

Semi-annual Environmental Monitoring Report

Project No. 42177-013

December 2013

Bangladesh: Urban Primary Health Care Services Delivery Project

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ABBREVIATIONS

ADB	Asian Development Bank
CRHCC	Comprehensive Reproductive Health Care Center
DoE	Department of Environment
EA	Executing Agency
EIA	Environmental Impact Assessment
EMP	Environmental management plan
GoB	Government of Bangladesh
IA	Implementing agency
IEE	Initial environmental examination
LGD	Local Government Division
NGO	Non-government organization
O&M	Operation and Maintenance
PA	Partnership Area
PHC	Primary Health Care
PHCC	Primary Health Care Center
PPE	Personal protective equipment
PPP	Public-private partnership
REA	Rapid environmental assessment
SPS	Safeguards Policy Statement
UPHCSDP	Urban Primary Health Care Services Delivery Project

I. INTRODUCTION

A. Project Background

1. Urban Primary Health Care Services Delivery Project (UPHCSDP) in Bangladesh is the continuation of first and second phase of Urban Primary Health Care Project. The Project commenced in July 2012 and will be completed by April 2018. The total project cost is estimated at \$81 million and builds on the two previous Urban Primary Health Care Projects to further develop and institutionalize a sustainable system to deliver pro-poor primary health care (PHC) services in urban areas through public-private partnership agreements with NGOs and other service providers. The Local Government Division (LGD) of the Ministry of Local Government, Rural Development, and Cooperatives is the Executing Agency (EA). Ten city corporations and four municipalities are the implementing agencies (IAs) in their respective project areas.
2. The project has three outputs: (i) Strengthened Institutional Governance and Local Government Capacity to Sustainably Deliver Urban Primary Health Care Services; (ii) Improved Accessibility, Quality, and Utilization of Urban Primary Health Care Services Delivery System, with a Focus on the Poor, Women, and Children, through Public-Private Partnership (PPP); and (iii) Effective Support for Decentralized Project Management. Majority of the outputs pertain to capacity building and strengthening institutions that have limited interaction with the natural environment and generating limited environmental impacts. However, Output 2 entails physical infrastructure wherein construction and operation may generate environmental impacts and is the focus of this environmental monitoring. The project aims to establish in each of partnership area (PA) to have at least 1 Comprehensive Reproductive Health Care Center (CRHCC) and 3 PHC Centers (PHCC) for each CRHCC. In the municipalities, there should be 2 PHCCs and 1 CRHCC in each partnership area. Therefore, the project finances the construction of 13 CRHCCs and 26 PHCCs and upgrading of 5 CRHCCs and 1 PHCC. The project will expand and upgrade the existing infrastructure network of selected PHC facilities into green clinics (with solar panel and solar water heater) and support their operation and maintenance (O&M), including medical waste management. The architectural design of the facilities included improvements over the previous two project phase's facility design to respond to the needs of doctors, visitors and in-house patients. Total investment costs for civil works under UPHCSDP is about \$15.65 million. These were all small civil works subprojects less than six stories and were not identified as category B. To date, land has been identified for total of 10 CRHCCs¹ and 19 PHCCs² (see Table I-1). No civil works contract has been signed and civil works has been started during the period of July to December 2013, so no physical progress is identified.
3. The UPHCSDP is classified as environmental category B and the conduct of semi-annual environmental monitoring is required in the ADB SPS (2009) and emphasized in the environmental assessment and review framework (EARF).³ The compliance to environmental safeguards of the UPHSDP is assessed based on the following: (i) environmental provisions of the loan covenant; (ii) EARF which defines the site screening and site selection for the CRHCCs and PHCCs, required environmental assessment, institutional arrangement to implement the environmental management and monitoring plans, and reports disclosure of all safeguard documents to include the initial environmental examination (IEE) and this environmental monitoring report (EMR); and (iii) environmental

¹ Comprehensive Reproductive Health Care Centre

² Primary Health Care Centre

³ <https://www.adb.org/sites/default/files/project-document/59845/42177-013-ban-earf-draft.pdf>

management and monitoring plan (EMP) and integration in the civil works bidding documents.

- This EMR covers all health care centers identified under the UPHCSDP including ongoing construction and those operational as of December 2013. Compliance information were gathered through the review of secondary data available in the PMU. This EMR also covers the period from July 2013 to December 2013.

