



# Environment and Social Compliance Audit Report

---

Independent Environmental, Health, Safety & Social (EHS&S) Compliance Audit Report  
Project Number: 44951-014  
July 2020

## BAN: Bibiyana II Gas Power Project

Prepared by ERM India Private Limited a member of Environmental Resources Management Group of companies on behalf of (Summit Bibiyana II Power Company Limited) for Asian Development Bank

This environment and social compliance audit report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

Asian Development Bank



# Thirteenth Independent Environmental, Health, Safety & Social (EHS&S) Compliance Assessment of Bibiyana II Power Project: Habiganj, Bangladesh

Final Report

10 February 2020

Project No.: 0494105

[www.erm.com](http://www.erm.com)

<b>Document details</b>	
Document title	Thirteenth Independent Environmental, Health, Safety & Social (EHS&S) Compliance Assessment of Bibiyana II Power Project: <i>Habiganj, Bangladesh</i>
Document subtitle	Final Report
Project No.	0494105
Date	10 February 2020
Version	1.0
Author	Subhradeb Pramanik and Dwaipayan Dutta
Client Name	Summit Bibiyana Power Company Limited (SBPCL)

#### Document history

Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
1.0	0	Subhradeb Pramanik, Dwaipayan Dutta	Neena Singh	Neena Singh		

---

## Signature Page

10 February 2020

# Thirteenth Independent Environmental, Health, Safety & Social (EHS&S) Compliance Assessment of Bibiyana II Power Project: Habiganj, Bangladesh

## Final Report

---

Neena Singh  
Managing Partner

Subhradeb Pramanik  
Principal Consultant

---

Dwaipayan Dutta  
Senior Consultant

---

### ERM India Private Limited

Building 10A, 4<sup>th</sup> Floor  
DLF Cyber City, Gurgaon  
NCR – 122002  
INDIA

© Copyright 2020 by ERM Worldwide Group Ltd and / or its affiliates ("ERM").  
All rights reserved. No part of this work may be reproduced or transmitted in any form,  
or by any means, without the prior written permission of ERM

## CONTENTS

<b>1. EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>2. INTRODUCTION .....</b>	<b>4</b>
2.1 Background.....	4
2.2 Objectives and Scope of Work.....	4
2.3 Compliance Assessment Framework .....	5
2.4 ERM Team for Site Visit.....	5
2.5 Approach to the Compliance Assessment .....	6
2.5.1 Kick-Off Meeting .....	6
2.5.2 Documents Review .....	6
2.5.3 Site Visits and Physical Verification .....	8
2.5.4 Close Out Meeting .....	8
2.5.5 Reporting .....	9
2.6 Limitation .....	9
2.7 Layout of this Report.....	9
<b>3. PROJECT APPRECIATION AND CURRENT STATUS OF THE PROJECT .....</b>	<b>10</b>
3.1 The Project .....	10
3.2 Project Developer .....	10
3.3 Current Project Status .....	10
3.4 Associated Project Facilities .....	11
3.5 Project Operational Status and EHS Performance .....	11
<b>4. SUMMARY OF KEY OBSERVATIONS .....</b>	<b>13</b>
4.1 Environment, Health and Safety .....	13
4.1.1 Legal Register.....	13
4.1.2 Environment Linked Observations .....	16
4.1.3 Health & Safety Linked Observations .....	17
4.1.4 EHS Regulatory Compliance Status .....	18
4.2 Social Observations.....	19
4.2.1 Manpower engagement .....	19
4.2.3 Payment of minimum wage and overtime by EPC contractor .....	26
<b>5. COMPLIANCE STATUS OF CAP &amp; ESMMP AND IFC ESAP .....</b>	<b>44</b>
<b>6. EHS&amp;S REGULATORY COMPLIANCE ASSESSMENT .....</b>	<b>94</b>
<b>7. CORRECTIVE ACTION ITEMS .....</b>	<b>115</b>
<b>8. CONCLUSIONS .....</b>	<b>119</b>

## APPENDIX A PHOTO-DOCUMENTATION

## APPENDIX B DETAILED SUMMARY OF SBPCL STAKEHOLDER CONSULTATIONS

### List of Tables

Table 3.1 Key Timelines – SBPCL Project .....	10
Table 3.2 Project Associated Facilities – Status .....	11
Table 3.3 Operational Performance – July to December 2019.....	11
Table 3.4 EHS Performance – January to June 2019 .....	12
Table 4.1 EHS License/Permit Compliance Status for Operations Phase .....	14
Table 4.2 Manpower engaged at power plant by SBPCL .....	19
Table 4.3 NEPC-S engaged Manpower in Power Plant during 13 <sup>th</sup> EHSS Assessment.....	20
Table 4.4 SBPCL corrective action against gaps identified in HR Management Practices .....	22

Table 4.5	Community consultation by ERM in 13 <sup>th</sup> EHSS visit.....	33
Table 4.6	Status on CDP implementation .....	35
Table 4.7	Summary of Stakeholder Consultation - SBPCL .....	42
Table 5.1	CAP & ESMMP Compliance Status .....	44
Table 5.2	IFC ESAP Compliance Status .....	90
Table 6.1	EHS&S Regulatory Compliance Status .....	94
Table 7.1	Corrective Action Items List .....	115

## Acronyms and Abbreviations

Name	Description
ADB	Asian Development Bank
BATS	Bangladesh Air Traffic Services
BCAS	Bangladesh Centre for Advance Studies
BIWTA	Bangladesh Inland Water Transport Authority
BPDB	Bangladesh Power Development Board
BRTA	Bangladesh Road Transport Authority
CAP	Corrective Action Plan
CCPP	Combined Cycle Power Plant
CDO	Community Development Officer
CDP	Community Development Plan
CIB	Chief Inspector of Boilers
CMT	Construction Management Team
CO	Carbon Monoxide
COD	Commercial Operations Date
DGM	Deputy General Manager
DOE	Department of Environment
DOEXP	Department of Explosives
DPHE	Department of Public Health Engineering
EHS	Environment, Health and Safety
EHS&S	Environmental, Health, Safety and Social
EPC	Engineering, Procurement and Construction
ERM	Environmental Resources Management
ESAP	Environmental and Social Action Plan
ESIA	Environmental and Social Impact Assessment
ESMMP	Environmental and Social Management and Monitoring Plan
ETP	Effluent Treatment Plant
FNTP	Full Notice to Proceed
GIIP	Good International Industry Practices
GLC	Ground Level Concentration
GOB	Government of Bangladesh
GRM	Grievance Redress Mechanism

Name	Description
GSA	Gas Supply Agreement
GT	Gas Turbine
HIRA	Hazard Identification and Risk Assessment
HIRAC	Hazard and Risk Assessment and Control
HR	Human Resources
HRSG	Heat Recovery Steam Generator
HSD	High Speed Diesel
IA	Implementation Agreement
IFC	International Finance Corporation
IsDB	Islamic Development Bank
ISO	International Organisation for Standardisation
JCCR	Joint Committee for Community Relation
JGTDSL	Jalalabad Gas Transmission and Distribution System Limited
JHA	Job Hazard Analysis
JSA	Job Safety Analysis
L&FS	Life and Fire Safety
LLA	Land Lease Agreement
LPG	Liquid Petroleum Gas
LRP	Livelihood Restoration Plan
MoM	Minutes of Meeting
MSDS	Material Safety Data Sheet
NEPC	First Northeast Electrical Power Engineering Co.
NEPC-S	Northeast Electric Power Engineering & Services Company
NGO	Non-Governmental Organisation
NOx	Oxides of Nitrogen
OHSAS	Occupational Health and Safety Management System
OJT	On-Job Training
PAF	Project Affected Family
PAC	Provisional Acceptance Certificate
PGCB	Power Grid Company of Bangladesh
PM	Particulate Matter
PAH	Project Affected Household
PAP	Project Affected Person
PPA	Power Purchase Agreement
PPE	Personal Protective Equipment
RAP	Resettlement Action Plan
RFP	Request for Proposal
RMP	Rural Medical Practitioner
SBIIPCL	Summit Bibiyana II Power Company Limited

Name	Description
SBPCL	Summit Bibiyana Power Company Limited
SIA	Social Impact Assessment
SIMCPL	Summit Industrial and Mercantile Corporation (Pvt.) Ltd
SO <sub>2</sub>	Sulphur Dioxide
SOP	Standard Operating Procedure
ST	Steam Turbine
TBT	Tool Box Talk
TK	Bangladeshi Taka
TNA	Training Need Assessment
TUV	TUV Austria Bureau of Inspection & Certification (Pvt.) Limited, Bangladesh
WB	World Bank
WHO	World Health Organisation

## 1. EXECUTIVE SUMMARY

ERM India Pvt. Ltd. (ERM) was commissioned by Summit Bibiyana Power Company Limited (SBPCL) in order to conduct independent environment, health, safety and social (EHSS) compliance monitoring/ auditing of its 341 MW natural gas fired combined cycle power plant (CCPP) (hereinafter referred to as “the Project”), on behalf of the project financiers, which include Asian Development Bank (ADB), International Finance Corporation (IFC) and Islamic Development Bank (IsDB), after it was agreed by the Lenders and Borrower (SBPCL) to engage ERM in the role of **Financiers’ Environmental and Social Adviser** for the purpose of the Borrower’s *Compliance with Lenders’ Environmental and Social Requirements*, and to respond to environmental and social concerns that the Lenders may have from time to time. The current assessment covers for the period July 2019 to Dec 2019 with site visit undertaken by the ERM team during 29-30 January 2020.

Single cycle operation of the project commenced from 6<sup>th</sup> June 2015 with COD for combined cycle operations being declared on 28<sup>th</sup> December 2015. The EPC Contractor has completed the necessary construction and commissioning works regarding operation of combined cycle power generation. The O&M Contractor - China Northeast Electric Power Engineering and Services Co. Ltd (NEPC-S) has fully taken over the plant operation from the EPC contractor after issuance of Provisional Acceptance Certificate (PAC) by the SBPCL on 28<sup>th</sup> August 2016. NEPC- the EPC contractor has completed its warranty period and has been presently demobilized from the Site.

With project now fully operated by the O&M contractor (NEPC-S), the project compliance to operational EHSS requirements has been assessed to be satisfactory, with continual improvement being demonstrated by the project. NEPC-S has already developed and started implementation of the EHS management system. Key observations made during the 13<sup>th</sup> EHSS compliance audit are summarized below:

- With respect to EHSS regulatory permitting the project is found to be in compliance. SBPCL is assessed to have demonstrated satisfactory compliance to the operation phase ESAP and ESMMP commitments.
- The facility has obtained IMS Certification (ISO 9001: 2015, ISO 14001: 2015 and ISO 18001: 2007/ ELOT 1801: 2008) from M/s TUV Austria on 20 December 2017, which is found to be valid till 19 December 2020.
- A Sludge Management Plan to be developed based on analysis of the sludge in consistent with the requirements under Bangladesh Standards and Guidelines on sludge management.
- NEPC-S continues with the monthly in-house monitoring of ambient noise quality within the site premises and near sensitive receptors like village settlements of *Parkul, Bongaon and Paharpur*. Ambient noise levels at the village locations found to be higher than the night-time noise standard during July to September 2019. For the subsequent months (Oct to Dec 2019), the night time noise levels were found to be within the standards. The reduction in night time noise during the period Oct-Dec 2019 could be attributed to the fact that the construction work for the neighbouring power production units like Bibiyana-3 is now over with the plant operational since end of Sep 2019. As specified in the ESMMP, NEPC-S to develop and implement a procedure/system to record and track community complaints related to high noise levels.
- In accordance to ESMMP for operations, fish habitat survey to be undertaken following the first year of operation. With plant in operation since early 2016, such study is yet to be undertaken and is reportedly to be carried out by June 2020.
- NEPC-S has engaged Life Line Diagnostic for disposal of medical waste with agreement made to this regard on 15 October 2019, which is found to be valid until 14 October 2020. However, in accordance to ESMMP requirement the aforesaid facility is required to be audited by NEPC-S with necessary license for collection and transportation of medical waste of the said agency is also to be shared as per applicable regulations.

- For “work over water” related to access and operation of the water abstraction unit located on Kushiara River, NEPC-S is yet to undertake a job hazard analysis including development and implementation of a work permit system and training program for such activity. Furthermore, the EPRP do not cover potential emergencies such as fall in water and the appropriate response measures to be adopted including resources available to manage such emergencies.
- In accordance to ESMMP for operations, NEPC-S is required to undertake an independent occupational H&S audit by engaging a third party consultant/agency on an annual basis. With site operating since early 2016, NEPC-S is yet to engage an independent agency/consultant to undertake such audit.
- NEPC-S is yet to undertake comprehensive examination of the lifting tools and equipment's for 2019 through an authorised agency and keep records of such examination in prescribed format (Form 24) as per BLR, 2015. The last examination of lifting tools and equipment's was undertaken in November 2018 and the next examination is scheduled for June/July 2020.
- Electrical Supervisor Certificate as issued by Bangladesh Electrical Licensing Board to the designated NEPC-S personnel have expired on 29 June 2019 and is currently under renewal. For Chinese nationals operating under the payroll of NEPC-S and involved in electrical installation and maintenance works necessary permit/certification is found to be available, however details of such wiremen certification for Bangladesh nationals involved in electrical work is yet to be shared by NEPC-S.
- Lock out devices and tags were found to be missing for breakers of the two (2) sewage pumps and a circulating pump currently decommissioned by NEPC-S. However, necessary preventive action was taken by NEPC-S towards implementation of LOTO at the aforesaid areas and in order to prevent its recurrence.
- In regard to the constitution of a Worker Participation Fund and a Workers Welfare Fund under Rule 234 of the Bangladesh Labour Act 2006 based on findings of the site visit undertaken by Labour Inspector on dated 19<sup>th</sup> Sept 2017, the Company has informed that the subject is in the process of resolution by the respective regulatory authority.
- M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises after getting the labour license copy
- SBPCL had closed the back-wage settlement in alignment of the lenders' request, who has lastly visited in February 2019.
- All the informal grievances should be addressed in the grievance register, like noise related grievances of the adjoining villages. Also grievance lodged by NEPC-s workers should be incorporate in grievance register
- First CDP monitoring report is already submitted by the appointed consultant and the preparation of 2nd quarterly CDP monitoring report is under progress.
- SBPCL is required to provide a timeline to implement pending CDP items as recommended in CDP monitoring report which is still awaited. The CDP items comprise construction of new school building and a library at Parkul Primary school, installation of five hand pumps (one hand pump at resettlement site and remaining at the adjoining villages), strengthening of 0.5km road stretch of the resettlement colony, and improvement of the existing Health Service Centre through a physician providing services 6 days a week; the health centre should have toilet and running water facility

Overall, SBPCL and NEPC-S have demonstrated satisfactory progress towards compliance to the regulatory and project financiers' EHSS obligations as recommended in the earlier audit report and this is to continue to sustain with their efforts to this regard.

More focus is required to ensure improvement of specific occupational health and safety aspects with respect to electrical safety, work over water, lifting tool safety inspection and labour compliance (particularly with respect to the Bangladesh Labour Law 2006 and applicable provisions of the Bangladesh Labour Rules, 2015), and sustain with the efforts being made to stay in compliance.

The compliance status with respect to the corrective action items as outlined in the earlier sections will be verified during the next visit to be undertaken by ERM in July 2020 after internal compliance monitoring by SBPCL or any third party in June 2020.

## 2. INTRODUCTION

### 2.1 Background

ERM India Pvt. Ltd. (ERM) was commissioned by Summit Bibiyana Power Company Limited (SBPCL) in order to conduct independent environment, health, safety and social (EHSS) compliance monitoring/ auditing of its 341 MW natural gas fired combined cycle power plant (CCPP) (hereinafter referred to as “the Project”), on behalf of the project financiers, which include Asian Development Bank (ADB), International Finance Corporation (IFC) and Islamic Development Bank (IsDB). It was agreed by the Lenders and Borrower (SBPCL) to engage ERM in the role of **Financiers' Environmental and Social Adviser** for the purpose of the Borrower's *Compliance with Lenders' Environmental and Social Requirements*, and to respond to environmental and social concerns that the Lenders may have from time to time.<sup>1</sup>

The Project is a 341MW natural gas fired CCPP having one Gas Turbine (GT), one Heat Recovery Steam Generator (HRSG) and one Steam Turbine (ST). The Project is located at Parkul Village in Aushkandi Union under Nabiganj Upazilla of Habiganj District, Bangladesh. The combined cycle operations for the project was started on 28<sup>th</sup> December 2015. The audit was to primarily assess the compliance status of the project with respect to the following:

- *EHS&S Corrective Action Plan (CAP)* developed as part of the 1<sup>st</sup> Independent EHS&S Compliance Audit reporting submitted by ERM on 3<sup>rd</sup> November 2014;
- Operation phase ESMMP of the project;
- IFC's *Environmental & Social Action Plan (ESAP)*;
- CAP of 11<sup>th</sup> EHSS compliance audit conducted by ERM in January 2019; and,
- Internal EHS&S, Labour and Social audit verification conducted by BCAS in July 2019.

A total of 12 audits have been undertaken by ERM until date since September 2014, with this being the thirteenth in the series. The present audit undertaken from 29-30 January 2020 was to primarily assess the compliance status of the project with respect to the Project ESMMP, IFC ESAP and EHSS CAP as mentioned above.

### 2.2 Objectives and Scope of Work

The primary objective of this assignment was to assess the compliance status of the Project and its various components with respect to the agreed CAP between borrower and lenders, IFC ESAP, Construction & Operations Phase Environmental & Social Management & Monitoring Plan (ESMMP) of the EIA, action plan resulting from labour and social audit by BCAS, applicable legal requirements and to identify any key EHS&S issues (if any) for the Project:

The scope of the compliance audit was as follows:

- To assess the Project's compliance with the environment, health, safety and social (EHS&S) requirements of the audit framework (described subsequently);
- To review the effectiveness of implementation of mitigation measures and monitoring programmes at site developed as part of the ESIA study;

---

<sup>1</sup> Initially, ERM was commissioned by SBPCL on 17<sup>th</sup> September 2014 for independent Environmental, Health, Safety and Social (EHS&S) Compliance Audit as an internal audit requirement. The first audit by ERM was conducted in the last week of September 2014 and final report of audit was submitted on 3<sup>rd</sup> November 2014. After the first EHS&S compliance audit, based on the discussions with lenders, SBPCL had engaged Bangladesh Centre for Advance Studies (BCAS) as Borrower's monitoring auditor/consultant for the compliance monitoring, considering that the same agency was involved during the Environmental and Social Impact Assessment (ESIA) of the Project. In order to conduct independent monitoring/auditing on behalf of the lenders, it was agreed by the Lenders and Borrower to engage ERM to periodic compliance audits.

- To review the status of environment management, health and safety, protection of labour force, during construction and operation phases of the Project;
- To review the status of environmental and social action plan (ESAP) compliance, which came out from the first compliance monitoring during the construction stage conducted by ERM and social impact assessment (SIA) conducted by BCAS;
- To review the status of ESAP as formulated by IFC and agreed by SBPCL;
- To review the implementation of the resettlement action plan (RAP) and livelihood restoration plan (LRP) developed for the Project;
- To review the company's existing management system, standard operating procedures (SOPs) and training in relation to EHS&S and identification of areas for improvement/ enhancement;
- To review the environment, health and safety records of site and compliance with respect to the site specific safety management system adopted by the O&M contractor and by the company; and,
- To provide objective reports to the project financiers confirming compliance and if not, recommending additional corrective actions, as appropriate to the Project during construction and operation stages.

## 2.3 Compliance Assessment Framework

The EHS&S compliance assessment was carried out and evaluated against the following criteria:

- Applicable Local and National environment, occupational safety, health and social legislations;
- IFC Performance Standards on Social and Environmental Sustainability (2012);
- ADB Safeguard Policy Statement (2009);
- IFC/WB Environment, Health and Safety Guidelines – General and for Thermal Power Plants;
- Good International Industry Practices (GIIP) including elements of ISO 14001, OHSAS 18001 Occupational Health and Safety Management System;
- EHS&S CAP integral to the Independent EHS&S Compliance Audit Report of ERM dated 3<sup>rd</sup> Nov 2014;
- All requirements specified in the Labour Audit report prepared by BCAS dated 25<sup>th</sup> June 2015;
- All requirements and mitigating or monitoring measures specified in the ESMMP of the ESIA report prepared by BCAS dated July 2014;
- All requirement specified in the Environmental & Social Monitoring Report and Social Audit report prepared by BCAS dated July 2019; and
- All requirements and mitigating or monitoring measures specified in the ESIA as well as RAP, Community Development Plan (CDP) and LRP.

## 2.4 ERM Team for Site Visit

A two-member ERM team had conducted the site visit and consultations from 29-30 January 2020. The composition of the ERM team was as follows:

- **Subhradeb Pramanik (Environment, Health and Safety Specialist):** Subhradeb Pramanik holds a Master Degree in Environmental Science and is presently working as a Principal Consultant at ERM India in Kolkata office. He has over 13 years of experience in field of EHS audits, due-diligence, site assessment and environmental impact assessments (EIAs) studies. Over the years he has played a key role in managing numerous projects in oil & gas, roads, mining, chemical, manufacturing, power and transmission sector. His primary focus and

experience lies in the development and implementation of management systems, compliance monitoring, regulator reviews and EHSS performance audits. Apart from this he has also worked as a key EHS auditor for both Inogen Group and ARCADIS SENES India to support the implementation of their Due Diligence and Phase I & 2 programs for nearly 50 projects for key multinational clients in textile, metallurgical, chemicals and building sector.

- **Dwaipayan Dutta (Social Specialist):** Dwaipayan is working as a Consultant with ERM India. He has over 12 years of experience in the field of Social Development including coordinating and conducting Environment and social impact assessment (ESIA), environment social due diligence studies (ESDD), preparation & implementation of resettlement action plans(RAP), Livelihood Impact Assessment (LIA), public consultation & focused group discussion on environmental and social issues, developing social management frameworks and plans, and conducting monitoring and evaluation studies in various infrastructure and rural development projects. He has gained experience of working across sectors out of which some key sectors include Manufacturing industry, National and State Highways, Railways, Hydro-Power projects, Thermal Power, Transmission line, Renewable Energy where he was engagement as social expert. He has experience of working with multi-lateral as well as bilateral funding agencies, which include World Bank, ADB, IFC, GIZ, KfW, JBIC and is conversant with World Bank, Asian Development Bank, JBIC and IFC guidelines and policies. He is capable of carrying out social assessment studies, socio-economic baseline studies, planning and conducting public consultation/stakeholder consultation, indigenous peoples' studies, preparation of land acquisition plan, resettlement and rehabilitation plans, monitoring and evaluation strategies. He has effectively undertaken a number of Community Needs Assessments and Socio-economic Studies. Dwaipayan has worked extensively in Bangladesh undertaking environmental and social impact assessment, due diligence and risk assessment for Transmission Line, LNG/ FSRU Terminals, Manufacturing industry. He has undertaken land audits for land acquisition and negotiated purchase of land for township project, solar projects, for ADB and IFC. He also has experience of working in several projects in India and other countries as well like Bangladesh, Sri Lanka and Philippines.

## 2.5 Approach to the Compliance Assessment

The following approach and methodology was adopted for the current assignment.

### 2.5.1 Kick-Off Meeting

The site visit began with a kick off meeting on 29 January 2020 with the SBPCL and NEPC-S at the project site office. The kick off meeting helped in developing understanding on the current status of the Project and developments at the site. The *ERM* team also explained the purpose of the assignment as well as shared the approach and key activities that were planned in the course of the audit.

### 2.5.2 Documents Review

The relevant Project documents pertaining to the EHS and social compliances were reviewed at the site. This was aimed at understanding the ongoing implementation, record maintenance, internal monitoring and reporting and mandatory regulatory compliances required for the project. Key documents reviewed include:

- Environment and Social Monitoring Report prepared by BCAS (January 2020);
- Environmental, Health, Safety & Social Monitoring Plan (SBPCL-EHS-007) prepared by SBPCL;
- CAP Status and Comments spreadsheet;
- NEPC-S Project Legal Register;
- NEPC-S Operational EHSS Procedures;

- Records of online and manual stack emissions monitoring, ambient air and noise monitoring, surface, ground water, ETP sludge and treated effluent sampling and analysis for the period July to December 2019;
- Manual and calibration records for continuous emission monitoring system and ambient air quality monitoring system;
- Environmental & Social Management & Monitoring (ESSMP) Compliance Status for Operations as prepared by BCAS (January 2020);
- Monthly Environmental Performance Report as submitted by SBPCL to Department of Environment (DoE), Bangladesh for the period July to December 2019;
- Accident & Incident Register maintained in prescribed format as per Bangladesh Labour Rules 2015;
- Chemical and waste inventory sheet maintained by NEPC-S;
- Inventory of lifting equipment and pressure vessels;
- Sample set of Safety Training Records;
- Sample set of Monthly EHS Inspections & Daily Site Visit Observations;
- Annual EHS Training Calendar;
- Sample copies of HSE meetings;
- Checklist of First Aid boxes;
- Pressure Vessel Test records undertaken by third party agency during December 2019;
- Copy of waste disposal agreement with Rima Enterprise and Life Line Diagnostic & Consultation Centre;
- Emergency Response Plan as updated November 2019;
- Competency certificate of third party agency – LIFTSOL involved in periodic examination of pressure vessels, lifting tools and equipment's;
- Noise Management Plan (NEPCS-O&M-P-OHS-0017);
- Work Permit Management System Standard (NEPCS-O&M-P-EHS-02-02);
- Safety Relieve Valve test report;
- Procedure on Working at Height-Hazard Control procedure, Confined Space Safety Operation Standard, ;
- Environmental Clearances for third party waste contractors;
- Sample copies of Monthly Reports for Operations;
- Facility Earthing Inspection Report;
- Mock drill reports;
- Fire Safety Plan;
- Sample inspection records of firefighting equipment onsite;
- Sample medical examination and audiometric test report of onsite personnel;
- License of third party bulk petroleum storage and transportation agency;
- Workplace Illumination Monitoring Records – 2019;
- Details of community consultation held during 13<sup>th</sup> EHSS assessment period;

- Status report on back wage payment due for construction workers;
- Manpower break-up of the SBPCL, NEPC-S (O&M Contractor), NEPC (EPC Contractor); and,
- Grievance Management Process and Records;
- LRP completion Audit Report prepared by an external LRP audit consultant;
- 1<sup>st</sup> Quarterly CDP Monitoring Report by AKM Shahjahan, CDP monitoring consultant, Dhaka, April, 2019;
- HR Manual of Summit Corporation Limited;
- HR Manual of NEPC-S (O&M Contractor);
- Stakeholder Minutes of Meeting addressing the flood issue of Resettlement area with PGCB;
- Summary consultation undertaken with various stakeholders by SBPCL viz. landowners, sharecroppers, agricultural labour, Local NGO (SEBA), Vulnerable groups, Auskandi Union Parishad and project surrounding community;
- Application copy of Labour Licence by M/s Rafi Enterprises (Labour Contractor); and
- NEPC-S leave register for last 3 months (Oct to Dec 2019), appointment letter.

### 2.5.3 Site Visits and Physical Verification

The *ERM* team accompanied by the representatives of the project team undertook site visits of the key project components to assess the status and compliance with respect to EHS and social/labour issues and legal obligations. During the site visit, the team made physical and visual inspection/verification of the project operational component and associated activities. This was followed by consultations with the project affected communities. The different activities undertaken during the course of site visits included:

- **Discussions and Interviews:** The team conducted detailed discussions and interviews with the SBPCL personnel and relevant personnel of the O&M contractor (NEPC-S), employed to understand and assess the environmental, health and safety and labour related issues and their management onsite.
- **Discussion with the communities of SBPCL:** The *ERM* team had discussions with some of the PAPs in Resettlement Colony area as well as with the school management committee members in Parkul Village. In addition, discussions held with representatives of Paharpur village on any key grievances/concerns related to Bibiyana II project and other power projects coming up near vicinity.
- **Discussion at Parkul Primary School:** The *ERM* team had discussion with Parkul Primary school Head Master to understand the proposed development work at the school and set up of a library.
- **Discussion at Health Centre, Parkul:** The *ERM* team had discussions with the doctor at Health centre run by SEBA (a local NGO). SBPCL Community Development Plan is to enhancement of the health services in this existing health centre.

### 2.5.4 Close Out Meeting

A close out meeting was held at the site office on 30 January 2020 with the NEPC-S and SBPCL Management representatives. *ERM* presented to SBPCL and NEPC-S Management team with the key observations and findings based on the site visit, discussions with the site personnel and contractors and review of the relevant documents and sought their responses to the observations/findings. The CAP and ESAP compliance status, identified gaps and actions required to close the gaps identified were also discussed during this meeting. Some of the newly identified issues, associated with project operations were also briefed during the closing meeting.

### 2.5.5 Reporting

Information from various sources gathered during the site assessment and direct observations made by ERM have been collated and compared against the reference framework.

## 2.6 Limitation

The report is based on information provided to ERM before, during the site visit and post the site visit. The findings and observations made herein are based on application of professional judgement. The findings should be viewed in the context of the applicable scope and objectives of the study and the limitation on time and resources made available to the consultants for the successful completion of the study. The Compliance Assessment was based on readily available information/ documentation, visual reconnaissance, and management interviews in course of site visit. Kindly also note that the scope of work did not include any sampling, analysis of environmental media, collection of primary data, engineering design or development of technical specifications or cost estimates among others.

