforcement of these principles, such as: harmonization of environmental policies and development programs, correlation between special and environmental development, compulsory use of the environmental permitting procedure for certain economic and social activities with significant environmental impacts, use of economic incentives.

Proponents of new investment projects that are likely to have a significant environmental impact are required to apply for an environmental agreement. This might be awarded only after an environmental impact assessment is conducted by certified experts to identify potential impacts, mitigation measures and monitoring arrangements should be outlined in this process. After the project has been commissioned, an environmental permit (for operation) is required, which can be issued only after LEPA staff have verified compliance with environmental provisions. Without these permits, the proposed activity is not allowed to proceed. The environmental agreement is issued simultaneously with other approvals. The environmental permit is preceded by obtaining other approvals (utility providers, such as: electricity, telecommunication, natural gas, Fire Commandment, etc.), with the Water Permit being one of the most important. The Beneficiary (the proponent of respective investment) has the obligation to set up its own internal self-monitoring system for environmental protection. Parameters to be monitored are established according to the provisions included

within environmental agreement and further in the environmental permit. Data must be registered and made available for LEPA or other agencies.

**Environmental Impact Assessment (EIA).** The accomplishment of full EIA on which basis the environmental agreement would be issued, is mandatory for all activities listed in Appendix I of the Governmental Decision (GD) no.445/2009 on the framework procedure for environmental impact assessment for certain public and private projects, as well as all projects proposed for the coastal zone and those proposed in protected hydro-geological areas. Projects listed in Appendix II of the same normative act, projects proposed within a natural protected area and those designated for the management of the natural protected areas are subject to the screening procedure. The result of the screening procedure is a decision based on which the project is further subject to the EIA or not. The current regulations require that the information provided by the developer of the EIA process shall include the measures envisaged in order to avoid, reduce and where possible, offset the significant adverse effects.

The EIA procedure comprises a mandatory involvement of the public and all public comments are considered in the EIA procedure. The environmental protection authorities setup and manage Technical Review Committees, which represent a mandatory requirement of the national EIA procedure.

The national EIA procedure is detailed within the Official Journal (OJ) 135/2010 and guided by the requirements of OJ 863/2002 (Screening, Scoping and Review Guidance) and, as appropriate, by OJ 864/2002 on the transboundary EIA procedure.

The proposed investments are not expected to trigger the requirement for a complete EIA under Romanian law (EGO 195/2005). Still, there might be situations where a simplified EIA procedure might be requested by the national/local environmental authorities. In such cases, the guidelines on EIA preparation presented in Annex 2 will be applied.

Romania has a well-developed cultural heritage protection system, which is enforced and monitored by the Ministry of Culture and National Identity (MoCNI) as per the provisions of Law (#422 of 2001) on the protection of historical monuments.

A consultation process should be initiated by MoIA/GIRG with the representatives of local Gendarmerie Units and local authorities where the pre-selected buildings are located.

## **Social Regulatory Framework**

The Romanian legislation does not require a social impact assessment for investment projects, nor is this a requirement under the permitting procedures for construction works. However, the legal framework that regulates the processes envisioned under this project, include assessment of social benefits and costs, analysis of socio-economic context, provisions for public consultation, assessment of impacts on neighboring properties, community and occupational health and safety, compensations for any losses incurred in the process. The

Environmental Impact Assessment (EIA) prepared for the Romanian national permitting procedure, as well as the Permitting procedures include chapters on social aspects that are consistent with the aim of this report.

The main legal acts, by-laws and governmental policies that are relevant for the identification and mitigation of social impacts and risks are listed in the table below:

Table 1 List of Romanian legislation relevant for social risks identification

Law	Purpose
Law no. 22/2001 on ratification of the Convention on Environmental Impact Assessment in a Transboundary Context  Government Decision no. 918/2002 establishing the framework procedure for environmental impact assessment	Besides the fact that an EIA is carried out to determine the requisite measures to prevent adverse environmental impacts due to the implementation of certain planned objects and types of activities, it also covers to some extent the social implications involved in project preparation and implementation.
Law No. 53/2003 - Labor Code	The legal act regulates individual and collective employment relationships, the enforcement of the regulations regarding employment and the labor jurisdiction.
Law No. 319/2006 - Occupational Health and Safety	The law provides the general framework for health and safety at the workplace, roles and responsibilities, monitoring bodies.
Law no. 481/2004 regarding the civil protection	Envisions an integrated set of specific activities, measures and organizational, technical, operative, humanitarian and public information tasks, planned, organized and realized in order to prevent and reduce risks of disasters; protection of population; goods and environment against the negative effects of emergency situations.
Law No. 448/2006 regarding the protection and promotion of the rights of disabled persons (republished in 2008)	Regulates the rights and obligations of disabled persons granted for the purpose of their social integration and inclusion.
Law no. 202/2002 regarding the Equal Opportunities of Women and Men	Regulates measures to promote equal opportunities and treatment between men and women, to eliminate all forms of discrimination based on gender in all spheres of public life in Romania.
Law no. 544/2001 regarding the free access to information of public interest	The law outlines the transparency principles for public administration, providing free and



Law	Purpose
	unrestricted access of citizens to information of public interest, defined as such by this law; it constitutes one of the fundamental principles of the relation between persons and public authorities, in accordance with the Constitution of Romania and with the international treaties ratified by the Romanian Parliament and Government.
Law no.50/1991 regarding the permitting for execution of construction works	The law defines the process for permitting construction, rehabilitation, extension, demolition works and includes provisions for the assessment of neighboring properties, consultation and consent of neighbors, where the project is expected to impact the near-by properties, as defined by technical norms.
GD no. 907/2016 regarding the technical and economic documentation for public investments	The governmental decision defines the elements and steps for elaborating the technical documentation for investments financed from public funds, including requirements to assess impact on cultural heritage buildings, near-by properties, measures to protect neighboring properties, etc.
Law no. 10/1995 regarding the quality assurance for constructions	The law defines the roles and responsibilities that apply in assuring that construction norms and standards are applied in buildings, including access for disabled persons, the use of environmental friendly materials, gender dimension, etc.
Law no. 233/2002 for the approval of GO no. 27/2002 on regulation of petitioning rights of citizens in relation to public institutions	The law defines the principle related to the rights of citizens to submit petitions to public authorities and the procedures and responsibilities for recording/ answering/ solving the raised concerns, questions or suggestions of citizens.
Social Assistance Law (292/2011)	The legal acts sets out the key social security benefits and social services that are applicable to vulnerable groups in Romania.
Law no. 350/2001 regarding spatial planning and urbanization	The law defines the roles and responsibilities in relation to urban planning in Romania.
Law no. 287/2009 - The New Civil Code	The New Civil Code in Romania provides indication and regulation on access to

Law	Purpose
	neighboring properties, rights for compensations, principles of good-faith vicinity.

The main institutions that are involved in the process of authorizing and monitoring the construction works planned for the current investment include:

- Labor Inspectorate - the authority monitors the implementation of occupational health and safety and the implementation of the Labor Code; territorial units are present in each county of Romania
- Local Administrative Units/Designated Ministries - responsible for issuing the permits for the execution of construction works, in line with Urban Plans and national legislation;
- Romanian State Inspectorate in Construction - assures the application of laws, norms and standards for quality in constructions, in particular the General Logistics Department of MoI through the Quality Assurance Service In Construction.;
- National Council for combating discrimination - prevention, mediation, monitoring, assistance for the application of Romanian legislation in relation to discrimination;
- General Inspectorate for Emergency Situations - prevention and interventions in case of fire, first aid and other emergencies in cases of accidents and disasters;
- General Directorate for Social Assistance and Children Protection - at national level/Social Assistance Departments at local level - authorities in charge with addressing socially vulnerable persons and groups;

## 2.2 WORLD BANK SAFEGUARDS POLICIES AND PROCEDURES

The major WB environmental safeguard policy is **OP 4.01 *Environmental Assessment***, which is one of ten safeguard policies that the projects submitted for the Bank financing are to comply with.

Ten safeguard policies and the policy on *Access to Information* represent the framework on safeguard mechanisms applied by the WB with the purpose of avoiding adverse impacts on the environment and people’s lives and minimizing and mitigating those that cannot be avoided. The list below outlines the ten safeguards:

1. Environmental Assessment (OP 4.01);
2. Natural Habitats (OP 4.04);
3. Pest management (OP 4.09);
4. Physical Cultural Resources (OP 4.11);
5. Forests (OP 4.36);
6. Safety of Dams (OP 4.37);
7. Involuntary Resettlement (OP 4.12);

- 8. Indigenous Peoples (OP 4.10);
- 9. Projects on International Waterways (OP 7.50);
- 10. Projects in Disputed Areas (OP 7.60);
- +1. Access to Information

The first six safeguards are environmental policies and they are mainly addressed during the preparation of the Environmental Assessment. The seventh and eighth are social and the ninth and tenth are legal.

The objectives of safeguards policies are to:

- a) Avoid negative social and environmental impacts where possible; otherwise minimize, reduce, mitigate, compensate;
- b) Match level of review, mitigation and oversight to level of risk and impacts;
- c) Inform the public and project affected persons and enable people to participate in decisions which affect them;
- d) Integrate environmental and social issues into project identification, design and implementation.

#### Principles of OP 10+ 1:

- In case of discrepancy between the requirements of OP 10+1 and those of the national legislation norms, the more stringent ones prevail;
- In case of conflict between the OP 10+1 and the national environmental requirements, the WB policies will prevail (even if some parts of the project are financed by the Government of Romania or third parties).

The legal basis for the application of these policies in the current project is the Agreement ratified by the Romanian Parliament, which carries the force of an international treaty and prevails over the national legislative acts.

The major requirements of the environmental safeguards are stated in the Annex 3. The list below gives a brief outline of the main provisions relevant safeguards for this project.

#### OP 4.01 Environmental Assessment (EA)

The Bank undertakes environmental screening of each proposed project to determine the appropriate extent and type of EA. The Bank classifies the proposed projects into one of four categories, depending on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts.

- **Category A:** A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works. EA for a Category A project examines the project's potential negative and positive environmental impacts, compares them with those of feasible

alternatives (including the "without project" situation), and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance. For a Category A project, the borrower is responsible for preparing a report, normally an EIA (or a suitably comprehensive regional or sectoral EA).

- **Category B:** A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas - including wetlands, forests, grasslands, and other natural habitats--are less adverse than those of Category A projects. These impacts are site-specific; few if any of them are irreversible; and in most cases, mitigation measures can be designed more readily than for Category A projects. The scope of EA for a Category B project may vary from project to project, but it is narrower than that of Category A EA. Like Category A EA, it examines the project's potential negative and positive environmental impacts and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance.
- **Category C:** A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further EA action is required for a Category C project.
- **Category FI:** A proposed project is classified as Category FI if it involves investment of Bank funds through a financial intermediary, in subprojects that may result in adverse environmental impacts.

#### OP 4.11 Physical Cultural Resources

This policy addresses physical cultural resources, which are defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance.

Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Their cultural interest may be at the local, provincial or national level, or within the international community. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people's cultural identity and practices.

The Bank assists countries to avoid or mitigate adverse impacts on physical cultural resources from development projects that it finances. The impacts on physical cultural resources resulting from project activities, including mitigating measures, may not contravene either the borrower's national legislation, or its obligations under relevant international environmental treaties and agreements.

Romania has a well-developed cultural heritage protection system with responsibility for monitoring and enforcement conducted by the Ministry of Culture and National Identity (MoCNI). The legal framework for cultural preservation is outlined in the Law for Preservation of Historical Heritage No. 422/2001, as amended by several subsequent acts, lastly by the Governmental Ordinance No. 10/2016. The MoCNI's Directorate of Historic Monuments must approve all technical documentation for buildings that are officially listed and can call

specialists as members of a Consultative Board, as needed. Designers, contractors and site supervision engineers working on an investment project that involves a historic monument must be certified and listed by the MoCNI.

The construction permit for rehabilitation works at such type of court buildings includes particular requirements for managing any potential impact to such cultural properties, based on a specific permit that is issued by MoCNI in accordance with the procedures outlined in the Law 422/2001. During the execution of construction works, they also require the use of supervisor engineers certified in the field of historical buildings. In addition, the bidding documents prepared for these court buildings include specific qualification criteria for contractors to prove expertise and certification in such types of works.

The design phase for historical monuments is based on a specific technical expertise carried out for such types of buildings, with the purpose to develop a unified concept of intervention on the historical monument, with variants for maximum and minimum intervention, and with establishing the works priorities.

If any cultural assets are found during construction (excavation) works ("chance finds"), the measures outlined in the Law 422/2001 will be undertaken, including the setting up of a protection zone in compliance with the Law 422/2001, reporting to the local offices of MoCNI, and obtaining a special permit for the execution of works in connection with the found cultural assets.

### **World Bank Policy on Access to Information**

The World Bank recognizes that transparency and accountability are of fundamental importance to the development process and to achieving its mission to alleviate poverty. Transparency is essential to building and maintaining public dialogue and increasing public awareness about the Bank's development role and mission. It is also critical for enhancing good governance, accountability, and development effectiveness. Openness promotes engagement with stakeholders, which in turn, improves the design and implementation of projects and policies, and strengthens development outcomes. It facilitates public oversight of Bank-supported operations during their preparation and implementation, which not only assists in exposing potential wrongdoing and corruption, but also enhances the possibility that problems will be identified and addressed on early stage.

## **2.3 GAP ANALYSIS**

As a member of the European Union, Romania has harmonized its environmental regulations and standards in line with EC directives. A comprehensive list of the legal and institutional frameworks has been analyzed during the process of developing the current ESMF with the conclusion that the environmental regulations are in line with WB safeguards and policies.

In relation to social impacts, the Romanian legislation is in line with WB safeguards and requirements in terms of human health and safety, public consultation or provisions for addressing the relation and impact of the project to neighboring properties and communities. Public consultation and engagement is covered in national legislation, including the right to address petitions, request information on projects carried by public bodies, consultation of neighbors and communities, etc.; however, the processes for reaching potentially impacted persons and communities can be improved to incorporate WB principles, by engaging actively with these persons/groups, especially with vulnerable groups where such situations will surface. These aspects are dealt in the current document, under the provisions for Grievance Redress Mechanism, Public Consultation and Social Risk mitigation measures.

## 2.4 PROJECT CATEGORY AND SAFEGUARDS TRIGGERED

SPCEI will not finance any activities with significant or irreversible environmental impacts, and therefore has triggered the **WB safeguard policy OP/BP 4.01 - Environmental assessment**, with classification as Environmental Category "B" - partial assessment.

The main project interventions refer to the rehabilitation, partial or entire demolition and new construction of GIRG buildings..

All investments are carried on public lands and no additional land acquisition or expropriation is required under this project, as mentioned throughout this document. Buildings exposed to flood or landslide risk will not be included in the project.

The project will not finance Category-A activities or activities that target natural habitats or protected sites and will prohibit those activities that can cause a significant loss or degradation of any significant natural habitat. The environmental screening process will check for the presence of physical cultural resources. In addition, cultural heritage/chance find procedures will be incorporated in all contracts related to construction works.

In addition to OP/BP 4.01 the project also triggers **OP/BP 4.11, Physical Cultural Resources** to include procedures and responsibilities for managing works in culturally and historically significant areas, as well as any accidentally discovered cultural artifacts to ensure that Cultural Heritage assets will not be adversely affected by World Bank-financed projects.

