

ENVIRONMENTAL AND SOCIAL ACTION PLAN

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
PR1	Assessment and Management of Environmental and Social Impacts and Issues						
1.1	Develop and implement an appropriate system for the management of environmental and social issues (ESMS) associated with the project construction phase. This should include clear allocation of resources and processes for both delivering the commitments in the Environmental Impact Assessments (EIAs) and the Supplementary Lenders E&S Information package (SLIP) and for the management of the Engineering, Procurement and Construction (EPC) Contractor' environmental and social performance. It should also include relevant construction environmental and social management plans as outlined below.	Overarching environmental and social risk management and compliance with both regulatory commitments and EBRD ESP (2014)	EBRD PR1 Good International Practice	MoB resources ¹ and/or external consultants as required. A clear matrix showing the split of responsibility and accountability between MoB and the EPC contractor should be developed.	Before Financial close	EBRD monitoring Annual EHS Report to the Bank	
1.2	Ensure that contractors have in place and implement an appropriate and project-specific management system (including their own construction environmental and social management plans) to meet the construction phase commitments in the EIA and SLIP.	Overarching environmental and social risk management and compliance with both regulatory commitments and EBRD ESP (2014)	EBRD PR1 Good International Practice E&S obligations included in both the permits and the financing packages	EPC and other contractors	Before Financial close	EBRD monitoring Annual EHS Report to the Bank (in a standard format provided by the Bank)	
1.3	Operator to extend their existing environmental and social management system (ESMS) to cover the Phase II facilities prior to operations commencing	Compliance with EBRD ESP (2014)	EBRD PR1 Good International Practice	ANB	Before Phase II Operations Commence	EBRD monitoring Annual EHS Report to the Bank	

¹ The MoB is expected, during construction phase, to delegate most actions to the PIU.

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1.4	Develop and maintain an overarching "Project Commitments Register", (as part of the Project's ESMS, compiling all mitigation / monitoring commitments and requirements (for both construction and operation phases). This should include commitments from both regulatory and financing obligations including those that are still relevant in the 2004 EIA, 2012 EIA, Environmental Agreement (EA), Legal requirements, Stakeholder Engagement Plan (SEP), future permits and SLIP. The register will be used as a basis to produce and update the Management Plans.	Ensure compliance with national, EU and EBRD requirements	EBRD PR1 Good International Practice	MoB Own resources and/or external consultants	Before Financial Close	"Project Commitments Register – Construction Phase" and "Project Commitments Register – Operations Phase" provided to EBRD for review	
1.5	As part of the ESMS, both MOB and EPC contractor to develop and implement matching <u>Construction</u> Environmental, Social and Health & Safety Management Plans (CESMPs). These should specifically include the following topics: <ul style="list-style-type: none"> - Air Quality - Noise - Traffic and Road Safety - Labour and Working Conditions - Waste, - Hazardous materials - Pollution Prevention - Incident and Emergency Response - Community health & safety; But others such as biodiversity and cultural heritage may also need to be considered.	Compliance with EBRD ESP (2014)	EBRD PR1 EBRD PR2 EBRD PR3 EBRD PR4 Good International Practice	MoB and EPC Contractor. EPC Contractor to implement, MoB to monitor. MOB remains accountable for ensuring that all commitments are delivered by EPC contractor.	Before Financial Close	CESMPs provided to EBRD for review EBRD monitoring Annual EHS Report to the Bank (in a standard format provided by the Bank)	

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1.6	As part of the Operational ESMS, develop and implement / update existing Operations and Maintenance Management Plans to include any new elements of the WWTP, including the incinerator. These should include, but need not be limited to, maintenance schedules, start up, shut down and failure scenarios, and requirements, end waste loading, access routes, timing and frequency.	Compliance with EBRD ESP (2014)	EBRD PR1 EBRD PR2 EBRD PR3 EBRD PR4 Good International Practice	Operator – Apa Nova Bucharest (ANB)	Before Operations Commence	“Operations and Maintenance MP” provided to EBRD for review EBRD monitoring Annual EHS Report to the Bank	
1.7	As part of the Operational ESMS, include specific measures for management and monitoring of (amongst others) the following: <ul style="list-style-type: none"> - Treated effluent quality; - Surface water quality in the Dambovita River, downstream the discharge point; - Ambient Air Quality and stack emission testing (incinerator); - Noise; - Hazardous Materials / Substances; - Waste (including hazardous waste ash) - ensure that ash from incineration is transported and managed by licensed waste operators, and track this waste since leaving the plant. Monitoring shall consider the baseline environment, monitoring locations, techniques, health response thresholds and response methods	Compliance with EBRD ESP (2014) Avoid / minimize the risks of air, soil and groundwater contamination	EBRD PR1 EBRD PR2 EBRD PR3 EBRD PR4 Good International Practice	Operator – ANB	Before Operations Commence	OESMMP provided to EBRD for review Contract with Waste Management Service Providers Registers of final delivery / acceptance of the waste EBRD monitoring Annual EHS Report to the Bank	