*ERM* is not engaged in consulting or reporting for the purpose of advertising, sales promotion, or endorsement of any client interests, including raising investment capital, recommending investment decisions, or other publicity purposes. Client acknowledges this report has been prepared for their and their clients' exclusive use and agrees that *ERM* reports or correspondence will not be used or reproduced in full or in part for such purposes, and may not be used or relied upon in any prospectus or offering circular. Client also agrees that none of its advertising, sales promotion, or other publicity matter containing information obtained from this assessment and report will mention or imply the name of *ERM*.

Nothing contained in this report shall be construed as a warranty or affirmation by *ERM* that the site and property described in the report are suitable collateral for any loan or that acquisition of such property by any lender through foreclosure proceedings or otherwise will not expose the lender to potential environmental or social liability.

## 2.7 Layout of this Report

The report has been prepared in the following layout:

- Section 2:* (this section) provides a background of the assignment, objectives and scope of work, approach and methodology along with limitation of the review and report.
- Section 3:* Project Appreciation and Current Status of the Project
- Section 4:* Summary of Key Observations
- Section 5:* Compliance Status of the CAP & ESMMP and IFC ESAP
- Section 6:* EHS&S Regulatory Compliance Assessment
- Section 7:* Corrective action items identified based on this monitoring
- Section 8:* Conclusion

### 3. PROJECT APPRECIATION AND CURRENT STATUS OF THE PROJECT

#### 3.1 The Project

The project of 341 MW gas-fired CCPP is developed by SBPCL by installing one Gas Turbine (GT), one Heat Recovery Steam Generator (HRSG) and one Steam Turbine (ST). Gas supply for the Project is from Bibiyana Gas Field and is being supplied by the Gas Supplier – Jalalabad Gas Transmission and Distribution System Limited (JGTDSL). Power generated by the Project is being evacuated through an existing 230 kV transmission line of the Power Grid Company of Bangladesh (PGCB).

#### 3.2 Project Developer

The project developer for the Bibiyana II Gas Power Project is Summit Bibiyana Power Company Limited (SBPCL)<sup>2</sup>, which was incorporated in Bangladesh on 21<sup>st</sup> December 2010, as a joint venture of Summit Corporation Limited (SCL), which was formerly known as Summit Industrial and Mercantile Corporation (Pvt.) Ltd. and GE Energy LLC, a wholly owned subsidiary of General Electric Company. SCL is part of the Summit Group, an established financial entity and is experienced in the efficient management, operation and maintenance of similar facilities in Bangladesh. Summit Group is one of the largest Bangladeshi conglomerates and the industries under this conglomerate include communication, trading, energy, power and shipping.

#### 3.3 Current Project Status

**Table 3.1** below depicts important dates and timelines for SBPCL Project.

**Table 3.1 Key Timelines – SBPCL Project**

S. No.	Particular	Date
1	Date of signing Implementation Agreement (IA)	12 <sup>th</sup> May 2011
2	Date of signing Power Purchase Agreement (PPA)	12 <sup>th</sup> May 2011
3	Date of signing Gas Supply Agreement (GSA)	12 <sup>th</sup> May 2011
4	Date of Signing Land Lease Agreement (LLA)	12 <sup>th</sup> May 2011
5	Contract effective date	12 <sup>th</sup> May 2011
6	Implementation period as per contract	31 Mar 2013 - 31 Dec 2015
7	Required Simple Cycle Operation Date (RSCOD)	31 Dec 2014
8	Simple Cycle Operation Date	06 June 2015
9	Date of Financial Closure	08 July 2015
10	Required Commercial Operation Date	31 Dec 2015
11	Combined Cycle COD	28 Dec 2015
12	Issuance of PAC to the EPC Contractor	28 August 2016
13	Demobilisation of EPC Contractor post completion of the warranty period	28 August 2019

<sup>2</sup> In pursuant to the provisions of the Companies Act, 1994, the name of Summit Bibiyana II Power Company Limited (SBIIPCL) now stands changed to Summit Bibiyana Power Company Limited (SBPCL). The aforesaid change has been notified by the Registrar, Joint Stock Companies and Firms, Bangladesh vide letter dated 26 January 2017.

### 3.4 Associated Project Facilities

Regarding work progress on the project associated facilities (not being constructed or financed by SBPCL) viz. gas pipeline, switchyard, access road, transmission line etc., an update has been provided in **Table 3.2** for reference. However, as clearly specified by the Borrower, the construction as well as operation and maintenance of these components rests with other parties (i.e. government entities).

**Table 3.2 Project Associated Facilities – Status**

S. No.	Facility*	Area (acres)	Responsibility	Status (Work Completed)
1	Switchyard	26.0	PGCB	07 March 2015
2	Site Access Road	2.0	BPDB	29 November 2014
3	Gas Pipeline	8.5	JGTDSL	12 April 2015
4	Construction Laydown Area	14.0	BPDB/SBPCL	August 2013
5	Transmission Line	70 meters to switchyard	PGCB	28 February 2015

\* Components not under financing by Lenders

Source: SBPCL and BCAS

### 3.5 Project Operational Status and EHS Performance

The details of the project operational status and EHS performance during the half-yearly compliance audit for the period July to December 2019 have been presented in **Table 3.3** and **Table 3.4**, respectively.

**Table 3.3 Operational Performance – July to December 2019**

S. No.	Particular	Jul'19	Aug'19	Sep'19	Oct'19	Nov'19	Dec'19
1	Gross Generation, (MWH)	233996.0	236580.0	191658.0	234229.0	227023.0	165293.0
2	Auxiliary Consumption (MWH)	6761.0	6791.0	5990.0	6642.0	6410	5010
3	Total Export, (MWH)	227279.0	229789.0	185940.0	227587.0	220613.0	160711
4	Total Import, (MWH)	44.0	0.0	272	0	0	428
5	Net Energy Export (MWH)	227235.0	229789.0	185668.0	227587.0	220613	160283
6	Natural Gas Consumption (As per GT's RMS meter) (MSCF)	1538.4	1553.2	1274.0	1546.8	1495	1104.6
7	Availability (%)	98.63	100.0	85.2	100	100	69.0
8	Equivalent Forced Outage Factor (EFOF) (%)	1.37	0.0	0.2	0	0	0.0
9	Plant Factor (%)	89.6	90.6	75.6	89.7	89.85	63.2
10	DM production (m <sup>3</sup> )	15680.00	12420.0	6387.0	7663	7925	7813.0
11	Clarified water production (m <sup>3</sup> )	222412.00	238714.0	213075.0	221896	220546	162611.0

Source: NEPC-S Monthly Reports for July to December 2019; NA – Not available

**Table 3.4 EHS Performance – January to June 2019**

S. No.	Particular	Jul'19	Aug'19	Sep'19	Oct'19	Nov'19	Dec'19
<b>A</b>	<b>Environment</b>						
1	Quantity of NOx Emission (tons)	10.8	8	6.14	9.56	8.06	4.05
2	Quantity of CO <sub>2</sub> Emission (tons)	86,032	86,859	71,237	83,702	83,572	16280
3	Quantity of effluent (m <sup>3</sup> )	9,718	8,441	7,975	6,645	9,566	5308
4	Quantity of sludge (kg)	0.02	0.02	0	0	0	0
5	Quantity of Oily cloth (kg)	0	0	0	0	0	0
6	Quantity of used oil filter (pcs)	1,200	1,000	800	700	700	700
7	Quantity of used oil (litres)	40	30	30	0	30	0
8	Generation of medical waste (kg)	0.01	0.01	0.01	0	0	0.1
9	No. of environmental accidents	0	0	0	0	0	0
<b>B</b>	<b>Health &amp; Safety</b>						
1	Fatality	0	0	0	0	0	0
2	Lost Time Accident (LTA)	0	0	0	0	0	0
3	First Aid Cases	0	0	0	0	0	0
4	Near Miss	0	0	0	1	0	0
5	Days since LTA	1517	1548	1578	1609	1639	1670

Source: NEPC-S Monthly Reports for July to December 2019

## 4. SUMMARY OF KEY OBSERVATIONS

Considering that the Project is already in combined cycle operations since last 48 months with COD for combined cycle operations declared in December 2015, efforts have been made by the ERM team to assess project EHSS performance for operations stage and also to verify compliance status of any pending EHSS related actions, which were put as corrective action plan in the last compliance audit in August 2019. The EHSS observations/findings made in this regard have been summarized in the subsequent sections below.

### 4.1 Environment, Health and Safety

The observations made by the ERM audit team with respect to the project EHS aspects as outlined in the CAP, ESMMP, ESAP and applicable local and national regulations have been tabulated under the various sub-sections below.

#### 4.1.1 Legal Register

The EHSS Compliance Audit Report prepared by ERM dated November 2014 suggested development of a legal register for both construction and operations phases. SBPCL has prepared a permitting register for ensuring timely approval or renewal of all legal compliances of the project with respect to operations. **Table 4.1** provides status of the various permits/licenses as applicable for operational phase of the project.

**Table 4.1 EHS License/Permit Compliance Status for Operations Phase**

S. No.	Permit/ License	Issuing Authority	Issue/ Reissue Date	Valid Until	Status*
1	Trade License	Aushkandi Union Parishad	14 <sup>th</sup> July 2019	30 <sup>th</sup> June 2020	In compliance
2	License for use of river water/ foreshore/jetty	Bangladesh Inland Water Transport Authority (BIWTA)	24 <sup>th</sup> November 2019	28 <sup>th</sup> August 2020	In compliance.
3	Environment Clearance Certificate	Department of Environment (DOE)	17 <sup>nd</sup> July 2019	16 <sup>th</sup> June 2020	In compliance
4	Permission for acid and alkali storage [The license is valid for storage of sulphuric acid (12.6 KL); hydrochloric acid (12.6 KL) and sodium hydroxide (8 KL).]	Department of Explosives (DOEXP)	30 <sup>th</sup> May 2019	30 <sup>th</sup> June 2020	In compliance
5	Fire Permit	Fire Service and Civil Defence	30 <sup>th</sup> June 2019	30 <sup>th</sup> June 2020	In compliance.
6	License for storage of Carbon Dioxide (6 KL capacity)	Department of Explosives (DOEXP)	31 December 2019	31 <sup>st</sup> December 2021	In compliance
7	License for Diesel Storage (4KL capacity)	Department of Explosives (DOEXP)	31 December 2019	31 <sup>st</sup> December 2021	In compliance.
8	License for Diesel Storage (1.36 KL capacity)	Department of Explosives (DOEXP)	20 <sup>th</sup> January 2019	31 <sup>st</sup> December 2020	In compliance
9	License for generation of Hydrogen and storage of Hydrogen inside plant	Department of Explosives (DOEXP)	31 December 2019	31 <sup>st</sup> December 2021	In compliance
10	License for installation of High pressure Gas pipeline inside power plant	Department of Explosives (DOEXP)	13 <sup>th</sup> May 2015	Entire project life cycle	In compliance
11	License of Boiler (IP, HP & LP Drum & Auxiliary Boiler )	Office of the Chief Inspector of Boilers (CIB)	15 <sup>th</sup> June 2019	14 <sup>th</sup> June 2020	In compliance.

S. No.	Permit/ License	Issuing Authority	Issue/ Reissue Date	Valid Until	Status*
12	Permission for Stack Erection	Bangladesh Air Traffic Services (BATS)	16 <sup>th</sup> June 2014	Entire project life cycle	In compliance.
13	License for Power Generation [License obtained for generation of 349 MW power (gross)]	Bangladesh Energy Regulatory Commission (BERC)	29 <sup>th</sup> June 2019	28 <sup>th</sup> June 2021	In compliance
14	Factories License	Deputy Chief Inspector of Factories	29 <sup>th</sup> May 2019	30 <sup>th</sup> June 2020	In compliance.
15	Groundwater abstraction permit for drinking purpose	Union Parishad	23 <sup>rd</sup> September 2014	Entire project life	In compliance
16	Groundwater abstraction permit for alternate plant water supply	Union Parishad	February 2016	Entire project life	In compliance

\* Status as on January 2020

#### 4.1.2 Environment Linked Observations

Some of the key observations linked to the Environmental performance of the project are mentioned below:

- SBPCL along with NEPC-S has in place a legal register updated to include the applicable EHS regulations and permit/license conditions along with their compliance status. All applicable permits/licenses pertaining to the project were found to be valid during the assessment period.
- The facility has obtained IMS Certification (ISO 9001: 2015, ISO 14001: 2015 and ISO 18001: 2007/ ELOT 1801: 2008) from M/s TUV Austria on 20 December 2017, which is found to be valid till 19 December 2020.
- Ambient air quality and flue gas emission are being continuously monitored by NEPC-S through online system installed, however in both cases the due date for calibration was found to have expired. Results of the emissions and ambient air quality is monitored through third party and online systems, were found to be in compliance with the standards prescribed in the Bangladesh Environment Conservation Rules, 1997 and IFC EHS Guidelines for Thermal Power Plants. Although for ambient air quality Lead and Ozone, need to be included in the monitoring program as per the revised ambient air quality standards.
- NEPC-S continues with the monthly in-house monitoring of ambient noise quality within the site premises and near sensitive receptors like village settlements of Parkul, Bongaon and Paharpur. Ambient noise levels at the village locations found to be higher than the nighttime noise standard during July to September 2019. For the subsequent months (Oct to Dec 2019), the night time noise levels were found to be within the standards. The reduction in night time noise during the period Oct-Dec 2019 could be attributed to the fact that the construction work for the neighbouring power production units like Bibiyana 3 is now over with the plant operational since end of Sep 2019. As specified in the ESMMP, NEPC-S to develop and implement a procedure/system to record and track community complaints related to high noise levels.
- Third party and in-house ambient noise monitoring results for the period July-December 2019 within the plant reveals compliance to both day and night time noise standards specified for industrial area under Bangladesh ECR, 1997.
- For the year 2019, NEPC-S has undertaken analysis of treated wastewater, by engaging a third party agency – M/s TUV Austria. The monitoring program includes a total of 32 pollutant parameters with results found to be in conformance with the inland water discharge standard specified under *Bangladesh ECR, 1997*. NEPC-S have not evaluated the in-house and third party monitoring results with respect to the effluent standards specified in the IFC EHS Guidelines for Thermal Power Plants.
- Review of the surface water monitoring report for the period between January and July 2019 reveals that the temperature difference varies within 0.5-1.6 Degree Celsius (°C), which conforms to the standards specified for thermal power in IFC Sector EHS guidelines. All other parameters (DO, pH, BOD and total coliforms) monitored conform to *Schedule 3 – Standards for Inland Surface Water of Bangladesh ECR, 1997*.
- In accordance to ESMMP for operations, fish habitat survey to be undertaken following the first year of operation. With plant in operation since early 2016, such study is yet to be undertaken and is reportedly to be carried out by June 2020.
- Drinking water analysis program is undertaken by NEPC-S by engaging a third party agency – M/s TUV Austria and is found to be covering all parameters in comparison to the Schedule 3B drinking water standards of the *Bangladesh ECR, 1997*.

- As mentioned in the earlier audit report, the damaged drip trays at the hazardous waste oil storage area has been replaced with appropriate signage's/labelling been displayed at the such waste storage area to depict the nature and type of the hazard.
- NEPC-S continues with its efforts to ensure that biomedical waste generated is segregated and stored in dedicated bins which are adequately labelled and colour coded in accordance to the provision of the *Medical Waste Management & Processing Rules, 2008*.
- NEPC-S has engaged Life Line Diagnostic for disposal of medical waste with agreement made to this regard on 15 October 2019, which is found to be valid until 14 October 2020. However, in accordance to ESMMP requirement the aforesaid facility is required to be audited by NEPC-S with necessary license for collection and transportation of medical waste of the said agency is also to be shared as per applicable regulations.
- As recommended in the earlier audit report, NEPC-S is yet to conduct analysis of the waste sludge for the following parameters - total organic carbon, loss of ignition, dissolved organic carbon and calorific value. Development and submission of a sludge management plan to DoE, Bangladesh is also pending as required under *Bangladesh Standards and Guidelines for Sludge Management (February 2015)*.

#### 4.1.3 Health & Safety Linked Observations

Some of the key observations on the health and safety aspects are as follows:

- Emergency Response and Preparedness Plan (EPRP) revised by NEPC-S in July 2019 was not found to bear the details of the firefighting and rescue team members and updated certified first aiders list. Furthermore, with NEPC-S involved in “work over water” the EPRP do not cover potential emergencies such as fall in water and the appropriate response measures to be adopted including resources available to manage such emergencies.
- For “work over water” related to access and operation of the water abstraction unit located on Kushiara River, NEPC-S is yet to undertake a job hazard analysis including development and implementation of a work permit system and training program for such activity.
- Occupational noise levels monitored in-house at the within the plant for the period July-Dec 2019 indicates high occupational noise levels varying within 85.31 to 87.76 decibels at the ST Room, GT Room, Cooling Tower and HRSG Auxiliary Pump house in comparison to the threshold limit of 85 decibels. Administrative controls like development and implementation of noise control procedure, audiometric testing etc. has been undertaken by NEPC-S to this regard.
- Per the earlier recommendation, NEPC-S has now undertaken illumination monitoring at security, kitchen and canteen room with values (510-535 lux) found to well within the standard (350 lux) specified in the BLR, 2015. Further to the above, NEPC-S has re-monitored the illumination levels at the WTP MCC room with results (475 lux) found to be in compliance with the aforesaid standard.
- NEPC-S has now prepared and displayed summary MSDS sheets (in both English and Bangla languages) for the storages of lubricants, diesel oil and waste oil. However, during the current assessment, MSDS sheets were not found to be available and displayed for aluminum sulphate and caustic soda flakes kept at the chemical storage area of the Pre-Treatment Plant Dosing Room.
- In line with earlier audit recommendation, NEPC-S has developed a calibration procedure for LEL detector for hydrogen and Continuous Emission Monitoring System (CEMS); however, records for calibration of LEL detector for hydrogen and CEMS for bypass stack was not readily available for review. Also with nitrogen cylinder being stored in the aforesaid hydrogen station for purging purpose, NEPC-S is yet to install an O2 analyzer to provide early warnings/alarms in case of emergency situation like nitrogen leaks.

- NEPC-S has improved towards implementation of the NEPCS-O&M-P-OHS-0016 WORKING AT HEIGHT HAZARDS Control Procedure, through provision of toe board and guard rails on scaffolds; use of scaffold tags to communicate fitness of the scaffold etc. However, as noted during the current assessment, wooden planks are still being used as scaffold platforms, that do not conform to the BS 2482 standards as specified in the aforesaid procedure.
- In accordance to ESMMP for operations, NEPC-S is required to undertake an independent occupational H&S audit by engaging a third party consultant/agency on an annual basis. With site operating since early 2016, NEPC-S is yet to engage an independent agency/consultant to undertake such audit.
- In line with earlier recommendation, NEPC-S has made provision of eyewash bottles/stations at bulk diesel, water treatment chemicals and waste oil storage areas. However, at few areas viz. pre-treatment dosing room and acid alkali storages, the eyewash station was found to be missing and/or subjected to corrosion and leakages.
- Sprinkler test still found to be pending for dormitory, kitchen, canteen, diesel storages and hydrogen stations with flow rate of hose reels and sprinkler required to conform to BNBC requirements.

#### 4.1.4 EHS Regulatory Compliance Status

- Environmental Performance and Monitoring Reports (EPR) has been prepared and submitted to DoE for the period July to December 2019.
- As specified in the ERM audit report dated 1 June 2016 and 8 Sep 2016, the establishment of a Worker Participation Fund and a Workers Welfare Fund is still found to be pending. This is identified as a legal requirement as specified in the Bangladesh Labour Rules 2015 and the Factory License dated 21 June 2016. The Company has informed that the subject is in the process of resolution by the respective regulatory authority.
- NEPC-S is yet to undertake comprehensive examination of the lifting tools and equipment's for 2019 through an authorised agency and keep records of such examination in prescribed format (Form 24) as per BLR, 2015. The last examination of lifting tools and equipment's was undertaken in November 2018.
- NEPC-S has not undertaken any fire emergency mock drill with Bangladesh Fire & Civil Defence during July-December 2019. Per the relevant provision of BLR, 2015 such mock drill has to be undertaken on a six-monthly basis with the last drill undertaken on 2 May 2019.
- Electrical Supervisor Certificate as issued by Bangladesh Electrical Licensing Board to the designated NEPC-S personnel have expired on 29 June 2019 and is currently under renewal. For Chinese nationals operating under the payroll of NEPC-S and involved in electrical installation and maintenance works necessary permit/certification is found to be available, however details of such wiremen certification for Bangladesh nationals involved in electrical work is yet to be shared by NEPC-S.
- Lock out devices and tags were found to be missing for breakers of the two (2) sewage pumps and a circulating pump currently decommissioned by NEPC-S. However, necessary preventive action was taken by NEPC-S towards implementation of LOTO at the aforesaid areas and in order to prevent its recurrence.
- Potential electrical safety risks identified in the form of high voltage electrical cables of river intake water pumping unit running through the Kushiya River and from stagnated water noted over insulated mat at electrical panel near acid-alkali storages.
- In line with the earlier audit recommendation, NEPC-S now maintains service book for the contractual staff (security guards, canteen workers etc.) in prescribed format i.e. Form 7. Service

books were not issued to the drivers, as they are engaged by the contracted vehicle owner, and the vehicles with drivers are hired on monthly basis with a stipulated payment package.

- Register of workers in Form 8 is being maintained is now found to be maintained for all workers as per BLR, 2015 requirements. The register of workers did not include drivers, as they are engaged by the contracted vehicle owner.
- Service book has now been prepared and shared with all payroll staff of NEPC-S, in prescribed format (Form 7).
- As mentioned in the earlier audit report, the contractual workers or the sub-contractors of NEPC-S are now provided with temporary identity cards, appointment letter with service books also being maintained.
- M/s Rafi Enterprise applied for labour license on 21st May 2019, with the labour license copy yet to be issued by Department of Inspection for Factory and Establishment (DIFE). Reportedly, license copy is expected to be issued by February 2020. After procuring the labour license copy, M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises who are currently facing challenges of obtaining the requisite labour license.

## 4.2 Social Observations

### 4.2.1 Manpower engagement

Present workforce strength in SBPCL power plant are employed three entities which include:

- SBPCL's direct staff deployed at site comprising of staff on payroll and staff engaged on contractual basis;
- Employees and contractual workers engaged by M/s. NEPC (EPC contractor); and
- Employees and contractual workers engaged by M/s. NEPC-S – Operation & Maintenance Contractor

#### 4.2.1.1 SBPCL Staff

Manpower strength engaged through SBPCL is same as observed in ERM previous visit which includes 5 direct payroll staffs and 6 contract workers. **Table 4.2** provides break-up of the current manpower deployment.

**Table 4.2 Manpower engaged at power plant by SBPCL**

S. No.	Designation	Number	Employer
Payroll Staff			
1	Operation Manager	1	SBPCL
2	Maintenance Manager	1	
3	EHS Executive	1	
4	Community Development Manager	1	
5	Admin & Account	1	
Contract Workers			
1	Driver	2	[1]
2	Kitchen staff	2	

3	Cleaner	1	Resources and Solutions Limited
4	Office boy	1	
<b>Total</b>		<b>11</b>	

<sup>[1]</sup> SBPCL has taken 2 vehicles on rent for which drivers are also provided by the respective vehicle owners.

Source: SBPCL Site Officials

#### 4.2.1.2 Workforce engaged by M/s. NEPC (EPC contractor)

NEPC had deployed 16 Chinese staffs in the Plant till the completion of warranty period i.e. August 2019. NEPC had also 9 Bangladeshi workers for their support. In this visit, ERM observed NEPC in the process of winding up their operation. Most of their Chinese staff have already shifted. Remaining will be shift by the end of August 2019. For the current assessment period (July to December 2019), all NEPC has demobilised from site by end of August 2019 post completion of the Warranty Period.

#### 4.2.1.3 Workforce engaged by M/s. NEPC-S (Operation & Maintenance Contractor)

The total staff and workers engaged by NEPC-S has reduced to 93 as per the data made available during ERM's 13<sup>th</sup> visit for EHS&S compliance assessment.

All the Bangladeshi contractual staff of NEPC-S are now employed through a third party manpower supply agency. **Table 4.3** highlights break-up of the manpower engaged through NEPC-S.

**Table 4.3 NEPC-S engaged Manpower in Power Plant during 13<sup>th</sup> EHSS Assessment**

S. No.	Department/Position	Nationality	Number	Male	Female	Employment Status
1	Operation	Bangladeshi	20	20	0	Regular
2	Maintenance	Bangladeshi	16	16	0	Regular
3	<b>Admin</b> Officer/Engineer/Fire fighter Kitchen Office Helper Security	Bangladeshi	14 6 2 12	34	0	Regular Contractual Contractual Contractual
<b>Sub Total:</b>			<b>70</b>	<b>70</b>	<b>0</b>	
4	Operation	Chinese	12	12	0	Regular
5	Maintenance	Chinese	8	8	0	Regular
6	Admin	Chinese	3	3	0	Regular
<b>Sub Total:</b>			<b>23</b>	<b>23</b>	<b>0</b>	
<b>Total O&amp;M Staff</b>			<b>93</b>	<b>93</b>	<b>0</b>	

Source: NEPC-S HR Department

Apart from the above 93 directly hired staffs, the NEPC-S (O&M Contractor) has also hired contract workers from three manpower supply contractors as described below:

- 7 contractual workers (1 supervisor and 6 cleaners) for cleaning & gardening work within the plant premises are engaged through M/s. Tahsin Enterprise;
- 7 contractual workers from M/s Rafi Enterprise for regular maintenance activities; and
- 7 contractual workers from M/s Suhag Enterprises for regular maintenance activities.

## **4.2.2 Compliance against BLA, 2006 (amendment 2013) and BLR, 2015 Provisions**

ERM in its first ESDD report for SBPCL (November 2014) had highlighted certain gaps in Summit Corporate HR policy which is also applicable for SBPCL. Subsequently, SBPCL adopted HR policy and procedures of the parent company (i.e. Summit Corporation Limited - SCL) through its board meeting held on 11<sup>th</sup> June 2015 along with additional policies on the aspect of Non-employment of Adolescent & Children at Work, Anti-harassment and Abuse at Work, and Anti-discrimination policy. ERM reviewed these policies and found them to be aligned with requirements of labour act, 2006 and broad provisions of IFC Performance Standards-2.

### **4.2.2.1 Labour: Compliance status – SBPCL**

ERM had reported in its 6<sup>th</sup> EHSS Audit Report that HR management system of SBPCL lacks compliance w.r.t certain applicable aspects as per Bangladesh Labour Act 2006 (BLA 2006) and Bangladesh Labour Rule 2015 (BLR 2015). SBPCL had made good progress till 9<sup>th</sup> EHSS audit and there are still few open issues. **Table 4.4** presents status as on 13<sup>th</sup> EHSS audit upon actions taken by SBPCL to close the gaps in HR management system.