The ESMF includes requirements for the borrower and contractors, as it will be reflected in further site-specific ESMPs and the POM. These refer to specific measures that are necessary to comply with Romanian laws and procedures on physical cultural heritage, and with the World Bank's requirements for managing impacts on cultural property.

This Project does not trigger any of the following safeguard policies:

- **Natural Habitats (OP 4.04)** - SPCEI will not engage in changing the natural habitats;

- **Pest Management (OP 4.09)** - No pest management activities will be carried out under the Project;
- **Forests (OP 4.36)** - SPCEI will not cover forests and forest areas;
- **Safety of Dams (OP 4.37)** - SPCEI does not finance construction or repair of dams;
- **Involuntary Resettlement (OP 4.12)** - SPCEI interventions are not expected to generate land acquisition and/or involuntary resettlement. The project will support retrofitting or reconstruction of public buildings that are located on public lands with no litigation attached to these properties. The access on neighboring properties is expected to be limited but the exact number will only be established once the technical expertise will be performed for each building. In such cases, provisions for addressing social aspects are covered by Romanian legislation in terms of consultation and consent of the neighbors and the compensation of any losses incurred in addition to measures that assure the safety of neighboring properties during construction works.
- **Indigenous Peoples (4.10)** - SPCEI does not impact indigenous people, ethnic minorities or tribal groups;
- **Projects on International Waterways (OP 7.50)** - SPCEI interventions are not expected to adversely affect water quality or quantity to downstream riparian states; and
- **Projects in Disputed Areas (7.60)** - SPCEI will not be implemented in disputed areas and thus will not trigger this strategy.

### 3 ENVIRONMENTAL RISKS AND IMPACTS

The project is expected to have a net positive environmental impact by reducing the risk of damage and collapse of the selected buildings as a result of earthquakes – a direct positive public safety impact, however, some adverse impacts may be generated.

None of the selected buildings fall under specific environmental regulations regarding protected areas, e.g. nature reserve protected area, or national park. Also, none of them aren't in the nearby of any sensitive habitats e.g. nature reserves, protected areas, etc.

Sites are not located in the nearby of a floodplain or in a water-protection area, also there are not water courses on the site. Due to the fact that for most of the sites there was no significant information regarding geology/hydrogeology beneath the site at this stage, relevant information might be provided on request. However, no landslides or floods was reported at the time of preparing this ESMF on the selected construction sites.

The contractor will avoid the release of pollutants or, when avoidance is not feasible, minimize and control the concentration and mass flow of their release using the performance levels and measures specified in environmental national legislation. This applies to release of pollutants to air, water and land due to the routine operations but also by non-routine and accidental circumstances.

The contractor will avoid the generation of nonhazardous or hazardous waste. Where waste generation cannot be avoided, reused, recycled, recovered, the evacuation of waste must be performed in a manner that is safe for human health and the environment.

The potential adverse impacts of project implementation will be limited and temporary, and are mainly related to construction works which may include:

- i increased pollution due to construction waste;
- ii generation of dust, noise, and vibration due to the movement of construction vehicles and machinery;
- iii associated risks due to improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery;
- iv increase in traffic during construction which may impact community;
- v impact on workers and community health and safety during construction activities;
- vi improper reinstatement of construction sites upon completion of works;
- vii possible negative impacts on buildings with cultural importance;
- viii unsafe practices during operation of the building.

All these potential environmental impacts are readily identifiable, small scale, and are likely to have minimal impact. They can be effectively prevented, minimized, or mitigated by referencing specific measures to be taken by contractors, under the close supervision of compliance by GIRG-PIU in all construction works contracts.



Regarding construction, the regulatory process in Romania addresses hazardous materials, debris disposal, impacts at the site, and cultural heritage impacts. Local and Central authorities approvals are required at the preliminary design stage, which obliges the responsible agency and its designers to address the full range of environmental issues raised by the proposed investment. In addition, all project construction contracts will include mitigation procedures, and will detail the responsibilities of the contractor in following these and local regulations. Requirements of the inspection, identification, and handling of hazardous materials and construction debris have to be consider. Requirements are in place for contractors to take adequate precautionary and mitigating measures if the identified materials are hazardous. In addition, all project construction contracts will include mitigation procedures, and will detail the responsibilities of the contractor to work within the regulatory framework and to include precautionary measures on inspection, identification, and handling of hazardous materials and construction debris.

### 3.1 THE ENVIRONMENTAL SCREENING PROCEDURE

The site specific screening and review should carefully consider the following issues:

- Dust and noise due to the demolition and construction;
- Dumping of construction wastes
- Accidental spillage of machine oil, lubricants etc.;

In cases of a new buildings (which includes demolition of the old one + waste disposal and final disposal), a "site-specific ESMP" based on a partial Environmental Impact Assessment will be elaborated by the sub-projects.

If there are only existing buildings/extensions, relatively small volumes and no significant impact, "EMP Checklists" will be used instead of ESMP. However, all sub-projects will be in the "B" category.

The potential adverse impacts of project implementation were identified during a preliminary screening process for the purpose of this ESMF and will be limited and temporary. All these aspects are mainly related to construction works which may include:

1. increased pollution due to construction waste; Existing building elements (walls, foundations, ground cement slabs etc.) should be carefully demolished and the debris should be sorted and removed. All debris construction and wood waste will be stored within the work site. Wood waste will be stored separately and arranged to be recycled instead of disposing it. Open burning and illegal dumping will not be permitted.
2. all valuable materials (doors, windows, sanitary fixtures etc.) should be carefully dismantled and transported to the storage area assigned for the purpose; Valuable materials should be recycled within the project or sold.

3. generation of dust, noise, and vibration due to the movement of construction vehicles and machinery; To reduce noise, construction will be restricted during certain hours as will be agreed with the contractors under their contracts.
4. associated risks due to improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery; Even that asbestos or lead paint was not reported on any building included in this project, WB procedure and guidelines have been highlighted under this ESMF. If in later phases of project preparation and implementation asbestos will be identified, transportation, handling and storage will be assessed and included in the sub-project ESMP.
5. increase in traffic during construction that may impact local communities; Traffic disruption was addressed in the social risks identification. Congestion will be avoided by internal planning and temporary traffic regulation. Provide markers, lights and temporary connections by bypasses for safety and convenience.
6. A large part of the selected buildings, are surrounded, along the edge of the land plot they occupy, by different species of trees or hedgerows vegetation; special protection measures are already highlighted in this ESMF relating to the proper conservation during the construction works. If tree cuttings are inevitable, national legislation regarding replanting is applicable to this Project.

#### **EIA procedure for Category B sub-projects**

After the initial environmental screening of sub-project proposal, for the Category B sub-projects - the implementers should initiate the site specific EIA process and prepare the sub-project ESMPs. The sub-projects involving small scale construction/or reconstruction activities would only require the preparation of an EMP Checklist in order to identify, evaluate and prevent potential environmental impacts and identify mitigation measures that may be incorporated into the design documentation.

#### **EMP Checklist for small scale construction and reconstruction activities.**

In the case of subprojects, which would involve typical small scale reconstruction activities, it is proposed that a generic EMP checklist-type format ("EMP Checklist") be used, developed by the World Bank to provide "pragmatic good practice" and designed to be user-friendly and compatible with safeguard requirements (see Annex 6). The checklist-type format attempts to cover typical preventive and mitigation approaches to common civil works contracts with localized impacts. It is anticipated, that this format would provide the key elements of an Environmental and Social Management Plan to meet Environmental Assessment requirements of the World Bank (under OP/BP 4.01). The EMP Checklist has four parts:

- **Part 1** is descriptive ("site passport") and describes sub-project specifics in terms of physical location, description and list of permits or notification procedures with

reference to relevant regulations. Attachments for additional information can be supplemented if needed.

- Part 2 includes safeguards information.
- Part 3 includes the environmental and social screening and mitigation measures in a simple “Yes/No” format.
- Part 4 is a site-specific monitoring plan for activities to be carried out during the construction/rehabilitation activities.”

### 3.2 GENERAL ENVIRONMENTAL RECOMMENDATIONS

The list of recommendations that is detailed under this sub-chapter is not an exhaustive one; however, it highlights the most relevant mitigation measures that will be considered during construction period. The below sections include more detailed recommendations as per type of impacts.

- Inadequate handling of hazardous materials such as asbestos and paint based on lead from transportation and handling of construction works will be minimized by water and other means such as enclosure of construction sites.
- To reduce noise, construction will be restricted during certain hours.
- All debris construction and wood waste will be stored within the work site.
- Wood waste will be stored separately and arranged to be recycled instead of disposing it.
- Open burning and illegal dumping will not be permitted.
- Proper sites for earth/clay and sand disposal will be determined and prior approval from relevant authority for disposal will be obtained.
- Stock piling of construction debris on site will be avoided and waste will be disposed of on a regular basis at the authorized government dumping ground. Debris chutes will be provided to transfer debris from higher floors to the ground.
- Traffic disruption must be avoided by internal planning.

The table below presents potential environmental risks that might generate negative impacts prior, during or post construction phase of the project.

Table 2 Potential environmental risks and mitigation measures

Potential Environmental impact/risks	Activity types	Main types of environmental impact	Preventive/mitigation measures	Responsible	Monitoring
Increased pollution due to construction waste	Site organization construction works	Contamination of adjacent area, soil, water resources. Dusting.	<p>Prior to commencement of works, means of collection and removal of waste should be applied together with location of main types of waste produced during dismantling and construction works.</p> <p>Mineral waste from construction and dismantling works should be separated from common waste and organic, liquid and chemical waste through sorting and keeping in special containers.</p> <p>All documents on waste removal and disposal should be maintained properly as a proof of appropriate management of waste at the site.</p> <p>In all possible cases, contractor should ensure recycling of materials (except for asbestos). Asbestos materials shall be subject to immediate burial.</p> <p>Proper collection and removal of construction waste should be undertaken by a contracted utility.</p> <p>As for domestic waste, installation of collection tanks and timely removal of waste should be arranged with local waste collection companies.</p>	Contractors	GIRG-PIU, supervising engineers, state authorities

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Possible asbestos waste materials	Improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery	Contamination of adjacent area, soil, water resources.	<p>Identify waste material containing asbestos</p> <p>Establish codes for the sorted waste, according to Decision 2000/532/EC establishing a list of wastes</p> <p>Employ a licensed waste operator to remove asbestos waste using appropriate safety equipment</p> <p>Dispose of asbestos waste at a landfill site licensed to receive such waste</p> <p>Execute the respective works with authorized companies/specialists</p>	Contractors	GIRG-PIU, supervising engineers, state authorities
Increase in traffic during construction	Site organization construction works	Potential pedestrian and vehicle traffic disruption and associated public safety risks	<p>Traffic control</p> <p>Temporary traffic regulations</p> <p>Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities.</p> <p>Provide markers, lights and temporary connections by bypasses for safety and convenience</p> <p>Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities.</p> <p>Provide markers, lights and temporary connections by bypasses for safety and convenience</p>	Contractors Local authorities	GIRG-PIU, supervising engineers, state authorities

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<p>Impact on workers and community health and safety</p>	<p>General conditions of works</p>	<p>Industrial accidents</p>	<p>Local communities will be properly notified on works by means of publications and /or notices in mass media and/or bill boards in public places (and at work sites). In addition, fences will be installed; in case trenches are excavated, lighting will be provided.</p> <p>All permission required by legislation for use of land plots, natural resources, waste landfill, as well as permissions from sanitary inspection etc. in construction and rehabilitation works at this site, have been obtained.</p> <p>Individual protective means should meet safety standards (obligatory application of helmets, protective face masks, when needed, protective glasses, safety belts and boots).</p> <p>Sites will be provided with proper information boards and signs informing the workers about the rules and norms of works to be followed.</p>	<p>Contractors</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>
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<p>Improper reinstatement of construction sites after works completion</p>	<p>Construction works</p>	<p>Deterioration in existing landscape quality or visual comfort</p> <p>Damage and cutting of plantations.</p> <p>Disturbance of habitat.</p>	<p>Avoid, reduce, and where possible remedy or offset any adverse effects on the environment arising from the proposed works</p> <p>Address the remaining/residual adverse effects arising from the executed works</p> <p>Address landscape and visual impacts</p> <p>Relocation and fencing of trees. Required tree cutting is agreed with local environmental agencies.</p> <p>All marked environmental zones of habitat and protected areas adjacent to the site should not be affected or used during operations.</p>	<p>Contractors</p> <p>Designers</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>
<p>Historical and cultural sites.</p>	<p>Damage and degradation of site structures</p>	<p>Possible negative impacts on buildings with cultural importance</p>	<p>If works are carried out at the site being a protected historical monument, or works are carried in close proximity to such site or at protected historical site, local authorities should be notified thereof. If needed, respective permission should be obtained. Once permission is obtained, works should be carried out in thorough compliance with provisions and norms of local and national legislation.</p> <p>Works will be arranged to ensure that all artifacts or other incidental findings detected in excavation and construction works are registered and documented properly.</p>	<p>Contractors</p> <p>Designers</p>	<p>GIRG-PIU, supervising engineers, state authorities</p> <p>Local residents</p>

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Unsafe practices during the operation of the building		Contamination of adjacent area, soil, water resources. Dusting.		Contractors Designers	GIRG-PIU, supervising engineers, state authorities
Impact on vegetation	Construction works that damage, degradation or even cuttings of tree from site	Possible impact on trees vegetation or hedgerows	Special protection measures about the proper conservation during the construction works. If tree cuttings are inevitable national legislation regarding replanting is applicable to this Project.	Contractors	GIRG-PIU, supervising engineers, state authorities

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### **3.2.1 Energy Efficiency, Insulation And Ventilation**

Insulation should be tailored to the seasonal impacts of climate, internal thermal load, and characteristics of exposure. Vapor barriers should prevent moisture intrusion in the roof insulation and outer wall cavities and using damp course.

Window location should be determined on view, ventilation, light, thermal gain, privacy control and interior space functions.

High-efficiency systems for heating domestic water (including solar systems) and for interior space heating should be selected with maintenance and long-term running costs in mind.

Plumbing should be coordinated to minimize this activity and also water service to toilets and utility rooms. Water-saving faucets, ring mains and other devices also require consideration. Construction materials will conform to national regulations and internationally accepted standards of safety and environmental impacts.

### **3.2.2 Electrical Systems**

Incoming cables should be located underground. Main entrance feed and panel located away from places of work and waiting is prudent in avoidance of electromagnetic fields. Ground faulty wiring near any plumbing fixture is a precaution. Selecting the most energy efficient light fixtures, lamps, appliances and equipment will reduce energy demand but can introduce undesirable electromagnetic fields. Be aware that close proximity to table, floor and desk halogen, fluorescent and other high-efficiency fixtures and lamps can cause an exposure to harmful electromagnetic fields.

### **3.2.3 Demolition Work**

Existing building elements (walls, foundations, ground cement slabs etc.) should be carefully demolished and the debris should be sorted and removed as directed by the ESMP (to be determined during the preparation phase of the project). All valuable materials (doors, windows, sanitary fixtures etc.) should be carefully dismantled and transported to the storage area assigned for the purpose. Valuable materials should be recycled within the project or sold.