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1.8	Implement and Maintain (eg update annually) a PR10 compliant Stakeholder Engagement Plan (SEP).	Ensure adequate planning and tracking of stakeholder engagement activities	EBRD PR10 Good International practice	MoB own resources Operator – ANB	Throughout Construction and Operation To commence implementation before financial close.	Stakeholder Engagement Plan Consultations registry up to date	
1.9	Develop and implement an appropriate Project Grievance Mechanism for the Construction and Operation phases. This should as a minimum meet the requirements of PR2. Labour and Working Conditions, PR4. Health and Safety and PR10. Information Disclosure and Stakeholder Engagement. This shall include documenting all the project-related complaints or suggestions within a grievance register.	Provide a clear and transparent framework to address affected communities' complaints in a timely and effective manner, and ensure appropriate tracking of stakeholder engagement activities	EBRD PR1 EBRD PR2 EBRD PR4 EBRD PR10 Good International practice	MoB / ANB	Before Financial Close	<i>Project Grievance Mechanism agreed with EBRD.</i> Speed of responding too and addressing grievances is the critical element of the mechanism.	
1.10	Submit annual environmental and social report (AESR) to the Bank, including ESAP implementation progress.	Implementation of the ESAP to mitigate project-related risks and fulfilment of the annual reporting requirements to the Bank	EBRD 2014 Environmental and Social Policy and Performance Requirements; Respective E&S covenants in the legal agreements with the Bank	MoB / PIU / ANB own staff resources and/or external consultants, if needed	Annually as per legal agreements Regular contact with the Bank on ESAP implementation Annual E&S reporting to the Bank	Internal responsibility assigned for implementation of the ESAP and submission of AESRs to the Bank. Annual EHS Report (AESR) in the EBRD-approved format including ESAP implementation progress submitted to the Bank on time, as required by the legal agreements.	

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PR2	Labour and Working Conditions						
2.1	<p>Labour and Working Conditions CESMPs to include specific reference to appropriate training to ensure that contractor staff:</p> <ul style="list-style-type: none"> are aware and understand their obligations under national labour laws, PR2, existing contracts and the Labour and Working Conditions Management Plan; and have material capacity to deliver compliance (including management capacity, reporting / data gathering mechanisms, inductions and training for workers, and monitoring of performance). 	Ensure compliance with national, EU and EBRD labour requirements	<p>EBRD PR2</p> <p>Directive 2014/24/EU on public Procurement</p> <p>Good international practice</p>	MoB / Contractor Resources	Before Financial Close	<p>Records of the workshops and evidence of contractors having qualified staff and material capacity to deliver compliance on applicable labour standards.</p> <p>Primary contractors regularly report to MoB on labour compliance and management matters.</p>	
2.2	<p>Ensure that the primary contractor(s) have an effective Grievance Mechanism in place, in alignment with the Project Grievance Mechanism (1.9), that is accessible to all their workers and those of the sub-contractors.</p> <p>Ensure that the primary contractor(s) have a policy ensuring responsibility for the dissemination, implementation, monitoring and supervision of this/these mechanism(s).</p>	Provide a clear and transparent framework to address worker complaints in a timely and effective manner.	<p>EBRD PR2</p> <p>Good international practice</p>	MoB own resources	At the time of contracting the contractors	<p>Records of Grievances and of tracking the process to completion.</p> <p>Primary contractors regularly report to MoB on complaints received and how they have been handled and resolved.</p>	