**Table 4.4 SBPCL corrective action against gaps identified in HR Management Practices**

S. No	Legal Provision/ IFC PS-2 Requirements	Gap/Observation in 6th EHSS Audit	Observations in 9th EHSS Audit	Observations in 12th EHSS Audit	Observations in 13th EHSS Audit
1	<p><b>Leave Entitlement</b></p> <p>As required under BLL 2006, Summit HR policy should have at least provision of following mentioned leave besides festival holidays:</p> <ul style="list-style-type: none"> <li>• Sick leave of 14 days;</li> <li>• casual leave of 10 days;</li> <li>• Earned leave of 1 day after completing every 18 working days post completion of one year service to the establishment.</li> </ul>	<p>Apart from legal provision on leave entitlement, SBPCL HR policy (<i>which was approved through Summit Board Meeting on 11<sup>th</sup> June 2015</i>), have also provision for;</p> <ul style="list-style-type: none"> <li>• Maternity leave of 180 days,</li> <li>• Paternity leave of 7 days, etc.</li> </ul> <p>However during consultation with SBPCL employees in 6<sup>th</sup> EHSS Audit, it was observed that Summit is actually still following its 2003 leave rules which entitles for only;</p> <ul style="list-style-type: none"> <li>• 7 days of CL leave;</li> <li>• 7 days of sick/medical leave; and</li> <li>• 15 days of annual leave without encashment provision.</li> </ul> <p>Besides this, maternity leave as provisioned under BLL 2006 is also being provided. Paternity leave is not part of actual leave policy.</p> <p><i>Thus it is evident that present CL leaves &amp; Sick leave entitlement is less than the statutory requirement.</i></p>	<p>Corporate HR manual of Summit Group was revised and approved by board of directors in October 2017. ERM has reviewed the revised HR manual and key observations on present HR manual are as follows:</p> <ul style="list-style-type: none"> <li>• Sick Leave &amp; casual leave entitlement as described in revised HR manual of Summit, is aligned with BLL 2006;</li> <li>• <b>Earned Leave (EL):</b> ERM's observations related to EL entitlement are as follows: <ul style="list-style-type: none"> <li>○ As per revised HR manual, entitlement for EL is 15 days/year after confirmation;</li> <li>○ BLL 2006 states 'EL should be calculated @ 1 day/18working days post completion of one year of service' {Refer section 117, clause 1 (a) of BLL2006};</li> <li>○ As per this EL calculation formula, EL entitlement could go up to 16. So it would be wise to define EL entitlement as per BLL 2006 requirements;</li> <li>○ Revise HR manual states EL cannot be accumulated for more than 20 days. However as per BLL 2006, EL can be accumulated up to 40 days {Refer Section 117 clause 5 (a)}</li> </ul> </li> </ul>	<p>No changes have been made to the HR Manual w.r.t EL leave entitlement.</p>	<p>No changes have been made to the HR Manual w.r.t EL leave entitlement.</p> <p>As BLR, 2015 assumes 6 working days per week, earned leave is calculated to be 18 days. However, in SBPCL perspective, there is 5.5 days of work per week. Hence, according to SBPCL, the calculation of earn leave (1 day per 18 working days) for SBPCL personnel is computed to be 15 days.</p>

S. No	Legal Provision/ IFC PS-2 Requirements	Gap/Observation in 6th EHSS Audit	Observations in 9th EHSS Audit	Observations in 12th EHSS Audit	Observations in 13th EHSS Audit
		<p>In follow up discussion with Summit post completion of ERM's 6<sup>th</sup> EHSS visit, it was reported that a revision (of the HR Manual/ Service Rule with certain additions/changes) has been proposed to the Board/ Senior Management of Summit and approval is currently pending.</p> <p>ERM has not been provided draft copy of revised HR manual/Service Rule. This would be reviewed in next EHSS audit.</p>			
2	<p><b>Insurance</b></p> <p>BLL 2006 has provision for insurance for workers.</p>	<p>Summit HR policy also entitles its employees for insurance. However it was observed during 6<sup>th</sup> EHSS audit that SBPCL staffs are not being provided any insurance.</p> <p>In follow up discussion with Summit post completion of ERM's 6<sup>th</sup> EHSS visit, it was reported that Summit is in talks with two vendors regarding premium pricing and benefits to be provided.</p> <p>HR department will finalise Insurance provision, once the Board agrees to the proposal. However no timeline</p>	<p>Revised HR policy includes provision of insurance facility for summit employees. It was also reported during 9<sup>th</sup> EHSS audit that process of getting insurance through a suitable insurance agency is in progress and expected to be finalized soon.</p>	Complied	<p>Noted to be in compliance during the 12<sup>th</sup> EHSS Compliance Assessment undertaken. Reviewed and validated during the current assessment period.</p>

S. No	Legal Provision/ IFC PS-2 Requirements	Gap/Observation in 6th EHSS Audit	Observations in 9th EHSS Audit	Observations in 12th EHSS Audit	Observations in 13th EHSS Audit
		towards completion of this activity was given by HR Department.			
3	<p><b>Clear Communication on Terms of Employment</b></p> <p>One of the key requirements under IFC PS-2 is related to clear communication of terms of employment to the employees.</p>	<p>Summit has system of issuing appointment letter to each new joiner. Appointment letter describes about condition of employment.</p> <p>One of the conditions as mentioned in appointment letter says “<i>leave and other facilities would be governed by Summit Rules &amp; regulation</i>”. However Summit doesn’t have formal system of sharing this Rules and Regulation book of the group with its employees.</p>	<p>Revision is ‘<i>Existing Employee Information Pack</i>’ has not been initiated post finalisation of Summit HR manual. However Summit employee seems to be aware with the changes (like revision of leave entitlement, insurance facility etc.).</p> <p>HR department is advised to update ‘<i>Existing Employee Information Pack</i>’ and share with employees.</p>	Employee information pack is not yet updated.	<p>It is already implemented. The company shares updated employee information pack through soft copy and hard copy with all newly appointed employee. All newly appointed employee receive a link through HR Department which consists about different policies like Anti Bribery and Corruption Policy, Travel Policy (both Domestic and International), Corporate communication policy, Mobile allowance policy, IT Policy, Policy on Sexual Harassment, ESMS Policy, Whistle blower policy and also Accounting Manual and HR Related Manuals.</p> <p>ERM Team reviewed the receiving and acknowledgement copy of hard copy of these policies by various employees of all the departments.</p>

S. No	Legal Provision/ IFC PS-2 Requirements	Gap/Observation in 6th EHSS Audit	Observations in 9th EHSS Audit	Observations in 12th EHSS Audit	Observations in 13th EHSS Audit
4	<p><b>Approved Service Rule</b></p> <p>Review of section-3 of BLL 2006; Rule-3, Rule-4, Rule-5 of BLR-2015 provides an understating that it is mandatory for Summit to have a 'Service Rule' approved by Inspector General (IG). Content of Service Rule should be as per form-1 [Section 3 &amp; Rule 3(2), Description of the condition of Service in the Service Rules] and Form-2 [Section 3 &amp; Rule 3 (4), Number of appointed workers].</p>	<p>Presently there is no such approved Service Rule for SBPCL in Service books maintained for contractual staff.</p> <p>In follow up discussion with Summit post completion of ERM's 6<sup>th</sup> EHSS visit, it was reported that HR Manual/ Service Rule is being revised/portions added and will be submitted for approval to Inspector General, once it is approved by the Board (Of Summit Corporation).</p>	<p>There are few observations related to EL leave in revised HR manual (<i>refer S.No:1 of this table</i>). HR Department is advised to do needful and close these observations. Thereafter Summit is advised to either take legal opinion or visit office of Inspector General (Department of Inspection of Factories &amp; Establishment) in Dhaka, for seeking clarification on requirement of IG approval over 'service rule' of Summit Group.</p> <p>As per ERM's understanding, having IG approval over service rule of Summit Group is required in accordance with BLL 2006.</p>	<p>There is no change in status. The Services Rules have not been approved by Inspector General.</p>	<p>No change in status with Service Rule is still pending approval of Inspector General.</p> <p>As per HR Department, as SBPCL is an operational plant and no labour associated in this facility. Therefore, the service rule will not be applicable from SBPCL perspective.</p>

#### 4.2.2.2 Compliance Status – NEPC-S

The O&M Contractor, NEPC-S was also observed to be lacking certain practices in their HR Management system in previous audit (6<sup>th</sup> EHSS Audit) and those gaps were pertaining to maintaining various registers, service book, leave book etc., required under BLR 2015. In successive audits, identified gaps were found to be closed by NEPC-S HR Department.

#### 4.2.2.3 Other observations on compliance status

- M/s Rafi Enterprise applied for labour license on 21st May 2019, with the labour license copy yet to be issued by Department of Inspection for Factory and Establishment (DIFE). Reportedly, license copy is expected to be issued by February 2020. After procuring the labour license copy, M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises who are currently facing challenges of obtaining the requisite labour license.
- Based on review of leave records of the Bangladesh staff for the year 2018, it appears that earned leave (EL) balance for mostly staff had come down to zero even though they had some balance casual leave (CL) at the end the calendar year. This indicates that staffs are pushed for utilizing and finishing their due EL by the end of each calendar year, thus preventing staff from EL accumulation indirectly. This practice of involuntary consuming EL by staff, is against the expectation of;
  - Section 117 (5) of Bangladesh Labour Act 2006, allowing accumulation of EL leave up to 40 for factory workers; and
  - Rule 107 (2) of Bangladesh Labour Rule 2015, allowing encashment of balance EL leave for the workers.

During the current assessment period, ERM reviewed the leave register of NEPC-S for the last 3 months i.e. October to December 2019 and found that employees and staffs applied for Casual leave, Medical leave as well as Earned Leave. ERM also reviewed the HR Policy of NEPC-S with earned leave encashment already mentioned in the policy. It is mentioned in the policy that payment towards encashment of leave will be calculated as per labour rules and this rule will apply for final settlement of a staff member's account at the time of resignation/release from service.

- NEPC-S has developed a monitoring process to ensure basic facilities/benefits in the form of minimum wages, safe working environment, working hour etc. to all subcontractor workers engaged. Moreover, the subcontractors are selected and appointed, only after acknowledging procurement/availability of labour license from respective authority.

#### 4.2.3 Payment of minimum wage and overtime by EPC contractor

ERM had highlighted the issue of non-compliance w.r.t minimum wage for certain group of workers engaged in construction phase of the plant. Despite the regular reminder from Summit, the EPC contractor was observed to be non-compliant in terms of paying minimum wage for certain unskilled category of workers during construction Phase of the project. This issue was discussed with Summit in length in previous audit as well. (Refer 4<sup>th</sup> EHSS Compliance Assessment Report of ERM for further detail).

Now Project is already in operation stage and **COD** has also been received by the M&E contractor i.e. M/s. NEPC-S on **28<sup>th</sup> Dec 2015**. However the issue of paying balance amount of the applicable minimum wage rate for certain unskilled categories of the workers engaged by EPC contractor during construction phase, is yet to be resolved.

**During ERM's 5<sup>th</sup> EHSS audit report**, it was reported that SBPCL is in the process of preparing detailed list of workers engaged during construction phase, who are to be paid balance amount of their due wages in order to compensate and get aligned with minimum wage rate.

- It was also reported that payment of minimum wage would be settled via EPC contractor (NEPC) only.
- Summit would ensure the same by keeping on hold an amount of Taka 17,053,986/- from the money due to the EPC Contractor.

ERM had shared its observation in previous audit report that establishing the ESCROW account for settlement of the minimum wage could lead to a complicated procedure, because the labourers would be required to go to the bank as well.

**During ERM's 6<sup>th</sup> EHSS audit site visit**, it was informed that further development toward settlement of minimum wages has taken place.

- Summit has formed one committee at plant level, including incorporation of an independent member, to settle the issue of payment of Short Fall of Minimum Wages for labours working during the whole period of the construction works conducted by the EPC Contractor (NEPC). Committee members are:
  - Mr. Li Wenping, NEPC
  - Mr. Koushtuv Kanti Biswas, Community Development Manager, SBPCL (in capacity of Member Secretary)
  - Dr. Moinul Islam Sharif, BCAS
  - Mr. Xu Wei (Victor), General Manager, NEPC-S
  - Mr. Hozyfa Ebne Seraj, Manager (Maintenance and Contract), SBPCL
- NEPC prepared one comprehensive list of the total number of workers (934) who did not receive the minimum wage payment for certain period of time when they have worked at the time of the construction phase of Bibiyana II plant.
- The EPC Contractor submitted the list to SBPCL and SBPCL shared the list of 934 workers with the Financers. On 11<sup>th</sup> October 2016, the advertisement of back wage payment was circulated in two local newspapers namely 'The Daily Express' and 'Daily Khowai'. ERM reviewed copy of the advertisement during site visit.
- Post advertisement, only 11 persons contacted CDM so far. Out of this 11, only 3 persons were found eligible for balance payment of their total due minimum wage amount, as per the list of 934 persons. These workers have been asked to furnish their Worker ID issued by NEPC during their engagement and their bank account information.

The committee member (constituted for settlement of minimum wage issue) held an internal meeting on 27<sup>th</sup> Nov 2016 to discuss about the way forward for settlement of the issue. Following action points were discussed in this internal meeting of the committee members:

- Responses from the workers have been very low. Only 11 persons reported so far post advertisement and only 3 of them were found eligible as per list of 934 beneficiaries. It was reported by SBPCL that a re-advertisement of the list of beneficiaries will be carried out in the last week of December 2016;
- The eligible claimants (3) were assessed for payment eligibility after submission of National ID copies. They were told to submit Worker ID of NEPC and Bank Account Details. Moreover, the above list was signed by Committee Members and forwarded to BCAS for authenticity check and validation for processing payment;
- The person not being in the list but has the Worker ID of NEPC will be re-discussed after the re-advertisement;
- Copy of this meeting minute will be circulated with NEPC, NEPC-S, SBPCL Management, BCAS and Financers.

**During ERM's 7<sup>th</sup> EHSS audit site visit**, following development were observed towards settlement of minimum wage for the workers engaged during construction phase;

- Fifth monthly committee meeting took place on the 9 April 2017. In the meeting, Mr. Li Wenping from NEPC, Mr. Koushtuv Kanti Biswas & Mr. Hozyfa Ebne Seraj from SBPCL and Mr. Xu Wei (Victor) from NEPC-S were present;
- As on 09 April 2017, more than 1000 people contacted with Community Development Manager (CDM) referring to the advertisement. Among them, 434 workers were found in the list;
- Responses from the workers as of the 9 April 2017 have significantly increased, among whom 434 are found in the list;
- The claimants (434) were checked for payment eligibility – the claimants submitted copy of their NID along with other papers, if any;
- Since number of eligible worker is high, so to avoid crowding and to ensure smooth payment procedure it is agreed in the committee meeting that payment will be made in groups i.e. fifty workers will be paid in the first month (April 2017);
- The compilation of the 50 eligible workers was signed off by Committee Members and will be forwarded to BCAS for authenticity check and validation for payment;
- SBPCL is currently communicating with the workers to collect their bank account details;
- Progress towards further development for settlement of minimum wage issue, would be reviewed by ERM in next EHSS audit.

**During ERM's 8<sup>th</sup> EHSS audit site visit**, following development were observed towards settlement of minimum wage for the workers engaged during construction phase;

- The committee member (constituted for settlement of minimum wage issue) held 3 meetings in last 3 months in order to discuss about progress and facilitate the ongoing payment process of due minimum wage payment to the construction workers. In total 8 meetings have been conducted so far since inception of this committee;
- About 550 workers have been identified and have been requested to submit necessary documents (such as National ID card);
- Payment has been released to 342 workers so far. Verification exercise for other workers is underway.

**During ERM's 9<sup>th</sup> EHSS audit site visit**, it was observed that total 550 workers out of the 934, have been identified and communicated by SBPCL site management for their due payment. Payment to 522 workers have been disbursed so far.

**During ERM's 10<sup>th</sup> EHSS audit site visit**, it was observed that total 718 workers out of the 934, have been paid due wage for retrospective work done for EPC contractor during construction phase. The wage payments are being made in phases, currently 216 workers are yet to be paid. It has been reported that all the workers have been identified and the list of identified workers for the back dated wage payments has been displayed at the premises gates. The payments are being made in phases by conducting verification of the documents of the workers.

**During ERM's 11<sup>th</sup> EHSS audit site visit**, it was reported that total 763 workers are likely to be paid their due balance wage payment by end of January 2019. It is to be noted that the remaining 171 workers have not communicated with SBPCL till date, and the deadline for communication was also got finished in December, 2018. Now, SBPCL will discuss the issue with the lenders for way forward for balance payment. After discussion with the lenders, SBPCL may extend the deadline for six or twelve more months and then may circulate the list of remaining 171 workers through different means, and may commence third phase back wage payment to more workers (as much as possible).

**During ERM's 12<sup>th</sup> EHSS audit site visit,** it was reported that the deadline for further communication and payment to more workers was extended up to June, 2019. During the reporting period, additional 39 people were identified and paid their due back wage payment.

Till the date of ERM's visit, total 763 workers out of 934 were paid back wage settlement payment. As nobody out of the remaining 171 cases reported for their claim and the warranty period of EPC Contractor was also finished by the end of August 2019, SBPCL management is considering to close this process of back wage settlement payment.

**During ERM's 13<sup>th</sup> EHSS, audit site visit:** During the last visit of ADB on February 2019, it was suggested that SBPCL Management would consider closing the back wage settlement after May 2019. With no claims received for the current assessment period (July-Dec 2019) and EPC Contractor also demobilised from site during August 2019, SBPCL shall close the back wage settlement process by end of the current fiscal year i.e. by June 2020.

#### 4.2.4 R&R implementation status

The project required land for establishing power plant and associated facilities which included construction laydown area, 2 km long access road, switchyard area and an 8.8 km long gas pipe line.

##### 4.2.4.1 R&R implementation: ADB's financed Project Component

ADB's finance is limited to the Power Plant area.

- There were 31 Project Affected Households (PAHs) identified for the 11 acres land acquired for the power plant establishment. There were total 14 land owners on 11 acres private land acquired for the power plant establishment. Besides this, ESIA study for this project had identified 6 sharecroppers and 11 agriculture labourers whose primary source of livelihood was dependent upon the piece of land acquired for this project.
- Land compensation to 14 landowners has been paid by the concerned government department. ADB had provisioned for providing one time compensation of Tk 7,500 to each sharecropper PAH and Tk 8,000 to each agriculture labour PAH to offset their economic loss. This payment was released by SBPCL already to all concerned sharecropper and agriculture labour.
- It was also provisioned to give Tk 2 lacs (0.1 million= 1 lac) in addition to the land compensation amount paid by government, to one of the PAHs who became landless after land acquisition for power plant. This amount was disbursed in two instalments and it was informed that the affected household invested the additional compensation amount in opening a new grocery shop and was observed to be successfully running the shop currently.

##### 4.2.4.2 R&R implementation under IFC's Financed Project Component

PAHs of the entire project components (including associated facilities) are considered for Livelihood Restoration Programme as per Livelihood Restoration Framework (LRF) of IFC.

SBPCL has got Livelihood Restoration Plan (LRP) prepared through an external consultant and it was finalised after incorporating comments from IFC. One local NGO called as IDEA (Institute of Development Affairs) was engaged by SBPCL for LRP implementation and it was completed in the year 2017. Key highlights of LRP implementation are discussed in the previous monitoring reports.

SBPCL has now hired a consultant (Mr. AKM Shahjahan) for LRP completion audit. Objective of this completion audit are to;

- assess progress and performance of LRP implementation and output and outcome produced for achieving the target as indicated in LRP;

- assess whether the livelihood of affected households restored, especially their income and living standard enhanced and identify any gaps to be addressed further along with corrective measures;
- assess effectiveness of mitigation measures undertaken by SBPCL on the basis of guidelines provided in SIA, LRF and RAP report and LRP implementation for restoration of livelihood of PAH;
- make an overall evaluation of LRP implementation and assess whether the LRP monitoring should be concluded; and,
- assess impact through audit on socio economic changes occurred in community including PAHs as a result of LRP implementation.

The final report of LRP was submitted on April 2019, by the Dhaka based LRP Consultant Mr. AKM Shahjahan. ERM reviewed the document during the 13<sup>th</sup> EHSS Assessment period.

#### 4.2.4.3 Old age pension

As per the 'SIA, RAP & LRF' document of IFC, 57 old age and 11 widows were identified under vulnerable category during the SIA survey process and they were considered eligible for getting Tk 1000 per month as pension under the RAP.

Reassessment of the vulnerable list was carried out by the IDEA (LRP implementation agency) during first quarter (November 2015 to January 2016). Key observations of the assessment were as follows:

- Total 49 persons under vulnerable category could be identified for pension scheme. However 'SIA, RAP & LRF' document have budgetary provision for 68 candidates for pension scheme;
- Total 24 Male could be identified till March 2016 for vulnerable group pension. 21 were from the baseline list of 'SIA, RAP & LRF' document and 3 were newly identified;
- 25 Female were identified. This includes 3 new cases and rest of them were from baseline list of 'SIA, RAP & LRF' document.
- For the verification and eligibility assessment, the candidates should submit photocopies of their National ID card and passport size photo.
- SBPCL will maintain one register for the payment and the candidates will give signatures upon receiving the monthly stipend from the concerned person.
- SBPCL will assess the eligibility and vulnerability of the upcoming candidates and include them for future considerations if there are any suitable cases for inclusion;

**During 5<sup>th</sup> EHS&S compliance monitoring period** it was reported that;

- Further assessment of vulnerable PAPs based on their ID card information indicates only 36 PAPs (18 male and 18 female) are identified for pension;
- Number of eligible PAPs have come down on account of two reasons which include;
- 7 eligible PAPs died before starting disbursement of pension;
- some of the PAPs were observed to be below age limit (65 years for male and 60 years for female) in order to become eligible for old age pensioner;
- Disbursement of pension to these 36 PAPs has been started since April 2016;
- SBPCL is maintaining a register of payment and signature from pensioner is also being taken;

**During 6<sup>th</sup> EHS&S compliance monitoring period**, number of beneficiaries for old age pension were same as 36.

**During 7<sup>th</sup> EHS&S compliance monitoring period**, one old age pension beneficiary died and one PAP became eligible (crossed 65 years) in January 2017. Therefore total number of old age pension beneficiary still remain as 36.

**During 8<sup>th</sup> EHS&S compliance monitoring period**, number of beneficiaries for old age pension were same as 36.

**During 9<sup>th</sup> EHS&S compliance monitoring period**, number of beneficiaries for monthly pension was reduced to 35 as one of the PAP from Resettlement Colony (Ariful Bibi) has died and her monthly pension was stopped.

Mohammad Faisal s/o Ariful Bibi (PH ID 08) from Resettlement registered his grievance during consultation with ERM regarding stoppage of disbursement of pension amount as her mother (who was entitled for pension) died last month. Faisal had got injured about 6 months back and he couldn't recover fully and not fit for doing any manual work. He had received seed money of 75,000 Taka that was largely spent on paying medical expense for his & her ailing mother treatment. So he was unable to invest this amount properly in any livelihood related activity like poultry. Pension amount of her mother used to be important source of sustenance for his family till her mother was alive. Faisal expects SBPCL to continue releasing of pension amount. Few local leaders have written letter to SBPCL to grant him pension, considering his vulnerability.

**During 10<sup>th</sup> EHS&S compliance monitoring period**, it was reported that there has been one more deletion in total number of pension holders as one of the PAP from Resettlement Colony (Haji Abdul Noor) has died. So monthly pension amount is being disbursed to 34 PAPs now.

Consultations with Mohammad Faisal was also undertaken during visit to the Resettlement Colony and the same grievance was raised citing his inability to work ably to support a family of four. There has been no decision on the request of Mr Mohammad Faisal's request, highlighted during 9<sup>th</sup> Audit visit, in the box above.

**During 11<sup>th</sup> EHS&S compliance monitoring period**, number of beneficiary for pension was same as 34. It was also apprised that approval for releasing pension to Mr. Faisal (from resettlement) is expected soon and hence monthly pension to Mr. Faisal will be initiated shortly.

**During 12<sup>th</sup> EHS&S compliance monitoring period**, number of beneficiary for pension was same as 34. In the first CDP monitoring report, it has been recommended to consider two persons for the monthly pension scheme considering their vulnerability. This includes one person from Paharpur village (i.e. Mr. Faisal Mian) and one Person from Parkul village (Ms. Salema Begum). SBPCL is yet take decision on this recommendation.

**During ERM's 13<sup>th</sup> EHSS compliance monitoring period**: the number of beneficiary for pension currently stands at 36 with both Mr. Faisal Mian (Paharpur village) and Ms. Salema Begum (Parkul village) now incorporated in the monthly pension scheme as recommended in the 1<sup>st</sup> CDP monitoring report. Both are getting monthly pension from October 2019 @ Tk.1000 per month.

#### **4.2.5 LRP Completion Audit Status & Outcome**

ERM was shared draft LRP completion audit report conducted by AKM Shahjahan for review. Overall objective of this LRP audit report has been to demonstrate status of compliance of the interventions undertaken by SBPCL as part of LRP programme and disbursement of compensation and R&R entitlements as suggested in the SIA -LRF prepared for IFC. This LRP completion audit report also suggest some additional actions to be taken by SBPCL, in order to achieve the larger objective of LRP programme.

Findings and outcomes in this audit report are based on sample Household (HH) survey, focused group discussions (FGDs) and Key Informants Interview (KII) undertaken by the LRP audit consultant.

Key messages/outcomes of the draft LRP audit report as observed by ERM are as follows;

- The LRP audit report establishes that stakeholder engagement interventions carried out at the beginning of LRP implementation was adequate and effective. It further reports that LRP

implementing agency had satisfactorily disseminated useful information on livelihood restoration to all beneficiaries of IGA training and to eligible beneficiaries of seed money;

- 87% PAHs received compensation satisfactorily for acquired land and they indicated appropriateness and adequacy of the compensation disbursement process. Remaining 13% (i.e. 12 PAHs in actual) were not released compensation on account of ongoing title dispute among the land owners. This matter is still pending before the court for final decision. Based on final verdict, eligible PAHs will receive their due compensation amount;
- Sample HH survey (9 out of 15 resettled PAHs in resettlement colony) indicated they have received all due entitlement as per the RAP and expressed satisfaction over appropriateness and adequacy of the resettlement support and entitlement disbursement process;
- Regarding delivery and impact of LRP entitlement (i.e. IGA training and seed money), all surveyed PAHs expressed satisfaction except for the two categories of PAHs that are;
  - 12 land owner PAHs whose land compensation disbursement is pending due to ongoing title dispute among land owners which had caused SBPCL to withhold releasing of seed money. However after getting final verdict of the court on this title dispute, the eligible PAHs will claim for seed money as well;
  - 22% PAHs belonging to Agriculture Labour category, expressed dissatisfaction as they were not considered for seed money in LRP entitlement.
- The LRP audit also establishes that PAPs are aware of and have access to the existing grievance mechanism and it is functioning effectively;
- On utilisation of compensation money received by land owner PAHs, 24% of surveyed landowner PAHs reported using the compensation money in construction/renovation of their houses. 20% PAHs used for house renovation as well as for household's expenditure. Another 20% reported spending on purchase of land/cattle/investment in IGA assets. 19% PAHs spent on shopping for daily household needs. 14% reported spending full compensation amount on purchasing land/cattle/other IGA assets. Remaining 3% surveyed PAHs reported spending compensation money on marriage ceremony of their sons/daughters;
- On utilisation of seed capital amount, 87% surveyed PAH reported spending 100% on the IGA activities of their choices. Rest of the surveyed population spent partly on IGA activities and spent remaining amount on meeting family exigencies;
- LRP audit report has also provided a detailed assessment on LRP benefits and change in overall socio-economic condition upon PAHs after completion of LRP. The assessment tracks changes in predefined various socio-economic parameters that are indicative to socio-economic conditions of the PAHs. Outcome of surveyed PAHs in LRP audit indicates positive change in majority of the PAHs against the predefined socio-economic indicators.

The LRP audit concludes that LRP implementation was completed satisfactorily and no further corrective measures were recommended in the audit report. It has only recommended to consider two PAPs for monthly pension scheme in view of their existing vulnerable condition. These two PAPs includes; Faisal Mian (Paharpur village) and Salema Begum (Parkul village). As discussed in section 4.2.4.3, the aforesaid 2 PAPs have already been included in the monthly pension scheme from October 2019.

Refer ERM's previous reports (6<sup>th</sup> to 9<sup>th</sup> EHS& Social compliance assessment reports) for ERM's feedback on LRP implementation.

#### **4.2.6 Community consultations in 13<sup>th</sup> EHS&S assessment**

During site visit, ERM also had consultation with local community at two places. Details are provided below.

**Table 4.5 Community consultation by ERM in 13<sup>th</sup> EHSS visit**

Stakeholder group	Participants	Key discussion points
Parkul school committee members at Parkul primary school	<ul style="list-style-type: none"> <li>Rashendra Kumar Das (Principle, Parkul Primary School and Member of School Management Committee )</li> </ul>	<ul style="list-style-type: none"> <li>Progress regarding the formation of new School Management Committee and application status of new school building as per Community Development Plan to Upazila Nirbahi Officer, Nabiganj.</li> </ul>
Resettlement Colony at Parkul village	<ul style="list-style-type: none"> <li>Md. Faisal Miya</li> <li>Mina Begam</li> <li>Moniyana Begam</li> <li>Khela Begam</li> <li>Shamin Miya</li> </ul>	<ul style="list-style-type: none"> <li>During the consultation and visit at resettlement colony, it was found that the storm water drainage pipe (which contributed to the flooding issue) from PGCB adjacent to the resettlement colony was blocked.</li> <li>Discussion on flood issues people at resettlement site responded that, due to the blockage of PGCB drainage line, this year during monsoon season there was no waterlogging in the area.</li> <li>The drainage system developed by SBPCL to drain out the water logging and rain water to the river Kushiara is working out effectively.</li> <li>SBPCL installed hand pump on 2016, at the resettlement site, Parkul that is not working presently. Arsenic free hygienic drinking water supply is one of the most basic needs of the community. Therefore, SBPCL is planning to install a deep tube well with the depth more than 600 ft. to provide safe drinking water for the people of resettlement site.</li> <li>The people at the resettlement site demanded to strengthen the mud road stretch of the resettlement colony. As this road remains inundated during the monsoon period. SBPCL has already included this in the community development program as additional plan.</li> </ul>
Health Care Facility	<ul style="list-style-type: none"> <li>Dr. Salauddin Mehmood</li> <li>Subrato Sutradhar (Assistant)</li> </ul>	<ul style="list-style-type: none"> <li>SEBA is the development partner (NGO) appointed for the Community health service program of SBPCL.</li> <li>A MBBS doctor provides medical services for 3 hours per day and 3 days per week.</li> <li>For the period of July to December 2019, the facility has provided health services to a total of 610 patients out of which 55% were female patients.</li> <li>Common problems mentioned by the patients were: hypertension, fever, cough, spinal and chest pain, allergy, abdominal pain, gastric pain, etc.</li> <li>The facility provides free medicines such as paracetamol and also tends minor injuries/ first-aid treatments.</li> <li>More treatment facilities are needed to serve the community well.</li> <li>The patients from surrounding community are getting three days of a week access to</li> </ul>

		<p>specialized doctor, some of the female patients have placed their demands for a female doctor for other three days.</p> <ul style="list-style-type: none"> <li>Based on the community demand SBPCL is planning for deployment of a full time physician in the health centre with provision of toilet and running water facility. Plans are also there to enhance the capacity of the aforesaid health centre.</li> </ul>
Paharpur Village	<ul style="list-style-type: none"> <li>Mortoza Bibi</li> <li>Ashiq Mia</li> <li>Abdul Sahid</li> </ul>	<ul style="list-style-type: none"> <li>Discussions held with representatives of Paharpur village on any key grievances/concerns related to Bibiyana II project and other power projects coming up near vicinity.</li> <li>Consultation revealed noise related disturbances during night-time resulting from operation of the PGCB transmission line and power plant operation.</li> <li>On issue related to flooding, as communicated this has been addressed post closure of the PGCB storm water outlet, which contributed to the water stagnation. As understood from SBPCL, PGCB has now developed an internal storm water drainage system with the run-off being diverted outside through a dedicated outlet leading to the Kushiya River.</li> </ul>

#### 4.2.7 Community Development Plan

SBPCL was supposed to undertake certain actions regarding local community development as a part of Community Development Plan. **Table 4.6** highlights those actions and progress made against each of those actions.