### **3.2.4 Selection Of Construction Materials And Construction Methods**

Environmentally sound goods and services should be selected. Priority should be given to products meeting standards for recognized international or national symbols. Traditionally well-tried materials and methods should be chosen before new and unknown techniques. Construction sites should be fenced off in order to prevent entry of public, and general safety

measures would be imposed. Temporary inconveniences due to construction works should be minimized through planning and coordination with contractors, neighbors and authorities. In densely populated areas, noisy or vibration generating activities should be strictly confined to the daytime.

### **3.2.5 Waste Management**

The handling of construction debris will be according to local and national regulations, and as specified in the EMP, and described above under site considerations. These regulations are developed and enforceable in Romania. Monitoring will be the responsibility of site supervisors and environmental safeguard specialist working for the GIRG- PIU. In all the specific cases for which contractors should demolish or remove asbestos-containing materials, these categories of works should be done only with qualified personnel and fully in line with the specific legislation related to this specific field.

Annex 8 presents the special requirements for handling and management of asbestos-containing materials.

### **3.2.6 Traffic Management**

Based on the location of each proposed building to be included in the project, there might be situations where during construction period a disturbance of local traffic to occur. A traffic management plan would be drafted and prepared by GIRG-PIU if the construction work will have a direct impact on roads or pedestrian walks.

### **3.2.7 Occupational Health And Safety At Work**

Obligation to use helmets, gloves, goggles where appropriate and work uniforms. All these minimum protection rules, doubled by avoiding over-exhaustion of workers, prevent ergonomic injuries and other work-related accidents resulting from repetitive, excessive and manual handling of building materials.

Recommendations for their prevention and control include knowledge of the most common causes of wounds in construction and decommissioning by:

- Training of workers in the lifting and handling of materials, techniques in construction and decommissioning projects, including placement of weight limits over which mechanical assistance is required.
- Workplace site planning to minimize the need for manual heavy load transfer.
- Selecting tools and designing workstations that reduce the need for strength.
- Implement administrative controls in work processes, such as job rotation and rest breaks.

## 4 SOCIAL RISKS AND IMPACTS

### 4.1 POTENTIAL SOCIAL RISKS AND MITIGATION MEASURES

The project is expected to have a considerable positive impact at the level of local communities served by the selected Gendarmerie Units and the staff currently operating in these units. Strengthening disaster resilience and emergency infrastructure in severely damaged buildings at the level of selected units across Romania, will increase the chances of communities to be safely assisted in the event of disasters and will also provide improved and standardized working conditions for the employees attached to these facilities.

Energy efficiency measures in the selected buildings are also likely to produce positive outcomes, by contributing to national and European objectives of reducing energy consumption and GHG emissions. Best practice measures can create models of sustainability in the rehabilitation of public buildings at local level and can open the way for similar investments in other institutions.

Romanian Gendarmerie is organized on military principles, as a unitary system of means and forces, settled according to the administrative organization of the country. The institution accomplishes a significant number of missions, including guard and protection missions, interventions at objectives, defending public order and peace and has clear roles in limiting and removing the consequences of natural, technological, environmental or complex disasters, as well as ensuring order and protection of areas in which imminent dangers to population exist as a consequence of disaster situations.



Figure 4 The Gendarmerie rescue intervention in recent floods

The buildings currently serve the employees and access to the public is restricted, given the military status of the institution. However, citizens may schedule an appointment based on a request, to discuss particular topics. Facilities for disabled persons (access, toilets, etc.) are

not in place at the moment, with a few exceptions, with the investment program expected to upgrade the buildings so that they can accommodate these persons in the future.

In order to identify any potential adverse social impacts and risks, a comprehensive screening process has been conducted. The results of preliminary screening process of the selected buildings, indicate that there is no physical displacement involved in building reconstruction activities. All investments will occur on the public lands that are associated with the selected units and for which property documentation is clear and free from litigation.

Damages to neighboring properties are unlikely to occur, given the current legal framework regarding construction works that cover processes such as assessment on near-by properties, consultations with potentially affected persons, consent from neighbors, measures to assure safety of near-by buildings, etc. However, this has been treated as a potential social risk, given the close vicinity of the selected buildings to private properties in a number of limited cases and the potential access to the constructions sites through private neighboring yards.

There are no cases of informal dwelling/squatters across the selected buildings. A small number of buildings are dysfunctional due to risks to human safety and are located next to functional buildings with access restricted to any person.

None of the buildings are located near or close vicinity to natural resources/forest areas and therefore access restrictions are not applicable.

During the preliminary social impact screening process, the following information has surfaced as being relevant for future impact identification and mitigation process:

- buildings have been designed in the past to serve some purposes and no longer reflect the current necessities of the Romanian Gendarmerie (electrical systems cannot accommodate the use of PCs and servers, offices have become overcrowded in time due to staff increases, etc.);
- selected buildings were historically designed for male staff, and there are few facilities for women, such as toilets, locker rooms, etc.
- Gendarmerie buildings selected for this program are usually situated in urban areas, with some buildings located close to private houses, blocks of flats or communities of vulnerable persons (Roma groups);
- there are limited cases of close proximity to other public buildings;
- the Gendarmerie units are not generally opened to the public, with access being restricted and controlled;
- working circumstances are unfavorable due to the deteriorated conditions of most of the buildings in terms of working space, air quality, heating, ventilation, lighting;
- access to some parts of the building may need to be realized by accessing adjacent properties in only limited cases(either public or private);

Potential social impacts are listed below based on a preliminary categorization. These impacts are, at this point, generic, and will need to be confirmed/informed at the level of

each selected unit, following a social screening process based on the results of the technical assessments and the detailing of works to be performed during implementation. The categorization of social risk addresses the expected types of works that will be involved in the project: (1) demolition and reconstruction, (2) rehabilitation (including extensions):

i) Demolition and reconstruction

- Damages to neighboring properties (constructions or yards but no impact to crop trees or productive assets);
- General discomfort for near-by residents, institutions, businesses (noise, dust);
- Difficulty in finding temporary locations that are suitable to serve the functions of existing buildings (offices, training rooms, dormitories, etc.);
- Increased traffic congestion due to heavy equipment transport?;
- risk of road accidents for pedestrians in general, and for children in particular, especially children that are part of Roma minorities residing close the construction sites;
- Disruptions in utility services due to accidents or planned interventions (water, gas, electricity);

ii) Rehabilitation and extensions

- Increased risk of occupational accidents if works are operated without relocation of staff;
- Discomfort of extensions for nearby residents and institutions;
- Worsening of working conditions (e.g. overcrowding, noise) for staff during works;
- Disruptions in work-flow of Gendarmerie units due to construction actions;
- Difficulties to workers/staff due to temporary relocation of service centers

The table below presents potential risks that might generate negative social during implementation.

Table 3 Potential social risks and mitigation measures

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
PRIOR TO CONSTRUCTION			
Relocation of Gendarmerie Units	Reduced response capacity of the Gendarmerie Unit	Citizens served by the specific Gendarmerie Unit	<p>The relocation process will be confirmed once the technical studies will establish the need to relocate the entire unit in order to implement construction works. At that stage, a Relocation Plan will be developed and incorporated into the Social Risk Mitigation Plan, part of the ESMP. The Relocation Plan will outline all necessary measures to assure the continuation of the services provided by the Gendarmerie Unit, including:</p> <ul style="list-style-type: none"> <li>- identification of temporary locations for the Gendarmerie Unit with all provisions necessary to function (office space, car park, electricity, heating &amp; ventilation system, internet, toilets, etc.)</li> <li>- Organizing a consultation board with relevant authorities (local administration, DES, Road Police, near-by units, GIRG H&amp;S staff members) to support the process and assure impacts on emergency response are kept to a minimum)</li> <li>- coordination with other Gendarmerie units to temporary cover functions during the relocation, where applicable;</li> <li>- public outreach program to inform the population on the temporary location;</li> <li>- assuring that all health &amp; safety &amp; emergency provisions, training and signalling are in place for staff and citizens accessing the temporary site;</li> </ul> <p><i>Responsibility: PIU</i> <i>Monitoring: GIRG, MoIA</i></p>

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
	Less adequate working conditions for employees	Gendarmerie unit employees	<p>The temporary sites for relocation should provide at least the minimum working conditions that are in place at the level of the selected buildings for investment. A consultation process with local/central authorities will take place at the level of each sub-project in order to identify the best solutions to accommodate the relocation process and upgrades will need to be implemented where the case applies.</p> <p>Shift Management may be used to avoid over-crowding of employees.</p> <p><i>Responsibility: PIU</i> <i>Monitoring: PIU</i></p>
DURING CONSTRUCTION WORKS			
Demolition works (partial or integral)	Damages to neighbouring buildings	Owner(s) of the buildings located near the site of works	<p>The detailed social screening process that will be undertaken for each of the sub-projects will identify the owners of the neighbouring properties and will assess the potential impacts of demolition works on these properties. Based on the results of technical assessment and solutions envisioned for the demolition of existing buildings, the ESMP will include detailed account of the steps that need to be followed by the Contractor in such cases (including a contingency budget to cover for any losses incurred in the process). Other steps include:</p> <ul style="list-style-type: none"> <li>- Collect information on the state of the buildings that may be affected by works;</li> <li>- Adapt demolition works in a way that avoids or reduces to a minimum any damages to neighbouring properties;</li> <li>- Hold public consultations with affected parties and Inform the owners on the demolition process and all</li> </ul>

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
			<p>potential risks that may affect their property;</p> <ul style="list-style-type: none"> <li>- Evaluate the state of the buildings expected to encounter damages and establish a baseline;</li> <li>- Monitor the effects of demolition works on neighbouring properties and constantly engage with owners to understand their concerns;</li> <li>- Evaluate any losses incurred during demolition and implement/contract damage repair works;</li> <li>- Consult with the owner on the results of the works and reach a closure agreement at the end of the process;</li> </ul> <p><i>Responsibility: Contractors</i> <i>Monitoring: PIU</i></p>
	<p>Disturbances to neighbouring residents and institutions</p>	<p>Residents, Employees of neighbouring institutions, Employees and customers of neighbouring businesses</p>	<p>The Public Consultation section from the ESMPs that will be developed at the level of each sub-project will identify the most relevant means to communicate and engage with audiences. Increased heavy traffic, noise, dust will be some of the impacts experienced by the neighbours during demolition works. Information and consultations will involve the following steps:</p> <ul style="list-style-type: none"> <li>- identify all public buildings in the proximity of the demolition site (150 m);</li> <li>- inform through letters on the extent of works and the expected timeline and invite them to forward any particular requests;</li> <li>- perform a public consultation meeting at the level of each building expected to undergo demolition works;</li> <li>- inform on grievance mechanism in place and means of addressing complaints;</li> <li>- monitor complaints and adapt works where possible to accommodate public requests;</li> </ul>



Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
			<ul style="list-style-type: none"> <li>- install signalling panels next to the construction site and inform house owners and owners associations on the timeline of the process and expected impacts (letters/leaflets/posters);</li> </ul> <p>The ESMP will incorporate provisions for the Contractor, such as (1) assuring the use of silent machinery and vehicles, where possible, (2) minimise the dust by using best practice procedures for demolition, (3) adapt its working schedule in a manner that accommodates the need for rest of residents (avoiding evening/night works) and the provision of public services in the buildings situated in the proximity (schools, hospitals, etc.).</p> <p><i>Responsibility: PIU, Contractors</i>  <i>Monitoring: PIU</i></p>
	Increased traffic congestion during transport of demolition waste	Participants in road traffic	<p>The ESMP will provide detailed account on traffic management to and from the demolition site, including signalling, public information and coordination with Local Road Police.</p> <p>The transport of demolition waste will need to be performed based on a timetable that avoids creating additional congestion and will need to be included in a Transport Management Plan, consulted with the Road Police and other relevant stakeholders.</p> <p><i>Responsibility: Contractor</i>  <i>Monitoring: PIU</i></p>
Construction works (demolition, rehabilitation or new construction)	Increased risk of work accidents in cases not involving relocation	Employees/students of Gendarmerie Units and Citizens visiting the site	Where construction works do not involve relocation and day-to-day activities are performed in tandem with the interventions, an increased risk of accidents involves both members of staff and citizens visiting the facilities during

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
			<p>this period. To avoid and minimize these impacts, the ESMPs will provide sound measures for assuring health and safety provisions on site, including:</p> <ul style="list-style-type: none"> <li>- clear tasks for implementation and monitoring of H&amp;S provisions for the Contractor;</li> <li>- designation of areas with restricted access for both staff and citizens;</li> <li>- training for members of staff on health and safety issues and measures during construction works;</li> <li>- clear and visible signalling panels in place in areas used by staff or for accessing the building by citizens;</li> <li>- grievance mechanism in place to record any malfunctions in the construction works with impacts on human health and safety;</li> <li>- monitoring of H&amp;S performance on-site by the Contractor and the ESMP responsible;</li> <li>- recording of any accidents (even the minor ones) in the Accident Book;</li> </ul> <p><i>Responsibility: Contractors</i> <i>Monitoring: PIU</i></p>
	<p>Road Accidents as a result of increased traffic</p>	<p>Residents, Pedestrians, and especially children</p>	<p>The Transport Management Plan, that will be incorporated into the ESMPs will need to outline increased risks zones on the routes to and from the construction site (especially schools and high density residential areas). In cases where these zones are very close to the construction site, collaboration with the public institutions, owners associations and road police is necessary to reduce the risks associated with road accidents. The Transport Management Plan will include, among other aspects:</p> <ul style="list-style-type: none"> <li>- identification of high risk areas;</li> <li>- collaboration with Road Police to provide guidance on</li> </ul>

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
			<p>best routes and to assist with traffic control during critical hours (when children finish their courses)</p> <ul style="list-style-type: none"> <li>- Consultation with schools and kindergarten in the area to provide information to parents and children and potentially, in collaboration with the Road Police, to provide lectures on Road Safety;</li> <li>- Identification of vulnerable groups (poor families, Roma people) that live close to the construction sites and, especially of children that are not enrolled in school and play on the street unattended (in such cases, engagement of these groups may be facilitated by local NGOs or by Social Services);</li> <li>- Chauffeur Trainings on speed limits and high risk areas as part of the Contractor tasks;</li> <li>- Schedule of daily heavy Transport hours and the avoidance of inappropriate hours (e.g. at night)</li> </ul> <p><i>Responsibility: Contractor</i> <i>Monitoring: PIU</i></p>
	<p>Disturbances to neighbouring residents, businesses and institutions</p>	<p>Residents, Employees of neighbouring institutions, Employees and customers of neighbouring businesses</p>	<p>The impact should be mitigated by two means: (1) timely and meaningful consultation of the affected parties, and (2) Contractor to assure that all measures are taken to reduce noise &amp; dust pollution (as per national legislation and international best practice) and that specific requests of the public are taken into account.</p> <ul style="list-style-type: none"> <li>- identify all neighbours (private owners, owners associations, businesses, public institutions) in the near vicinity of the construction site that may be affected by noise and dust;</li> <li>- inform through letters on the extent of works and the expected timeline and invite them to forward any particular requests/concerns;</li> </ul>

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
			<ul style="list-style-type: none"> <li>- perform a public consultation meeting at the level of each building expected to undergo demolition works;</li> <li>- inform on grievance mechanism in place and means of addressing complaints;</li> <li>- monitor complaints and adapt works where possible to accommodate public requests;</li> <li>- install signalling panels next to the construction site and inform house owners and owners associations on the timeline of the process and expected impacts (letters/leaflets/posters);</li> </ul> <p>The ESMP will incorporate provisions for the Contractor, such as (1) assuring the use of silent machinery and vehicles, where possible, (2) minimise the dust by using best practice procedures for construction works, (3) adapt its working schedule in a manner that accommodates the need for rest of residents (based on national regulations) and the provision of public services in the buildings situated in the proximity (schools, hospitals, etc.).</p> <p><i>Responsibility: PIU, Contractor</i>  <i>Monitoring: PIU</i></p>

Type of activities to be undertaken	Possible Social Risks	Project affected persons (PAPs)	Possible Mitigation Measures
	Temporary interruptions of public utilities	Citizens/Institutions connected to the same infrastructure in the area	<p>The disruption of public utilities is not likely to occur in the selected buildings. However, due to unexpected circumstances, such actions may need to take place or can happen accidentally. Consultations with utility providers will be initiated in the design phase to avoid such situations. In cases of planned interventions, the actions will be kept to a minimum and public information campaigns will assure that affected persons and institutions are timely and meaningfully informed.</p> <p><i>Responsibility: PIU, Contractor</i>  <i>Monitoring: PIU</i></p>

The above impacts are generic and should be confirmed the preparation of technical documentation (expertise, feasibility studies) when a detailed site specific social screening and impact assessment will be conducted. Based on the available information, the activities foreseen for the buildings proposed to be included in the project are not falling under the category of a major social risks.