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PR3 Resource Efficiency and Pollution Prevention and Control							
3.1	<p>As part of the Operational MS, develop / review the Hazardous Materials / Substances Management Plan, including:</p> <ul style="list-style-type: none"> - the identification of all hazardous materials / substances used in the treatment process; - definition of adequate measures to manage all hazardous materials / substances (including quantities, storage on site, adequate training for handling these substances). 	<p>Compliance with EBRD ESP (2014)</p> <p>Avoid / minimize the risks of soil and groundwater contamination</p>	<p>EBRD PR1 EBRD PR2 EBRD PR3 EBRD PR4</p> <p>Good International Practice</p>	Operator - ANB	Before Operations Commence	<p>Hazardous Materials / Substances MP provided to EBRD/EBRD for review</p> <p>EBRD monitoring</p> <p>Annual EHS Report to the Bank</p>	
3.2	<p>As part of the Operational MS, develop / review the Waste Management Plan (including the management of hazardous waste streams), including:</p> <ul style="list-style-type: none"> - the identification of all waste streams (including hazardous waste streams) resulting from the treatment process); - definition of adequate measures to manage all hazardous waste streams generated (including quantities, segregation, temporary storage, adequate training for handling this type of waste, definition of appropriate routes for the waste streams produced, using approved specialist contractors. 	<p>Compliance with EBRD ESP (2014)</p> <p>Avoid / minimize the risks of soil and groundwater contamination</p>	<p>EBRD PR1 EBRD PR2 EBRD PR3 EBRD PR4</p> <p>Good International Practice</p>	Operator - ANB	Before operations Commence	<p>Waste MP provided to EBRD for review</p> <p>EBRD monitoring</p> <p>Annual EHS Report to the Bank</p>	

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3.3	Review on a regular basis (at least annually) whether reuse alternatives to the disposal of ash into a hazardous waste landfill have developed in Romania to the extent that they are a commercially viable option.	Avoid / minimize the risks of soil and groundwater contamination associated with the management of ash resulting from the incineration process	EBRD PR3 Good International Practice	MoB / ANB	Ongoing	Additional study of alternatives for management of residual ash from the incineration process	
3.4	Carry out a noise study / modelling to assess noise levels in the surrounding dwelled areas during operation of Phase II, compared to the current baseline (as per described in the SLIP).	Avoid/minimize H&S risks for inhabitants of surrounding areas	EBRD PR3 EBRD PR4 Good International Practice	MoB / ANB	During detailed design	Noise study/modelling report	
PR4	Health and Safety						
4.1	Undertake a <i>Baseline Traffic Study</i> to gain a better understanding of existing traffic conditions in the project area and assess impacts on traffic and transportation in the areas affected by the sewerage rehabilitation construction works. Develop a Traffic Management Plan for construction phase, as appropriate	Avoid / minimize the risks associated to community health & safety, traffic and road safety during construction works phase	EBRD PR4 Good International practice	MoB / EPC Contractor	Prior to Financial Close	<i>Baseline Traffic Study</i> provided to EBRD for agreement; Traffic Management Plan developed and copy to the Bank	
4.2	Review / put in place an Operational Emergency Preparedness and Response Plan, considering the specific risks associated with the new incineration facility, including flaring from gas engines.	Avoid / minimize the risks associated to workers and community health & safety	EBRD PR2 EBRD PR4 Good International practice	MoB/ANB own competent specialists or with external assistance (as required)	6 months before start of operation	<i>Emergency Preparedness and Response Plan</i> provided to EBRD for agreement	