**Table 4.6 Status on CDP implementation**

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
1	Enhancement of Local Education (including non- formal education)	10,000,000	Free education materials, to reduce dropout of students and enhance construction of new building (modern toilet and drinking water facilities) & development of non-formal education facilities	January 2015	SBPCL	<ul style="list-style-type: none"> <li>15 schools were visited as a part of short listing process of school for spending the proposed budget. Among the shortlisted schools, one school (Parkul Primary School) was identified. The enhancement work of school infrastructure is proposed to be initiated after the formation of new school committee. CDM followed the case of formation of school committee and new school committee was formed. The School committee submitted one application to Summit vide dated 30th June 2016, requesting for construction of four new class room;1 office room;2 toilets for students;1 toilet for teachers; and Boundary wall for Parkul Primary school.</li> <li><b>During 6th EHSS audit</b>, it was reported that the proposal of school committee have been accepted by Summit. However completion date for the activities of this proposal is extended by December 2017.</li> <li><b>During 7th EHS&amp;S compliance assessment</b>, no progress was reported.</li> <li><b>During 8th EHS&amp;S compliance assessment</b>, it was reported that initial quote has been taken from 2 contractors for construction of 5 class rooms, 1 teacher room, 2 toilets, 1 library room and boundary wall in Parkul school. Quote is to be send to corporate for review and approval. CDM is waiting for go ahead from Summit corporate office for further actions like taking final quote from contractors, initiating tendering process etc. for initiating this activity.</li> <li><b>During 9th EHS&amp;S compliance assessment</b>, no further progress was reported. However it is to be noted here that revised timeline for completion of this activity is December 2017.</li> <li><b>During 10th EHS&amp;S compliance assessment</b>, it was reported that Consultant to support CDP Monitoring and Evaluation is in the process of</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
						<p>selection and will take things forward once appointed. The appointment is reportedly under process and should get completed by end of August.</p> <ul style="list-style-type: none"> <li>■ <b>During 11th EHS&amp;S compliance assessment</b>, it was observed that the consultant for CDP monitoring has been hired and CDP monitoring work is in progress now. Monitoring report is awaited.</li> <li>■ <b>During 12th EHS&amp;S compliance assessment</b>, 1st CDP monitoring report undertaken by an independently hired consultant was shared with ERM for review. This report recommends detail specifications for development of Parkul school which came out on the basis of need assessment of the community done by CDP monitoring consultant. Specific timeline for initiating this development is not given by SBPCL yet.</li> <li>■ <b>During the 13<sup>th</sup> EHS&amp;S compliance assessment</b>: SBPCL has appointed a consultant named Building Communication Engineering and Architecture for the structural designing of the proposed school. As the primary school is a government primary school, it is needed to take prior approval from respective administrative authority (Upazila Nirbahi Officer, Nabiganj Upazila). The approval process is ongoing with the assistance of School management committee and community representatives. In addition, the old SMC (School Management Committee) has been dissolved 1.5 years back and the new SMC is yet to be formed. Probably the new SMC will be formed within a month as stated by the Head Master of the school who is also a member of SMC. However, specific timeline for initiating this development is not yet provided by SBPCL.</li> </ul>
2	Establishment of a Library	3,000,000	Establishment of library, Furniture, Book Shelf, new books, Scientific	January 2015	SBPCL	<ul style="list-style-type: none"> <li>■ A high school in Sherpur was identified for establishment of library. CDM had discussed with the school management committee and assessed the scope to develop the library;</li> <li>■ Summit has extended deadline for completion of this activity by June 2017;</li> <li>■ No action was taken in <b>7th EHS&amp;S compliance assessment period</b>;</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
			Journal, Setting up Internet and related materials for modern education			<ul style="list-style-type: none"> <li>■ <b>During 8th EHS&amp;S assessment period</b>, CDM has received a proposal for supply of books and magazines a supplier (i.e. Zara Enterprises). The proposal has been forwarded by CDM to Summit Corporate office for approval which is awaited.</li> <li>■ <b>During 9th EHS&amp;S assessment period</b>, no further progress was made. However revised timeline for this activity has already over which was June 2017.</li> <li>■ <b>During 10th EHSS assessment period</b>, it was reported that additional FGDs have to be conducted by the consultants to be selected for CDP Monitoring and evaluation.</li> <li>■ <b>In 11th EHSS assessment visit</b>, it was apprised that the consultant has undertaken consultations with the school staff and villagers. Minutes of consultation is awaited from the consultant.</li> <li>■ <b>In 12th EHS&amp;S assessment visit</b>, it was observed that 1st CDP monitoring report recommends for establishing a furnished library in Parkul School equipped with required number of chairs, tables, bookshelf, books, computer etc. Recommendation for establishment of library is recommended as part of overall development of the Parkul School. However, specific timeline for initiating this development is not yet given by SBPCL.</li> <li>■ <b>During the 13<sup>th</sup> EHS&amp;S compliance assessment</b>: It was decided with the SMC that the establishment of the library would be an integral part of the Primary school. However, specific timeline for initiating this development is not yet given by SBPCL as this is subjected to obtaining approval of the school construction from respective administrative authority.</li> </ul>
3	Enhance Health Service in existing centre	1,500,000	Doctors and technical staff, medicine supply in the	December 2014	SBPCL	<ul style="list-style-type: none"> <li>■ One doctor has already been employed. Since the community health complex situated adjacent the plant site is under government, the private doctor is not allowed practicing at the premise. Hence, SBPCL has rented a</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
			existing Centre for 5 years			<p>separate place at Parkul (in front of the power plant beside CDM's Office) for ensuring access of local people to the Doctor's service at free of cost.</p> <ul style="list-style-type: none"> <li>Facility of supplying free medicines has not been initiated. CDM reported that distribution of medicines requires permission from concerned medical officer of this region.</li> <li><b>During the 13<sup>th</sup> EHS&amp;S compliance assessment:</b> The allocated budget for "Enhance Health Service in existing centre" has exhausted in December 2017. SBPCL plans to meet the demand of the locals through a full time physician in the health centre with toilet and running water facility in using the budget earmarked for hospital enhancement. However, specific timeline for initiating this development is not yet given by SBPCL.</li> </ul>
4	Enhancement of a Local Hospital	13,500,000	Civil structure, beds, medical equipment, lab facilities and additional running cost.	June 2015	SBPCL	<ul style="list-style-type: none"> <li>Local hospital is not available within 5 km area of the plant. SBPCL had made efforts by negotiating with health service providers in the region for utilising the budget capped for enhancement of local hospital. Alternate opportunity for incurring this budget, is yet to be identified;</li> <li>Summit has revised deadline for this activity by June 2018;</li> <li><b>During 8th EHS&amp;S assessment period</b> no progress on this activity was reported in.</li> <li><b>During 9th EHS&amp;S assessment period</b>, status remains unchanged and no progress was reported.</li> <li><b>During 10th EHS&amp;S assessment period</b>, SBPCL management has reported that since tenure of providing support to the existing health centre (refer to S. No. 3) is going to end and there is a consideration to continue the same over a longer period. This will be depending upon the community accepting the same. In order to evaluate this proposition, SBPCL is planning to conduct focussed group discussions by the LRP implementation auditor (engaged recently).</li> <li><b>In 11th EHS&amp;S visit</b>, it was apprised that community has indicated the need for continuing with the existing health centre in the FGD sessions conducted</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
						<p>by LRP implementation auditor. Consultation minutes is awaited from the consultant.</p> <ul style="list-style-type: none"> <li>■ <b>In 12th EHS&amp;S visit</b>, it was observed that 1st CDP monitoring report recommends to expand the existing health care centre provided by SBPCL in Parkul village. key improvement areas as recommended in the CDP report for the existing health centre are;</li> <li>■ Need more space for the health centre with toilet and running water arrangement for effective delivery of the services;</li> <li>■ More health care infrastructure is needed in the centre like adding a qualified nursing staff &amp; pathology technician;</li> <li>■ Provide more equipment in the centre like Biochemical Analyser (for creatinine, electrolyte, bilirubin and blood sugar test), CBC cell counter (for haemoglobin test), ECG machine, Urine test machine, Autoclave and surgical set, Reagent and other materials/test-tube, disposable syringe etc.</li> <li>■ Need adequate furniture with two patient handing beds</li> <li>■ SBPCL is now required to act and come out with a time bound plan in order to implement the recommended measures in the CDP monitoring report.</li> <li>■ <b>During the 13<sup>th</sup> EHS&amp;S compliance assessment:</b> The allocated budget for “Enhance Health Service in existing centre” is now exhausted. However, considering that the budget of “Enhancement of a Local Hospital” is left unutilised, due to unavailability of any hospital within 10km area of the power plant, SBPCL plans to meet the demand of the locals through improvement/expansion of the existing Health Service in using the budget earmarked for hospital enhancement.</li> </ul>
5	Improvement of 3 km Road	2,600,000	Paved Road Sherpur-Bongaon	June 2015	SBPCL	<ul style="list-style-type: none"> <li>■ Completed improvement from Sherpur to Plant (2.5 km). However the road has not yet been extended up to Bongaon;</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
						<ul style="list-style-type: none"> <li>■ Development of paved road of remaining half kilometre which Sherpur to Bongaon, is pending. Visual inspection of this 0.5 km indicates that this road is brick soiled road and suitable for driving motor vehicle on this road;</li> <li>■ During the 13<sup>th</sup> EHSS visit, it was communicated by SBPCL that they currently plan to strengthen 0.5km road stretch of the resettlement colony as consultations reveals that the said stretch remains inundated during monsoon and to ensure better access to nearby link road and other facilities. Consultations undertaken with members of the resettlement colony also indicated the same.</li> </ul>
6	Installation of 5 tube wells	1,00,000	Parkul, Resettlement site Tk. 20,000 x 5 Tube well	July 2020	SBPCL	<ul style="list-style-type: none"> <li>■ SBPCL installed 5 tube wells at the Resettlement Site. However, all the installed tube wells were found to be contaminated with arsenic content. Therefore, tube wells were closed and signboards of 'not fit for use' in local language are placed.</li> <li>■ The families in Resettlement colony were observed to be using small pond in front of their houses for meeting domestic water requirement. Drinking water is being sourced from tube wells of other nearby houses. The Kushiya River located about 300 meter away from the resettlement, also used as source of water including drinking purpose. Reportedly, the Union Parishad is planning to install a deep tube well to cater to the drinking water requirements of the Resettlement colony.</li> <li>■ In 11th EHSS compliance assessment visit, ERM visited resettlement colony and had consultation with some dwellers wherein it was apprised that a new hand pump have been installed at 750 ft boring, with the financial support provided by a local person of Parkul village. Water quality is reported as good, but there has been any testing of water quality. Dwellers of the colony reiterated that there is need for providing more hand pumps at different locations of the colony at minimum depth of 750 feet so as to get good</li> </ul>

S. N.	Category of Expenditure	Cost (Tk)	Description	Timeline	Responsibility	ERM Remarks as on January 2020
						<p>quality of water. However SBPCL management approval for this demand is still awaited.</p> <ul style="list-style-type: none"> <li>In 12th EHSS visit, it was observed that it has been recommended in the first CDP monitoring report for reinstallation of hand pumps at select locations in the resettlement colony. The CDP report do mention detail plan for this activity which highlights specific locations recommended for hand pump installations, minimum depth for the hand pump, maintenance etc. SBPCL is required to provide timeline for completing this work.</li> <li>As communicated during 13<sup>th</sup> EHSS visit, SBPCL is currently in the process of seeking quotation from vendors for installation of five (5) hand pumps. SBPCL plans to install one hand pump at resettlement site and remaining at the adjoining villages.</li> </ul>
7	Plantation Program	1,000,000	Along the access road and project site boundary	June 2015	SBPCL	<ul style="list-style-type: none"> <li>Plantation was done on either sides of the access road connecting to Power Plant. Presently most of those plants were observed to be damaged/ disappeared. Although SBPCL has provided protection in form of a wooden cage for each plant. But these plants were reportedly damaged /uprooted by some local people during night time.</li> </ul>
8	Monitoring & Evaluation of CDP	60,00,000	Total 13 Report for 5 years	December 2014 to December 2019	SBPCL	<ul style="list-style-type: none"> <li>In 12th EHSS visit, it was observed that CDP monitoring is already begun and the monitoring &amp; evaluation consultant has already submitted the first monitoring report to SBPCL.</li> <li>During the 13<sup>th</sup> EHSS visit, it was communicated that the site visit for the 2<sup>nd</sup> quarterly CDP monitoring has been completed on December 2019 with preparation of report currently under progress. The report is expected to be submitted by March 2020.</li> </ul>

Source: Community Development Officer, SBPCL

## 4.2.8 Stakeholder Engagement

Project has put in place different mechanism to engage project affected and general community and provided them the opportunity to register their concern.

- Project presently has a dedicated Community Development Officer (CDO) who was observed to be in regular touch with the neighbouring community.
- A formal grievance redress mechanism (GRM) for the community is also in place.
- A copy of SEP and GRM in local language is shared with sizeable number of PAHs. CDO also keeps local stakeholder including PAHs informed about the process of raising grievances, if any.
- Review of the stakeholder engagement records, grievances maintained by CDO during ERM's 13<sup>th</sup> EHSS site visit, indicates that project has received grievances during the 12<sup>th</sup> EHSS assessment period. However, grievances related with flooding issues at resettlement site or noise issues were not formally recorded in Grievance Register and tracked.
- As part of the visit undertaken for the current assessment period (July –Dec 2019) , it was noted that untreated & discoloured effluent (primarily sewage) generated from Bibiyana III power plant is being directly released outside into a natural drain. The drain runs in close proximity to the river water intake structure of the project and finally outfalls into Kushiya River. This is likely to lead to potential conflict with nearby communities/stakeholders who are utilising the river for fishing activities and adjacent land parcels for agriculture (mono-crop).which in turn may affect the SBPCL project as well. In view of this, it is important that SBPCL formally engage with neighbouring power plants i.e. Bibiyana III and Bibiyana-South on matter related to addressal of the said issue.

SBPCL had undertaken consultation with different stakeholders like PGCB, Landowners, sharecroppers, Local NGO, Project Affected persons, project surrounding community, vulnerable groups and with Union Chairman of Aushkandi Union Parishad. The key points discussed including flooding issues, livelihood restoration activities, health service facilitation, drainage at resettlement site etc. The summary of consultation has been presented in **Table 4.7**.

**Table 4.7 Summary of Stakeholder Consultation - SBPCL**

Name of Stakeholder	Date of consultation	Issues
PGCB	April 2019	Flooding issues at resettlement site
Landowners	October 2015, 15/07/2019, 23/09/2019	Livelihood restoration activities
Sharecropper	Continuing from October 2015, 18/8/2019, 9/10/2019, 11/12/2019	Livelihood restoration activities
Agricultural Labours	October 2015, 21/09/2019, 14/11/2019	Livelihood restoration activities
Local NGO (SEBA)	October, 2014 - Till Date Weekly visit to the clinic	Regular follow up of Health Service provided by the particular NGO
Resettlement Site	9.08.2019, 13.09.2019, 29.09.2019, 25.10.2019, 5.11.2019, 20.11.2019, 11.12.2019, 29.12.2019	Discussion on flood issues, Drainage issues, cleanliness of the drainage system, also follow up of livelihood restoration program
Projects surrounding Community	Periodic consultation from September 201 to till date	Community welfare and any project related grievances

Name of Stakeholder	Date of consultation	Issues
Vulnerable Group	Periodic consultation from 2016	Monthly pension distribution
Aushkandi Union Parishad	30/10/2019	Company's Holding Tax issues

The detailed summary of the stakeholder consultation has been provided in **Appendix B**.

## 5. Compliance Status of CAP & ESMMP AND IFC ESAP

The compliance status based on the site visit and review of documents as on January 2020 has been presented in **Table 5.1** and **Table 5.2**. In order to define the status of various action items, colour coding has been used for easy referencing, which is as follows:

	<b>Action Item Closed/ Complied</b>		<b>Satisfactory Progress</b>
	<b>Partially Complied</b>		<b>Not Complied/ Delay</b>
	<b>To be assessed during Operations/Decommissioning</b>		

**Table 5.1 CAP & ESMMP Compliance Status**

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
<b>1</b>	<b>PS 1: Assessment and Management of Environmental and Social Risks and Impacts</b>							
1.1	Review of all the records being maintained as part of EHS Plan by the O&M contractor	High	SBPCL and O&M Contractor	Records Review and Corrective Actions	Periodic	NEPC-S has procured necessary equipment for carrying out the external testing of pressure vessels and has tested all the 19 pressure vessels externally. All the pressure vessels were found in sound condition. However, the tests should be carried out externally in every 6 months by a competent person approved by Department of Inspection for Factories and Establishments. Hence, NEPC-S or concerned official of NEPC-S shall obtain the competency certificate for carrying out these tests. Otherwise, competent third party possessing the certificate shall have to be engaged for carrying out the external test of		As discussed in the 12 <sup>th</sup> EHSS Compliance Assessment Report, NEPC-S has engaged a third party agency - LIFTSOL Bangladesh for carrying out inspection of pressure vessels, whereas ultrasonic gauging and thickness test of such vessels is undertaken in-house.  As recommended in the aforesaid report, the competency certificate (Form 30) of the said agency has now been renewed by Department of Inspection for Factories & Establishment (DIFE) vide letter dated 21 Nov 2019 and is found to be valid for 2 years. Furthermore, review of the pressure vessel examination records maintained in Form 25 reveals that inspection has been undertaken by LIFTSOL in December 2019

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>the pressure vessels. External test of the pressure vessels shall be carried out in every six months.</p> <p>Hydrostatic testing of 15 pressure vessels were conducted during December, 2018 by LIFTSOL. Internal test of these tested vessels will be due on or before 11<sup>th</sup> December 2020, which can be extended up to 2 more years; and hydrostatic test of these vessels will be due on or before 11<sup>th</sup> December 2022. However, neither internal nor hydrostatic test of the remaining 4 vessels (CO<sub>2</sub> tank, LP drum, IP drum and HP drum) has yet been carried out. Among these, as per vendor recommendation, there is no need to test the CO<sub>2</sub> tank. If rest of the three vessels are not possible to be tested during plant operation, they might be tested during the scheduled shut down of the plant.</p> <p>Out of 22 safety/safety relief valves pending for testing, 10 were tested by International Inspection Services PVT. LTD. (IIS Testing BD Pvt. Ltd.) on 18 December 2019. All the tested safety valves were in sound</p>		<p>for the pending pressure vessels viz. <i>compensation water tank, flush tank, continuous blowdown tank and periodic blowdown tank</i>. The said pressure vessels has also been subjected to ultrasonic gauging and thickness test inhouse by NEPC-S in 15 December 2019.</p> <p>Documentation review indicates hydraulic testing of the following pressure vessels - IP, LP and HP drum of boiler reveals is yet to be undertaken in accordance to the provision of the BLR, 2015. In accordance to the said Rules, pressure vessel hydraulic testing is to be undertaken every 4 years. Per the records, such examination was last undertaken for boiler drums during March 2013.</p> <p>International Inspection Services Pvt. Ltd engaged by NEPC-S have completed testing for 10 SRVs installed at Hydrogen Generation stations (1-4), Alkali Heater, HRSG Blowdown and Fuel Gas Front Module (1-4) in 18 December 2019 and records maintained. As mentioned in the 12<sup>th</sup> <i>EHSS Compliance Assessment Report</i>, NEPC-S has earlier conducted testing of 11 SRVs during February 2019; however as noted during the present assessment the test of remaining 12 SRVs is still pending.</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>condition. The remaining 12 safety/safety relief valves will be tested during the schedule shutdown.</p> <p>As recommended in the 12th ERM EHS&amp;S report, thickness test of the pressure vessels (HP, IP &amp; LP vessels) have been conducted. NEPC-S continues the good practice of maintaining injury/illness logbook. No injury/first aid case was reported for the period of July to December 2019.</p>		<p>As recommended earlier, NEPC-S continues to maintain an injury/illness logbook at the infirmary. Review of the aforesaid logbook and discussion with medical practitioner in charge of the infirmary reveals no injuries/first aid cases being reported for the period July to December 2019. The same is also reflected in the monthly performance reports being prepared by NEPC-S.</p> <p><i>Conduct hydraulic testing of the pressure vessels - IP, HP and LP drum by a DIFE authorised agency and maintain records in Form 25. Furnish testing reports of remaining 12 SRVs of pressure vessels.</i></p>
1.2	Develop and maintain legal register for all the Project components	High	4.1	Legal Register for Operation Phase on Combined Cycle basis	Within 3 months prior to the operation phase and half yearly review	<p>Updated legal register is in place.</p> <p>SBPL has renewed all the required permits/licenses.</p>		SBPCL has identified the applicable EHS permits/licenses (Refer <b>Table 4.1</b> ) required during both construction and operational phases and their validity and approval status has been provided in <b>Table 4.1</b> .
1.3	Comply with the findings (not aligned) and recommendations	High	SBPCL and EPC Contractor	Legal compliance	Within 2 months of date of deal closure or December 2014, whichever is earlier	Complied. Refer to Table 2.3: EHS License/Permit Compliance Status for Operations Phase.		<p>Complied.</p> <p>Refer <b>Table 4.1</b> on Project EHS&amp;S Regulatory Compliance Status.</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
1.4	Training of SBPCL Staff and EHS team of EPC Contractor on Operations ESMMP	Low	SBPCL	Training Calendar (Operation)	Within 2 months of Combined Cycle Operation	<p>NEPC-S has carried out TNA for 2019 and has developed a training calendar for 2019 comprising of the following training programs/elements:</p> <ul style="list-style-type: none"> <li>■ Bangladesh Govt. Rules &amp; Regulation Training</li> <li>■ EHS plan for operations</li> <li>■ first aid training for emergency illness</li> <li>■ Proper PPE usage training</li> <li>■ Factory site fixed fire equipment facilities training &amp; fire extinguisher use training</li> <li>■ Characteristic training of various chemicals</li> <li>■ Safety Training for Special Operator (Electrical, Lifting, Welding Cutting, Forklift, Scaffolding)</li> <li>■ Whole plan environmental equipment facilities &amp; waste management Training</li> <li>■ Best behaviour training for the employee</li> <li>■ Boiler flue gas and high temperature steam work training</li> <li>■ Gas turbine accident handling training</li> <li>■ Operation and maintenance daily safety and accidents cases discussion</li> </ul> <p>Till December 2019, the trainings were organized in line with the training calendar. NEPC-S maintains</p>		<p>As per the EHS training calendar of Year 2019, trainings were conducted for appropriate target groups on the following training programs/ elements for the period July to December 2019:</p> <ul style="list-style-type: none"> <li>■ Safety training for special operators - electrical, lifting, welding, cutting, forklift and scaffolding;</li> <li>■ Environmental equipment operation and waste management training;</li> <li>■ Employee Behavioural Training;</li> <li>■ Training for high temperature steam work and boiler flue gas;</li> <li>■ Basic electrical safety training; and</li> <li>■ Training on production</li> </ul> <p>The site is found to be maintain record of the aforesaid training imparted in the required format.</p> <p>For operations, NEPC-S has developed an induction training program for the newly recruited workforce in both English and Bengali (the local language). NEPC-S has also prepared a preliminary site safety introduction form in Bengali. Reportedly, this form is to be read and signed by the newly inducted workers prior to commencement of operations onsite.</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						the training records. In addition, 'fire emergency mock drill' was organized on 2nd May, 2019 at the presence of representative from Bangladesh Fire Service and Civil Defence. Drill report is in place associated with the requisite BLR forms.		
1.5	Mapping of training needs of SBPCL Staff and development of training calendar	High	SBPCL	Training Calendar	Within 2 months of Combined Cycle Operation	As discussed in <i>Sl. No. 1.4</i> NEPC-S has developed a training calendar for 2019 and the same has been based on a training need assessment survey undertaken by NEPC-S.		As discussed in <i>Sl. No. 1.4</i> NEPC-S has developed a training calendar and the same has been based on a training need assessment survey undertaken by NEPC-S for respective department. The results of the surveys has been recorded and utilised to update the annual training calendar for 2019 and 2020.
1.6	Develop an emergency response plan into a consolidated document with: <ul style="list-style-type: none"> <li>■ Identification of, including risks associated with all project components;</li> <li>■ Key community and environmental sensitivities (such as village settlements, ponds, etc.)</li> </ul>	Medium	SBPCL	Emergency Response Plan for Operation Phase	1 month prior to the date of Combined Cycle Operation	Updated Emergency Preparedness and Response Plan is in place. 'Fire emergency mock drill' was performed as mentioned in <i>Sl. No. 1.4</i> of this table.		NEPC-S has already developed an Emergency Preparedness and Response Plan (EPRP) for implementation. The response plan has specified control measures for the following emergencies – fire and explosion, medical emergency, hazardous material release, natural hazards and terrorist threats. The Plan also bear the details of firefighting resources and offsite emergency responders; including the contact details of the onsite ERT team.  Records review indicate that the EPRP has been last updated in July 2019. However, the updated EPRP does not maintain the list of firefighting and rescue team members,

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	<p>and the potential of offsite consequences along with mitigation measures;</p> <ul style="list-style-type: none"> <li>■ A common communication and emergency response process flow for onsite emergencies as well as their communication to authorities offsite;</li> <li>■ Disclosure to communities in the vicinity of the project on the emergency readiness of the company in case of any incidents.</li> </ul>							<p>with the first aider list also not found to be updated to include the details of the certified first aiders currently operating onsite. Furthermore, with NEPC-S involved in “work over water” the EPRP do not cover potential emergencies such as fall in water and the appropriate response measures to be adopted including resources available to manage such emergencies.</p> <p><i>Update the EPRP to include “work over water” as a potential emergency situation including response resources available and measures to be adopted to manage such emergency. Incorporate the details of firefighting and rescue team members along with an updated certified first aiders list in the EPRP.</i></p>
<b>2.</b>	<b>PS 2: Labour and Working Conditions</b>							
2.1	SBPCL while finalising its HR policy may consider the following aspects for inclusion:	High	SBPCL	HR Policy and Procedures	At the earliest	<p>After revision of the HR policy of SBPCL previously, no further improvement took place so far during the reporting period.</p> <p>Attendance register, leave register, service book, cleaning register etc.</p>		<p>ERM had highlighted certain gaps in HR management system of SBPCL in ERM's 6<sup>th</sup> EHS&amp;S audit. Actions were also taken by SBPCL and NEPCS to close gaps and align HR management system with the requirements of Bangladesh labour regulations.</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	<ul style="list-style-type: none"> <li>Roles and responsibilities associated with various positions need to be mentioned;</li> <li>Non-discrimination policy should be mentioned;</li> <li>HIV/ AIDS non-discrimination should also be spelt out;</li> <li>Working with Suppliers and contractors and non-employee workers may also be referred to;</li> <li>Non-tolerance of child labour and forced labour not only for employee, but for the non-employee workers if any</li> <li>Anti- Sexual Harassment Policy may be explicitly captured;</li> </ul>					<p>are being maintained by both SBPCL and NEPC-S.</p> <p>Regarding 15 days earn leave for the SBPCL staffs instead of 18 days, SBPCL claimed that the rule is to provide 1 day earn leave for 18 days of work. As labor rule assumes 6 working days per week, earn leave is calculated to be 18 days. But, in SBPCL perspective, there is 5.5 days of work per week. Hence, according to SBPCL, the calculation of earn leave (1 day per 18 working days) for SBPCL staffs becomes 15 days.</p>		<p>Attendance register, leave register, service book, cleaning register etc. are being maintained by both SBPCL and NEPC-S.</p> <p>SBPCL has done Group Term Life Insurance and Group Hospitalization Insurance with Delta Life Insurance Company Ltd. for the permanent employees of SBPCL.</p> <p>In 9<sup>th</sup> EHS&amp;S audit, it was observed that Earned Leave provision as defined in revised HR manual of Summit is not fully in sync with requirements of labour law.</p> <p>In the 10<sup>th</sup> EHSS audit also, no changes had been observed in light of the recommendations made during December 2017.</p> <p>In the 11<sup>th</sup> EHSS audit also, no changes have been observed in light of the recommendations made during July 2018. It was reported by SBPCL management that action will be taken on streamlining EL provisions at Summit Group level and same will require some time to complete this process. It was also reported that this process will be completed by September 2019.</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	All contractors and sub-contractors within the consortium should be required to apply the principles of the SBPCL HR Policy document and also ensure that their internal procedures follow local and international standards.							<p>In 12<sup>th</sup> EHS&amp;S visit, no further update was provided by SBPCL regarding streamlining EL provisions for their employees.</p> <p>As communicated during the 13<sup>th</sup> EHSS visit, and as per the recently finalized HR Manual, SBPCL permanent staffs are entitled to 1.5 days regular holiday per week. In addition, they enjoy 15 days annual leave, 10 days casual leave and 14 days sick leave. Regarding the current provision of 15 days earned leave for the SBPCL staffs instead of 18 days, SBPCL claimed that the rule is to provide 1 day earn leave for 18 days of work. As labor rule assumes 6 working days per week, earn leave is calculated to be 18 days. However, from SBPCL perspective, there is 5.5 days of work per week. Hence, according to SBPCL, the calculation of earned leave (1 day per 18 working days) for SBPCL personnel becomes 15 days. (Refer <i>BCAS Monitoring Report-13<sup>th</sup> Jan 2020, Section 3.1.4</i>)</p>
2.2	■ HR Policy of the EPC contractor should comply with the provisions of SBPCL HR Policy.	High	EPC Contractor	HR Policy and Procedures of EPC Contractor	Within 2 months of date of deal closure or December 2014, whichever is earlier	Till the date, out of 934 workers, a total of 763 workers were paid back wage settlement payment. The remaining 171 cases has not reported for their claim and as the warranty period of EPC Contractor was also finished by the end of		In ERM's 12th EHSS audit site visit, it was reported that the deadline for further communication and payment to more workers was extended up to June, 2019. During the reporting period, additional 39