## 4.2 SOCIAL RISK MITIGATION PROCESS

Based on the preliminary social screening process carried in preparation of this ESMF, it has been concluded that technical measures will vary considerably from one building to another and that particular impacts may apply to some buildings, and not the rest. The following section provides a rationale for the development of sub-project Environmental and Social Management Plans:

- At this point, solutions to rehabilitate or demolish/reconstruct are based on preliminary assessment and need to be confirmed by technical documentation and or feasibility studies in the near future;
- Buildings vary as age, construction type and use, so it's difficult at this point to define the nature and extent of potential social impacts expected to occur during works;
- The preliminary social screening could not go into detail in respect to the type of works expected to take place and their respective consequences on neighboring properties;
- The Gendarmerie units have now undergone a preliminary assessment and have an initial understanding of the potential impacts that are expected; a social screening process and/or a social impact assessment will surface the potential impacts into a greater detail and will provide accurate information for the elaboration of site-specific Social Risk Management Plans (incorporated in the ESMF);
- At this point, there are no major social impacts expected. However, further analysis of neighboring properties, for example, may reveal high risks of collapse of private houses due to demolition works taking place so close. In this case, a Social Risk Management Plan will cover all the steps that need to be taken and the compensatory measures that would need to be covered by the Contractor;
- Monitoring social impacts from a local perspective and with a greater understanding of the local context, can considerably reduce the risks and avoid major negative impacts, such as traffic accidents or damages to surrounding private properties.

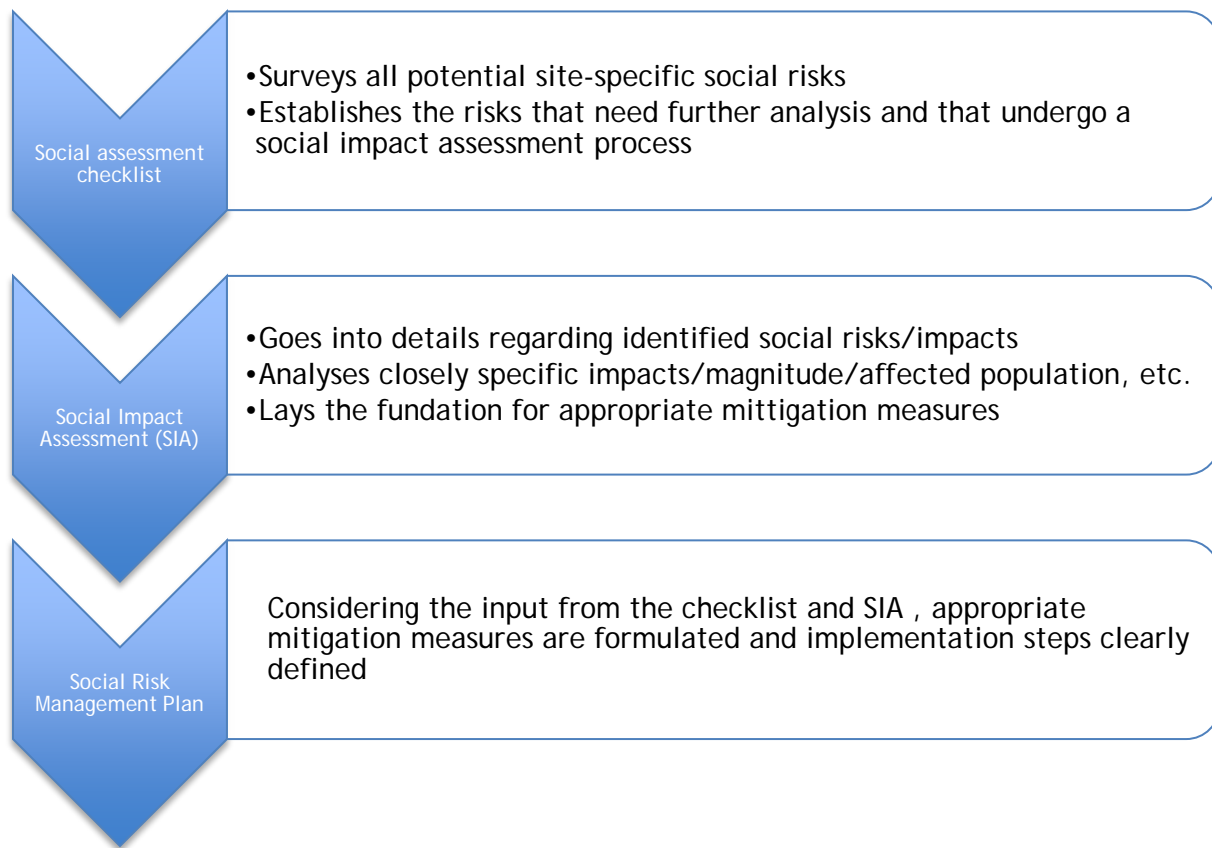
The development of ESMPs will allow, as mentioned above, for a better understanding of the local context. Each Gendarmerie Unit that is part of the project will prepare site-specific plans, based on data collection processes and results of the proposed technical solutions for rehabilitation/demolishment/new constructions.

The following section outlines the steps that will need to be taken in order to assess the potential social impacts of each sub-project and propose mitigation measures to avoid or minimize these risks. The three main steps are:

- **Social Impacts Screening**, based on the generic impacts defined in the previous sub-chapter and based on templates that are included in the annexes of this ESMF;

- **Social Impact Assessment**, based on further analysis of specific impacts (e.g. possibility of damaging private properties), data will be gathered in more detail (interviews, consultations, measurements, technical advice, etc.);
- **Social Risk Management Plan** - the section identifies the measures taken to reduce the potential social risks, the budget allocated to the action, the responsible bodies (Gendarmerie unit, a specific department, contractor, other entity), relevant stakeholders, monitoring indicators, etc. The plan is incorporated into the overall ESMP, consulted publicly and then used to manage and monitor social risks during project preparation and implementation.

Table 4 Steps for conducting social risks assessment



**Step 1. Social screening checklist**

A preliminary social screening process has been implemented at the time of developing the framework document. However, technical solutions will only be confirmed during an expertise phase that will recommend, for instance, the demolition of existing

Social Safeguard specialist within GIRG-PIU will apply the checklist and prepare a report highlighting the main findings, further investigations and mitigation measures.

buildings or the extent of interventions, with impacts on the functionality of the selected Gendarmerie units. If demolition or structural consolidation is selected, further data collection is needed on the extent of impacts on the operations of the Gendarmerie Units, employees, neighbors, etc. This initial phase will surface the types of potential impacts expected and the additional data collection and assessment needed to define the mitigation measures. The responsible social expert(s) will prepare all the required safeguards documents.

The outcomes of the checklist analysis will be shared with the WB social safeguard expert and a decision will be made if a SIA will need to be performed.

### Step 2. Social Impact Assessment

If this initial screening reveals any adverse impacts that may require further investigation in order to define mitigation measures and due diligence, further analysis is required.

Social Safeguard specialist within GIRG - PIU will work on preparing the social impact assessment.

If significant impacts on persons, properties and or economic assets have been identified, then the social expert will undergo further data collection, by implementing surveys to assess potential losses/adverse impacts .

The impacts will be analysed following the matrix below:

Table 5 Matrix on severity and occurrence of social impacts

Impact severity		Occurrence probability				
		Unexpected but predictable	Rare	Possible	Expected	Expected and repeatable
1	Very low or no effect	1	2	3	4	5
2	Low	2	4	6	8	10
3	Average	3	6	9	12	15
4	High	4	8	12	16	20
5	Very high	5	10	15	20	25

Based on this categorization, the risk levels and their acceptability can be interpreted using the table below.



Table 6 Interpretation of social risk levels

Score	Risk level	Description
1-4	Low	Low Risks are largely acceptable, subject to reviews periodically, or after significant change.
5-12	Moderate	Moderate Risks should only be tolerated for the short-term and then only whilst further control measures to mitigate the risk are being planned and introduced, within a defined period. Moderate risks can be an entity's greatest risk, a very sensitive aspect, due to the fact that they can be tolerated in the short-term.
15-25	High	High Risks activities should cease immediately until further control measures to mitigate the risk are introduced.

For all identified negative impacts that fall under the category mentioned above appropriate mitigations measures will be defined under a **Social Risk Management Plan (SRMP)**.

**Step 3. Social Management Plan (incorporated in the overall ESMP)**

Relying on the information collected from the social assessment checklist and the SIA, a detailed plan should outline the main mitigation measures considered for every identified social impact (minor - as identified in the screening process, such as noise pollution, or a more adverse impact, such as losses to private property, resulting from additional data collection carried within the SIA).

Social safeguard specialists within PIU will work on preparing the ESMPs.

**4.3 GENERAL RECCOMENDATIONS IN RELATION TO SOCIAL RISKS**

This sub-chapter outlines a number of recommendations for different processes in project preparation and implementation that may have adverse impacts on communities and staff.

***Relocation of Gendarmerie Units***

- The relocation process is recommended for all types of works, especially where complex works are carried to rehabilitate or extend the current building;
- Where relocation to another building is chosen as a temporary solution (all buildings with demolition and partially from those operating rehabilitation and extension works) will be based on the development of a Relocation Plan, that will be included in the ESMP developed for each sub-project;

- The relocation process will involve the consultation of MoIA, local public authorities and other public bodies (e.g. Ministry of Defense) in order to identify a temporary location that can serve the same functions of the buildings that will undergo demolition and reconstruction/rehabilitation;
- In case a temporary site cannot be identified among public institutions, GIRG and MoIA will allocate funds for the rental of spaces/building that can serve the purposes of the specific unit;
- The relocation building/space will need to be equipped with all facilities that are pertinent to the delivery of services currently carried by the specific Gendarmerie unit that needs to relocate (office space, toilets, training room, internet, heating, showers, parking room for intervention fleet, dormitories, etc.);
- The relocation sites will need to be relatively close to the existing buildings, given the territorial area that needs to be covered by each unit involved in this project;
- The risks related to potential disturbances in the delivery of public service will be identified by PIU and consulted with GIRG management, MoIA, local authorities, GES, so that mitigation measures are identified and these risks are avoided or kept to a minimum;
- The staff that needs to be relocated will be consulted during the process and an assessment of PIU will determine if there any impacts on staff members that need to be addressed and mitigated during the process (e.g. increased commuting time or costs of commuting if relocation site is at a considerable location from the previous one)
- Shift Management should be used to avoid over-crowding of employees in new relocation sites;
- In cases where dormitories are present in the selected units, a special attention will be provided to the conditions of relocation sites, so that accommodation units are in line with the national requirements.
- The public will need to be informed in outreach campaigns, online and on site on the temporary location of the relocated Gendarmerie unit and petitioning details updated on the channels used by the Gendarmerie;

#### *Management of potential risks to neighboring properties and communities*

- Identify the socio-economic conditions of neighbors and the extent of the potential impact on their properties as resulted from the technical documentation and the permitting procedures;
- Involve social assistance specialist from local administrative units or NGOs where neighbors have difficulties in participating in consultations, negotiations, etc. (elderly or disabled persons, Roma communities, etc.);
- Assure that grievance mechanism is in place in all locations and that the general population and potentially impacted communities are aware of the right to raise their concerns and formulate petitions towards the project;

- Consult and collaborate with other institutions and organizations at local level to increase awareness on risks related to heavy traffic, including outreach programs in schools and vulnerable communities in the proximity of the project;

*Potential impacts in relation to socially vulnerable groups*

- Engage with Social Assistance Services and/or local NGOs that can support the dissemination of project information and potential risks to vulnerable communities (especially children);
- Assure that **capacity building programs** address the need to identify vulnerable communities living in informal settlements in the areas of operation of each specific units so that these groups are supported in cases of emergency situations, given the poor condition improvised houses, especially in relation to Roma communities;
- Adapt consultation and outreach programs to the specific needs of certain groups (minorities, blind persons, illiterate persons, etc.) where such cases are surfaced in project consultation practices;

*Inclusive building design and operation*

- The design of the new or rehabilitated buildings should take into account the provision of access routes and facilities for disabled persons, either citizens looking to access the public buildings in the future or potential future staff, in accordance with national norms and legislation;
- In relation to the equal opportunities for women, the new/rehabilitated facilities should account for the provision of separate locker rooms, showers, toilets and dormitories for women and the promotion of employment regardless of gender in Gendarmerie units; for this purpose, monitoring of gender distribution across GIRG and selected units should be in place during project implementation and operation;
- The design of the new buildings or extended buildings should take into account the mid to long term projections of staff increase (including estimates on increasing female employment) so that overcrowding of staff in the future is avoided;

## 5 ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANS

GIRG-PIU will follow the mechanism of development and execution of safeguards documents according to correlative list throughout all SPCEI development stages in line with the requirements of environmental/social legislation and the World Bank's safeguards policies.

The general recommendations and measures included under the risk mitigation tables in chapter 3 and 4 define the responsibilities of the PIU in relation to the provisions of the current ESMF and in addition to the local legal framework, such as the realization of plans, contracting or monitoring functions.

Based on this ESMF, an individual (site-specific) Environmental and Social Management Plan (ESMP) will be elaborated for each subproject, including the state of environmental and social appraisal, the activities ensuring environmental and social mitigation measures, institutional framework for preventative arrangements, environmental and social monitoring program as outlined under Annex 4 and with the use of templates provided in Annexes 5 and 6.

The ESMP will outline the mitigation, monitoring and institutional strengthening measures to be taken during project preparation, implementation and operation to avoid or eliminate negative environmental and social impacts. For projects of intermediate environmental/social risk (Category B) an ESMP may be an effective way of summarizing the activities needed to achieve effective mitigation of negative environmental/social impacts.

### *Site Specific Environmental Screening and Review*

As part of the ESMF/ESMPs, all project-supported activities for construction/demolition/rehabilitation of the GIRG buildings would be subjected to a site-specific environmental screening and review process, according to the requirements of the Environmental Protection Law. In accordance with the national legislation, the local environmental authorities have the obligation to submit an Environmental Agreement for the anticipated civil works. This process is based on the mitigation of site-specific environmental impacts and uses a standardized appraisal format that includes, but is not limited to the reviewing of:

- a) current environmental problems on respective site (soil erosion, water supply contamination, etc.);
- b) potential environmental impacts, if any, due to the project (disposal of waste from construction, waste handling and disposal, construction noise and dust etc.);
- c) any cultural assets that might be found in the place of construction, and
- d) potential pedestrian and vehicle traffic disruption and associated public safety risks.