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4.3	Update SEVESO ² and emergency management and response documentation and obtain necessary re-agreement by the relevant authorities, in relation to the storage of biogas generated in the sludge anaerobic digestion process.	Avoid / minimize the risks associated to workers and community health & safety and ensure controls are in place for major-accident hazards	EBRD PR2 EBRD PR4 EU legislation, Good International practice	MoB/ANB	6 months before start of operation	SEVESO and emergency management and response documentation and agreement by the authorities in place	
4.4	Develop an appropriate monitoring plan for odour and odour-related complaints. Should issues regarding odour remain a significant concern, consider opportunities for incorporating additional control measures.	Avoid / minimize the risks associated to workers and community health & safety associated with odour-related issues	EBRD PR2 EBRD PR4 Good International practice	Operator (ANB)	During detail design, construction and operation phases	Monitoring plan in place and implemented; Odour dispersion modelling and Study provided to EBRD / EBRD for review and agreement	
4.5	Work with other key stakeholders within the MoB to support the development of a multi-stakeholder health education programme, focused on improving the health and wellbeing of the local community.	Avoid / minimize the risks associated to workers and community health & safety; Provide a positive outreach and support to the local community	EBRD PR4 Good International practice	MoB Operator / ANB External assistance, if required.	Throughout construction and operations Outline approach to be agreed before Financial Close	Health Education Programme for the community on close vicinity of the project sites	
4.6	Carry out a health-related representative monitoring for the people living in the Glina Village to ensure baseline health data is recorded prior to start of Phase II facilities operation.	Avoid / minimize the risks associated to community health and safety	EBRD PR 4	PIU/MoB and ANB in cooperation with relevant Health Authorities	During construction and operation Outline approach to be agreed before Financial Close	Health monitoring report (baseline health data prior to start of operation of Phase II facility) and regularly during operation phase	

² EU Seveso Directive on the control of major-accident hazards involving dangerous substances <http://ec.europa.eu/environment/seveso/>

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PR5	Land Acquisition, Involuntary Resettlement and Economic Displacement						
5.1	Provide an official confirmation of a Sanitary Protection Zone (SPZ) applicability to Phase II development, particularly in the context of building the sludge incinerator in close vicinity of residential area, with the representatives of the Public Health Directorate and other relevant authorities.	Avoid / minimize the legal and reputational risks associated to community health & safety in close vicinity of the Phase II facilities, particularly the incinerator	EBRD PR4 EBRD PR5 Legislative – Sanitary Protection Zone	MoB and Public Health Directorate	Before project approval by the EBRD Board	Official written statement/clarification about (non) applicability of SPZ to the Project	
5.2	Review the need for a Temporary or Permanent Land Acquisition and Livelihood Restoration Framework associated with the sewerage system rehabilitation and the WWTP works. Should such a document be required, relevant document to manage adequately any potential situations of economic displacement associated with project construction and operation.	Avoid / minimize impacts associated with potential situations of temporary or permanent economic displacement that may affect some businesses or residents during implementation of the construction works and/or operation phase.	EBRD PR5 Good International practice	MoB	Before Financial Close	Relevant Economic Displacement Procedure /Framework provided to EBRD for review and agreement	
PR6	Biodiversity and Living Natural Resources						
	N/A						
PR7	Indigenous People						
	N/A						
PR8	Cultural Heritage						
8.1	Develop a "Chance Finds Procedure" before start of construction activities and ensure its implementation during the Construction Phase.	Avoid / minimize the risks associated to Cultural Heritage and compliance with national and international standards	EBRD PR8 Good International practice	MoB, external assistance (if required)	Before Financial Close	Chance Finds Procedure provided to EBRD for review and agreement	

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PR10	Information Disclosure and Stakeholder Engagement						
10.1	Develop, implement and update the Stakeholder Engagement Plan (SEP) as per 1.8.	Ensure adequate planning and tracking of stakeholder engagement activities	EBRD PR10 Good International practice	MoB	Before Financial Close	Stakeholder Engagement Plan Consultations registry up to date	
10.2	Develop a Project Corporate Social Policy / Programme and remain actively engaged at the local level, by supporting the needs of the local community.	Promote good and long-lasting relationships with and support to the local communities	EBRD PR10 Good International practice	MoB in close cooperation with operator and main contractors (ANB, EPC)	Throughout construction and operations	Corporate Social Policy / Programme in place	
10.3	Ensure there is a dedicated Grievance Mechanism in place and implemented in line with EBRD requirements	Provide a clear and transparent framework to address affected communities' complaints in a timely and effective manner, and ensure appropriate tracking of stakeholder engagement activities	EBRD PR1 EBRD PR5 EBRD PR10 Good International practice	MoB, EPC, ANB	Before Financial Close	<i>Grievance Mechanism for Affected Communities</i> provided to EBRD for review and agreement	
10.4	Develop an Action Plan (who will do what and when) to enable implementation of the SEP during construction and operation phases.	Ensure adequate planning and tracking of stakeholder engagement activities	EBRD PR10 Good International practice	MoB, ANB and EPC	Before Financial Close	<i>SEP Implementation Action Plan</i> to EBRD for review and agreement	