Table I-1. Status of CRHCC and PHCC, UPHCSDP (as of December 2013)

UPHCSDP Partnership Areas	As per DPP		Status			
	CRH CC	PH CC	Land Available		Location (Package no)	
			CRH CC	PH CC	CRHCC	PHCC
Dhaka South City Corporation (DSCC)	0	1	0	0		
Dhaka North City Corporation (DNCC)	2	1	1	0	Jahurabad (W1)	
Chittagong City Corporation	1	2	1	0	South Agrabad (W3)	
Narayanganj City Corporation (NCC)	1	3	1	3	Bandar Shahi Masjid road (W6)	Laxmon Khola (W22)
						Godnail (W23)
						Bara Dewbhog (W24)
Sylhet City Corporation	0	2	0	1		Kanaighat Road, Koitok (W22)
Rajshahi City Corporation	1		1		Tikapara (W5)	
Rangpur City Corporation	1	3	1	3	East Khasbag (W9)	Ershad Nagar (W30)
						New Jummapara (W31)
						Shommanipur (W29)
Khulna City Corporation	1		1		2 No Custom ghat (W4)	
Gazipur City Corporation	2	4	1	2	Dhirasrom Dakkhin Khan (W8)	Neelerpara (W25)
						Laxmipura (Teen Sarak) (W26)
Comilla City Corporation	0	3	0	3		Bauband Sadar Dakkhin (W19)
						Dulipara, Dakkhin Rasulpur (W20)
						Sadar Dakkhin Kamalpur (W21)
Kishoregonj Municipality	1	2	1	2	Harua (W11)	Tarapasha (Satal) (W22)
						Prokash Botrish Nurani Road (W22)
Gopalganj Municipality	1	2	1	2	Pourashava Boundary (W12)	Kuadanga (W37)
						Nabinbagh Eidgah (W38)
Sirajgonj Municipality	0	1	0	1		Ranigram, Bottola (W32)
Kushtia Municipality	1	2	1	2	Millpara Moha Shasan Road (W10)	Baradi (W33)
						Barokhada (W34)

II. INSTITUTIONAL ARRANGEMENTS

5. The LGD through the PMU is responsible for the overall implementation of the EMP. The design, procurement, and construction supervision are the responsibility of the LGED that serves as a consultant of the project. Review of bidding documents and discussions with the PMU and LGED confirmed that bidding documents included the environmental management and monitoring plans detailing the roles and responsibilities of the contractors. During the construction stage, the contractors are responsible to mitigate all environmental impacts related with the construction activities while the LGED is responsible for the construction supervision including environmental monitoring. Ensuring environmental compliance during operation of the health care centers is the responsibility of the environmental specialist consultant of the PMU. The Grievance Redress Mechanism (GRM) was prepared during the project preparation stage. However, the grievance redress committee (GRC) was not developed for each subproject level. On the other hand, the PMU did not receive any complaint from the local level until now due to the project intervention.
6. Grievance redress mechanism is set up through the catchment community’s ward urban health coordination committee led by two elected councilors (one male and one female) and at the central level through the project website with all names and contact information clearly identified. To date no complaints have been received.

Table II-1. Status of Compliance with the Environmental Provisions of the Loan Covenant 2878-BAN (SF)

Environmental Provision	Status of Compliance
<p>Schedule 4. Conditions for Award of Contract. The Borrower shall not award, and shall ensure that an Implementing Agency does not award any Works contract which involves environmental impacts until (i) all government environmental clearances have been obtained for the IEE; (ii) the IEE has been cleared by ADB; and (iii) relevant EMP provisions have been incorporated into the respective Works contract;</p>	<p>Partially complied with: Based on (i) the ECR 1997 of DOE, this project was under category Orange B and (ii) based on ADB (SPS 2009), this project was under category B and therefore IEE was required. But due to minor civil works (according to the proponent opinion) the proponent (PMU of LGD) treated this project not under category B (ADB) and Orange B (DOE) but under category C (ADB) and Orange A (DOE) and therefore no objection certificate (NOC) from local authority and environmental clearance certificate (ECC) from the Department of Environment (DOE) was not obtained.</p>
<p>Schedule 5. Execution of Project; Financial Matters Environment Safeguards. The Borrower shall ensure, and shall cause each Implementing Agency to ensure, that the preparation, design, construction, implementation, operation and decommissioning of the Project and each subproject under the Project comply with: (a) all applicable laws and regulations of the Borrower relating to environment, health, and safety; (b) the Environmental Safeguards; (c) the EARF; and (d) all measures and requirements set forth in the IEE and the EMP, and any corrective or preventative actions set forth in the Safeguards Monitoring Reports.</p>	<p>Partial Complied with: An EARF was prepared for the project. However, site clearances were not obtained, DDRs for the Category C not prepared as EARF requirement. Submission of semi-annual environment monitoring reports (EMRs) to ADB were compliance.</p>
<p>Schedule 5. Safeguards – Related Provisions in Bidding Documents and Works Contracts 6. The Borrower shall ensure, and shall cause each Implementing Agency to ensure, that all bidding documents and contracts for Works contain provisions that require contractors to: (a) comply with the measures and requirements relevant to the contractor set forth in the IEE, the EMP and any corrective or preventative</p>	<p>Not Complied with: EMP was prepared and added in the Environmental Assessment and Review Framework (EARF). However, the EMP was not included into the bidding document.</p>

Environmental Provision	Status of Compliance
<p>actions set out in a Safeguards Monitoring Report; (b) make available a budget for all such environmental and social safeguards measures; and (c) provide the Borrower and ADB with a written notice of any unanticipated environmental and other safeguards-related risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the IEE, the EMP.</p>	