For typical small-scale reconstruction activities included under this project, ESMP Checklists will be use and will also cover typical preventive and mitigation approaches to common civil

works contracts with small-scale, local impacts. It is anticipated, that this format would provide the key elements of a safeguards document to meet EA requirements of the World Bank's policy (OP/BP 4.01).

### *Supervision*

The environmental impacts including mitigation measures should be supervised periodically by the GIRG-PIU and local staff undergoing rehabilitation works.

No unusual environmental impacts related to construction activities are anticipated under the proposed program given the relatively small size of most of the investments and the localization of selected buildings in existing developed urban areas. These investments are expected to be environmentally beneficial since they will be following new improved planning and design standards; there is no expected large scale, significant and/or irreversible impacts for any of the buildings included in the project.

The potential negative environmental impacts are expected to be localized and be mitigated during the implementation stage. In addition, there are environmental and social regulations in force in Romania, which make control and supervision of construction works mandatory. For instances, contracts will include clauses for appropriate disposal of construction debris, including hazardous materials that may be encountered during implementation. Existing regulations will be transposed in procurement documents specifying that no environmentally unacceptable materials can be used. The environmental management guidelines included in Annex 7 should be provided to contractors engaged in civil works under the project, and should be made an integral part of the civil works contracts.

## 6 INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

The overall responsibility for implementing the provisions of the current ESMF lays with the GIRG-PIU dedicated for this project. GIRG-PIU will have a detailed TOR for project management, and will be staffed, among others, with procurement specialists and civil works engineers who will be primarily focusing on Component 1. Plans for each GIRG building to be rehabilitated will include measures to ensure that the social and natural environment is not negatively affected during the project cycle. Proponents of buildings rehabilitation/demolition/reconstruction/new construction will have the responsibility to prepare the application file by taking the following steps:

- prepare all legally required technical documentation; this documentation should also contain description of the internal monitoring system;
- request an Urbanism Certificate from the Local County or the County Council or the MoIA (under the internal procedure for issuing such certificates);
- obtain all approvals specified within such Urban Certificate;

GIRG-PIU will create monitoring arrangements for environmental and social aspects of the approved projects during the whole project lifecycle. During project implementation, GIRG-PIU will have overall supervision responsibility for ensuring that the measures indicated in the ESMF/ESMPs are being properly performed.

The GIRG-PIU in collaboration with the local authorities of the selected buildings, will perform the environmental monitoring during both construction and operation phases, as specified in the monitoring plan of the ESMPs. The project will rely on the Romanian laws (fully aligned with the EU environmental acquis) governing the process for environmental permitting and review.

Major environmental and social issues concerning project implementation (e.g. in case of accidents) will be addressed by the involvement of designated authorities concerning the specific issues, with the support of the GIRG-PIU and the close involvement of the WB.

Each ESMP will be monitored by environmental and social specialists, either as part of the PIU team or as external consultants. Given the complexities of long term implementation and monitoring arrangements, environmental specialists should have relevant sectorial experience. Appropriate training on Bank safeguards will be provided under the SPCEI to PIU team, GIRG relevant staff, contractors, and community representatives throughout project preparation and implementation phases.

For social expertise, public engagement and outreach functions are the most relevant. In this respect, the GIRG and each unit involved in the project, benefit from the presence of public relations officers that are responsible with public information and internal grievance mechanism, in relation to current legislative framework in Romania. However, capacity

building or external expertise is needed in carrying social risk management at the level of the PIU, but also in relation to meaningful consultations with communities, vulnerable groups, internal staff members, and for monitoring social impacts during project preparation and implementation.

*Establishment of Environmental and Social Expertise within GIRG-PIU.*

E&S Specialists within GIRG-PIU will be responsible for full coordination and supervision of the environmental and social plans and risk mitigation measures undertaken within the project. The Specialists will work in close coordination with supervision project coordination staff and technical staff and will:

- a) coordinate environmental and social risk management training/orientation for staff, designers and local contractors;
- b) disseminate existing environmental and health and safety management guidelines and develop guidelines in relation to issues not covered by the existing regulations (e.g. proactive public engagement with neighboring communities and institutions), in line with the Bank and EU best practices for implementation, monitoring and evaluation of mitigation measures;
- c) ensure that contracting processes for construction works and supply of equipment include reference to appropriate guidelines and standards; and
- d) conduct periodic site visits to inspect and approve plans and monitor compliance.

GIRG-PIU experts will also be responsible for ensuring the WB safeguards are properly and effectively covered during the project implementation. Safeguards implementation capacities should be strengthened through identification of missing competencies (knowledge, skills, attitudes) for which dedicated trainings will be developed and implemented. This should also ensure equal opportunities with regard to the gender dimension.

## 7 GRIEVANCE REDRESS MECHANISM

Communities and individuals that are adversely affected by a WB supported project may submit complaints at the level of existing institutional redress mechanism including the MoIA's Public Relations Department, the GIRG Public Relations Department or the WB's Grievance Redress Service (GRS).

To address a request or complaint to GIRG units rely on either a direct address to the institution, fax or an online form to be completed (request or complaint) on the institution's website. In either case, these type of requests or complaints are treated under the Law no. 544/2001 regarding the free access to public information and Law 233/2002 regarding the right to submit petitions .

Additional to the existing GRM, GIRG units that are part of this program have a petitioning system at local level accessed either mail, email or online forms. For the purpose of the SPCEI the GIRG could consider implementing a project specific GRM that would include the following components:

- A printed form available at GIRG territorial units that could be filled in and submitted to the local public relations office or GIRG PR office;
- Site/Building level Grievance Lodge ( Box) for the public to submit their grievances and proposals.
- A dedicated page on the GIRG website with information on the project and a complaint/suggestion form;
- A monitoring system that categorizes all project related petitions at local and central level;

A responsible person or department (Public Relations Officer/Desk) is currently present at the level of each GIRG unit and deals with centralizing and answering the complaints/requests locally. These persons/departments will register all project related complaints and a centralized version of these complaints/suggested will be elaborated by the social specialist within GIRG-PIU, with the support of GIRG PR department.

This project-specific GIRG would allow for a quick reaction to any complaints/suggestions, ensuring that project's externalities (both, positive and negative) are timely and properly addressed.

Romania is in line with the General Data Protection Regulation and petitions are dealt in a manner that assures the protection of personal information.

The petitions may be submitted to the

- MoIA Public Relation Department:  
Piața Revoluției nr.1 A, sector 1, București  
Phone: 021/264.87.05  
Fax: 021/264.86.77



email: [petitii@mai.gov.ro](mailto:petitii@mai.gov.ro)

- General Inspectorate of Romanian Gendarmerie

Str. Jandarmeriei nr. 9 -11, sector 1, București, postal code 013894

Phone: 021.409.65.34

Fax: 021.319.80.41

Email: [petitii@jandarmeriaromana.ro](mailto:petitii@jandarmeriaromana.ro)

### **World Bank GRS**

The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. The project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

## 8 MONITORING AND SUPERVISION

The monitoring will be performed by the GIRG- PIU team based on the monitoring guidelines presented in Annex 5.

A regular monitoring by the GIRG-PIU is required to ensure that ESMF requirements are being implemented adequately. This monitoring should involve all components and will include the environmental indicators presented in the annexes and the following social indicators:

- Number of complaints registered, resolved and pending for each sub-component
- Training needs identified for different components
- Total number of trained persons
- Number of women that participated at trainings
- Number of public consultations conducted
- Number of persons/institutions engaged during consultation processes
- Number of neighbors affected by damages to their properties and that receive compensatory actions
- Number of occupational accidents during construction works
- Number of incidence of traffic accidents due to construction works

Based on these indicators the GIRG-PIU will prepare monthly progress reports with regard to ESMF/ESMP implementation.

## 9 PUBLIC CONSULTATIONS AND DISCLOSURE

Public consultation and disclosure of all relevant information in relation to project will be an essential part of ensuring that all environmental and social risks are avoided or reduced to a minimum. Romanian legislation and WB provisions support the disclosure of the current ESMF and the site-specific ESMPs for public consultation, so that any concerns in relation to the approach, risk identification process and mitigation measures are dealt from an early phase of project preparation and implementation.

Relevant stakeholders have been identified throughout this document and engagement and consultation actions have been proposed for all processes that involve E&S risks identification and mitigation. Stakeholders range from institutions that are responsible with the implementation of relevant E&S legislation in Romania, staff members, neighbours and affected communities, general population, etc.

On November 22, 2018, the current ESMF was the subject of a public debate organised by the GIRG. The meeting was organised following a 10 days consultation process that involved the disclosure of the ESMF on the websites of GIRG and other territorial units (on the 9<sup>th</sup> of November 2018) and the intake of potential suggestions or grievances. The list of participants can be found in Annex 11.

The public debate included the presentation of the role of the Gendarmerie in emergency situations, the project objectives and components, and process and example related to the management of environmental and social risks. Presentations were given by the head of GIRG, Colonel Sindile Ionuț Cătălin, and by the project manager, Brancoveanu Marian.

Two suggestions were forwarded by one of the participants in relation to changing the name of the project so its purpose is better understood and in relation to shifting some of the monitoring functions (hazardous waste, work related accidents, execution of works, and others) from the PIU to the territorial units benefiting from investment, as outlined in the disclosed ESMF. The two remarks were noted down and analysed in the realisation of the final ESMF document.

There were no suggestions or comments received during the disclosure period of the ESMF.

At the time of elaborating subproject site-specific ESMPs, the documents will be disclosed at central level in Bucharest and in each related subproject area. The disclosure process will include:

- preparing a brief leaflet with information about the project and details about the constructions activities, period, impacts, etc. for each site included in the project
- if an Environmental Impact Assessment will be conducted, this will follow and perform all the public disclosure activities as required by the environmental authorities.
- GIRG-PIU will oversee the organisation of public consultations for communities that may be impacted by subproject before finalization of Site Specific Environmental and Social Management Plans. As described in previous chapters, the potentially affected groups

will be identified (e.g. near-by residents) in the preparation phase. Other stakeholders may include: representatives of local NGOs, central/local environmental authorities, worker unions, etc.

- The same process as entailed for the disclosure and consultation of the current ESMF will be applicable at the level of each ESMP: (i) disclosure of the document with minimum 10 days before the public consultation, and (ii) the information related to the purpose, location and timing of the consultation will be made public in due time;
- Public consultations will take the form of meetings, allowing for the sub-project to be presented in detail and for any interested parties to raise their concerns or make suggestions to improve the process; where vulnerable persons (e.g. disabled, elderly) will be identified as potential affected parties, arrangements to consult them will take into account their condition (e.g. household visits);
- Once consulted and finally approved, each ESMP will be disclosed at the level of GIRG and each sub-project, by means that take into account the local context.

# ANNEX 1. LEGAL AND INSTITUTIONAL FRAMEWORK ON EIA

## International Laws

1. Article 11(2) of Romania's Constitution (as revised by Law No. 429/2003) provides that treaties ratified by Parliament according to the law are part of national law.
2. The following treaties to which Romania is party relate to the protection of natural habitats:
  - Ramsar Convention on Wetlands (Ramsar, 1971), ratified by Romania on 21/9/91.
  - The Danube Delta and Small Island of Braila have been designated as Ramsar Sites.
  - Convention on the Conservation of Migratory Species (Bonn, 1979), ratified by Romania on 1/7/98.
  - Convention on Biological Diversity (Rio de Janeiro, 1992), ratified by Romania on 17/8/94.
  - Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979). Accession by Romania on 18/5/93.
  - Convention concerning the protection of the World Cultural and Natural Heritage (Paris, 1972). Accession by Romania on 16/5/90. Several areas, including the Danube Delta are designated as UNESCO World Heritage Site.
  - Danube River Protection Convention signed in 1994.
3. On environmental assessment, relevant treaties ratified by Romania include:
  - UN/ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus, 1998), ratified by Romania by Law no.86/2000.
  - Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991), ratified by Romania by Law no.22/2001.
4. The following treaties ratified by Romania relate to cultural property:
  - European Convention on the Protection of the Archaeological Heritage (revised) (Valetta, 1992), ratified by Romania 20/11/97.

- Convention concerning the protection of the World Cultural and Natural Heritage (Paris, 1972). Accession by Romania on 16/5/90. Several areas, including the Danube Delta are designated as UNESCO World Heritage Site.

#### European Union's "*acquis communautaire*"

##### 5. Relevant legal texts include:

- Treaty concerning the Accession of the Republic of Bulgaria and Romania to the European Union, signed by the EU Member States and Bulgaria and Romania in Luxembourg on 25 April 2005.
- Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union (Annex VII; list referred to in Article 20 of the protocol; transitional measures, Romania; Section 9 on environment).

#### *Environmental Assessment*

- Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.
- Directive 2001/42/EC on Strategic Environmental Assessment.

#### *Pollution Prevention and Control; Integrated Permitting*

- Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control).

#### *Waste Management*

- Council Directive 1999/31/EC of 26 April 1999, on the landfill of waste.
- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.
- Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste.
- Council Directive 86/278/EEC of 12 June 1986, on the protection of the environment, and in particular the soil, when sewage sludge is used in agriculture (as amended by Directive 91/692/EEC, EC No. 807/2003 of 14 April 2003, EC No. 219/2009).
- Council Directive 94/62/EC of 20N December 1994 on packaging and packaging of waste (as implemented by Commission Decisions 97/129/EC and 97/138/EC and amended by Directive 2004/12, Directive 2005/20, Regulation 219/2009, Directive 2/2013, Directive 720/2015).

### *Water and Waste Water*

- Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Commission Directive 98/15/EC, Regulation 1882/2003, Regulation 1137/2008, Directive 2013/64/EU.
- Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption as amended by Regulation 1882/2003, Regulation 596/2009.
- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.
- Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community.

### *Nature Protection*

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna.

### *Air Quality*

- Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.

### **Romanian Law**

- Relevant Romanian law includes the following:

### *Environmental Assessment*

- EGO 195/2005 on environmental protection, approved by Law no.265/2006. Framework Law on Protection of the Environment.
- GD 445/2009 (published in M.Of no. 481 of 13/07/2009). Framework procedure for environmental impact assessment, and approval of list of public and private projects subject to this procedure.
- MO 135/2010 (published in M.Of. no. 274 of 04/27/2010). for approval of the EIA application methodology.
- MO 863/2002 (published in M.Of. no. 52 of 01/30/2003). Guidelines on EIA methodology (screening, scoping, and review of study).
- MO 864/2002 (published in M.Of. no. 397 of 06/09/2003) on procedures and public consultation in case of transboundary impacts.
- MO 1026/2009 (published in M.Of 562 on 08/12/2009) approval of the conditions for the development of the environmental report, EIA and other environmental documentations, .

- MO 1798/2007 (published in M.Of. 808 on 11/27/2007) Methodology for the environmental permit issuance.

#### *Strategic Environmental Assessment*

- GD 1076/2004 (published in M. Of nr. 707 of 05.08.2004) on procedures for environmental assessment of plans and programs.
- MO 995/2006 on the list of plans and programs subject to the environmental assessment procedure.