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	<ul style="list-style-type: none"> <li>EPC contractor's local staffs' terms and conditions of employment to be put in compliance with SBPCL HR policy.</li> <li>The EPC contractor to provide contracts or clear terms and conditions highlighting the terms of employment. Or the same could be possibly hired through sub-contractors.</li> <li>Workers to be provided clear terms and conditions of employment.</li> </ul>					August 2019, SBPCL management has considered this process of back wage settlement payment as closed issue. The final completion report is already shared by the financiers.		<p>people were identified and paid their due back wage payment.</p> <p>Till the date of ERM's visit, total 763 workers out of 934 were paid back wage settlement payment. As nobody out of the remaining 171 cases reported for their claim and the warranty period of EPC Contractor was also finished by the end of August 2019, SBPCL management is considering to close this process of back wage settlement payment.</p> <p>With no claims received for the current assessment period (July-Dec 2019) and EPC Contractor also demobilised from site during August 2019, SBPCL shall close the back wage settlement process by end of the current fiscal year i.e. by June 2020.</p>
2.3	Prepare a Job hazard analysis for all the operation activity and same should be communicated to all the workers.	High	O&M contractor	Job safety analysis	Within 1 month of the PAC	Job hazard analysis is in place and appropriate risk control measures have been specified accordingly. Safe work practices for operation of different machines are displayed in local language i.e. Bengali for ease of understanding by the local workforce.		In accordance to ERM audit recommendation as part of the <i>10th EHSS Compliance Assessment Report</i> , NEPC-S has now developed safe work procedures in both Chinese and Bengali for operation of lathe machines, bench drills, grinding machines, drilling machine etc. at the workshop. Job Safety Analysis for operation

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>of lathe and drill machines have also been developed in consistent with the recommendation and found to be adequate.</p> <p>As noted during the current assessment, relevant NEPC-S personnel are involved in work over water activities viz. gaining access and operation of the water abstraction unit located on Kushiara River. However, NEPC-S is yet to undertake a job hazard analysis for “work over water” to identify the potential risks and mitigation/control measures which are required to be adopted for such activity to prevent any occurrence of any potential H&amp;S incidents. No safety instruction/signages in Chinese and Bangla language has been displayed near the river water abstraction set up to communicate the potential health and safety risks.</p> <p><i>Conduct a job hazard analysis for “work over water” and communicate the assessment outcome to concerned NEPC-S personnel through trainings/tool box talks. Display safety signages/instructions in areas where work over water is likely to undertaken.</i></p>
2.4	Prepare a PPE program for the facility and program should cover the	High	EPC Contractor	PPE Implementation Program	Within 1 month of date of deal closure or November	PPE Program is in place. NEPC-S has updated the inspection checklist of PPEs bearing the references of the work permit number against		As mentioned in the earlier audit reports, NEPC-S maintains a location specific annual PPE inspection checklist in format as prescribed in the PPE Management

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	<p>following essential elements:</p> <ul style="list-style-type: none"> <li>■ Workplace Survey;</li> <li>■ Selecting appropriate controls;</li> <li>■ Training;</li> <li>■ Maintenance;</li> <li>■ Audit of the program.</li> </ul>				2014, whichever is earlier	which such checks are being performed.		<p>Procedure. The primary purpose of the inspection has been to assess the availability and effectiveness of the PPEs in use at various locations within the site.</p> <p>Separate inspection checklist found to be available for SCBA and full body harness (including safety belts). As earlier recommended, records review indicates that SCBA inspection checklist maintained for the month of Nov'19, Dece'19 and Jan'20. However, such inspection checklist is not been extended for the following critical PPEs viz. fire/gas masks and life jackets which are in use onsite.</p> <p><i>Update the PPE inspection checklist maintained to ensure coverage of gas masks and life jackets.</i></p>
2.5	Prepare training modules for job specific trainings and identify workers required to undergo job specific trainings.	High	EPC Contractor	Training modules	Within 2 months of date of deal closure or December 2014, whichever is earlier	<p>Training modules for job specific trainings are in place, and workers required to undergo job specific trainings were identified previously. Different job specific trainings have been found to be organized during the reporting period.</p> <p>Total 12 personnel from NEPC-S had SCBA training on 29<sup>th</sup> September 2019.</p>		<p>With project in operations the O&amp;M contractor has prepared training presentation comprising of the following aspects viz. Permit to Work, Fire Prevention &amp; Protection; Injury &amp; Illness Prevention; Pressure Vessel Safety; Power &amp; Hand Tools Safety; Job Safety Analysis; Emergency Preparedness &amp; Response; Material Lifting; PPE Use; Lock Out Tag Out; Confined Space Entry; Basic Electrical Safety and Machine Guarding. Furthermore a training register has been developed for</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>the following activities viz. low voltage electrical work, overhead travelling crane operation, forklift operations, scaffolding and demolition work, chemical leak handling, housekeeping, emergency response, visitor induction, electrical safety, critical operations safety and first aid and fire extinguisher use.</p> <p>Training on the usage and maintenance of PPEs and SCBA has been imparted to only 2 firefighters among 12 participants on 29 September 2019. As earlier recommended, NEPC-S is required to cover 40 designated firefighters under this training program. Furthermore, with activities involving work over water viz. gaining access and operation of water abstraction structure on Kushiyara River, NEPC-S is yet to develop and implement a training module on “Work Over Water”.</p> <p><i>Ensure firefighting training for remaining firefighters and maintain records for the same. Develop and implement a training module for “work over water” to communicate the potential risks of such activity and the mitigation measures to be adopted.</i></p>
2.6	Conduct the first aid training with the help of qualified	High	EPC Contractor	First aid trainings	Within 2 months of date of deal closure	First aid training was conducted during 27-29 March 2016. Certification training on firefighting,		NEPC-S has 35 personnel trained in first aid through Bangladesh Red Crescent Society during 27-29 March 2016. The certified first

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	first aider and make sure that first aiders are available at all times at facility.				or December 2014, whichever is earlier	fire prevention, rescue and first aid has been imparted to about 40 NEPC-S personnel by Bangladesh Fire Service and Civil Defense Director on 26-27 February 2018. The certified first aiders are available round the clock throughout the facility.		aiders are available round the clock throughout the facility. However, review of the first aid box available at the Control Room indicates that one of the first aiders not to be featuring in the list of trained first aiders currently maintained NEPC-S. Reportedly, such personnel has been trained and certified although the same has not been incorporated in the certified first aider list.  <i>Update the first aider list to include details of all trained and certified first aid personnel.</i>
2.7	Start preparing the accident/ incident statistics for each and every area and start identifying the area of concerns and prepare an action plan to address the issues by mean of alternate work procedure, trainings, special attention to the high risk jobs, increase in number of	Medium	EPC Contractor	Statistical analysis of accident/ incident data and corrective action	Within 2 months of date of deal closure and monthly update of the same	Complied and the good practice is being continued.		The facility has developed a hazard prevention and control plan for the following key operations/activities: <ul style="list-style-type: none"> <li>■ Confined Space Entry;</li> <li>■ Liquid ammonia and other chemical operations;</li> <li>■ Diesel loading and unloading;</li> <li>■ Hot work;</li> <li>■ Hydrogen production and storage;</li> <li>■ LV and HV distribution operation;</li> <li>■ Pressure vessel operations;</li> <li>■ Operation hoist and lifting machineries; and</li> <li>■ Work at height</li> <li>■ Operation of natural gas pipeline and hydrogen storage</li> </ul> In addition, as recommended in the 9 <sup>th</sup> EHSS Compliance Assessment Report, NEPC-S has now identified and labelled at

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	supervisor for high risk jobs.							<p>the underground raw water storage tank as confined space with entry subjected to work permit approval.</p> <p>For the current assessment, it was noted that NEPC-S has installed a water abstraction unit on the bed of the Kushiara River to ensure continuous supply of water during the drier months. The platform of the abstraction structure is being accessed by the relevant NEPC-S personnel using a floating barges. As reportedly by NEPC-S, all personnel accessing the water abstraction set up are equipped with floating jackets although no risk assessment undertaken or work permit system has been developed and implemented by NEPC-S for such high-risk work.</p> <p><i>Assess and evaluate the risks associated with operation and access of the river water abstraction set up and adopt appropriate mitigation measure including implementation of a work permit system.</i></p>
2.8	SBPCL will need to put in place a formal contractor management system to audit its contractors as well as those of the	High	SBPCL	Contractor Management System	Within 2months of date of deal closure or December 2014,	The O&M Contractor NEPC-S has insurance provision for each permanent staff hired by them. Insurance provision is not applicable for other contract workers.		M/s Rafi Enterprise applied for labour license on 21st May 2019, with the labour license copy yet to be issued by Department of Inspection for Factory and Establishment (DIFE). Reportedly, license copy is expected to be issued by February 2020. After procuring the labour license copy, M/s Rafi

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
	<p>EPC contractor. The management system should include:</p> <ul style="list-style-type: none"> <li>■ Compliance checklist against the Applicable Standards including applicable requirements under BLR 2015 ;</li> <li>■ Criterion on contractor selection to minimize HSE or labour related risks and issues at the time of engagement;</li> <li>■ Monitoring and audit procedures; and</li> </ul> <p>Further the EPC contractor and the sub-contractor should be made responsible for the insurance of the workers mobilised at the site.</p>				whichever is earlier	Satisfactory progress. Rafi Enterprise has got approval for getting labour license. They have submitted the bond of BDT 2 lacs and other documents to Department of Inspection for Factories and Establishments on 21th May 2019, and now waiting for the license approval. Once, Rafi Enterprise obtains the labour license, all the contractual workers might be hired from them.		Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises who are currently facing challenges of obtaining the requisite labour license.

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
<b>3</b>	<b>PS 3: Resource Efficiency and Pollution Prevention</b>							
3.1	Ensure that all the ESMMP implementation requirements during construction phase are being clearly provided to the EPC contractor and implementation of mitigation measures along with records should be reviewed by EHS Officer of the SBPCL.	High	SBPCL and EPC Contractor  SBPCL	ESMMP implementation	As defined in ESMMP during construction phase	<p><u>Management System Certification</u> SBPCL has obtained Management System Certificates on ISO 9001: 2015, ISO 14001: 2015 and ISO 18001: 2007/ ELOT 1801: 2008 from TUV Austria in December, 2017. The certificates are valid till 19 December, 2020.</p>		<p>Presently the project is in operations with COD for combined cycle operations declared in December 2015. To this regard, NEPC-S has developed an <i>Environmental &amp; Social Monitoring Plan (NEPC-S-O&amp;M-P-EHS-001-06)</i> in consistent with the Operations ESMMP as shared with SBPCL. The ESMMP requirements related to environmental monitoring and associated aspects are being tracked by NEPC-S on a monthly basis and records shared with the SBPCL for reference.</p> <p>With project now in full operation efforts have been made by the ERM audit team to assess the compliance status of the ESMMP implementation for operations. A summary of the observations and recommendations made to this regard has been tabulated below:</p> <p><u>Management System Certification</u></p> <p>The facility has obtained IMS Certification from M/s TUV Austria on 20 December 2017 which is found to be valid till 19 December 2020.</p>
						<u>Flue Gas Emission</u>		<u>Flue Gas Emission</u>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)																
						<p>NEPC-S keeps record of CEMS data to continuously monitor pollutants (CO, NOx, PM<sub>10</sub>, SO<sub>2</sub>) from stack emission. CEMS data for the month of July to December 2019 were within permissible standards of DoE and IFC.</p> <p>In addition to that third party stack emission monitoring was also performed by TUV Austria on 27<sup>th</sup> June 2019 and all the monitoring results were found well within the applicable standards. Monitored values were as follows:</p> <ul style="list-style-type: none"><li>■ PM : 1.78 mg/Nm<sup>3</sup>,</li><li>■ NO<sub>x</sub>: 7.42 ppm (15.0 mg/Nm<sup>3</sup>),</li><li>■ SO<sub>2</sub>: 0.16 ppm (0.451 mg/Nm<sup>3</sup>),</li><li>■ CO : 3.4 ppm (4.19 mg/Nm<sup>3</sup>),</li><li>■ CO<sub>2</sub>: 4.32%,</li><li>■ O<sub>2</sub> : 14.3%</li><li>■ Temperature : 79.2°C</li></ul>		<p>As specified in operational phase ESMMP, SBPCL has installed and operating a Continuous Emission Monitoring System (CEMS) to continuously monitor pollutant (CO, NOx, SPM, and SO<sub>2</sub>) concentration in stack emission. However, in accordance to ESMMP requirements, such emission monitoring to also include oxygen percentage and exhaust gas flow rate.</p> <p>The recalibration work of CEMS was completed on September 2017 and after that, quarterly calibration is being performed by NEPC-S. Review of the records indicate calibration of CEMS has been undertaken on 5 November 2019 with due date for such calibration expired on 24 January 2020.</p> <p>Review of CEMS data from Jan-Dec 2019 indicated that results were in compliance with both <i>Bangladesh Environment Conservation Rules, 1997</i> and IFC EHS Guidelines for Thermal Power Plants. Summary of the CEMS results for Jan-Dec 2019 is presented below:</p> <table><tr><th>Parameter</th><th>Min</th><th>Max.</th><th>Average</th></tr><tr><td>NOx (mg/m<sup>3</sup>)</td><td>4.07</td><td>12.36</td><td>7.58</td></tr><tr><td>SO2 (mg/m<sup>3</sup>)</td><td>0.07</td><td>21.21</td><td>7.25</td></tr><tr><td>SPM (mg/m<sup>3</sup>)</td><td>1.88</td><td>4.61</td><td>2.62</td></tr></table>	Parameter	Min	Max.	Average	NOx (mg/m <sup>3</sup> )	4.07	12.36	7.58	SO2 (mg/m <sup>3</sup> )	0.07	21.21	7.25	SPM (mg/m <sup>3</sup> )	1.88	4.61	2.62
Parameter	Min	Max.	Average																					
NOx (mg/m <sup>3</sup> )	4.07	12.36	7.58																					
SO2 (mg/m <sup>3</sup> )	0.07	21.21	7.25																					
SPM (mg/m <sup>3</sup> )	1.88	4.61	2.62																					

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)			
								CO (mg/m <sup>3</sup> )	1.43	23.38	9.41
								O <sub>2</sub> %	13.87	19.88	15.33
								<p>In addition to that annual stack emission monitoring was also performed by <i>M/S TUV Austria</i> in July 2019 and all the monitoring results were found well within the applicable standards. The next third party monitoring is due in July 2020 as per the frequency specified in ESMMP. Monitored values were as follows:</p> <ul style="list-style-type: none"> <li>■ SPM: 1.78 mg/m<sup>3</sup>,</li> <li>■ NO<sub>x</sub>: 7.42 ppm (15.0 mg/Nm<sup>3</sup>),</li> <li>■ SO<sub>2</sub>: 0.16 ppm (0.451 mg/Nm<sup>3</sup>),</li> <li>■ CO : 3.4 ppm (4.19 mg/Nm<sup>3</sup>)</li> <li>■ O<sub>2</sub> : 14.3%</li> <li>■ Temperature : 79.2°C</li> </ul> <p><i>Perform calibration of CEMS as per the frequency specified in the procedure and maintain records for the same. Update the CEMS monitoring program to include data on O<sub>2</sub>% and exhaust gas flow rate.</i></p>			
						<b>Ambient Air Quality</b>		<b>Ambient Air Quality</b>			
						NEPC-S keeps record of AAQMS data continuously for NO <sub>x</sub> , SO <sub>2</sub> ,		In accordance to the operations ESMMP requirement, NEPC-S has engaged M/S			

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>PM<sub>10</sub>, PM<sub>2.5</sub> and CO at 3 stations: station 1 - dormitory roof (east side of the plant); station 2 - cooling tower roof (north side of the plant) and station 3 - circulating water pump house (west side of the plant). AAQMS data for the month of July to December 2019 were within permissible standards of DoE and IFC. NEPC-S calibrates AAQMS every month.</p> <p>Third party test of ambient air quality was conducted by TUV Austria on 27<sup>th</sup> June, 2019 at 4 locations – Parkul village side, Paharpur village side, Bingao village side and at gate no. 2 of the plant. 2 samples were taken at each location. All The results of TUV tests were also within permissible standards of DoE and IFC.</p>		<p>TUV Austria to undertaken annual ambient air quality monitoring at three locations (near the main facility gate and the surrounding villages of <i>Parkul</i>, <i>Bongaon</i> and <i>Paharpur</i>) outside the plant boundary. The pollutants concentrations recorded during July 2019 monitoring were as follows: NO<sub>x</sub> (4.12-4.92 µg/m<sup>3</sup>); SPM (41-71 µg/m<sup>3</sup>); PM<sub>10</sub> (17-40 µg/m<sup>3</sup>); PM<sub>2.5</sub> (24 - 35 µg/m<sup>3</sup>) and SO<sub>2</sub> (Nil), CO (0-1 ppm). All monitoring results were found well within the applicable national standards as per ECR, 1997. However, the third party ambient air quality monitoring program do not cover Lead and Ozone as specified in revised ambient air quality standard dated 19 July 2005. The next third party monitoring is due in July 2020 as per the frequency specified in ESMMP.</p> <p>SBPCL has installed 3 continuous ambient air quality monitoring stations (AAQMS), which are installed on the top of dormitory, water pump house and cooling tower, which are at about 10 to 14 m above the ground level. The system is operational since December 2015. Based on previous observations NEPC-S has started quarterly calibration of all the three stations. Now NEPC-S has started monthly calibration of the AQMS. Last calibration was carried out</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)																								
								<p>on 6 September 2019 which is found to be have expired on 5 November 2019.</p> <p>Review of the monitoring results of AQMS for the period July-Dec 2019 in comparison to the air quality values monitored during the EIA at project site revealed the following:</p> <table><thead><tr><th>Parameter</th><th>Min Avg.</th><th>Max Avg.</th><th>EIA Values (Project Site)</th></tr></thead><tbody><tr><td>NOx (µg/m³)</td><td>0.14</td><td>31.7</td><td>6.2-10.1</td></tr><tr><td>CO (µg/m³)</td><td>38.1</td><td>790.8</td><td>5.5-9.3</td></tr><tr><td>SO2 (µg/m³)</td><td>0.32</td><td>88.5</td><td>3.7-5.4</td></tr><tr><td>PM<sub>2.5</sub> (µg/m³)</td><td>16.9</td><td>48.0</td><td>44.7-65.5</td></tr><tr><td>PM<sub>10</sub> (µg/m³)</td><td>26.3</td><td>47.3</td><td>112.1-123.2</td></tr></tbody></table> <p>The results were found to be within the ambient air quality standards prescribed in <i>Schedule 2 of Bangladesh ECR, 1997</i> and IFC EHS Guidelines for Thermal Power Plants. However, concentration of CO is monitored on 8 hourly basis, but given the Schedule 2 also specifies CO standard on hourly basis, NEPC-S also need to monitor the same.</p> <p><i>Perform calibration of the AQMS on a monthly basis and maintain record of the same.</i></p>	Parameter	Min Avg.	Max Avg.	EIA Values (Project Site)	NOx (µg/m³)	0.14	31.7	6.2-10.1	CO (µg/m³)	38.1	790.8	5.5-9.3	SO2 (µg/m³)	0.32	88.5	3.7-5.4	PM <sub>2.5</sub> (µg/m³)	16.9	48.0	44.7-65.5	PM <sub>10</sub> (µg/m³)	26.3	47.3	112.1-123.2
Parameter	Min Avg.	Max Avg.	EIA Values (Project Site)																													
NOx (µg/m³)	0.14	31.7	6.2-10.1																													
CO (µg/m³)	38.1	790.8	5.5-9.3																													
SO2 (µg/m³)	0.32	88.5	3.7-5.4																													
PM <sub>2.5</sub> (µg/m³)	16.9	48.0	44.7-65.5																													
PM <sub>10</sub> (µg/m³)	26.3	47.3	112.1-123.2																													

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>Update the third party ambient air quality monitoring program to include ozone and lead as pollutant parameters.</p> <p>Synchronize the AQMS to record hourly CO data to assess compliance with the revised ambient air quality standard dated 19 July 2005.</p>
						<p><b>Noise Quality</b></p> <p>NEPC-S continued in-house monitoring of ambient noise at 8 locations across the plant boundaries, 8 critical noise generating locations inside the plant and 3 locations at nearby villages. Review of the monitoring results at the plant boundaries for the period of July to December 2019 indicates compliance to both day and night time noise standards specified for industrial area under <i>Bangladesh ECR, 1997</i>.</p> <p>For the village locations, day and night time noise results were also in compliance with noise standards specified for mixed area under <i>Bangladesh ECR, 1997</i>. However, night time results for the villages</p>		<p><b>Noise Quality</b></p> <p>NEPC-S performs monthly in-house monitoring of ambient noise at 8 locations within plant premises (near water pump house, cooling tower, clarifier, living area, gas station, GT building, transformer and hydrogen plant) and 3 village locations (<i>Parkul, Bongaon and Paharpur</i>).</p> <p>Review of the in-house ambient noise monitoring undertaken at the village locations indicates higher night time noise levels (ranging between 47.13 -49.68 decibels) during July to September 2019 as compared to night time noise standard (45 decibels) specified. For the subsequent months (Oct to Dec 2019), the night time noise levels were found to be within the standards. This is also supported by the cumulative noise level modelling undertaken as part of the ESIA study which computed</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>were slightly over the IFC Guidelines Noise Level.</p> <p>Review of the monitoring results at the 8 critical noise generating locations inside the plant for the period of July to December 2019 indicates much higher level of noise in comparison to both day and night time noise standards specified for industrial area under <i>Bangladesh ECR, 1997</i>. Hence, use of PPE (ear plug) has been mandatory at those noise generating points.</p> <p>Third party noise test by TUV Austria was carried out on 27<sup>th</sup> June, 2019 at 17 locations – 3 at 3 villages (Parkul, Paharpur &amp; Bingao), 8 locations at plant boundaries and 8 locations at different noise generating areas inside the plant. The test results reveal that both day and night time readings for the villages and plant boundaries are within DoE and IFC standards. However, among the 8 noise generating areas inside the plant, GT, ST, Cooling Tower and HRSG Auxiliary Pump House areas generated slightly higher noise than acceptable limit defined in BLR 2015.</p>		<p>high night time noise level varying within 45-53.2 decibels; though it is assessed to be localised and temporary in nature owing to construction work of the abutting power production units. The reduction in night time noise during the period Oct-Dec 2019 could be attributed to the fact that the construction work for the neighbouring power production units like Bibiyana 3 is now over with the plant operational since end of Sep 2019. Furthermore, the construction of Bibiyana South is almost complete with COD expected end of Feb'20.</p> <p>The day time noise monitored for all the months were found to be well within the day time noise standard of 55 decibels. This is also validated by the third party monitoring undertaken at the said locations during July 2019 wherein the day time noise levels were found to range within 44-46 decibels. However, the monitoring results (both in-house and external) do not refer to the revised/amended ambient noise standard under <i>Noise Pollution (Control) Rules, 2006</i>.</p> <p>Review of the in-house monitoring results within plant for the period July to December 2019 indicates compliance to both day and night time noise standards of 75 decibels and 70 decibels respectively as specified for</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)									
						Use of ear plug at all these heavy noise generating areas has been mandatory. Workers have been observed wearing ear plugs at these areas. SBPCL has prepared a Noise Reduction/ Control Plan where they prescribe a double hearing protection plan for the workers in these heavy noise generating sites. In the ESIA, the baseline noise data collection was carried out in the center of the plant area and the adjoining 4 villages.		<div>industrial area under <i>Bangladesh ECR, 1997</i>. The third party ambient noise monitoring undertaken within the plant during July 2019 also indicated compliance to the aforesaid standards with day and night time noise varying within 61-70 decibels and 61-69 decibels respectively. The minimum and maximum values recorded during day and night time in-house monitoring within the plant for Jul-Dec 2019 is furnished below:</div> <table><tr><th>Time</th><th>Maximum</th><th>Minimum</th></tr><tr><td>Day</td><td>69.0</td><td>60.5</td></tr><tr><td>Night</td><td>67.3</td><td>50.1</td></tr></table> <div>Update the monitoring report prepared both in-house and external agencies to include reference to the revised/amended ambient noise standard under Noise Pollution (Control) Rules, 2006.</div> <div>As specified in the ESMMP, develop and implement a procedure/system to record and track community complaints related to high noise levels being experienced.</div>	Time	Maximum	Minimum	Day	69.0	60.5	Night	67.3	50.1
Time	Maximum	Minimum															
Day	69.0	60.5															
Night	67.3	50.1															
						<u>Effluent Discharge</u>		<u>Effluent Discharge</u>									