Table II-2: National Legal Instruments Related to the UPHCSDP

Policies, Laws and Regulations	Responsible Agency/Ministry/Authority	Potential Applicability	Compliance Status
The Environment Conservation Act, 1995	Ministry of Environment and Forest; Department of Environment	According to this law “no industrial unit or project shall be established or undertaken without obtaining, in the manner prescribed by rules, an Environmental Clearance Certificate from the Director General”.	Not complied with: Environmental clearance procedure not followed and no objection certificate from the local authority not obtained.
Environment Conservation Rules, 1997	Ministry of Environment and Forest; Department of Environment	The Rule sets out procedure for issuing Environmental Clearance Certificate. According to the Rule, proposed project is an orange B category project and needs to fulfill following requirements ❖ Prepare Initial Environmental Examination report. ❖ Report on the Environmental Management Plan (EMP). ❖ Obtain No objection certificate of the local authority.	Not Complied with: Construction of multi-storied buildings is considered as the ‘Orange B’ category in ECR 1997. and therefore IEE study, NOC from local authority and ECC from DOE were required. But these requirements were not fulfilled by the project proponent.
Environmental Courts Act, 2000	Ministry of Environment and Forest; Department of Environment	Sets out policy for effective pursuance and completion of legal proceedings related to environmental crimes.	Complied with. According to this act, government can take legal actions if any environmental problem occurs due to project interventions. To date, no notice of violation was received by the PMU.
National Land Use Policy, 2001	Ministry of Land	The policy provides guidelines for the protection of agricultural land, waterbodies, and the optimal use of other land, as well as for restriction or minimization of the acquisition of land for non-productive use.	Complied with. The project area does not involve any land acquisition.
Bangladesh Climate Change Strategy and Action Plan (BCCSAP) 2009	Ministry of Environment and Forest	This strategy prioritizes adaptation and disaster risk reduction. The climate change action plan is built on six pillars. One of them is research and knowledge management to predict the likely scale and timing of climate change impacts on different sectors.	Complied with. The UPHCSDP introduced the concept of green clinics and introduced solar energy systems.
Bangladesh Labour Act 2006	Ministry of Labour and Employment	The Act provides the guidance of employer’s extent of responsibility and workmen’s extent of right to get compensation in case of injury by accident while working. Provides for safety of work force during construction period.	Complied with. Occupational Health and Safety has been addressed both in the EMP and mitigation measures are listed in Annex 1 of the EARF. Occupational Health and Safety also addressed in contract documents.

III. SAFEGUARDS COMPLIANCE PERFORMANCE OF UPHCSDP

B. Compliance with the Environmental Provisions of the Loan Covenant

7. Overall, the UPHCSDP has complied with the environmental provisions of the loan covenant. The EARF was prepared during processing as guidance for the screening and assessment of subprojects. EARF is prepared and disclosed during processing as ADB's SPS requirement. The requirement to be monitored during implementation is compliance to the EARF through proper screening and assessment, preparation of IEEs for category B projects, and DDRs for category C projects. It has complied with the need to prepare and disclose the EARF that formed part of the Project Administration Manual, and the integration of the construction-phase environmental management plan (EMP) into the bidding documents that was prepared by the LGED. Although the LGED has conducted periodic and rigorous environmental monitoring of each CRHCC and PHCC construction, a compilation of these reports at the project level was not disclosed. Status of compliance with the environmental provisions of the Loan Covenant and National Legal Instruments Related to the UPHCSDP are shown in Tables III-1 and III-2, respectively.

C. Compliance with the Environmental Management Plan

8. The environmental management plan (EMP) attached in the Environmental Assessment and Review Framework (EARF) is prepared for all the identified environmental impacts during construction and operation stages due to implementation of various project activities and associated development. The aim of the EMP is to ensure implementation of the recommended mitigation measures effectively. The mitigation measures are designed either to prevent impacts or by mitigating those to reduce the effect to an acceptable level that complies with the environmental guidelines of DOE and with the guidelines of the ADB's SPS (2009) by adopting the most suitable cost-effective options. The EMP also ensures that the positive environmental impacts are conserved and enhanced. The project is on primary stage and no civil works has been started during the period of July 2013 to December 2013. Compliance to the EMP is not possible to addressed. However, the EMP has been prepared during the project preparatory stage but it was not included in the bid document.

IV. CONCLUSIONS AND RECOMMENDATIONS

9. UPHCSDP has complied with the environmental provisions of the loan covenant and the environmental safeguards requirement set by the ADB and the DOE. According to proponent opinion, there was no need to prepare IEE since the subprojects were all minor civil works subprojects and therefore were not categorized as B (ADB) and Orange B (DOE). But according to ADB and DOE, this project was under Category B (ADB) and Orange B (DOE) and therefore IEE was required which was not done by the project proponent. However, the project activities are partially or not complied with getting the permits from relevant authorities and other safeguard related activities such as preparation and implementation of the EMP as well as inclusion of EMP in the bidding document. These drawbacks are need to be addressed.