#### *Nature Protection*

- EO 57/2007 regarding the protected natural areas and the conservation of natural habitats, wild flora and fauna.
- GD 230/2003.
- MO 552/2003.
- MO 1052/2014.

#### *Waste, Waste Water, Air and Noise Pollution*

- MO 662/2006 for the approval of the procedure and competencies for issuing water management permits and authorizations
- Water Law 107/1996 with subsequent modifications
- MO no. 1012/ 2005 for the approval of the procedure for public information access related to the water management field
- MO no. 1182/2005 MoEWM and 1270 /2005 MoAFRD for the approval of the Code of the agricultural good practices for the protection of the waters against pollution with nitrates from agricultural sources, as it was amended by MO 990/2015.
- MO no. 296/216/2005 regarding the framework Program of actions for the elaboration of the action programs in vulnerable zones at the pollution with nitrates from agricultural sources
- MO no. 242/197/2005 regarding the monitoring system of the sole from the vulnerable and potential vulnerable zones
- Law 458/2002 regarding drinking water quality, republished
- GD 974/2004 on inspection and monitoring of drinking water
- GD 349/2005 regarding management of solid waste
- GD 188/2002 for the approval of certain norms concerning the conditions of discharging waste water into the aquatic environment



- GD 235/2007 regarding management of oil waste
- Law 249/2015 regarding management of packaging and packaging of waste
- GD 856/2002 regarding records of disposal and collection of solid waste and approval of list including hazardous waste
- Law 211/2011 regarding solid waste
- Law 104/2011 regarding ambient air quality.
- GD 1470/2004 regarding approval of National strategy for solid waste management and National Plan for solid waste management.

*Cultural Property*

- Law 422/2001 on protection of historic monuments, republished
- GO 43/2000 on protection of the archaeological heritage, republished

Law 150/1997 ratification of the European Convention on the Protection of Archeological Heritage (Valetta, 1996).

## ANNEX 2 . ROMANIAN LICENSING AND PERMITTING PROCEDURES

### Introduction

In conformity with Emergency Ordinance for Environmental Protection No.195/2005 including the respective updates - the Governmental Decision No. 445/2009, and the MO No. 863/2002 and 135/2010, the decision making process of the EIA regarding the issuance of the Environmental License to construct and the Environmental Permit to operate is well developed. The Environmental Protection regulation sets out the EIA requirements and principles; the GD 445/2009 sets out the procedures, while the OM 863/2002 and 135/2010 present in detail the procedures for EIA and for issuing the environmental license.

Based on the Romanian law, any development of a new facility or modification of an existing one requires the approval of an EIA before the environmental license (environmental agreement) and permit to operate (environmental authorization) is approved by LEPAs. For any activities not covered in the list of mandatory EIA (Annexes I and II of the GD no. 445/2009), the LEPAs use selection criteria to determine whether such activities could have a significant environmental impact. Existing facilities require an environmental permit from the LEPAs, which includes assessment of compliance with the environmental standards (e.g., conditions related to air, water, and soil reflecting existing standards).

The GD 445/2009 presents the steps of the procedure, the requirements that the physical or legal certified persons to prepare the impact studies, and the list of activities which are subject to the EIA procedure. Overall, the EIA procedure includes a screening stage, a scoping stage, and a validation stage.

Procedures for Receiving an Environmental License to Construct (or the Environmental Agreement)

The procedure for issuing the environmental license to construct is described in detail in the following steps and briefly presented in the flow chart.

**Step 1. The initial screening of the new project/investment**

This is determined by the local EPA responsible for the location (commune, city) where the investment will develop. When requesting the Environmental License to Construct, *the Beneficiary is responsible to present to the local EPA or MEWF a Technical File* including the following documentation:

- Request Form of the EA in conformity with the MO No. 135/2010; this request is attention to the local EPA or to the MEWF depending on the geographical location of the project;
- Urban Planning Certificate and the corresponding licenses and permits (obtained at the level of Feasibility Study) based on the corresponding law;
- Contracts with the local solid waste company for collection of the solid wastes and with "*Apele Romane*" for water supply and sewage discharges (other authorizations from local utilities may be required based on necessity);
- Technical Memorandum (standard form) in conformity with Annex .2 of the MO No. 1798/2007 (prepared by the Consultant/Firm that developed the Feasibility Study);
- Technical Note (standard technical form) in conformity with the OM No. 839/2009 (prepared by the Consultant/Firm that developed the Feasibility Study);
- Fee (differs depending on the stage of the EA process);
- Public announcement/debate regarding the request to obtain the Environmental Permit in conformity with Annex 3 of the MO No. 1798/2007.

Within the EPA, a Technical Review Committee (TRC) is formed, which includes members of the local EPA, the National Environmental Guard (NAG), the National Water Administration "*Apele Romane*", Sanitary and Urban Institutes and those authorities responsible for environmental permits authorizations. The TRC members analyze the documentation presented within the Technical File and issue one of the following three classifications of the project investments: (i) activities are of insignificant environmental impact and therefore the project is NOT subject to environmental procedure; (ii) activities are of low environmental impact and the simplified licensing procedure will apply; and (iii) activities are of significant environmental impact and the full environmental permitting procedure will apply. Furthermore, (for cases (ii) and (iii)) the EPA authorities together with the members of TRC and the Beneficiary are visiting the site of the future investment to: (i) verify its location as presented in the Technical File; and (ii) complete the List of Control developed according to the OM No. 863/2002.

## Step 2. EIA Report Preparation

The EPA reviews and approves the List of Control which includes the conclusion presented by the TRC, based on which documents it announces the Beneficiary of his obligation to develop the EIA study (the impact study).

*The Beneficiary* is obliged to:

- Prepare the EIA report in conformity with the OM No. 863/2002. The EIA report should be developed only by physical persons or consulting firms independent of the Beneficiary and the person who developed the Feasibility Study, that are accredited for developing such technical studies for Infrastructure Projects/Investments including the legal conditions stipulated in the OM No. 1026/2009;
- Hire based on contract and competition through expression of interest/invitation to submit proposals process the firm/physical person who will develop the EA report;
- Prepare and sponsor the public announcement of the definition of the project (this is the 2nd public information in the EIA process approval);

### Step 3. The Review of the EIA Report

At this stage, the EPA is in charge with the following steps: (i) completes the List of Control for the EIA Report analysis process; (ii) prepares the Public Consultation; and (iii) communicates the results to the Beneficiary.

*The Beneficiary* is obliged to:

- Present to the local EPA the EIA report, with the help of the consulting firm that developed the EIA;
- Prepare and launch the public consultation in the presence of those affected, NGOs, or interested persons including presentation of the project and the EIA Report during of a public debate;
- Evaluate the discussions and conclusions received during the public consultation;
- Reply to the public comments and requests with a valid technical solution.

### Step 4. Decision and Approval of the Environmental License to construct

The EPA issues the Environmental License to start construction of the investment within 30 days after the final decision.

*The Beneficiary* is obliged to:

- Announce the public about the approval of the Environmental License;
- Request of Environmental Permit to Operate

**Additional points:**

- The EIA report is prepared at the level of the project's Feasibility Study, in conformity with GD No. 445/2009;
- The minimum information presented by the Beneficiary during the request to obtain the Environmental License should be also completed based on conditions recommended by the foreign donors (EBRD, WB, EIB) and/or as required by the EU legislation and the Romanian legislation in force;
- For those investments obtained through ISPA or SAPARD funds, the conditions during the project operation established through the Environmental Permit will take in consideration the limits of the pollutants' discharges required by the EU and Romanian legislation. However, the national limits will prevail if they are more restrictive than those imposed by the EU legislation.
- The Environmental License is valid during the entire period of the project construction, but will expire if the investment works will not start in maximum 2 years from its approval. During the period of investment constructions, the local environmental protection authorities will monitor those conditions imposed by the Environmental License (please note detailed information on the monitoring process in the next section);
- The Beneficiary is obliged by law to inform the environmental protection authorities in writing any time when there is a significant modification of the initial conditions of the project based on which the current Environmental License was issued.

**Procedures for Obtaining an Environmental Permit to Operate**

The Environmental Permit to Operate investments with significant impact on the environment is issued by the EPA in conformity with OM No. 1798/2007. The local EPA together with the local National Environmental Guard as well as representatives of National Agency "Apele Romane" is inspecting the site after construction and issue a technical note with observations at the site (e.g., Environmental Audit).

The Environmental Audit of existing facilities is carried out only by certified persons paid by the Investor and includes: (i) a checklist including characteristic elements of the investment; (ii) an environmental study including data collection and technical review of all environmental aspects, before taking a decision on the scale of potential or existing environmental impacts from the site; and (iii) site investigations to quantify the potential scale of contamination of the site. Compliance programs are usually required based on the result of the environmental audit.

*The Beneficiary* is in charge with:

- Request the Environmental Permit to the local EPA;
- Prepare a *Technical File* as in the previous case;
- Announce the public about the request to start operations;
- Annual renewal of the permit once it is issued (it is valid for 5 years).

Standards (ambient and emission limits) are usually followed to comply with the environmental protection as requested by EU. Currently there are ambient standards for air, noise, waste and discharges of certain substances in the water.

Monitoring capacity during the Construction Period and After the Issuance of the Environmental Permit to Operate

During constructions, LEPAs together with the NGA and "Apele Romane" are in charge with visiting the site of the project and inspecting the environmental compliances stipulated in the Environmental License and Environmental Permit.

The NGA inspectors may accompany the LEPAs' inspectors for site visits according to an inspection program. Following the site visit and checking the compliance, the inspectors prepare a report based on which they may advise the operators on how to meet standards and permit conditions. If a facility/project does not comply with relevant standards, it will first receive a warning from the inspector followed by a certain amount of time necessary to take care of the steps that comply with the permit.

### Implementation of EMP

The environmental impact mitigation and monitoring activities will be carried out in parallel with the construction activities. As these are existing facilities that are already under operation, the project will not monitor operations after implementation of the retrofitting activities.

**Collection of Data:** monitoring data will be collected by Local Consultants/Private companies accredited by MoE on monthly basis, with monthly reports.

**Analysis of Data:** will be carried out by the Environmental specialist. The results of the analysis will be used to check the effectiveness of mitigation measures, and if required, to revise/modify the mitigation plan.

**Reporting:** environment specialist on quarterly basis will prepare the report of monitoring data.

## ENVIRONMENTAL MANAGEMENT PLAN

### A. MITIGATION PLAN

			Cost	Institutional Responsibility	Comments
Phase	Issue	Mitigating Measure	Operate	Install                      Operate	
1	2	3	5	6	7
I. Design and Planning	Infrastructure services	All buildings already exist and are connected to existing infrastructure networks.	NA	NA	
II. Construction	Dust raised at the construction sites, and from material carrying trucks.	During dry periods sprinkle the roads with water (Law of Environment Protection nr.137/1995, art.61, a - maintaining the cleaning of the streets)	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	

	<p>Noise generated by construction machinery</p>	<p>-Compliance with the Law of Environment Protection nr.137/1995, art.43, d; art.47, e</p> <p>technical regulations concerning phonic threshold and noise limitation</p> <p>special measures and endowments for phonic isolation and protection of the noise and vibrations sources</p> <p>- According to STAS 6161/1-79 the maximum level of the noise is 50 dB (A), measured outside, at 2 m from the construction area</p> <p>- Allowed only during normal working hours</p>	<p>Covered by construction budget</p>	<p>Contractors that obtain from the local authorities the environment license for each construction site</p>	
	<p>Disposal of non-hazardous wastes in compliance with the Law of Environment Protection nr.137/1995, art.23</p>	<p>a) Collection at special designated temporary locations, properly enclosed in the construction sites</p>	<p>Minor and covered by construction budget</p>	<p>Contractors that obtain from the local authorities the environment license for each construction site</p>	
		<p>b) Transport and disposal to landfill areas of the municipalities, that are licensed by the local authorities</p>	<p>Covered by construction budget</p>	<p>Contractors that obtain from the local authorities the environment license for each construction site</p>	



		c) Possible recycling of excavated non-hazardous materials; i.e. utilization of excavated soil for landfills	Covered within construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
	Disposal of hazardous wastes (such as asbestos, leaded paints, etc.) in compliance with the Law of Environment Protection nr.137/1995, art.23	a) Collection at special designated temporary locations, properly enclosed in the construction sites, but separated from the non-hazardous wastes	Minor and covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		b) Identification, handling and disposal of hazardous construction materials in compliance with Law nr.426/2001 for the approval of the <b>Government Ordinance nr.78/2000 on waste treatment, 19 - Waste handling</b>	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	
		c) Transport and disposal to landfill areas of the municipalities, that are licensed by the local authorities	Covered by construction budget	Contractors that obtain from the local authorities the environment license for each construction site	

	Pedestrian traffic disruption	Planning of traffic on the sidewalks and placing of appropriate traffic signs. (Only in the case of the buildings bordering the public domain)	Covered construction budget	Contractors	
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## B. MONITORING PLAN

Phase	What parameter is to be monitored?	Where is the parameter to be monitored?	How is the parameter to be monitored?	When is the parameter to be monitored?	Why is the parameter to be monitored?	Cost		Responsibility
						Install	Operate	Install and operate
1	2	3	4	5	6	7	8	9
I. Planning and Design	This phase has already been completed by taking into consideration the mitigation measures mentioned in "Mitigation Plan"							

II. Construction	Dust	At construction sites	Visual	On daily basis	To assure compliance with the Law of Environment Protection nr.137/1995, art.43 a and e and to mitigate any potential negative environmental impacts	NA	Project budget	Environmental specialist
	Noise	Near construction sites	Sound meter (noise-measuring meter) used by the County Office of MoEnvironment	During construction activities	To assure compliance with the Law of Environment Protection nr.137/1995, art.43, d; art.47, e and to mitigate any potential negative environmental impacts	NA	Project budget	Environmental specialist.
	Disposal of non-hazardous wastes	<ul style="list-style-type: none"> <li>- At the temporary store site</li> <li>- Check the contractors license</li> </ul>	Visual	<ul style="list-style-type: none"> <li>- On weekly basis</li> <li>- Every three months</li> </ul>	To assure compliance with the Law of Environment Protection nr.137/1995, art.23 and to mitigate any potential negative environmental impacts	NA	Project budget	Contractors that obtain the environment license for each construction site from the local authorities.

	Disposal of hazardous wastes	<ul style="list-style-type: none"> <li>- At the temporary store site</li> <li>- Check the contractors license</li> </ul>	Visual	<ul style="list-style-type: none"> <li>- On weekly basis</li> <li>- Every three months</li> </ul>	To assure compliance with the Law of Environment Protection nr.137/1995, art.23 and to mitigate any potential negative environmental impacts	NA	Project budget	Contractors that obtain from the local authorities the environment license for each construction site  Relevant municipalities
	Material supply	<ul style="list-style-type: none"> <li>- At the quarries and concrete plants</li> <li>- In the bidding documentation it is a certification that no hazardous materials such as asbestos or leaded paints are supplied</li> </ul>	Designer's review of the licenses and inspection of quality	Before the construction begins	To mitigate potential negative impacts	NA	Project budget	Environmental specialist

## ANNEX 3. SAFEGUARDS POLICIES OF THE WORLD BANK

Below are the key extracts from OP that give the idea of preventive mechanisms of the World Bank and help to understand and analyze information on environmental, social and legal policies.