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>The analysis of ETP treated water has been undertaken on 27 June, 2019 by TUV Austria for 32 parameters. However, ERC 1997 recommended for testing of 33 parameters, only one parameter was not tested. All the tested parameters were found within the acceptable limits set for 'Waste Water' in ECR 1997.</p> <p>The ETP sludge sample was also collected by TUV Austria for testing on the same date, and 15 parameters were tested. As standard limit for sludge is not yet set, TUV Austria could not come up to any conclusion whether the sludge parameters are within the acceptable limit or not.</p> <p>In addition to the above, NEPC-S also regularly (usually once in every week) conducted analysis of the treated waste water for the following parameters prior to the discharge – pH, Conductivity, Temperature, turbidity, Residual Chlorine, TSS, TDS, BOD, COD and Iron to check conformance with the inland water discharge standards specified in</p>		<p>Treated effluent from ETP and STP gets collected in a Common Monitoring Basin (CMB) prior to its discharge into Kushiara River. All such discharges are being monitored by NEPC-S by engaging a third party on an annual basis as specified in the ESMMP.</p> <p>For the year 2019, NEPC-S has undertaken analysis of treated wastewater, by engaging a third party agency – M/s TUV Austria. Review of the wastewater analysis report dated 27 June 2019 indicates such test is covering 32 parameters specified in the <i>Schedule 10</i> of Standards for Waste From Industrial Units or Projects Waste of the Bangladesh ECR, 1997. Review of the monitoring report reveals that the parameters are in compliance to the aforesaid standard.</p> <p>In addition to the above, NEPC-S also regularly (every 5-7 days) conduct analysis of the treated waste water for the following parameters prior to the discharge – pH, Conductivity, Temperature, turbidity, Residual Chlorine, TSS, TDS, BOD, COD and Iron to check conformance with the inland water discharge standards specified in <i>Schedule 10 Bangladesh ECR, 1997</i>. The average values for the parameters as</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<i>Schedule 10 Bangladesh ECR, 1997. Review of the test results for the period of July to December 2019 reveals that all the results were found within the acceptable range.</i>		<p>computed for the period Jul-Dec 2019 is presented below:</p> <ul style="list-style-type: none"> <li>■ pH – 8.2;</li> <li>■ Conductivity: 476.6 microsimens/cm;</li> <li>■ Temperature: 29.9°C;</li> <li>■ Turbidity – 18.6 NTU;</li> <li>■ Residual Chlorine: 0.2 ppm;</li> <li>■ Total Suspended Solids (TSS): 33.2 mg/l;</li> <li>■ Total Dissolved Solids (TDS): 364.4 mg/l;</li> <li>■ BOD: 16.2 mg/l;</li> <li>■ COD: 25 mg/l;</li> <li>■ Iron (Fe): 0.6 mg/l.</li> </ul> <p>However, NEPC-S have not evaluated the in-house and third party monitoring results with respect to the effluent standards specified in the IFC EHS Guidelines for Thermal Power Plants. In addition, residual chlorine has not been monitored in the treated effluent by third party agency per the aforesaid IFC EHS Guidelines.</p> <p><i>Assess the treated effluent monitoring results with respect to IFC EHS Guidelines for Thermal Power Plants. Incorporate residual chlorine as a pollutant parameter in</i></p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<i>the third party monitoring of the treated effluent generated onsite.</i>
						<p><b><u>Surface Water Quality</u></b></p> <p>The analysis of surface water has been undertaken on 27 June, 2019 by TUV Austria for the following parameters: DO pH, coliform and BOD at discharge point, and BOD at downstream, upstream and mixing. All the tested parameters were within the acceptable limit set in 'Bangladesh Standard for Surface Water' (ECR 1997).</p> <p>NEPC-S monitors the surface water temperature at 4 points (discharge point, river water mixing point, 50 m upstream and 50 m downstream) for 10 times in every month. The monitoring results depict that the temperature of the discharged effluent was almost same as ambient temperature and river water temperature. Hence, there remains no threat against the bio-diversity of the aquatic life of River Kushiya.</p>		<p><b><u>Surface Water Quality</u></b></p> <p>NEPC-S monitors surface water temperature at four points (at discharge point, at river water mixing point, and at 50m upstream and at 50m downstream). Review of the monitoring report for the period between January and July 2019 reveals that the temperature difference varies between 0.5-1.6 Degree Celsius (°C) which conforms to the standards specified for thermal power in IFC Sector EHS guidelines. In this regard, it is to be noted that the project does not involve once through cooling system. NEPC-S has engaged <i>M/s TUV Austria</i> to monitor surface water quality at one location i.e. at Kushiya River. Review of the monitoring dated 25 July 2019 reveals a total of 4 parameters (DO, pH, BOD and total coliforms) being monitored as referred in <i>Schedule 3 – Standards for Inland Surface Water of Bangladesh ECR, 1997</i>. The results of the parameters being monitored were found to be in compliance with the aforesaid standards.</p> <p>In accordance to ESMMP for operations, fish habitat survey to be undertaken following the</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>first year of operation. With plant in operation since early 2016, such study is yet to be undertaken and is reportedly to be carried out by June 2020.</p> <p><i>Conduct fish habitat survey by engaging an experienced and qualified third party agency/personnel on a fast track basis.</i></p>
						<p>On 27<sup>th</sup> June, 2019 drinking water sample was collected by TUV Austria from the pump tap of the plant. A total of 58 parameters have been tested. All the parameters were within DoE limits set for drinking water (ECR 1997).</p>		<p><u>Ground Water Abstraction</u></p> <p>NEPC-S maintain daily water consumption records for the river water intake. In addition to the above, the site has also installed three deep tube wells to meet emergency water requirement. NEPC has also installed flow meter for the wells connected to the cooling tower to monitor the water consumption. Review of the DM water abstraction for the period July-Dec 2019 indicate the average water consumption to vary within 213.3 to 504.8 KLD.</p> <p>NEPC-S undertakes analysis of both ground water and drinking water (ground water following treatment), by engaging a third party agency – M/s TUV Austria. Review of the drinking water analysis report for 25 July 2019 indicates such test is performed for 58 parameters and in accordance to the <i>Schedule 3B</i> drinking water standards of the</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p><i>Bangladesh ECR, 1997.</i> The results of July 2019 report is found to be in compliance to the aforesaid standards. Testing for remaining parameters including radioactivity was carried out by TUV Austria in January 2019 and the results were observed well within the applicable standards.</p> <p>NEPC-S perform in-house monitoring of the drinking water on a weekly basis for the following parameters – pH, odour, turbidity, residual chlorine, TSS, TDS, Sodium, Chloride, COD and Fe. Results of the in-house monitoring for the period July-Dec 2019 is found to be drinking water standard prescribed under <i>Schedule 3B</i> of <i>Bangladesh ECR, 1997.</i></p>
						<p><b><u>Storm Water Management</u></b></p> <p>The good practices are in place.</p>		<p><b><u>Storm Water Management</u></b></p> <p>SBPCL has not made any provision of installation of oil water separators for storm water drainage system. This is assessed to be justified based on the fact that the project hazardous material and waste storages are covered along with necessary provision made to channelize any waste/chemical spillages through dedicated underground drainage system to a waste water collection basin for subsequent treatment.</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								In the earlier audit report it was identified that the waste oil lube oil storage tanks were found to be equipped with any secondary containment to prevent any accidental leakages/spills. This is important given the storm water drain is located in close proximity (<15m) of this waste lube oil storage. Based on the finding above, NEPC-S have undertaken an internal risk assessment of lube oil storage tanks to assess adequacy of the spill prevention and control arrangements. Review of the report reveals that lube oil storage tank is connected to the emergency oil sump which shall be operated to meet any emergency or contingency situations like leakage or spillage. Furthermore as an additional control measure, NEPC-S plans to make provision of temporary bunds/containment using sand bags to control any spillage.
						<b><u>Waste Management</u></b>  NEPC-S has hired Comfort Medical Services for collection and transportation of medical waste from the plant and for ensuring safe disposal of the same. Comfort Hospital possesses the license for this task. The contract was done on 15 <sup>th</sup> September, 2018 and is valid for two years. NEPC-S has conducted		<b><u>Waste Management</u></b>  For the purpose of managing waste generated from operations, NEPC-S has developed a Waste Management Procedure, which has been updated in line with the earlier audit recommendation to include ETP sludge, air filters. Furthermore, the procedure has been updated to include specific storage, transportation and disposal

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>an audit for the activities performed by Comfort Medical Services on January 6, 2019. It is to be noted that no such Authority has yet been formed in Sylhet Division as required in Medical Waste Management &amp; Processing Rules, 2008. Hence, till now, DoE license is the only valid requirement.</p> <p>Other solid wastes (both general and hazardous) are being collected, transported and dumped by DoE licensed Contractor named Rima Enterprise. An audit of the landfill site of M/s Rima Enterprise was also carried out by NEPC-S in January 2019.</p> <p>ETP sludge has been tested by TUV Austria.</p> <p>SBPCL has placed secondary containment for the waste transformer oil and diesel drum. Proper handling procedures of these waste oil has been posted both in English and local language.</p>		<p>requirements for various wastes being generated from operations.</p> <p>Biomedical waste generated from the infirmary is observed to be segregated into adequately labelled five colour coded bins in accordance to the provision of the Medical Waste Management &amp; Processing Rules, 2008. Medical waste generation during the period July to December 2019 was only 0.04 kg.</p> <p>NEPC-S has engaged Life Line Diagnostic for disposal of medical waste with agreement made to this regard on 15 October 2019, which is found to be valid till 14 October 2020. However, Environmental Clearance Certificate (ECC) of the aforesaid contractor has expired on 30 Dec 2019 with application for renewal filed on 29 Dec 2019. Documentation review indicates ECC is yet to be issued to Life Line by the DoE, Bangladesh. In addition, as required under the ESMMP, NEPC-S has not audited the said facility and documented the observations in the form of an audit report.</p> <p>In accordance to <i>Rule 5 of Medical Waste Rules, 2008</i>, agencies/facilities involved in the collection and transportation of medical waste is required to obtain requisite license</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>from competent authority. With Life Line Diagnostic involved in collection and transportation of medical waste from SBPCL site, such license is required to be obtained. Reportedly, no information is currently available with NEPC-S regarding the availability/status of such licenses.</p> <p>For Rima Enterprise involved in the disposal of hazardous and general waste, a renewed agreement with NEPC-S is available and found to be valid until 31 May 2020. Per this agreement, Rima Enterprise shall now be responsible for disposal of general waste, sludge and kitchen waste as well.</p> <p>As observed during the site walkthrough, fuel and lubricants were found to be stored along with hazardous waste viz. used oil at the designated hazardous waste storage area. As mentioned in the earlier audit report, the damaged drip trays at the hazardous waste oil storage area has been replaced with appropriate signages/labelling been displayed at the such waste storage area to depict the nature and type of the hazard.</p> <p><i>Undertake and prepare an EHS audit report of Life Line Diagnostic involved in disposal of medical waste. Coordinate with the aforesaid</i></p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								facility to obtain requisite license from the competent authority for collection and transportation of medical waste.
						<b><u>Occupational Health &amp; Safety</u></b>		<b><u>Occupational Health &amp; Safety</u></b>
						NEPC-S has updated its monthly noise monitoring program including workplace noise exposure monitoring at ST room, GT room, air compressor house, cooling tower, emergency diesel generator, circulation water pump house, multi-house water pump and HRSG auxiliary pump house. NEPC-S has carried out audiometric testing of all the staff and workers as part of the annual medical examination of the employees. Medical examination was conducted for all the 90 NEPC-S staff and workers during 2018 and is expected to do the same this year.		NEPC-S has categorized the site into 8 zones – gas turbine room, steam turbine room, Heat Recovery Steam Generator (HRSG), Switch Room and Production Building Area, hydrogen s generation station, Chemical Storage and Water Treatment Area, Pump House, maintenance workshop, warehouse and dormitory. The aforesaid areas are subjected to routine audit on monthly basis jointly by shift in charge and EHS personnel by using an inspection checklist. The same was verified during the visit undertaken by the ERM team.
						NEPC-S has ensured that LOTO Permits will have the information about the lock holder. However, it was not possible to update the current work permit software for inclusion of the dedicated electrical work. Hence, NEPC-S has developed an additional checklist for serving the purpose.		NEPC-S has completed the medical examination of its workforce which also includes lathe machine workers and kitchen staff. Medical fitness certificate has been granted in Form 26 and health register maintained in Form 26A for both NEPC-S and SBPCL employees as specified in the Bangladesh Labour Rules 2015.
								In consistent with the ERM audit recommendation in December 2017, NEPC-

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>Safe load bearing capacity has been marked on the racks used for storage of glass wool at the CW Pump House. The racks have been fixed to the floor using bolts to prevent toppling.</p> <p>Hard barricading has now provided to prevent any form of direct access to the rotating/moving parts of the strainer installed as part of the Water Treatment Plant (WTP) in order to control any occupational safety risk for the personnel operating in and around such area.</p> <p>On 30<sup>th</sup> October 2019, NEPC-S had conducted light illuminance testing in 19 locations including security room, kitchen and canteen and found satisfactory results.</p> <p>As permanent water and drainage line could not be constructed in the waste oil storage, temporary eye wash stations has been installed. MSDS for transformer oil, lubricants, anion and cation exchange resins in both English and local language has</p>		<p>S has continues its effort with monthly noise exposure monitoring at 8 high noise areas identified within the plant. Occupational noise levels monitored in-house at the aforesaid locations for the period July-Dec 2019 indicates high occupational noise levels varying within 85.31 to 87.76 decibels at the ST Room, GT Room, Cooling Tower and HRSG Auxiliary Pump house in comparison to the threshold limit of 85 decibels. Third party work place noise monitoring undertaken during July 2019 yielded similar results with occupational noise values ranging from 86-89 decibels at the aforesaid ST&amp;GT rooms and HRSG Pump House. In view of the above, following administrative controls and PPE provisions - mandatory use of ear plugs at all high noise areas; development and implementation of noise control procedure; annual audiometric testing and display of "high noise area" signages. Annual audiometric testing has been undertaken for all project personnel during 22 Oct 2019 through Life Line Diagnostic &amp; Consultation Centre. Reportedly and sample records review did not indicate any cases of induced hearing loss for onsite personnel.</p> <p>Based on the earlier audit recommendation (12<sup>th</sup> EHSS Compliance Assessment</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						been implemented in the facilities such as boiler water treatment. .		<p><i>Report</i>), NEPC-S has now undertaken illumination monitoring at security, kitchen and canteen room with values (510-535 lux) found to well within the standard (350 lux) specified in the BLR, 2015. Further to the above, NEPC-S has re-monitored the illumination levels at the WTP MCC room with results (475 lux) found to be in compliance with the aforesaid standard.</p> <p>As observed during the site walkthrough, provision of eyewash bottles/stations were now found to be made available at bulk diesel, water treatment chemicals and waste oil storage areas. However, NEPC-S is yet to attend to the missing eyewash of the emergency shower station located at the pre-treatment dosing room. Additionally, piping of the emergency shower station at the acid-alkali storage area indicated visual signs of corrosion and leakage. In both cases, monthly inspection tag is available which identifies such station to be functional and effective.</p> <p>In line with the earlier recommendation, NEPC-S has now prepared and displayed summary MSDS sheets (in both English and Bangla languages) for the storages of lubricants, diesel oil and waste oil. The said sheets outlines chemical characteristics;</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>potential health and safety hazards of such chemical and its handling measures; PPE requirement including the personnel responsible for such chemical storage. However, during the current assessment, MSDS sheets were not found to be available and displayed for aluminium sulphate and caustic soda flakes kept at the chemical storage area of the Pre-Treatment Plant Dosing Room.</p> <p>In view of the earlier recommendation, NEPC-S has developed calibration procedures for LEL detector (for hydrogen), Continuous Emission Monitoring System (CEMS), Air Quality Monitoring System (AQMS), pressure gauge, transmitter and control valves. However, records for calibration of LEL detector for hydrogen and CEMS for bypass stack was not readily available for review. Also with nitrogen cylinder being stored in the aforesaid hydrogen station for purging purpose, NEPCS has not installed any O2 analyzer to provide early warnings/alarms in case of emergency situation like nitrogen leaks.</p> <p>As recommended in the 12th EHSS Compliance Assessment Report, NEPC-S has improved implementation of the NEPCS-O&amp;M-P-OHS-0016 WORKING AT HEIGHT</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>HAZARDS Control Procedure, through provision of toe board and guard rails on scaffolds; use of scaffold tags to communicate fitness of the scaffold etc as observed for the scaffolding structure at the air receiver units. However, as noted during the current assessment wooden planks are still being used as scaffold platforms, which do not conform to the BS 2482 standards as mentioned in the procedure. Also as per the said procedure, scaffold tubes are yet to be supported using sole steel plates.</p> <p>In accordance to ESMMP for operations, NEPC-S is required to undertaken an independent occupational H&amp;S audit by engaging a third party consultant/agency on an annual basis. With site operating since early 2016, NEPC-S is yet to engage an independent agency/consultant to undertake such audit.</p> <p><i>Ensure wooden planks used as scaffold platform conform to the BS 2482 specified in NEPC-S Work at Height Procedure. All scaffold tubes to be supported using sole steel plates.</i></p> <p><i>Make provision of eyewash at the pre-treatment dosing room and facilitate replacement of the piping of the emergency</i></p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>shower located at the acid-alkali storage showing visible signs of corrosion and leakage.</p> <p>Ensure availability and display of MSDS aluminum sulphate and caustic soda flakes kept at the chemical storage area of the Pre-Treatment Plant Dosing Room in both English and local language.</p> <p>Share calibration records of hydrogen LEL detector and CEMS of bypass stack. Install O2 analyzer at the nitrogen storage area at the licensed hydrogen tank yard.</p> <p>Engage an independent third party agency/consultant to perform occupational H&amp;S audit of the facility on an annual basis.</p>
						<p><b>Emergency Preparedness &amp; Response</b></p> <p>NEPC-S has been updating the Emergency Preparedness and Response Plan continually following ERM recommendations. 'Fire emergency mock drill' was organized on 2nd May, 2019 at the presence of representative from Bangladesh Fire Service and Civil Defense. Drill report is in place associated with the requisite BLR forms.</p>		<p><b>Emergency Preparedness &amp; Response</b></p> <p>Fire extinguishers, fire hose reel/hydrant, emergency lights (including illuminated exit signages) are subjected to monthly inspection in-house and records maintained in prescribed format. Smoke/heat detectors subjected to internal examination on 30 October 2019 at all locations including diesel storages, canteen, dormitory and hydrogen generating station as mentioned in the earlier audit report.</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
						<p>Perform periodic inspection has been conducted for the firefighting equipment's particularly sprinklers and hose reels in consistent with the requirements of the Bangladesh National Building Code. This inspection will be conducted every year. However, the inspection was conducted without any use of flow meter.</p> <p>On 30<sup>th</sup> October 2019, NEPC-S conducted functional performance test for smoke detectors in 115 locations including dormitory and canteen and found all were in good condition expect 4 defected ones which were immediately replaced.</p>		<p>Sprinkler testing has been performed on 19 December 2019 during scheduled shutdown in Nov-Dec 2019 at the following locations - GT transformer, ST transformer, waste lube oil tank, diesel storages and HRSG pump house. However, sprinklers testing at the following locations - dormitory, kitchen, canteen and hydrogen station as recommended in the 12<sup>th</sup> EHSS Compliance Assessment is still found to be pending.</p> <p>In order to improve emergency response preparedness SBPCL along with NEPC-S performs emergency drills on a monthly basis. NEPCS has prepared a mock drill calendar for the year 2019 with drills conducted on the following emergencies scenarios for the period July to December 2019 – civil disturbances/strikes, fall from height, electrical fires and power outage situation. Per the BLR, 2015 fire and emergency evacuation drills have to be arranged at least once in every six month period and the same has to be preserved in respective record books, in accordance with Form- 22. Last mock drill was held in May 2019 with no drill held/or application made to Bangladesh Fire Service and Civil Defence (BFSCD) to conduct such drill within the period Jul-Dec 2019. Documentation review indicates that an application has been made</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>to BFSCD on 25 Jan 2020 for carrying out onsite mock drill.</p> <p>Flow rate assessment has been undertaken in-house for hose reel and automatic sprinklers on 15 May 2019 with flow rates documented at 960 l/min and 178 l/min respectively. However, the flow results were not found to be in conformance with the BNBC requirements (<i>Table 4.4.1</i>) for the occupancy type G1 (low hazard industries) which requires flow rate of hose and sprinkler system to be maintained at 1900 l/min and 2650 l/min respectively. However, no action has been action till date on the same.</p> <p><i>Ensure coverage of sprinkler testing at dormitory, kitchen, canteen, diesel storages and hydrogen stations. Ensure flow rate of hose reels and sprinkler conforms to BNBC requirements. Conduct fire drill along with BFSCD for the period Jul-Dec 2019 as per BLR, 2015 requirements.</i></p>
3.2	Undertake regular monitoring of air emissions, water consumption, wastewater discharge, solid and hazardous	Low	SBPCL	ESMMP implementation	As defined in ESMMP during operation phase	Complied. For details please refer to S. No. 3.1- <i>Ambient Air Quality; Waste Water Discharge; Waste Management and Ambient Noise Quality of Table 5.1.</i>		For details, please refer to S. No. 3.1- <i>Ambient Air Quality; Waste Water Discharge; Waste Management and Ambient Noise Quality of Table 5.1.</i>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)																				
	waste disposal, noise levels, in line with the ESMMP																											
3.3	Ensure that impacts associated with the decommissioning phase are assessed and addressed prior to eventual decommissioning.	Low	SBPCL	ESMMP for decommissioning phase.	1 to 2 years prior to eventual decommissioning.	To be assessed during decommissioning phase for combined cycle operations.		To be assessed during decommissioning phase for combined cycle operations.																				
3.4	Complete an annual GHG emissions estimation based on the actual operations of the Project during the operational phase.	Low	SBPCL	GHG estimation and reporting.	Annually, after one year of COD	<div>NEPC-S is calculating the GHG emissions in the form of CO2 emission (based on monthly gas consumption) and calculated N2O emissions as recorded by the CEMS.</div> <table><tr><th>GHG Emission</th><th>CO2e (Tons)</th></tr><tr><td>Jan – Dec 2017</td><td>816,933.8</td></tr><tr><td>Jan – Dec 2018</td><td>877,512.9</td></tr><tr><td>Jan – Jun 2019</td><td>448,905.56</td></tr><tr><td>Jan-Dec 2019</td><td>876,589.43</td></tr></table>	GHG Emission	CO2e (Tons)	Jan – Dec 2017	816,933.8	Jan – Dec 2018	877,512.9	Jan – Jun 2019	448,905.56	Jan-Dec 2019	876,589.43		<div>NEPC-S has initiated the process of calculating the GHG emissions in the form of CO2 emission (based on monthly gas consumption) and calculated N2O emissions as recorded by the CEMS. Total CO2 emission in 2017, 2018 &amp; 2019 were as follows:</div> <table><tr><th>GHG Emission</th><th>CO2e (Tons)</th></tr><tr><td>Jan – Dec 2017</td><td>816,933.8</td></tr><tr><td>Jan – Dec 2018</td><td>877,512.9</td></tr><tr><td>Jan – Jun 2019</td><td>448,905.56</td></tr><tr><td>Jan-Dec 2019</td><td>876,589.43</td></tr></table>	GHG Emission	CO2e (Tons)	Jan – Dec 2017	816,933.8	Jan – Dec 2018	877,512.9	Jan – Jun 2019	448,905.56	Jan-Dec 2019	876,589.43
GHG Emission	CO2e (Tons)																											
Jan – Dec 2017	816,933.8																											
Jan – Dec 2018	877,512.9																											
Jan – Jun 2019	448,905.56																											
Jan-Dec 2019	876,589.43																											
GHG Emission	CO2e (Tons)																											
Jan – Dec 2017	816,933.8																											
Jan – Dec 2018	877,512.9																											
Jan – Jun 2019	448,905.56																											
Jan-Dec 2019	876,589.43																											

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
3.5	Develop a Waste Management Plan for operation phase.	Low	SBPCL	Waste inventory and disposal options.	3months prior to start of Combined Cycle Operation	<p>The ETP sludge sample was collected by TUV Austria for testing on 27 June 2019, and 15 parameters were tested. As standard limit for sludge is not yet set, TUV Austria could not come up to any conclusion whether the sludge parameters are within the acceptable limit or not.</p> <p>The filter press of the waste water treatment plant is currently not found to be operational due to preventive maintenance activities.</p>		<p>For details, please refer to S. No. 3.1 "Waste Management" of <b>Table 5.1</b>. As recommended in the earlier audit report, NEPC-S was required to conduct analysis of sludge for the following parameters viz. Phenols, Fluoride, Arsenic, Barium, Chloride and Sulphate which has not been covered in the monitoring undertaken during June 2017. This is required as specified in the <i>Table 3</i> of the <i>Bangladesh Standards and Guidelines for Sludge Management (February 2015)</i>.</p> <p>Review of the sludge analysis report dated 25 July 2019 reveals the sludge has been analysed for the following parameters viz. chloride, fluoride, moisture, arsenic, cadmium, copper, lead, mercury, nickel, zinc, sulphate, pH, chromium, phenols and barium. However the results of the heavy metal content in sludge is expressed in mg/kg instead of mg/l as specified in the Bangladesh Sludge Management Guidelines. As recommended in the earlier report, NEPC-S is yet to perform analysis of the following parameter in waste sludge generated viz. total organic carbon, loss of ignition, dissolved organic carbon and calorific value. Per the guidelines requirement, NEPCS is also required to develop a sludge management plan based on the analysis results and current disposal</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>activities and submit the same to DoE which is also found to be pending.</p> <p>In addition, as observed during the site visit, the filter press of the wastewater treatment plant is now found to be functional.</p> <p><i>Conduct analysis of the waste sludge for the following parameters - total organic carbon, loss of ignition, dissolved organic carbon and calorific value. Based on the analysis results, develop a sludge management plan and submit the same to DoE, Bangladesh.</i></p>
<b>4</b>	<b>PS 4: Community Health, Safety and Security</b>							
4.1	Conduct a detailed QRA for the Project based on actual design and formulate an emergency response plan.	Medium	SBPCL	Quantitative Risk Assessment and Emergency Response Plan	3 months of COD	Complied previously.		Assessed to be in compliance by ERM during EHSS audit undertaken in December 2017. Refer <i>ERM 9<sup>th</sup> EHSS Compliance Assessment Report</i> .
4.2	Ensure any future security arrangements shall comply with PS4 requirements. The SBPCL Grievance Mechanism should include security within its scope.	Low	SBPCL	Compliance check against PS4 requirement.	1 months of COD	Complied.		The O&M Contractor (NEPC-S) has employed 12 security guards for the plant. They are doing 8 hour shift and payment is at par with applicable minimum wage. These securities personal have access to grievance redressal system of SBPCL.

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
5	<b>PS 5: Land Acquisition and Involuntary Resettlement</b>							
	<p>Ensure:</p> <ul style="list-style-type: none"> <li>■ Preparation of the Livelihood restoration plan;</li> <li>■ Documentation of the stakeholder engagement records;</li> <li>■ Maintaining proper records of the employment and vendor opportunity provided to the PAFs and the local community</li> </ul>	Medium	SBPCL	Livelihood restoration plan and stakeholder engagement	Within 3 months of date of deal closure (and periodic review)	LRP implementation was completed previously. SBPCL hired a third party auditor for evaluation of LRP implementation. Draft report has been submitted by the auditor.		<p>LRP implementation is completed. Refer <i>Section 4.2.5</i> for further detail.</p> <p>During consultation with PAPs they expressed their satisfaction with the financial benefit like seed money, training provided by the company. In addition, LRF (Livelihood Restoration Frame Work) specified lifelong monthly pension for vulnerable PAHs of 35 beneficiaries.</p> <p>The LRP audit concludes that LRP implementation was completed satisfactorily and no further corrective measures were recommended in the audit report. It has only recommended considering two PAPs for monthly pension scheme in view of their existing vulnerable condition. As discussed in section 4.2.4.3, the aforesaid 2 PAPs have already been included in the monthly pension scheme from October 2019.</p>
	Continued engagement and resettlement monitoring by CDO.	Medium	SBPCL	Resettlement monitoring reports	Within 3 months of date of deal closure (and periodic review)	CDM is ensuring regular monitoring of LRP and other R&R aspects like disbursement of old age pension, regular interaction with stakeholders.		<p>CDO is ensuring regular monitoring of LRP and other R&amp;R aspects like disbursement of old age pension, regular interaction with stakeholders.</p> <p>ERM reviewed the pension for vulnerable members of the community is being implemented by SBPCL directly. About 36</p>

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>community members are getting pension of Tk 1000 per month under CDP. Old age and disabled members of both sexes with low or no income are getting the pension.</p> <p>Reportedly, the preparation of 2<sup>nd</sup> quarterly CDP monitoring report is under progress.</p> <p>For the period July to December 2019, SBPCL has undertaken consultations with various stakeholders like landowners, sharecroppers, agricultural labour, Local NGO (SEBA), Vulnerable groups, Auskandi Union Parisad and including members of the surrounding villages which are being documented.</p> <p>The key points discussed including flooding issues, livelihood restoration activities, health service facilitation, drainage at resettlement site etc. The summary of consultation has been presented in Table 4.7 and the details of the consultation has been provided in <b>Appendix B</b>.</p>
	Establishment of a formal GRM for the PAFs and the community;	Medium	SBPCL	GRM for PAFs	Within 3 months of date of deal closure (and periodic review)	GRM is well established and functioning.		GRM is well established and functioning as understood through consultations undertaken with PAHs in Parkul village Resettlement Colony, Communities at Paharpur Village in 13 <sup>th</sup> EHSS visit.