### OP 4.01 Environmental Assessment

EA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. EA evaluates a project's potential environmental risks and impacts in its area of influence; examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project implementation.

EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and physical cultural resources); and transboundary and global environmental aspects.

EA considers natural and social aspects in an integrated way. EA is initiated as early as possible in project processing and is integrated closely with the economic, financial, institutional, social, and technical analyses of a proposed project

### OP 4.04 Natural habitats

The Bank promotes and supports natural habitat conservation and improved land use by financing projects designed for environmental conservation. The Bank promotes the rehabilitation of degraded natural habitats and does not support projects that involve the significant conversion or degradation of critical natural habitats.

### OP 4.09 Pest Management

In assisting borrowers to manage pests that affect either agriculture or public health, the Bank supports a strategy that promotes the use of biological or environmental control methods and reduces reliance on synthetic chemical pesticides.

The Bank requires that any pesticides it finances be manufactured, packaged, labeled, handled, stored, disposed of, and applied according to standards acceptable to the Bank. The FAO's Guidelines for Packaging and Storage of Pesticides (Rome, 1985), Guidelines on Good Labeling Practice for Pesticides (Rome, 1985), and Guidelines for the Disposal of Waste Pesticide and Pesticide Containers on the Farm (Rome, 1985) are used as minimum standards.

### OP 4.11 Physical Cultural Resources

This policy addresses physical cultural resources, which are defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources include everything that remained after ancient inhabitants (holy places and battlefields) and unique natural sites such as waterfalls and canyons.

The Bank does not support projects threatening cultural resources that are property of population. The Bank supports only those projects that are located or designed in such a way as to prevent damage to the environment.

#### **OP 4.36 Forests**

Management, protection and sustainable development of forest ecosystem and its resources are necessary for reducing poverty and sustainable development.

The Bank does not finance plantations that involve any conversion or degradation of critical natural habitats due to potential risk to biodiversity.

The Bank may finance harvesting operations conducted by small-scale landholders, by local communities under community forest management, or by such entities under joint forest management arrangements, if these operations:

- (a) have achieved a standard of forest management developed with the meaningful participation of locally affected communities, consistent with the principles and criteria of responsible forest management; or
- (b) adhere to a time-bound phased action plan to achieve such a standard. The action plan must be developed with the meaningful participation of locally-affected communities and be acceptable to the Bank.

#### **OP 4.37 Safety of dams**

The Bank distinguishes between small and large dams. Small dams are normally less than 15 meters in height. This category includes, for example, farm ponds, local silt retention dams, and low embankment tanks. For small dams, generic dam safety measures designed by qualified engineers are usually adequate.

#### **OP 7.50 Projects on international waterways**

This policy applies to the following types of international waterways: (a) any river, canal, lake, or similar body of water that forms a boundary between, or any river or body of surface water that flows through, two or more states; (b) any tributary or other body of surface water that is a component of any waterway described in (a) above.

This policy applies to the following types of projects: hydroelectric, irrigation, flood control, navigation, drainage, water and sewerage, industrial, and similar projects that involve the use or potential pollution of international waterways as described above.

#### **OP 7.60 Projects in disputed areas**

Projects in disputed areas may raise a number of delicate problems affecting relations not only between the Bank and its member countries, but also between the country in which the project is carried out and one or more neighboring countries. In order not to prejudice the position of either the Bank or the countries concerned, any dispute over an area in which a proposed project is located is dealt with at the earliest possible stage.

Document references to OP WB, Procedures for Environmental Assessment of WB and Environmental Protection Policy of WB are presented below.

## ANNEX 4 CONTENT OF AN ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN AND MONITORING PLAN

An Environmental and Social Management Plan (ESMP) outlines the mitigation, monitoring and institutional strengthening measures to be taken during project implementation and project operation phases to avoid or eliminate negative environmental/social impacts. For projects of intermediate environmental risk (Category B) an ESMP may be an effective way of summarizing the activities needed to achieve effective mitigation of negative environmental/social impacts.

The format in this annex provides a model for development such an ESMP. The model divides the project cycle into two phases: construction, and operation. For each phase, the preparation team identifies any significant environmental and social impacts that are anticipated based on the analysis done in the context of conducting an environmental and social review or preparing an environmental assessment, including social aspects (if required). For each impact, mitigation measures are identified and listed. Estimates are made of the cost of mitigation actions broken down by estimates for implementation (investment cost) and operation (recurrent cost). The ESMP format also provides for the identification of institutional responsibilities for implementation and operation of mitigation devices and methods. The content of the ESMPs should be structured as follows:

- General project and sub-project information
  - Project information
  - Types of investment envisioned
  - Timeline of the project
- Socio-economic context
  - of the areas of operation and
  - area next to the selected location)
  - neighbors next to the building
- Environmental and Social Risk and Mitigation Measures
  - Results of screening and permitting processes
  - Key environmental and social aspects
  - Table of risks/impacts and mitigation measures
  - Impact matrix (severity, occurrence)
- Institutional arrangements



- Definition of roles and responsibilities on each mitigation action (PIU/Unit/Contractor)
- Responsibilities within the sub-project team
- Needs assessment and training plan (H&S, public outreach, environment, safeguards)
- Monitoring plan for risks/mitigation measures
- Grievance Redress Mechanism (project-based system in place, forms, registration, centralization, box)
- Public consultations and disclosure
  - Stakeholder mapping (institutions, civil society, and citizens)
  - Consultation and other engagement actions plan
  - Project information disclosure

In case where relocation is involved, the ESMP will include, as an separate document in an annex, a Relocation Plan, that will work on similar structure as an ESMP, as follows:

- Project background and timeline
- Relocation site needs assessment results
- Consultation process (General Inspectorates, Local authorities, DES, GIES, employees, unions, Road Police)
- Process of relocation (timeline, resources, acquisitions, logistics)
- Risks and mitigation measures
- Monitoring
- Institutional arrangements
- Public disclosure

To keep track of the requirements, responsibilities and costs for monitoring the implementation of environmental/social mitigation identified in the analysis included in an environmental review or assessment for Category B projects, a monitoring plan may be useful. A format is provided in this annex. Like the ESMP, the project cycle is broken down into two phases (construction and operation). The format also includes a row for baseline information that is needed to achieve reliable and credible monitoring. The key elements of the matrix are:

What is being monitored?

Where is monitoring done?

How is the parameter to be monitored to ensure meaningful comparisons?

When or how frequently is monitoring necessary or most effective?

Why is the parameter being monitored (what does it tell us about environmental impact)?

In addition to these questions, it is useful to identify the costs associated with monitoring (both investment and recurrent) and the institutional responsibilities. When a monitoring plan is developed and put in place in the context of project implementation, GIRG-PIU will request reports from the local implementation actors (supervising engineers, contractors etc.) at appropriate intervals, and include the findings in its periodic reporting to the World Bank; in addition, GIRG-PIU will make the findings available to Bank staff in the course of implementation support missions.

Environmental & Social Management Plan

(subproject, location, description)

Environmental and Social Elements	Impacts	Proposed mitigation measures <sup>4</sup>	Institutional responsibility for mitigation	Cost of mitigation activities <sup>5</sup>
<b>Construction period</b>				
<i>Physical Environment</i>				
Soils				
Water Resources				
Air Quality				
<i>Biological Environment</i>				
Fauna and Flora				
<i>Social Environment</i>				
Aesthetics and Landscape				
Human Communities				
Traffic				
Resettlement				
Income losses				

<sup>4</sup>Activities requiring financial expenses are to be included in BoQ.

<sup>5</sup> Cost of mitigation activities is defined by a contractor in relevant items in bidding documents.

Health and safety				
Historical and Cultural Sites				
Safety and health of staff and population				
<b>Operation period</b>				
<i>Physical Environment</i>				
Soils				
Water Resources				
Air Quality				
<i>Biological Environment</i>				
Fauna and Flora				
<i>Social Environment</i>				
Aesthetics and Landscape				
Human Communities				
Historical and Cultural Sites				
Safety and health of staff and population				

## ANNEX 5. ENVIRONMENTAL & SOCIAL MONITORING PLAN

(subproject, location, description)

Subproject implementation stage	What parameter is subject to monitoring?	Where will monitoring of parameter be carried out?	How will monitoring of parameter be carried out/type of monitoring equipment	When will monitoring of parameter be carried out-frequency	Monitoring cost <sup>6</sup> What cost of equipment or expenses of contractor required to conduct monitoring?	Institutional responsibility for monitoring	Date of commencement	Date of completion
Construction								
Operation								

Summary of potential environmental risks

<p>Increased pollution due to construction waste</p>	<p>Site organization construction works</p>	<p>Contamination of adjacent area, soil, water resources.  Dusting.</p>	<p>Prior to commencement of works, means of collection and removal of waste should be applied together with location of main types of waste produced during dismantling and construction works.</p> <p>Mineral waste from construction and dismantling works should be separated from common waste and organic, liquid and chemical waste through sorting and keeping in special containers.</p> <p>All documents on waste removal and disposal should be maintained properly as a proof of appropriate management of waste at the site.</p> <p>In all possible cases, contractor should ensure recycling of materials (except for asbestos). Asbestos materials shall be subject to immediate burial.</p> <p>Proper collection and removal of construction waste should be undertaken by a contracted utility.</p> <p>As for domestic waste, installation of collection tanks and timely removal of waste should be arranged with local waste collection companies.</p>	<p>Contractors</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>
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Possible asbestos waste materials	Improper disposal of construction waste, asbestos and asbestos-containing materials, or minor operational or accidental spills of fuel and lubricants from the construction machinery	Contamination of adjacent area, soil, water resources.	<p>Identify waste material containing asbestos</p> <p>Establish codes for the sorted waste, according to Decision 2000/532/EC establishing a list of wastes</p> <p>Employ a licensed waste operator to remove asbestos waste using appropriate safety equipment</p> <p>Dispose of asbestos waste at a landfill site licensed to receive such waste</p> <p>Execute the respective works with authorized companies/specialists</p>	Contractors	GIRG-PIU, supervising engineers, state authorities
Increase in traffic during construction	Site organization construction works	Potential pedestrian and vehicle traffic disruption and associated public safety risks	<p>Traffic control</p> <p>Temporary traffic regulations</p> <p>Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities.</p> <p>Provide markers, lights and temporary connections by bypasses for safety and convenience</p> <p>Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities.</p> <p>Provide markers, lights and temporary connections by bypasses for safety and convenience</p>	Contractors  Local authorities	GIRG-PIU, supervising engineers, state authorities

<p>Impact on workers and community health and safety</p>	<p>General conditions of works</p>	<p>Industrial accidents</p>	<p>Local communities will be properly notified on works by means of publications and /or notices in mass media and/or bill boards in public places (and at work sites). In addition, fences will be installed; in case trenches are excavated, lighting will be provided.</p> <p>All permission required by legislation for use of land plots, natural resources, waste landfill, as well as permissions from sanitary inspection etc. in construction and rehabilitation works at this site, have been obtained.</p> <p>Individual protective means should meet safety standards (obligatory application of helmets, protective face masks, when needed, protective glasses, safety belts and boots).</p> <p>Sites will be provided with proper information boards and signs informing the workers about the rules and norms of works to be followed.</p>	<p>Contractors</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>
<p>Improper reinstatement of construction sites after works completion</p>	<p>Construction works</p>	<p>Deterioration in existing landscape quality or visual comfort</p> <p>Damage and cutting of plantations.</p> <p>Disturbance of habitat.</p>	<p>Avoid, reduce, and where possible remedy or offset any adverse effects on the environment arising from the proposed works</p> <p>Address the remaining/residual adverse effects arising from the executed works</p> <p>Address landscape and visual impacts</p> <p>Relocation and fencing of trees. Required tree cutting is agreed with local environmental agencies.</p> <p>All marked environmental zones of habitat and protected areas adjacent to the site should not be affected or used during operations.</p>	<p>Contractors Designers</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>



<p>Historical and cultural sites.</p>	<p>Damage and degradation of site structures</p>	<p>Possible negative impacts on buildings with cultural importance</p>	<p>If works are carried out at the site being a protected historical monument, or works are carried in close proximity to such site or at protected historical site, local authorities should be notified thereof. If needed, respective permission should be obtained. Once permission is obtained, works should be carried out in thorough compliance with provisions and norms of local and national legislation.</p> <p>Works will be arranged to ensure that all artifacts or other incidental findings detected in excavation and construction works are registered and documented properly.</p>	<p>Contractors Designers</p>	<p>GIRG-PIU, supervising engineers, state authorities  Local residents</p>
<p>Unsafe practices during the operation of the building</p>		<p>Contamination of adjacent area, soil, water resources.  Dusting.</p>		<p>Contractors Designers</p>	<p>GIRG-PIU, supervising engineers, state authorities</p>

# Annex 6. ESMP CHECKLIST FOR CONSTRUCTION AND REHABILITATION ACTIVITIES

(SOCIAL INFRASTRUCTURE)

General Guidelines for use of EMP checklist: For low-risk topologies, such as school and hospital rehabilitation activities, the ECA safeguards team developed an alternative to the current EMP format to provide an opportunity for a more streamlined approach to preparing EMPs for minor rehabilitation or small-scale works in building construction, in the health, education and public services sectors (including justice). The checklist-type format has been developed to provide “example good practices” and designed to be user friendly and compatible with safeguard requirements.

The EMP checklist-type format attempts to cover typical core mitigation approaches to civil works contracts with small, localized impacts. It is accepted that this format provides the key elements of an Environmental Management Plan (EMP) or Environmental Management Framework (EMF) to meet World Bank Environmental Assessment requirements under OP 4.01. The intention of this checklist is that it would be applicable as guidelines for the small works contractors and constitute an integral part of bidding documents for contractors carrying out small civil works under Bank-financed projects.

The checklist has three sections:

**Part 1** includes a descriptive part that characterizes the project and specifies in terms the institutional and legislative aspects, the technical project content, the potential need for capacity building program and description of the public consultation process. This section could be up to two pages long. Attachments for additional information can be supplemented when needed.

**Part 2** includes an environmental and social screening checklist, where activities and potential environmental issues can be checked in a simple Yes/No format. If any given activity/issue is triggered by checking “yes”, a reference is made to the appropriate section in the following table, which contains clearly formulated management and mitigation measures.

**Part 3** represents the monitoring plan for activities during project construction and implementation. It retains the same format required for EMPs proposed under normal Bank requirements for Category B projects. It is the intent of this checklist that Part 2 and Part 3 be included into the bidding documents for contractors, priced during the bidding process and diligent implementation supervised during works execution.

## CONTENTS

- A) General Project and Site Information
- B) Safeguards Information

- C) Mitigation Measures
- D) Monitoring Plan

**EMP Checklist for Construction and Rehabilitation Activities**

**A. GENERAL PROJECT AND SITE INFORMATION**

INSTITUTIONAL & ADMINISTRATIVE				
Country				
Project title				
Scope of project and activity	Small scale construction works for rehabilitation of buildings under the _____project			
Institutional arrangements (Name and contacts)	WB (Project Team Leader)	Project Management	Local Counterpart and/or Recipient	
Implementation arrangements (Name and contacts)	Safeguard Supervision	Local Counterpart Supervision	Local Inspectorate Supervision	Contactor
SITE DESCRIPTION				
Name of site				
Describe site location			Attachement 1: Site Map [ ]Y [ ] N	
Who owns the land?				
Description of geographic, physical, biological, geological, hydrographic and socio-economic context				
Locations and distance for material sourcing, especially aggregates, water, stones?				
LEGISLATION				
Identify national & local legislation & permits that apply to				

project activity	
<b>PUBLIC CONSULTATION</b>	
Identify when / where the public consultation process took place	
<b>INSTITUTIONAL CAPACITY BUILDING</b>	
Will there be any capacity building?	[ ] N or [ ] Y if Yes, Attachment 2 includes the capacity building program

**Social Checklist for Construction and Rehabilitation Activities**

Social Impacts/Risks	Yes	No	Not Known	Details
1. Will the project development suppose an additional workload for locally employed personnel?				
2. Will the project development stage require local personnel to undertake specific trainings?				
3. Will the intervention include demolishing/construction works on (parts of) an existing building? <i>(Please specify what types of works are expected - 1. demolition&amp;reconstruction, 2. only demolition, 3. only construction)</i>				
4. Are there near-by private properties that could be affected by these works?				
5. Could the demolition/construction works affect the local traffic/accessibility for the near located inhabitants/workers/business owners?				
6. Will the works require access to private property?				
7. Is (are) the owner(s) of the private property willing to grant access during the period of works?				
8. Could the required access to the private property disturb/cause significant financial losses to the affected party (explain if applicable)?				

9. Will the demolition/construction works affect the water supply to inhabitants/workers/business in the area?				
10. Will the demolition/construction works affect power supply to inhabitants/workers/business owners in the area?				
11. Will the demolition/construction works affect gas supply to inhabitants/workers/business owners in the area?				
12. Will the demolition/construction works affect the supply of the thermal agent to inhabitants/workers/business owners in the area?				
13. Are there expected to be drilling works on the site?				
14. Could those works affect the private buildings/land placed in close proximity?				
15. Is there any possibility to move out, close of business/commercial/livelihood activities of persons during demolition/constructions?				
16. Is there any physical displacement of persons due to constructions?				
17. Does this project involve resettlement of any persons? If yes, give details.				
18. Will there be loss of incomes and livelihoods?				
19. Will people permanently or temporarily lose access to facilities, services, or natural resources?				
20. Will project cause loss of employment/Jobs				
21. Is the project expected to lead to permanent or temporary relocation of the working personnel from the affected building?				
22. Will the relocation increase the workload for the personnel?				
23. Will the working conditions of the relocation personnel be worsened due to movement?				
24. Will that relocation lead to increased transportation costs for the relocated persons?				
25. Will project generate excessive labor influx as a result of new constructions?				

**B: SAFEGUARDS INFORMATION**

ENVIRONMENTAL /SOCIAL SCREENING			
	Activity	Status	Triggered Actions
Will the site activity include/involve any of the following??	A. Building rehabilitation	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section A below
	B. Minor new construction	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section A below
	C. Wastewater treatment system	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section B below
	D. Historic building(s) and districts	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section C below
	E. Acquisition of land <sup>7</sup>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section D below
	F. Hazardous or toxic materials <sup>8</sup>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section E below
	G. Impacts on forests and/or protected areas	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section F below
	H. Handling / management of medical waste	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section G below
	I. Traffic and Pedestrian Safety	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section H below

**C: MITIGATION MEASURES**

ACTIVITY	PARAMETER	MITIGATION MEASURES CHECKLIST
O. General Conditions	Notification and Worker Safety	
A. General Rehabilitation and /or Construction Activities	Air Quality	
	Noise	
	Water Quality	
	Waste management	
B. Individual wastewater	Water Quality	

<sup>7</sup> Land acquisitions includes displacement of people, change of livelihood encroachment on private property this is to land that is purchased/transferred and affects people who are living and/or squatters and/or operate a business (kiosks) on land that is being acquired.

<sup>8</sup> Toxic / hazardous material includes but is not limited to asbestos, toxic paints, noxious solvents, removal of lead paint, etc.

treatment system		
C. Historic building(s)	Cultural Heritage	
D. Acquisition of land	Land Acquisition Plan/Framework	
E. Toxic Materials	Asbestos management	
	Toxic / hazardous waste management	
F. Affected forests, wetlands and/or protected areas	Protection	
G. Disposal of medical waste	Infrastructure for medical waste management	
H Traffic and Pedestrian Safety	Direct or indirect hazards to public traffic and pedestrians by construction activities	

**D: MONITORING PLAN**

<b>Phase</b>	<b>What</b> (Is the parameter to be monitored?)	<b>Where</b> (Is the parameter to be monitored?)	<b>How</b> (Is the parameter to be monitored?)	<b>When</b> (Define the frequency / or continuous?)	<b>Why</b> (Is the parameter being monitored?)	<b>Cost</b> (if not included in project budget)	<b>Who</b> (Is responsible for monitoring?)
During activity preparation							
During activity implementation							
During activity supervision							



## ANNEX 7. ENVIRONMENTAL GUIDELINES FOR CIVIL WORK CONTRACTS

Contractors will be obliged to apply environmentally sound construction standards and procedures. All civil works contracts will have the following environment-protecting provisions:

1. Take measures and precautions to avoid adverse environmental impacts, nuisance or disturbances arising from the execution of the works. This shall be done by avoidance or suppression whenever possible rather than abatement or mitigation of the impact once generated.
2. Comply with all national and local environmental laws and regulation. Assign responsibilities for implementation of environmental actions and to receive guidance and instructions from the engineer or environmental authorities.
3. Minimize dust emissions to avoid or minimize adverse impacts on air quality.
4. Maintain foot and vehicular traffic flows and public access to neighboring sites and facilities. Provide markers, lights and temporary connections by bypasses for safety and convenience.
5. Prevent or minimize vibration and noise from vehicles, equipment and blasting operations.
6. Minimize disturbance to and restore vegetation where it is disturbed as a consequence of the works.
7. Protect surface and groundwater and soil quality from pollution. Appropriately collect and dispose of water material.

## Annex 8. MAIN ISSUES REGARDING ASBESTOS CONTAINING MATERIALS (ACM) and ASBESTOS WASTE TO BE CONSIDERED WITHIN THE SITE-SPECIFIC ESMP



Asbestos is a group of naturally occurring fibrous silicate minerals. It was once used widely in the production of many industrial and household products because of its useful properties, including fire retardation, electrical and thermal insulation, chemical and thermal stability, and high tensile strength.

Today, however, asbestos is recognized as a cause of various diseases and cancers and is considered a health hazard if inhaled. Because the health risks associated with exposure to asbestos are now widely recognized, global health and worker organizations, research institutes, and some governments have enacted bans on the commercial use of asbestos.

In the European Union the use of asbestos is banned since January 1, 2005, and in Romania through a Governmental Decision no. 734/2006 this was banned only for new materials. Products containing asbestos and which have been installed or were in operation before the date 1 January 2005 can be used until the end of their lifecycle.

Good practice is to minimize the health risks associated with ACM by avoiding their use in new construction and renovation, and, if installed asbestos-containing materials are encountered, by using internationally recognized standards and best practices to mitigate their impact. In all cases, the World Bank expects borrowers and other clients to use alternative materials wherever feasible. ACM must be avoided in new construction.

In reconstruction, demolition, and removal of damaged infrastructure, asbestos hazards must be identified and a risk management plan adopted that includes disposal techniques and end-of-life sites. Asbestos-containing (AC) products include flat panels, corrugated panels used for roofing, water storage tanks, water, and sewer pipes etc.. Thermal insulation containing asbestos and sprayed asbestos for insulation and acoustic damping were widely used through the 1970s and should be looked for in any project involving boilers and insulated pipes.

As asbestos is often used in construction (mainly for roofing) in many countries including Romania, it can present a risk for the health of workers and population, who live near buildings that need capital repair with replacement of roofing or demolition.

GIRG-PIU specialists must inform beneficiaries on potential risk for their health and instruct not using asbestos as construction material during construction/rehabilitation works.

Any asbestos product or material that is ready for disposal is defined as asbestos waste. Asbestos waste also includes contaminated building materials, tools that cannot be

decontaminated, personal protective equipment and damp rags used for cleaning. Always this type of waste must be treated as 'Hazardous Waste'.

In this regards, ACM and asbestos waste must be properly removed, stored in a separate closed area and disposed (with the consent of local administration and environmental inspectors) on a landfill on the special area for disposal of that type of waste.

GIRG-PIU must require the contractors that the removal, repair, and disposal of ACM shall be carried out in a way that minimizes worker and community asbestos exposure. During reconstruction works, workers must avoid destroying asbestos sheets and properly dispose them at construction sites until final disposal happens. Workers must wear protective over garment, gloves and respirators during work with asbestos sheets. Proper disposal of ACM is important not only to protect the community and environment but also to prevent scavenging and reuse of removed material. ACM must be transported in leak tight containers to a secure landfill operated in a manner that precludes air and water contamination that could result from ruptured containers. The removal and disposal of ACM and asbestos waste as well as all other ESMP measures have to be included in both the technical specifications and bill of quantities (BoQs). Contractor shall develop site-specific ESMP where requirements to ACM and asbestos waste will be contained.

## ANNEX 9. SUMMARY OF RESULTS OF E&S PRELIMINARY SCREENING PROCESS

The following table summarizes the results of the preliminary E&S screening process carried for the purpose of the current ESMF. The centralized version presented below is based on an individual screening process carried at the level of each sub-project and each particular issue was investigated by the project team. The findings are indicative at the moment of elaborating this ESMF and detailed information will be provided following the results of the technical expertise when a social screening process will be carried at the level of each sub-project, as provided under this document.

The following list provides an overview on the most relevant findings:

- Six buildings are planned for demolition and reconstruction; however more cases could be included in this category following the technical expertise;
- 4 buildings plan to have extensions of their current footprint;
- 22 out of the 27 buildings are expected to involve relocation of the entire building; the rest of 5 buildings will operate rehabilitation works without a relocation of staff;
- none of the buildings are historical monuments; however, one building in Drobeta Turnu Severin is situated in a buffer zone of a cultural heritage site and it will need to undergo an approval process from the County Cultural Heritage Department;
- One building in Bals (proposed for demolition) is expected to involve access on a private neighboring property during demolition/reconstruction works; a preliminary consultation has been initiated with the potentially affected person;
- There were four cases (Deva, Teleorman, Ilfov, Olt) where the selected buildings are close to residential housing or institutions;
- In Ilfov and Buzau, there are Roma communities in the vicinity of the selected buildings (not near-by cases);
- Two buildings are dysfunctional at the moment due to safety reasons in Ilfov and Buzau.

The table below gives an indication of the numbers behind the aspects that were addressed during the preliminary screening process.

E&S Screening Questions	YES	NO
1. Does the intervention include new construction, new physical construction works?	6	21
2. Does the intervention include upgrading or rehabilitation of existing construction/facilities within the existing footprint?	23	4
3. Does the intervention include demolishing of existing structures/facilities and evacuation?	6	21
4. Is the constructions/rehabilitation works to be carried out within the existing premises; within the existing perimeter?	27	0
5. Is the building/site chosen for these works under the Public/Government ownership?	27	0

6. Is the building/site chosen for this works having clear ownership title? (no claims by anyone for the proposed building/site).	27	0
7. Is the building selected registered and legally uncontested?	27	0
8. Is the building currently functional/partly functional?	25	2
9. Is the building/site chosen for these works registered as registered historical building/cultural heritage?	0	27
10. Is the building/site chosen for these works very close to a designated historic structure/cultural heritage or located in a designated historic district?	1	26
11. Does any part of the project site fall under specific environmental regulations, e.g. nature reserve protected area, or national park?	0	27
12. Are there any sensitive habitats nearby? e.g. nature reserves, protected areas, etc.	0	27
13. Is anything known about the geology/hydrogeology beneath the site?	0	27
14. Are there water courses on the site?	0	27
15. Is the site located on a floodplain or in a water-protection area?	0	27
16. Does the site ever experience flooding or landslides?	0	27
17. Will any wastes be generated during construction/operational/closure stages of the project?	27	0
18. If yes, is any of this waste toxic/hazardous or contain asbestos?	0	27
19. Is a wastewater management system in place (sewerage, septic tanks)?	27	0
20. Does the site use water for any purposes? If yes, give details.	27	0
21. Is there any type of vegetation on site?	24	3
22. Is the intervention likely to link to or construction may lead access to other private properties, or other assets, resource use?	1	26
23. Is the building/site chosen for this works free from encumbrances- (not occupied by squatters or use by any non-titled persons)?	27	0
24. Is this construction works requiring additional private land acquisitions?	0	27
25. If the building functional/partly functional, will the construction works require to relocate the current employees/occupiers?	22	5
26. Will be there any disturbance to residents/ commuters/ people adjacent to this building during construction period/ or objections to constructions/rehabilitation work?	0	27
27. Is there any temporary or permanent loses for income or employments for the people depend on this facility due to	0	27

constructions?		
28. Does this activity involve resettlement/relocation of any persons? If yes, give details.	0	27
29. Will there be loss of /damage to productive trees, fruit plants or crops that generate livelihood income for building occupiers?	0	27
30. Will the rehabilitations/constructions consider providing access to differently able (disable) persons	27	0
31. Will be there a staff optimization plan after the rehabilitation and if so any current employees may lose their jobs due to new/modernized facility.	0	27
32. Will construction of building link to drainage lines, powerlines create any degradation/disturbances for public buildings/resources/ adjacent houses, wells, lands, Burial places, children parks, schools etc.	0	27
33. Does proposed construction potential to cause unintended consequences such as accidents / damages to adjacent buildings	0	27
34. Does this constructions / rehabilitation affect adversely to any particular social group (including Roma community)	0	27
35. Does consultations carry out with affected/interested parties/ current employees (if it is functional) of the building?	27	0
36. Is the reconstruction/new facility generate employment opportunity for women?	27	0

## ANNEX 10. LIST OF PARTICIPANTS AT THE PUBLIC CONSULTATION ON 22.11.2018

The public consultation was attended by 27 people, as follows.

Institution	Number of attendees	Date
General Inspectorate of Hunedoara County	1	22.11.2018
General Inspectorate of Mehedinti County	2	22.11.2018
General Inspectorate of Teleorman County	1	22.11.2018
Agency for Environmental Protection Ilfov County	1	22.11.2018
General Directorate of Gendarmerie of Bucharest Municipality	2	22.11.2018
Agency for Environmental Protection Bucharest Municipality	1	22.11.2018
Mobile Gendarmerie Group of Ploiești County	1	22.11.2018
Warrant Officers Gendarmes School Fălticeni	1	22.11.2018
General Inspectorate of Dambovita County	2	22.11.2018
Mobile Gendarmerie Group of Timișoara County	1	22.11.2018
General Inspectorate of Brașov County	1	22.11.2018
Mobile Gendarmerie Group of Brașov County	1	22.11.2018
General Inspectorate of Olt County	1	22.11.2018
General Inspectorate of Romanian Gendarmerie	1	22.11.2018
Warrant Officers Gendarmes School Dragasani	1	22.11.2018
General Inspectorate of Ilfov County	2	22.11.2018
General Inspectorate of Buzau County	2	22.11.2018
Training Centre for the Improvement of Gendarme Staff Ochiuri	2	22.11.2018
World Bank (Safeguard: Social and Environmental)	2	22.11.2018
World Bank (observer)	1	22.11.2018
<b>Total</b>	<b>27</b>	22.11.2018

From the GIRG was present the General Inspector of Romanian Gendarmerie and 4 members of the PIU, in addition to those mentioned above.