S. No	Measures and/or Corrective Actions	Significa nce	Responsi bility	Deliverabl e	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)
								<p>Presently for any grievance related matter people can directly contact with the Assistant Manager (Social and Community Relations), SBPCL.</p> <p>During the 13<sup>th</sup> EHSS Assessment discussions held with representatives of Parkul and Paharpur village on any key grievances/concerns related to Bibiyana II project and other power projects coming up near vicinity. Consultation revealed noise related disturbances during night-time resulting from operation of the PGCB transmission line and power plant operation. On issue related to flooding, as communicated this has been addressed post closure of the PGCB storm water outlet, which contributed to the water stagnation in the nearby low lying areas.</p> <p>The noise related grievances were communicated during informal consultations undertaken, however, this has not been captured in the grievance register by SBCPL. Further review of the BCAS report revealed there was one grievance lodged by an NEPC-S worker. This is also not mentioned in Grievance register. .</p>

S. No	Measures and/or Corrective Actions	Significance	Responsibility	Deliverable	Suggested Timelines for Completion*	Status provided by BCAS (as on January 2020)	Status	ERM Observations (as on January 2020)															
6	PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources																						
6.1	Develop greenbelt within the project boundary.	Low	SBPCL	Greenbelt Development	After completion of construction activities.	Green belt development plan is being implemented in a phase wise manner.		<p>As recommended in the ERM Audit report of 1 June 2016, the facility has developed a phase wise green belt development plan which is being implemented in a phase wise manner.</p> <p>Plantation activity carried out within last three years is as follows:</p> <table><tr><th>Year</th><th>Activity</th><th>Quantity</th></tr><tr><td>2016</td><td>Fruits &amp; flower trees</td><td>1500</td></tr><tr><td>2017</td><td>Fruits &amp; flower trees</td><td>100</td></tr><tr><td>2018</td><td>Mango trees*</td><td>130</td></tr><tr><td>2019</td><td>Fruit Trees</td><td>30</td></tr></table> <p>* During year 2018, each employee planted one mango tree sapling with their names in each tree.</p> <p>Reportedly, the site will be updating the status for green belt development plan for 2020.</p>	Year	Activity	Quantity	2016	Fruits & flower trees	1500	2017	Fruits & flower trees	100	2018	Mango trees*	130	2019	Fruit Trees	30
Year	Activity	Quantity																					
2016	Fruits & flower trees	1500																					
2017	Fruits & flower trees	100																					
2018	Mango trees*	130																					
2019	Fruit Trees	30																					

**Table 5.2 IFC ESAP Compliance Status**

S. No	Measures and/or Corrective Actions	Deliverable	Schedule	Status	ERM Observations (January 2020)
1	Upgrade the existing EHS Policy, EHS Management Procedures and EHSS Plan in accordance with the provision of IFC PSs, the ESMMP and findings of the EHSS Audit, and implement the EHS Management Procedure.	EHS Policy and EHSS Plan	31 Mar 2015		<p>SBPCL has prepared an EHSS Policy for operations and the same has been shared with NEPC-S – the O&amp;M contractor for adoption and implementation. The policy was found to be displayed at conspicuous places within the site.</p> <p>As discussed earlier, NEPC-S has developed a list of 63 EHS related procedures and rules with only 45 of them being formally notified to the SBPCL and NEPC-S operations team. Documentation review indicates that an additional 18 EHS procedures have been incorporated to the aforesaid list which has been formally notified to NEPC-S and SBPCL personnel via email on 9 December 2016 as recommended by ERM in the previous audit report.</p> <p>As recommended in the ERM Audit report of Dec 2016, NEPC-S has updated the consolidated EHS plan update to include the relevant provision of the Bangladesh Labour Law. Furthermore the plan has been shared with the subcontractors with signed copies being maintained.</p> <p>Specific observations on the implementation of the operations phase EHS management procedures please refer to <b>Table 5.1</b> for details.</p>
2	Obtain an Environmental, Occupational, Health and Safety (EHS) Management System (EHSMS) certified to ISO 18001 standards with IFC Performance Standards appropriately incorporated.	ISO 14001 and OHSAS 18001 certification	Within 2 years of COD		Please refer to <i>S. No. 3.1 – “Management System Certification”</i> of <i>Table 5.1</i>

S. No	Measures and/or Corrective Actions	Deliverable	Schedule	Status	ERM Observations (January 2020)
3	Development and implementation of SBPCL Human Resource Policy, Environmental Policy, Social Responsibility Policy and Health & Safety Policy/or Statement.	SBPCL Policies in place	31 Mar 2015		EHS, Social, and HR policies are in place. In 9 <sup>th</sup> EHS&S compliance assessment, it was observed that HR Policy of Summit has been revised and approved. However there are few issues regarding EL leave. The status of issues remains unchanged in 11 <sup>th</sup> , 12 <sup>th</sup> & 13 <sup>th</sup> EHSS Audit visits. Refer section 4.2.2 of this report for detail.
4	Formation of SBPCL CMT and appointment of SBPCL's EHS Manager, CDO and Community Liaison Officer.	CMT. EHS Manager and CDO in place	15 February 2015		Assessed to be in compliance by ERM during EHSS audit undertaken in September 2015. Refer <i>ERM 3<sup>rd</sup> EHSS Compliance Assessment Report</i> . A newly appointed Assistant Environment Manager has been stationed onsite since June 2018 onwards.
5	Undertake labour audit covering own and subcontractor workers to assess compliance with national laws and IFC PS2 requirements. This will cover review of all HR Policies and Practices.  Complete implementation of mitigation measures based on audit findings including those relevant to EPC contractor's management of labour issues	Labour Audit Report	31 March 2015  May 2015		In ERM's 12th EHSS audit site visit, it was reported that the deadline for further communication and payment to more workers was extended up to June, 2019. During the reporting period, additional 39 people were identified and paid their due back wage payment.  Till the date of ERM's visit, total 763 workers out of 934 were paid back wage settlement payment. As nobody out of the remaining 171 cases reported for their claim and the warranty period of EPC Contractor was also finished by the end of August 2019, SBPCL management is considering to close this process of back wage settlement payment.  With no claims received for the current assessment period (July-Dec 2019) and EPC Contractor also demobilised from site during August 2019, SBPCL shall close the back wage settlement process by end of the current fiscal year i.e. by June 2020.  M/s Rafi Enterprise applied for labour license on 21st May 2019, with the labour license copy yet to be issued by Department of

S. No	Measures and/or Corrective Actions	Deliverable	Schedule	Status	ERM Observations (January 2020)
					Inspection for Factory and Establishment (DIFE). Reportedly, license copy is expected to be issued by February 2020. After procuring the labour license copy, M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises who are currently facing challenges of obtaining the requisite labour license.
6	Develop, communicate and operationalise the worker's grievance mechanism	Grievance Mechanism in place and conveyed to all stakeholders	March 2015		SBPCL has complied with this action plan and it was mentioned in previous audit report as well. Please refer to <i>Section 4.2.8</i> of the Grievance mechanism.
7	Complete implementation of corrective actions based on first EHSS audit findings as per the audit action plan and submits an action taken report.	Action taken report	31 March 2015		Implementation of corrective actions based on first EHSS audit findings are being audited internally by SBPCL through BCAS and are being verified by ERM during quarterly auditing. ERM's observations on each of the action item are presented in <b>Table 5.1</b> . With project now in operations, the EHSS performance of the both SBPCL and NEPC-S is being evaluated by ERM is consistent with the lender and regulatory requirements, with specific recommendations given in italics text in <b>Table 5.1</b> .
8	O&M stage I documentation for management of environment, health and safety performance appropriately incorporating IFC Performance Standards and Good International Industry Practices.	Completed EHSMS Manuals	1 month prior to Combined Cycle Operation		Please refer to S. No. 1 of <i>Table 5.2</i> .
9	Duty of care procedures implementation in relation to hazardous waste treatment and disposal facility.	List of the identified hazardous waste facilities	28 February 2015		Please refer to S. No. 3.1 – " <i>Waste Management</i> " of <i>Table 5.1</i>

S. No	Measures and/or Corrective Actions	Deliverable	Schedule	Status	ERM Observations (January 2020)
10	The Company will as part of its monitoring program continue to monitor bird species within the project area of influence	Half yearly compilation	Ongoing for two years		Second migratory bird survey was conducted during 3 – 5 December 2016 by <i>Dr. Mohammad Firoj Jaman of Department of Zoology, University of Dhaka</i> . The report concluded that the experts did not find any evidence of impact of the T-line on migratory birds, particularly on migratory ducks and therefore, further monitoring will not be required.
11	Develop and implement Livelihood Restoration Plan	LRP in place and finalised in consultation with community and detailed PAH level LRP prepared and implementation complete	May 2015 (LRP development)  August 2015 (for LRP implementation)		LRP implementation is completed. Refer <i>Section 4.2.5</i> for further detail.
12	Develop and implement comprehensive stakeholder engagement plan and a detailed Grievance Mechanism for the community.	SEP in place and communicated to all stakeholders.	August 2015		SEP and GRM is prepared and disclosed with stakeholders. Refer section 4.2.8 of this report for detail.
13	Completion audit of the resettlement/ livelihood restoration activities demonstrating compliance with IFC PS5 or, if necessary, identifying any remaining gaps and corresponding corrective actions	Completion audit report and action taken report, if necessary	December 2016		In 12 <sup>th</sup> EHSS assessment visit, it was observed that LRP completion audit by external auditor stands completed and report has been submitted to SBPCL by the consultant.

## 6. EHS&S REGULATORY COMPLIANCE ASSESSMENT

In addition to the CAP & ESMMP compliance assessment the ERM team has performed an EHS&S compliance audit of the project for construction and operations phase. The audit has been conducted to assess project compliance with respect to applicable local and national regulations including key permit/license conditions and has been based on site visits, site personnel interviews and document reviews with the findings/observations being presented in **Table 6.1** for reference. In order to establish the compliance status, a risk rating with appropriate colour coding has been used for easy referencing, which is as follows:

<b>High</b>	Significant deviation/departure from EHS&S regulations/permit conditions leading to legal prosecution, imposition of hefty fines/penalties and or both requiring senior management intervention
<b>Medium</b>	Substantial deviation from EHS&S regulations/permit conditions resulting in limited legal liability managed through interventions at site management level
<b>Low</b>	Minor deviation from EHS&S regulations/permit conditions managed through intervention of project EHS manager/personnel
<b>Information to be provided</b>	Pending information to be shared for assessing compliance status

**Table 6.1 EHS&S Regulatory Compliance Status**

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
<b>1</b>	<b>Conditions of Environmental Clearance Letter dated 17 June 2015</b>			
1.1	All parameters of effluent, gaseous emission, noise, solid waste, hazardous waste, etc. shall be within the limits in the Environment Conservation Rules (ECR) 1997. In case of non-coverage of ECR 1997 the World Bank Environment, Health and Safety Guideline shall be adhered to.	Refer to S. No. 3.1 – Stack Emissions; Effluent Discharge; Waste Management; Noise Quality; Surface Water Quality of Table 4.1.		Refer to S. No. 3.1 – <i>Stack Emissions; Effluent Discharge; Waste Management; Noise Quality; Surface Water Quality of Table 5.1.</i>
1.2	Comprehensive Environmental Performance report shall be submitted on a monthly basis to both the DOE offices.	SBPCL continues with the preparation and submission of monthly Environmental Performance Reports (EPR) to DoE on regular basis..		SBPCL continues with the preparation and submission of monthly Environmental Performance Reports (EPR) to DoE. Records indicate submission of EPRs to DoE for the period July to December 2019.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
1.3	There shall be specific format for Environment Monitoring. Environmental Monitoring Reports shall be made available simultaneously to DOE Head Quarter in Dhaka and Sylhet Divisional Office on a monthly basis during the construction & operation stage of the power plant.	Environmental monitoring reports are submitted in specified format on a monthly basis.		Assessed and observed to be in compliance by ERM during EHSS audit undertaken in February 2016 during operations. Refer <i>ERM 4<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status verified and confirmed by ERM in the current audit.
1.4	The noise level of the Power Plant area shall not exceed the standard for industrial area mentioned in ECR, 1997.	NEPC-S continued in-house monitoring of ambient noise at 8 locations across the plant boundaries, 8 critical noise generating locations inside the plant and 3 locations at nearby villages.  Third party noise test by TUV Austria was carried out on 27 <sup>th</sup> June, 2019 at 17 locations – 3 at 3 villages (Parkul, Paharpur & Bingao), 8 locations at plant boundaries and 8 locations at different noise generating areas inside the plant. The test results reveal that both day and night time readings for the villages and plant boundaries are within DoE and IFC standards. However, among the 8 noise generating areas inside the plant, GT, ST, Cooling Tower and HRSG Auxiliary Pump House areas generated slightly higher noise than acceptable limit defined in BLR 2015. Use of ear plug at all these heavy noise generating areas has been mandatory. Workers have been observed wearing ear plugs at these areas.		Refer to S. No. 3.1 – Noise Quality of Table 5.1.
<b>2</b>	<b>Conditions of Boiler Registration</b>			
2.1	Boiler to be operated by certified boiler operator	Complied		Complied

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
<b>3</b>	<b>Conditions of Factories License</b>			
3.1	First Aid Boxes to bear photographs of first aid responders	Complied s– the good practice is being continued.		Assessed to be in compliance by ERM during EHSS audit undertaken in December 2017. Refer <i>ERM 9<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
3.2	The occupier of the factory is required to set up a “Worker Participation Fund” and “Worker Welfare Fund” in accordance to the provisions of the Bangladesh Labour Law 2006.	No progress took place on this regard.		As specified in the ERM audit report dated 1 June 2016 and 8 Sep 2016, the establishment of a Worker Participation Fund and a Workers Welfare Fund is still found to be pending. This is identified as a legal requirement as specified in the Bangladesh Labour Rules 2015 and the Factory License dated 21 June 2016.  SBPCL considers this requirement to be not applicable with respect to their current operations with an exemption sought from the Deputy Inspector General, Moulvibazar vide letter dated 20 March 2017. A site visit has been undertaken by the Labour Inspector, Department of Inspection for Factories and Establishment on 19 Sep 2017. Review of the site visit report reveals non-compliance cited by the Labour Inspector with respect to the constitution of a Worker Participation Fund and a Workers Welfare Fund as required under <i>Rule 234 of the Bangladesh Labour Act 2006</i> .

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
				SBPCL has informed that this is in the process of resolution by DIFE. SBPCL proactively coordinate on this matter related to the grant of exemption of workers' participation fund/workers' welfare fund.
<b>4 Conditions of HSD Storage License</b>				
4.1	The tank or tanks shall be supported on an approved foundation and shall be surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The enclosure thus formed shall contain only one of the following classes of petroleum, shall be of dimension sufficient to contain the quantity of petroleum specified under the class to be stored and shall be so constructed and maintained as to prevent the escape therefrom of any petroleum in the form of liquid, whether under the action of fire or otherwise.	Compliance status verified and confirmed by BCAS in the current audit.		Compliance status verified and confirmed by ERM in the current audit.
4.3	The licensee to keep records and accounts of all petroleum in stock and issues and shall exhibit his stocks and records to the Inspector or a Sampling Officer	Compliance status has been verified and confirmed by BCAS during the current audit.		As mentioned in the 6 <sup>th</sup> <i>EHSS Compliance Assessment Report</i> , the chemical inventory sheet has been updated to include storage and supply details of HSD. During the current assessment, it was observed that the inventory is limited to only 2KL capacity diesel tank located near cooling tower with 4KL capacity diesel storage yet to be included in said inventory.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
5	<b>Bangladesh Petroleum Act, 1934 &amp; Petroleum Rules, 1937</b>			
5.1	As per Section 7 of this Act any person is required to obtain a license for the transport or storage of class II petroleum if the total quantity in his possession at any one place does not exceed two thousand liters and none of it is contained in a receptacles exceeding one thousand liters in capacity.	Complied.		Assessed to be in compliance by ERM during EHSS audit undertaken in December 2017. Refer <i>ERM 9<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
5.2	<p><b>77. Approval of vehicles for transport in bulk necessary.</b> (1) Petroleum in bulk shall not be transported by land except under a license granted under these rule in a vehicle of a type approved in writing by the Chief Inspector.</p> <p><b>119. Renewal of License.</b> (2) Every application for the renewal of a licence shall be made so as to reach the licensing authority not less than thirty days before the date on which the licence expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused has been communicated to the applicant.</p>	M/s <i>Masuk Miya</i> is responsible for bulk supply and transportation of diesel. Review of permit copy of the vendor indicates it possesses license for transport of petroleum in bulk under the relevant provision of Department of Explosives for the road transportation of diesel and is found to be valid till 31 December 2020.		Diesel is being supplied by M/s <i>Masuk Miya</i> via a 1000 litre capacity tank bearing vehicle. Necessary license has been obtained by the aforesaid agency from Department of Explosives for the road transportation of diesel and is found to be valid till 31 December 2020.
5.3	<b>99. Marking of capacity of tanks:</b> The capacity in litres of every tank in an installation shall be conspicuously marked on the tank.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
5.4	<b>102. Earthing of tanks:</b> All tanks or other receptacles for the storage of petroleum in bulk other than well-head tank or tanks or receptacles of less than 45,000 litres capacity containing class III petroleum, shall be electrically connected with the earth in an efficient manner by means of not less than two separate and distinct connections placed at opposite extremities of such tank or receptacle.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
5.5	<b>103. Inspection of earth connections:</b> The connections and contacts required by rule 102 shall be inspected and tested at least once in every year by an Inspector or Assistant Inspector of Explosives in the manner prescribed by the Chief Inspector.	NEPC-S has internally conducted testing of the earth connections within the plant and has submitted the Test Report to Department of Explosive for approval.		The site has internally conducted testing of the earth connections at the following locations within the plant in 20 location using Earth Resistance Tester Model YTC 2571. Furthermore as per the regulatory requirement, SBPCL has submitted the ground resistance measurement report to the Inspector of Explosives, Sylhet Division vide letter no. 50/19-19/NU/132 in June 2019 for review and acceptance. It was reported by SBPCL that no further communication was received from the concerned authority.  Per the BLR, 2015 such inspection is required to be undertaken every 12 (twelve) months by an appropriate license holder Wiring Inspector or Institution. This shall be verified during the next period of assessment i.e. Jan-Jun 2020.
5.6	<b>64. Filling and discharge of tanks:</b> (1) Tank-wagons, lorries or carts transporting petroleum shall only be filled or discharged by means of metal pipes or armoured hose in which the armouring is electrically continuous throughout.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
5.7	<b>107. Posting up of rules and conditions:</b> Copies of the preceding rules in this Chapter and of the conditions of the licence shall be exhibited in a conspicuous place in every licensed installation and storage shed.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
6	<b>Bangladesh Labour Law 2006 (as amended 2013)/Bangladesh Labour Rules, 2015</b>			
6.1	<b>Rule 60 (A) &amp; (D) of the Bangladesh Labour Rules, 2015 :</b> No lifting machine and no chain, rope or lifting tackle, shall be taken into use in any factory for the first time in that factory unless it has been tested and all parts have been thoroughly examined by a competent person as approved by Government in Form 24 and a certificate of such a test and examination specifying the safe working load or loads and signed by the person making the test and the examination, has been obtained and is kept available for inspection.  The records of all such examination to be kept in Form 24.	As specified in the earlier audit observation, NEPC-S has now developed a lifting tool and equipment inventory along with their status of tests/examinations. In November 2018, M/s LIFTSOL Bangladesh (having valid certification) had conducted examination of 27 lifting equipment, 24 hand chain hoists, 108 eye bolts, 37 wire rope slings and 44 shackles. The records have also been maintained in the Form 24 (as per BLR).  However as recommended in the earlier audit report, the testing for passenger lifts (2) examination by third party competent agency is found to be due on May 2019 in consistent with BLR, 2015 which requires hoists and lifts to be inspected on a six monthly basis.		As specified in the earlier audit observation, NEPC-S has now developed a lifting tool and equipment inventory comprising of 22 chains, 24 chain hoist, 108 eye bolts, 86 wire rope sling, 1 forklift, 2 stacker and 2 passenger lifts. However, shackles were not found to feature in the aforesaid inventory prepared. In addition, the inventory is found to be limited to only equipment ID and safe working load and is yet to be updated to include status of internal and external examination being and/or to be undertaken.  Reportedly and as noted during documentation review, NEPC-S has only undertaken visual assessment of the lifting tools and tackles (including passenger lifts) by engaging a DIFE authorised agency – LIFTSOL during December 2019. However, NEPC-S is yet to undertake thorough examination of the lifting tools and equipment's for 2019 through such agency as per BLR, 2015. The last annual examination of the lifting tools and equipment was

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
				undertaken by a third party agency during November 2018.
6.2	<b>Rule 60 (C ) of the Bangladesh Labour Rules, 2015</b> : A table showing the safe working loads of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working loads at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackles are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 7<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
6.3	<b>89. First-aid appliances</b> : (1) there shall, in every establishment be provided and maintained, so as to be readily accessible during all working hours first-aid boxes or cupboards equipped with the contents prescribed by rules. (1) In every establishment the first-aid box or cupboard equipped with the contents prescribed by rules shall be provided to be readily accessible during all working hours (3) Every first-aid box or cupboard shall be kept in charge of a responsible person who is trained in first-aid treatment and who shall always be available during the working hours of the establishment.  <b>Rule 76(5) of the Bangladesh Labour Rules, 2015:</b> The person employed for the supervision of the box or almirah and the relevant accessories and supplies must test the usefulness of the materials at least once in every 3 months period. In addition, the	Compliance status has been verified and confirmed by BCAS during the current audit.		Reportedly, there exist a total 7 first aid boxes placed at the facility to deal with any minor injuries or cuts. All such first aid boxes are checked on a monthly basis for its contents particularly for expired medicines, if any. NEPC-S has also implemented a monthly inspection tag for all first aid box maintained at the facility.  As observed during the 12 <sup>th</sup> EHSS Compliance Assessment, the first aid box located at the maintenance office room was found to be equipped with the designated number of oral saline sachets as per the checklist. However, the first aider details displayed on the first aid box at the control room has not been updated in accordance to the existing first aider list being maintained by NEPC-S.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
	relevant materials have to be replaced one month before the expiry of them			
6.4	<b>79. Dangerous operations :</b> (d) providing for the protection of all persons employed in the operation or in the vicinity of the places where it is carried on and the use of any specified materials or processes in connection with the operation; and notice specifying use and precautions regarding use of any corrosive chemicals.	For the personnel working in the hydrogen generation operations, a register (Form-26-A) is maintained regarding the health assessment.		As discussed in the 12 <sup>th</sup> EHSS Compliance Assessment Report, details of the health assessment of personnel engaged in in hydrogen generation operations (classified as “dangerous” under BLR, 2015) is not maintained in the prescribed format (Form 26-A) .  During the present assessment, such information (including token ID and joining date) was found to be maintained for a total of 110 personnel of NEPC-S subjected to medical examination during Oct 2019 and Jan 2020 respectively.
6.5	<b>6. Service Book:</b> (1) Every employer shall, at his own cost, provide a service book for every worker employed by him.	Both NEPC-S and SBPCL have issued service books to all the staffs including security guards and canteen workers. Service books were not issued to the drivers, as they are engaged by the contracted vehicle owner, and the vehicles with drivers are hired on monthly basis for a stipulated payment package. Besides, service books have not been issued to sub-contractors’ workers. NEPC-S should take necessary actions so that the sub-contractors issue service book to their workers.		As recommended earlier service book has now been prepared and shared with all payroll staff of NEPC-S, in prescribed format (Form 7).The same was reviewed and validated during the current assessment period.
6.6	<b>9. Register of Workers:</b> (1) The employer of every establishment shall maintain a register of workers, to be available to the Inspector at all times during working hours.	Register of workers in Form 8 is being maintained for all workers. The register of workers did not include drivers, as they are engaged by the contracted vehicle owner.		Register of workers in Form 8 is being maintained for all workers for which it is required at the facility. The same was

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
				reviewed and validated during the current assessment period.
6.7	<b>90. Maintenance of Safety Record Book:</b> In every establishment factory wherein more than twenty five workers are employed, shall maintain compulsorily, in the prescribed manner, a safety record book and safety board.	Details of Safety Committee has been updated with necessary information have been updated. Mick Drill Calendar and Safety Training Calendar have been updated for 2020.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 9<sup>th</sup> EHSS Compliance Assessment Report</i> . However, review of the Safety Record Book maintained by NEPCS indicates that the record book do not include list of rescue team member with the certified first aiders list in the record book have also not been updated.
6.8	<b>111. Notice of periods of work for adults and preparation thereof :</b> There shall be displayed and correctly maintained in every establishment in accordance with the provisions of section 337, a notice of periods of work for adult workers showing clearly the periods which adult workers may be required to work.  (8) Two copies of the notice of the hours of work under this section shall be sent for approval to the Inspector before the work in an establishment begins.	Notice on working hour at the plant has been approved by the Labour Inspector, and copies of the same has been sited at several points of the plant.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
6.9	<b>Rule 183 (1) of the Bangladesh Labour Rules, 2015:</b> The owner of each company, where at least fifty permanent workers work, will form a participating committee within 3 months of starting operations.	Refer to SI. No. 3.2.		Refer to <i>SI. No. 4.2</i> .
6.10	<b>337. Abstracts of the Act, Rules and Regulations to be displayed:</b> (1) The employer of every establishment shall cause to be displayed in a conspicuous and accessible place at or near the main entrance of the place of work or the establishment, as the case may be, a notice in Bangla containing an	NEPC-S has updated the abstract of the Bangladesh Labour Law, 2006 and Bangladesh Labour Rules 2015 and displayed at several points of the plant.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 9<sup>th</sup> EHSS Compliance Assessment Report</i> . However as noted during the current assessment, the abstract displayed at the entrance of the control room building do not

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
	abstract of the important provisions of this Act and of the rules and regulation.			bear the key/important provisions of the Bangladesh Labour Act and Labour Rules in Bangla language.
6.11	<b>Rule 62 (1) of the Bangladesh Labour Rules, 2015:</b> Every pressure vessel or plant in service shall be thoroughly examined by a competent person (i) externally, once in every period of six months; (ii) internally, once in every period of twelve months. Provided that if by reason of the construction of a pressure vessel or plant, a thorough internal examination is not possible, this examination may be replaced by a hydrostatic test which shall be carried out once in every period of two years and (iii) hydrostatically tested once in every period of four years.	NEPC-S has procured necessary equipment for carrying out the external testing of pressure vessels and has tested all the 19 pressure vessels externally. All the pressure vessels were found in sound condition. However, the tests should be carried out externally in every 6 months by a competent person approved by Department of Inspection for Factories and Establishments. Hence, NEPC-S or concerned official of NEPC-S shall obtain the competency certificate for carrying out these tests. Otherwise, competent third party possessing the certificate shall have to be engaged for carrying out the external test of the pressure vessels. External test of the pressure vessels shall be carried out in every six months.  Hydrostatic testing of 15 pressure vessels were conducted during December, 2018 by LIFTSOL. Internal test of these tested vessels will be due on or before 11 <sup>th</sup> December 2020, which can be extended up to 2 more years; and hydrostatic test of these vessels will be due on or before 11 <sup>th</sup> December 2022. However, neither internal nor hydrostatic test of the remaining 4 vessels (CO <sub>2</sub> tank, LP drum, IP drum and HP drum) has yet been carried out. Among these, as per vendor recommendation, there is no need to test the CO <sub>2</sub> tank. If rest of the three vessels are not possible to		As recommended in the 12 <sup>th</sup> EHSS <i>Compliance Assessment</i> report, the competency certificate (Form 30) of the said agency has now been renewed by DIFE vide letter dated 21 Nov 2019 and is found to be valid for 2 years. Furthermore, review of the pressure vessel examination records maintained in Form 25 reveals that inspection has been undertaken by LIFTSOL in December 2019 for the pending pressure vessels viz. <i>compensation water tank, flush tank, continuous blowdown tank and periodic blowdown tank</i> . The said pressure vessels has also been subjected to ultrasonic gauging and thickness test in-house by NEPC-S during 15 December 2019.  Documentation review indicates hydraulic testing of the following pressure vessels - IP, LP and HP drum of boiler reveals is yet to be undertaken in accordance to the provision of the BLR, 2015, which requires such testing to be undertaken once every 4 years. Per the records, such examination was last undertaken for boiler drums during March 2013.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
		be tested during plant operation, they might be tested during the scheduled shut down of the plant. Out of 22 safety/safety relief valves pending for testing, 10 were tested by International Inspection Services PVT. LTD. (IIS Testing BD Pvt. Ltd.) on 18 December 2019. All the tested safety valves were in sound condition. The remaining 12 safety/safety relief valves will be tested during the schedule shutdown.		International Inspection Services Pvt. Ltd engaged by NEPC-S have completed testing for 10 SRVs installed at Hydrogen Generation stations (1-4), Alkali Heater, HRSG Blowdown and Fuel Gas Front Module (1-4) in 18 December 2019 and records maintained. As mentioned in the <i>12<sup>th</sup> EHSS Compliance Assessment Report</i> , NEPC-S has earlier conducted testing of 11 SRVs during February 2019. Presently with this testing the total PSVs tested stands at 22 with testing of remaining 11 PSVs yet to be undertaken.
6.12	<p><b>Rule 55 (10) of Bangladesh Labour Rules, 2015:</b> If possible, all workers or at least 18% of the workers employed in each department have to be trained on fire-fighting, emergency rescue operation, first aid and the usage of portable firefighting equipment's.</p> <p><b>Rule 55 (13) of Bangladesh Labour Rules, 2015:</b> The Manager of the factory/institute shall prepare a 'Fire Fighting Plan', detailing the necessary steps to be taken if fire breaks out and the plan shall also include the procedures for making the same as effective.</p>	Compliance status has been verified and confirmed by BCAS during the current audit.		Firefighting Plan developed by NEPCS for the operational site has now been updated although details of Self-Contained Breathing Apparatus (SCBAs) and firefighting suits being maintained need to be included in the list of resources available.
6.13	<b>56. Ambulance room.</b> (1) The ambulance room or dispensary shall be in charge of a qualified medical practitioner assisted by at least one qualified compounder and nurse and such subordinate staff as the Chief Inspector may direct. The medical practitioner shall always be available on call during working hours.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Sep 2016. Refer <i>ERM 5<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
	(6) The occupier of every factory shall, for the purpose of removing serious cases of accident or sickness, provide in the premises and maintain in good condition a suitable transport unless he has made arrangements for obtaining such a transport from a hospital.			
6.14	<b>Rule 73 (1) of Bangladesh Labour Rules, 2015:</b> The facility shall preserve the record of each accident or mishap in a prescribed register in Form 28.	NEPC-S has submitted the accident register in Form 28 for the period of Jan-Jun 2019 to the Factory Inspector.		Records review indicate that SBPCL has submitted both annual returns and duly filled in Accident Register in Form 28 to the Deputy Inspector General of Factories vide letter dated 14 January 2020.
6.15	<b>73. Pits, sumps, tunnel mouths, etc.:</b> Where in an establishment any fixed vessel, sump, tank, pit or tunnel in such that, by reason of its depth, situation, construction or contents, it may be a source of danger, it shall be either securely covered or fenced.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016 and August 2019. Refer <i>ERM 6<sup>th</sup> and 12<sup>th</sup> EHSS Compliance Assessment Report</i> .  However as observed during the site walkthrough, a portion of the grating was found to be missing at the backflush drain of the cooling water system.
6.16	<b>Rule 333(a) of Bangladesh Labour Rules, 2015:</b> the owner or manager of the establishment shall submit two sets of statements in prescribed form by the stipulated date to the inspector general, namely:- -- (a) Half yearly statements as per Form-80 by 15 July; (b) Yearly statements as per Form-81 by 15 February.	SBPCL has submitted half-yearly return for the period July to December 2019 in Form 80 to the Factory Inspector.		Records review indicate that SBPCL has submitted annual returns to the Deputy Inspector General of Factories vide letter dated 14 January 2020.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
6.17	<b>Rule 68 (4) &amp; (6) of Bangladesh Labour Rules, 2015:</b> The owner of the institute shall conduct the physical fitness test of the workers on his/her own cost, by a registered Physician, for dangerous activities and he/she would receive a Medical Certificate of each worker as per Form-26, certifying his fitness for performing the activities. The concerned Physician and the owner must preserve the copies of physical fitness certificate in separate registers as per the description of Form-26A.	NEPC-S carried out medical fitness check including audiometric testing of all the staff and workers as part of the annual medical examination of the employees in October 2019. Medical examination was conducted for all the 90 NEPC-S staff and workers. SBPCL officials and other contractual staffs went under annual medical check-up (including audiometric test) in January, 2019. All have been found in good health.		Fitness testing of NEPCS personnel undertaken on an annual basis by the site registered physician and fitness certificate issued in prescribed format i.e. Form 26.  Register regarding health assessment of worker engaged in dangerous tasks like hydrogen generation, height work etc. was found to be maintained in Form 26 (A) as prescribed under the relevant provision of BLR, 2015.
6.18	<b>Rule 55 (14) of Bangladesh Labour Rules, 2015:</b> Fire drills and emergency evacuation drills have to be arranged at least once in every six month period and the same has to be preserved in respective record books, in accordance with Form- 22A. In addition, the concerned Inspector and nearby Fire Service Station have to be informed minimum 15 days before the drills are held.ludge	'Fire emergency mock drill' was organized on 2 <sup>nd</sup> May, 2019 at the presence of representative from Bangladesh Fire Service and Civil Defense. Drill report is in place associated with the requisite BLR forms.		NEPCS has prepared a mock drill calendar for the year 2019 with drills conducted on the following emergencies scenarios for the period July to December 2019 – work at height, civil disturbance & strike, electrical cable fire and power blackout. Fire emergency mock drill was conducted on 2 May 2019 in presence of representatives of Bangladesh Fire Service department. No mock drill has been undertaken with Bangladesh Fire & Civil Defence during July-December 2019 as per the provision of BLR, 2015. An application has been made to aforesaid government Department in January 2020 to conduct such drill; however no response to this regard has been received till date.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
6.19	<b>Rule 55 (10) of Bangladesh Labour Rules, 2015:</b> The trained workers to be comprise of fire-fighting team, rescue team and first aid team (6% members in each team) and the records related to such workers have to be preserved in accordance with Form- 22.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in August 2017. Refer <i>ERM 8<sup>th</sup> EHSS Compliance Assessment Report</i> .  However, during the current assessment it is noted that NEPC-S has not assigned a dedicated rescue team for managing onsite emergencies. In addition, no details have been furnished of the designated firefighting team in the onsite emergency response plan.
6.20	<b>Rule 7 (1) of Bangladesh Labour Rules, 2015:</b> Application to be made by the labour supply contractor to the Chief Inspector as per Form-77 for purpose of obtaining registration and licensing in connection with its activities.	Rafi Enterprise has got approval for getting labour license. They have submitted the bond of BDT 2 lacs and other documents to Department of Inspection for Factories and Establishments on 21th May 2019, and now waiting for the license approval. Once, Rafi Enterprise obtains the labour license, all the contractual workers might be hired from them.		M/s Rafi Enterprise applied for labour license on 21st May 2019, with the labour license copy yet to be issued by Department of Inspection for Factory and Establishment (DIFE). Reportedly, license copy is expected to be issued by February 2020. After procuring the labour license copy, M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises who are currently facing challenges of obtaining the requisite labour license.
6.21	<b>Rule 58 (2) of Bangladesh Labour Rules, 2015:</b> The factory of the company before going to production or business or service, is required to take an appropriate certificate on electric wiring and earthing of the facility from any person or institution approved by the government.	NEPC-S engaged TUV Austria to conduct testing of the earth connections and electric wiring within the plant. TUV Austria conducted the tests on 25 <sup>th</sup> April 2018. In addition, NEPC-S has recently conducted earthing test of the plant internally.		Document review indicates that NEPCS through an in-house and authorised electrical supervisor have conducted ground resistance monitoring at the following areas during 10-15 May 2019 - CCB, CW, Raw Water Storage, Cooling Tower, Dormitory, Workshop, Tankages of carbon dioxide, hydrogen, diesel, compressed air etc. The aforesaid test report

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
				has been submitted by SBPCL to Department of Explosives, Sylhet Division, Bangladesh vide letter dated 12 June 2019. Per the BLR, 2015 such inspection is required to be undertaken every 12 (twelve) months by an appropriate license holder viz. Wiring Inspector or an Institution. This shall be reviewed and validated during the six monthly assessment to be undertaken for the period Jan-Jun 2020.
6.22	<b>Rule 68 (9) of Bangladesh Labour Rules, 2015:</b> The data about the disbursement of personal safety equipment's that are required for performing the activities mentioned in Section 79 (d) must be preserved as per Form-23.	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 7<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
6.23	<b>Rule 55 (2) of Bangladesh Labour Rules, 2015:</b> In the factory with the floor area more than 90 sq. m and where fire incident can occur from other combustible objects except the combustible liquid, electric equipment's and combustible metals, a dry chemical powder fire extinguisher or such kind of portable fire extinguisher should be installed for each additional 90 sq. m of the designated bucket mentioned in the sub-rule (1).	Complied previously. All the fire extinguishers in the plant are checked every month.		As mentioned in the <i>7th EHSS Compliance Assessment Report</i> , NEPC-S has now made available requisite number of fire extinguishers at the LPG Gas Bank near the canteen area. Compliance status has been verified and confirmed by ERM during the current audit.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
6.24	<p><b>Section 67: Casing of new machinery, Bangladesh Labour Act, 2006:</b></p> <p>After the commencement of this Act, in every power driven machinery installed in an establishment-</p> <p>(a) every set screw, belt or key, or any revolving shaft, spindle wheel or pinion shall be so sunk, encased or otherwise effectively guarded so as to prevent danger;</p> <p>(b) all spur, worm and other toothed gearing, which does not require frequent adjustment while in motion, shall be completely encased, unless it is so situated as to be safe if it were completely encased.</p>	<p>As fixed or movable guards for the lathe and drill machines are not suitable, necessary precautions have been ensured based on job hazard analyses. NEPC-S confirmed that lathe and drill works are done under the supervision of supervisor and necessary safety measures are taken.</p>		<p>The rotating parts of the lathe and drill machines in operation at the facility workshop were still not found to be equipped with any fixed or movable guards in consistent with the requirements of the Bangladesh Labour Act, 2006.</p> <p>It was reported by NEPC-S that fixed or movable guards are not possible to put. However, job hazard analysis for lathe and drill machines operations at workshop area has been further updated based on the risk assessment and appropriate risk mitigation measures have been specified. It was also reported that all the work in the workshop area is carried out under the supervision of the supervisor and only 3-4 workers who trained to carryout work with these machines are engaged for work as and when required. Safety instruction signage are also provided in Chinese and Bangla language at the work stations of these machines.</p>
6.25	<p><b>Rule 19 of Bangladesh Labour Rules, 2015: (7)</b></p> <p>The information regarding the letter of appointment, identity card and service book should be kept as per Form- 6 (a).</p>	<p>NEPC-S maintains the letter of appointment, identity card and service book for its workers in the format (Form 6A) prescribed under the <i>Bangladesh Labour Rules 201</i>. <i>On the other hand</i>, the contractual workers engaged through third party services are provided with identity cards and appointment letters, but service book is not maintained. NEPC-S should take necessary</p>		<p>NEPC-S has started maintaining the letter of appointment, identity card and service book for its workers in the format (Form 6A) prescribed under the <i>Bangladesh Labour Rules 2015</i>; however the contractual workers engaged through third party services are only provided with temporary identity cards and no appointment letters, service book maintenance etc. are not tracked.</p>

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
		actions so that the sub-contractors issue service book to their workers.		During the current assessment (July-Dec 2019), ERM reviewed the appointment letter and service book of the sub-contractors of NEPC-S.
6.26	<b>Rule 24 of Bangladesh Labour Rules, 2015:</b> (1) In accordance with the section 10, the leave register will be kept as per Form- 9 and the descriptions of the leave mentioned in the sections 115, 116 and 117 will be written down in it.	NEPC-S maintains the leave register for its workers in the format (Form 9) prescribed under the Bangladesh Labour Rules 2015.		NEPC-S has started maintaining the leave register for its workers in the format (Form 9) prescribed under the <i>Bangladesh Labour Rules 2015</i> . The same was reviewed and validated during the current assessment period.
6.27	<b>Rule 62 of Bangladesh Labour Law, 2006:</b> (3) In every establishment the doors affording exit from any room shall not be locked or fastened so that they can be easily and immediately opened from inside while any person is within the room and all such doors, unless they are of the sliding type, shall be constructed to open outwards or where the door is between two rooms, and all such doors, unless they are of the sliding type, shall be constructed to open outwards or where the door is between two rooms, in the direction of the nearest exit from the building and no such door shall be locked or obstructed while work is being carried on in the room.			As observed during the site visit undertaken as part of <i>13<sup>th</sup> EHSS Compliance Assessment</i> , one of the emergency exit door of the Cooling Water (CW) MCC room was found to be kept in locked condition. Reportedly, this door is not currently to be used emergency evacuation purposes although illuminated exit signages were found to be displayed at the said door.
<b>7</b>	<b>Electricity Rules, 1937</b>			

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
7.1	Rule 42, 45 & 49 of the Electricity Rules, 1937	Complied previously, and the good practices are being continued.		During the 12 <sup>th</sup> EHSS Compliance Assessment, the provision of insulated rubber mats were found to be absent at all electrical panels installed at the DM Plant. This was found to be rectified during the current assessment as per the recommendation made in the earlier report.
7.2	Rule 48(1) of the Electricity Rules, 1937			Electrical Supervisor Certificate as issued by Bangladesh Electrical Licensing Board to the designated NEPC-S personnel have expired on 29 June 2019 and is currently under renewal. For Chinese nationals operating under the payroll of NEPC-S and involved in electrical installation and maintenance works necessary permit/certification is found to be available, however details of such wiremen certification for Bangladesh nationals involved in electrical work is yet to be shared by NEPC-S.
7.3	Rule 48(1) of the Electricity Rules, 1937			As observed during the site walk-around, the cables supplying power to the electrical pump located on the river water abstraction unit was found to be passing through Kushiara river water posing potential electrical safety risks for personnel operating and accessing the said structure. In view of the observation, NEPC-S has taken necessary corrective action to support the cable through an overhead structure, although necessary photo-documentation to this regard is yet to be shared for review and validation.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
				Similar observation was made at the acid-alkali storage area where stagnated water was noted over the insulated mat of the high voltage electrical panels.
7.4	Rule 50 of the Electricity Rules, 1937			Lock out devices and tags were found to be missing for breakers of the two (2) sewage pumps and a circulating pump currently decommissioned by NEPC-S. However, necessary preventive action was taken by NEPC-S towards implementation of LOTO at the aforesaid areas and in order to prevent its recurrence.
<b>8 Pressure Vessel Rules, 1995</b>				
8.1	Condition No 10 of the Renewed Hydrogen Generation & Storage License	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
8.2	Rule 6 of the Pressure Vessel Rules, 1995	-		As discussed during the 12 <sup>th</sup> EHSS Compliance Assessment Report, NEPC-S has now displayed the following details - test pressure, date of initial hydrostatic test and the subsequent test; and the chemical symbol/name of the gas being stored on hydrogen storage tanks.

S. No	Regulatory Requirement	BCAS Finding /Observation (as on Jan 2020)	Risk Rating	ERM Observations (as on January 2020)
8.3	Rule 24 of the Pressure Vessel Rules, 1995	Compliance status has been verified and confirmed by BCAS during the current audit.		Assessed to be in compliance by ERM during EHSS audit undertaken in Dec 2016. Refer <i>ERM 6<sup>th</sup> EHSS Compliance Assessment Report</i> . Compliance status has been verified and confirmed by ERM during the current audit.
8.4	Rule 31 (2) and (4) of the Pressure Vessel Rules, 1995	Compliance status has been verified and confirmed by BCAS during the current audit.		<p>Provision of flameproof construction conforming to BS 5345 requirements for electrical panels, switches, sockets, fixed lamps etc. at the licensed hydrogen storage yard were pending.</p> <p>SBPCL has reported that the electrical panels, switches, sockets, fixed lamps etc. are having conformity for explosive atmosphere and having International Electro-technical Commission (IEC) equivalent certification. Explosion proof tags were also been provided to ERM as evidence.</p>
8.5	Rule 32 of the Pressure Vessel Rules, 1995	Refer to Sl. No. 5.5.		Refer to <i>Sl. No. 5.5</i>

## 7. CORRECTIVE ACTION ITEMS

The corrective action items identified based on the assessment undertaken with respect to ESSMP, CAP, IFC ESAP commitments and labour audit & social monitoring performed has been presented in **Table 7.1**. This table also outlines the tentative timelines for completion of each of the action item as specified by SBPCL.

**Table 7.1 Corrective Action Items List**

S. No.	Action Item	Responsibility	Completion Timeline*
<b>A</b>	<b>CAP, ESMMP&amp; IFC ESAP</b>		
1.	Furnish testing reports of remaining 12 SRVs of pressure vessels.	NEPC-S	June 2020
2.	Update the EPRP to include “work over water” as a potential emergency situation including response resources available and measures to be adopted to manage such emergency. Incorporate the details of firefighting and rescue team members along with an updated certified first aiders list in the EPRP.	NEPC-S	Apr-20
3	Conduct a job hazard analysis for “work over water” and communicate the assessment outcome to concerned NEPC-S personnel through trainings/tool box talks. Display safety signages/instructions in areas at all “work over water” areas.	NEPC-S	Apr-20
4.	Update the PPE inspection checklist maintained to ensure coverage of gas masks and life jackets.	NEPC-S	Apr-20
5.	Ensure firefighting training for remaining firefighters and maintain records for the same. Update the first aider list to include details of all trained and certified first aid personnel.	NEPC-S	Apr-20
6.	Develop and implement a training module for “work over water” to communicate the potential risks of such activity and the mitigation measures to be adopted.	NEPC-S	Apr-20
7.	Assess and evaluate the risks associated with operation and access of the river water abstraction set up and adopt appropriate mitigation measure including implementation of a work permit system.	NEPC-S	Apr-20
8	Perform calibration of AQMS and CEMS as per the frequency specified in the procedure and maintain records for the same. Update the CEMS monitoring program to include data on O2% and exhaust gas flow rate.	NEPC-S	June-20

S. No.	Action Item	Responsibility	Completion Timeline*
9.	Update the third party ambient air quality monitoring program to include ozone and lead as pollutant parameters. Synchronize the AQMS to record hourly CO data to assess compliance with the revised ambient air quality standard dated 19 July 2005.	NEPC-S	Jun-20
10.	Update the monitoring report prepared both in-house and external agencies to include reference to the revised/amended ambient noise standard under Noise Pollution (Control) Rules, 2006.	NEPC-S	June-20
11	As specified in the ESMMP, develop and implement a procedure/system to record and track community complaints related to high noise levels being experienced	NEPC-S	July-20
12	Assess the treated effluent monitoring results with respect to IFC EHS Guidelines for Thermal Power Plants. Incorporate residual chlorine as a pollutant parameter in the third party monitoring of the treated effluent generated onsite.	NEPC-S	June-20
13	Conduct fish habitat survey by engaging an experienced and qualified third party agency/personnel on a fast track basis.	SBPCL	Sep-20
14	Undertake and prepare an EHS audit report of Life Line Diagnostic involved in disposal of medical waste. Coordinate with the aforesaid facility to obtain requisite license from the competent authority for collection and transportation of medical waste.	NEPC-S	June-20May
15	Ensure wooden planks used as scaffold platform conform to the BS 2482 specified in NEPC-S Work at Height Procedure. All scaffold tubes to be supported using sole steel plates.	NEPC-S	May-20
16	Make provision of eyewash at the pre-treatment dosing room and facilitate replacement of the piping of the emergency shower located at the acid-alkali storage showing visible signs of corrosion and leakage.	NEPC-S	May-20
17	Ensure availability and display of MSDS aluminum sulphate and caustic soda flakes kept at the chemical storage area of the Pre-Treatment Plant Dosing Room in both English and local language.	NEPC-S	Apr-20
18	Share calibration records of hydrogen LEL detector and CEMS of bypass stack. Install O2 analyzer at the nitrogen storage area at the licensed hydrogen tank yard.	NEPC-S	Aug-20
19	Engage an independent third party agency/consultant to perform occupational H&S audit of the facility on an annual basis.	NEPC-S	Jun-20

S. No.	Action Item	Responsibility	Completion Timeline*
20	Ensure coverage of sprinkler testing at dormitory, kitchen, canteen, diesel storages and hydrogen stations. Ensure flow rate of hose reels and sprinkler conforms to BNBC requirements.	NEPC-S	May-20
21	Conduct fire drill along with BFSCD for the period Jul-Dec 2019 as per BLR, 2015 requirements.	NEPC-S	March 2020
22	Conduct analysis of the waste sludge for the following parameters - total organic carbon, loss of ignition, dissolved organic carbon and calorific value. Based on the analysis results, develop a sludge management plan and submit the same to DoE, Bangladesh.	NEPC-S	Jun-20
<b>B</b>	<b>EHS Legal Compliance</b>		
1.	Proactively coordinate with DIFE on the matter related to the grant of exemption of workers' participation fund/workers' welfare fund for independent power producers (IPPs).	SBPCL	SBPCL has informed that this is in the process of resolution by DIFE. Status ongoing.
2.	Update the chemical inventory being maintained to include 4KL capacity diesel storage onsite	NEPC-S	May-20
3.	Update inventory of lifting equipment and tools to include status of internal and external examination, perform testing of all such equipment through a DIFE authorised agency for the year 2019, and maintain records in Form 24.	NEPC-S	June-20
4.	Review and update the safety record book to include list of rescue team members along with the certified first aiders	NEPC-S	Apr-20
5	Review and update the Fire Fighting Plan to include details of Self-Contained Breathing Apparatus (SCBAs) and firefighting suits maintained.	NEPC-S	Apr-20
6	Check availability of grating at the backflush drain of cooling water system and make provision where the same is found to be missing.	NEPC-S	May-20
7	Perform regular inspection of all emergency exit doors onsite to ensure its accessibility at all times in event of an emergency.	NEPC-S	Feb-20
8	Ensure renewal of the Electrical Supervisor Certificate issued by Bangladesh Electrical Licensing Board. Maintain details/information regarding personnel involved in onsite electrical installation and maintenance work including the status/availability of their wireman permits.	NEPC-S	July-20

S. No.	Action Item	Responsibility	Completion Timeline*
9	Facilitate effective implementation of the LOTO procedure and urgently attend to all potential electrical safety concerns with respect to operation of river water intake structure and bulk acid-alkali storage area.	NEPC-S	May-20
<b>C</b>	<b>Labour Legal Compliance</b>		
1	M/s Rafi Enterprises will retain the labours of M/s Tahsin Enterprises and M/s Suhag Enterprises after getting the labour license copy	SBPCL and NEPC-S	May 2020
2	All the informal grievances should be addressed in the grievance register, like noise related grievances of the adjoining villages. Also grievance lodged by NEPC-s workers should be incorporate in grievance register	SBPCL and NEPC-S	March 2020
3.	Seek clarity from labour department regarding requirement of worker participation fund / worker welfare fund	SBPCL	The Company has informed that the subject is in the process of resolution by the respective regulatory authority.
<b>D</b>	<b>Community Development Program Actions</b>		
1.	SBPCL is required to provide time bound action plan to initiate recommended activities for the pending CDP activities <ul style="list-style-type: none"> <li>Construction of new school building and a library at Parkul Primary school</li> <li>Installation of five hand pumps (one hand pump at resettlement site and remaining at the adjoining villages.)</li> <li>Strengthening of 0.5km road stretch of the resettlement colony</li> <li>Improvement/expansion of the existing Health Service Centre through a full time physician in the health centre with toilet and running water facility</li> </ul>	SBPCL	ONGOING

\* Tentative timelines

## 8. CONCLUSIONS

With project now in combined cycle operations and fully operated by the O&M contractor since last 37 months, SBPCL compliance to operational EHSS requirements has been assessed to be satisfactory. With the Warranty Period now over, the EPC Contractor has also demobilised from site by end of August 2019. NEPC-S has already developed and started implementation of the EHS management system. Quality, environmental and occupational health and safety management system certification was also completed in December 2017 and valid till 19<sup>th</sup> December 2020. All the EHS permits/licenses are in place and renewals are being obtained in time.

However, focussed efforts are required to manage and demonstrate compliance with respect to the following E&S aspects:

- Safety risks related to work over water and effective implementation of LOTO program;
- Comprehensive examination of lifting tools and equipment by authorised agency and permitting of electrical maintenance personnel;
- Recording and tracking of grievances related to high noise levels experienced by nearby communities;
- Engaging with stakeholders (nearby power plants) to address any potential issue/concern related to untreated sewage discharge to Kushiya river near project water intake facility.

In addition to the above specific attention is required to implement pending CDP activities and evaluation.

The compliance status with respect to the corrective action items as outlined in the earlier sections will be verified during the next visit to be undertaken by ERM in July 2020 after internal compliance monitoring by SBPCL or any third party in June 2020.

## APPENDIX A PHOTO-DOCUMENTATION



Photo 1: Safety Board maintained at the Control Room building

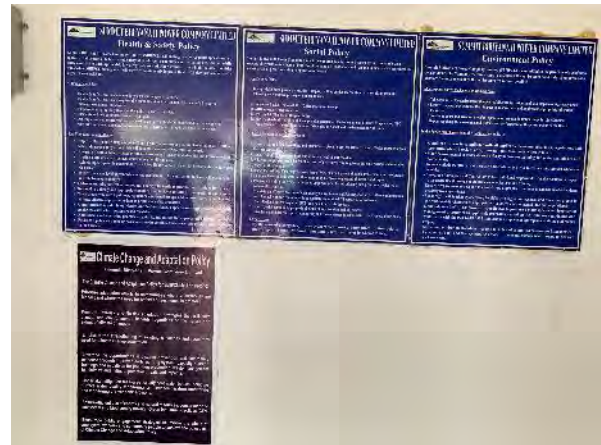


Photo 2: Display of relevant E&S and Climate Change Policies at the Control Room building

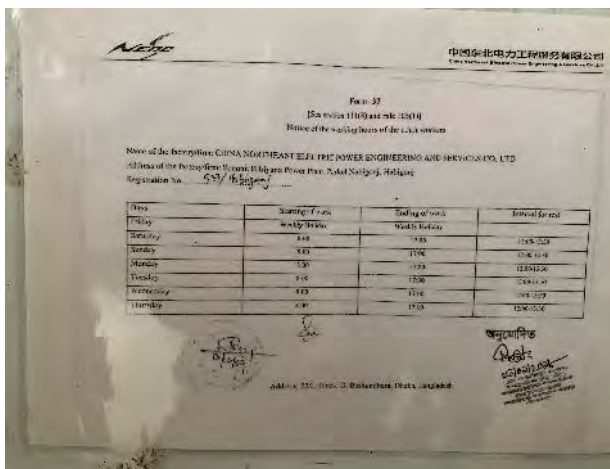


Photo 3: Display of notice pertaining to working hours as per the BLR, 2015



Photo 4: Onsite Grievance Register Box



Photo 5: Missing lock and tag of electrical breaker at MCC room as per LOTO procedure



Photo 6: Locked emergency exit at MCC room



Photo 7: Wooden planks used for scaffolding not conforming to BS 2482 standards



Photo 8: Provision of eye-wash station at the lubricants and waste oil storage area



Photo 9: Missing grating at backflush drain of the cooling water system.



Photo 10: Display of MSDS summary sheet at diesel storage area



Photo 11: Labelling done for drums/containers bearing hazardous waste



Photo 12: Damaged drip trays been replaced with proper drip trays at the oil storage area



Photo 13: Missing MSDS for caustic soda flakes in Pre-Treatment Dosing Room



Photo 14: Corroded and leaking pipes noted for the eye wash station at the alkali-acid storage



Photo 15: Missing eye wash at the Pre-Treatment Dosing Room



Photo 16: Stagnant water noted on insulated mat near electrical panel at acid storage area



Photo 17: Electrical cable for water abstraction unit running within the Kushiara river



Photo 18: Display of signages and PPEs to be used for high noise locations onsite



Photo 19: Consultation with Primary School Head Master at Parkul village



Photo 20: Consultation with Doctor at Parkul village Health Centre



Photo 21: Consultation with PAPs of the Resettlement Site at Parkul village



Photo 22: The earthen road at Resettlement site, Parkul, planned to be strengthened.



Photo 23: PGCB storm water outlet seems block, adjacent to the resettlement colony



Photo 24: Sewage discharged directly from Bibiyana III power plant to Khushiara river near project river water intake

## **APPENDIX B      DETAILED SUMMARY OF SBPCL STAKEHOLDER CONSULTATIONS**

## **SBPCL Stakeholder Meeting Minute with PGCB**

### **Subject: Addressing the flood issue of Resettlement area.**

Summit Bibiyana power Company Limited is running a 341MW combined cycle power plant in parkul village, Nabiganj, Habiganj. The total project stands on 11 acres land which is acquired by PDB. Due to this land acquisition a group of people has lost their lands and homestead. As a result 15 affected families have been resettled by the government adjacent to the PGCB station. These families are also compensated by SBPCL with an amount of 75000 BDT for each family.

The resettlement colony was established in khas land which is low land. So most of the times during monsoon it used to be flooded. Responding to this flood issue in 2015 SBPCL has constructed 210m paved drainage system to drain out the access rain water and it was working effectively.

But as previously mentioned the PGCB station is adjacent to the resettlement colony and higher in land position, there was a drainage pipe from PGCB to drain out the rain water. The outer section of that drainage pipeline was adjacent to the resettlement colony. So during monsoon a huge amount of rain water was drain out through the pipeline and used to create waterlogging in resettlement area.

#### **Discussion:**

Observing the flood situation in 2017 and 2018 a meeting was arranged with PGCB officials. They have been informed about the following issues,

- The drainage pipeline needs to be blocked that adjacent to the resettlement colony.
- The rain water from the grid needs to be drain out to the nearby river to avoid the flood situation.

#### **Participants:**

SL	Name	Designation	Address
1	MD. Shuhel Miah	Sub-Divisional Engineer	PGCB
2	Sujit Shutradhar	Manager-Operation	SBPCL
3	Nazmul Alam	Jr. Assistant Manager-Accounts	SBPCL
4	MD. Towfique Bin Ikbali	Assistant Manager-SCR	SBPCL
5	Faysal Miah	Community representative	Resettlement Area.

#### **Decision taken:**

After having an onsite visit with PGCB officials (15/4/2019), they acknowledged that the outer pipeline from the grid in west side needs to be blocked. They also informed that the pipeline was there since the construction period. But in recent they have developed an organized drainage system inside the grid station to drain out the rain water to the river. Somehow, the adjacent pipeline is overlooked. PGCB officials gave their consent that within earliest convenience they will block the outer pipeline adjacent to resettlement area.

#### **Follow up:**

According to the decision during monsoon on 10/7/2019 a follow up visit has done by SBPCL personnel. It has been found that the pipeline is blocked from the PGCB end and rain water is not coming through. Having consultation with resettles, they informed that during the ongoing monsoon there is no waterlogging in their area and the drainage system developed by SBPCL is working out effectively to pass out the access water. Hence, the blockage of adjacent pipeline from PGCB has improved the flood situation.

## Details of Consultations with PAHs and Other Stakeholders (July to December 2019)

Type of Stakeholder	Dates	Issues
Landowners	October 2015, 15/07/2019, 23/09/2019	Follow up the livelihood restoration activities of project affected households.  Discussion on challenges faced by the beneficiaries of different trades, They informed us they are doing the trades as beef fattening, poultry rearing and agriculture. Most of them have supplemented to their family incomes through this IGA activities.
Sharecropper	Continuing from October 2015, 18/8/2019, 9/10/2019, 11/12/2019	Follow up the livelihood restoration activities of project affected households.  Some of the beneficiaries of sharecropper group utters that, the training provided by SBPCL was sufficient as well as the seed money. Through this training knowledge they can easily operate their IGA activities and in case of any challenges they are able to get access to respective authorities for any kind of consultation.
Agricultural Labours	October 2015, 21/09/2019, 14/11/2019	Follow up the implementation of LRP activities by the project affected households.
Local NGO (SEBA)	October, 2014 - Till Date Weekly visit to the clinic	Regular follow up of Health Service provided by the particular NGO.  Monthly 40250 taka provided to the NGO for one doctor, one paramedic, House rent and overhead cost for the NGO. The patients from surrounding community are getting three days of a week access to Specialized doctor, some of the female patients have placed their demands for a female doctor for other three days.
Resettlement Site	9.08.2019, 13.09.2019, 29.09.2019, 25.10.2019, 5.11.2019, 20.11.2019, 11.12.2019, 29.12.2019	Follow up on drainage cleanliness to prevent water logging.  Follow up the adjacent drainage pipeline from PGCB and found it is closed from the PGCB end.  Discussion on flood issues and they responded that, due to the blockage of PGCB drainage line, this year it was improved scenario than before.  Follow up livelihood restoration program and changes in their daily livelihood.
Projects surrounding Community	Periodic consultation from September 201 to till date	Community welfare, grievance, project concerns,
Vulnerable Group	Periodic consultation from 2016	Monthly Pension Distribution. A total of 36 vulnerable people has been identified and being provided with an amount of BDT 1000 monthly for each.
Aushkandi Union Parishad	30/10/2019	Holding tax negotiation and Payment for FY' 2018 and 2019

Source: SBPCL

---

**ERM has over 160 offices across the following countries and territories worldwide**

Argentina	New Zealand
Australia	Panama
Belgium	Peru
Brazil	Poland
Canada	Portugal
China	Puerto Rico
Colombia	Romania
France	Russia
Germany	Singapore
Hong Kong	South Africa
Hungary	South Korea
India	Spain
Indonesia	Sweden
Ireland	Taiwan
Italy	Thailand
Japan	UAE
Kazakhstan	UK
Kenya	US
Malaysia	Vietnam
Mexico	
The Netherlands	

**ERM India Private Limited**

Building 10A, 4<sup>th</sup> Floor  
DLF Cyber City, Gurgaon  
NCR – 122002  
INDIA

T: +91 124 4170300

F: +91 124 4170301

[www.erm.com](http://www.erm.com)