

THE GOVERNMENT**THE SOCIALIST REPUBLIC OF VIETNAM**
Independence - Freedom - Happiness**No. 18/2015/ND-CP***Hanoi, February 14, 2015***DECREE****Prescribing environmental protection master plan, strategic environmental assessment, environmental impact assessment and environmental protection plan^(*)***Pursuant to the December 25, 2001 Law on Organization of the Government;**Pursuant to the June 23, 2014 Law on Environmental Protection;**At the proposal of the Minister of Natural Resources and Environment,**The Government promulgates the Decree prescribing environmental protection master plan, strategic environmental assessment, environmental impact assessment and environmental protection plan.***Chapter I****GENERAL PROVISIONS****Article 1.** Scope of regulation

This Decree details a number of articles, and measures to implement the provisions, of the Law on Environmental Protection regarding environmental protection master plan, strategic environmental assessment, environmental impact assessment and environmental protection plan.

Article 2. Subjects of application

This Decree applies to agencies, organizations and individuals that are engaged in activities related to environmental protection master plan, strategic environmental assessment, environmental impact assessment and environmental protection plan in the territory of the Socialist Republic of Vietnam.

Chapter II**ENVIRONMENTAL PROTECTION MASTER PLAN****Article 3.** Elaboration of environmental protection master plan

1. Environmental protection master plans shall be elaborated in conformity with socio-economic development master plans, initially for the 2021-2030 period with a vision toward 2040, at two levels including national and provincial environmental protection master plans.

2. The national-level environmental protection master plan must have the following principal contents:

a/ Developments and objectives of forest environment management and biodiversity conservation;

^(*) *Công Báo Nos 297-298 (07/3/2015)*

b/ Actual status of marine, island and river basin environments; objectives of and solutions to conservation and protection of marine, island and river basin resources and environments;

c/ Actual status of gas emissions and quality of the air environment; planning objectives of and solutions to development activities discharging great gas emissions;

d/ Actual status of degradation and pollution of the soil environment; objectives of and solutions to prevention of degradation and pollution of the soil environment and restoration of polluted or degraded land areas;

dd/ Actual status of pollution of the water environment; objectives of and solutions to wastewater management and water environment protection;

e/ Actual status of collection and disposal, and objectives of and solutions to management of residential solid waste, industrial solid waste and hazardous waste;

g/ Actual status of environmental observation and monitoring networks; objectives and orientations of master plans on environmental observation and monitoring systems;

h/ Environmental zoning based on development, protection and conservation and climate change response objectives;

i/ Prioritized environmental protection programs and projects and environmental indicators;

k/ Maps and plans related to planned zones;

l/ Resources for, and responsibility to organize, examine and supervise, the implementation of environmental protection master plans.

3. A provincial-level environmental protection master plan shall be elaborated as a separate report or an integral part of the provincial-level socio-economic development master plan, with the following contents:

a/ As a separate report, a provincial-level environmental protection master plan must have the contents specified in Clause 2 of this Article with greater details on the geographical location and natural environment and socio-economic conditions of the planned locality;

b/ As an integral part of the provincial-level socio-economic development master plan, a provincial-level environmental protection master plan must have the contents prescribed in Clause 2 of this Article with greater details on the geographical location and natural environment and socio-economic conditions of the planned locality, of which the contents on resources for, and responsibility to organize, examine and supervise, the implementation of the environmental protection master plan shall be integrated into the relevant contents of the socio-economic development master plan.

4. The Ministry of Natural Resources and Environment shall guide in detail the process of outlining, and approving the task to elaborate, an environmental protection master plan.

5. Agencies in charge of elaborating environmental protection master plans shall study and assimilate opinions of consulted agencies and organizations; and make dossiers of request for appraisal of environmental protection master plans in accordance with Clause 1, Article 4 of this Decree and send them to competent agencies mentioned in Clause 1, Article 11 of the Law on Environmental Protection for appraisal.

Article 4. Appraisal of environmental protection master plans

1. The appraisal of environmental protection master plans is prescribed as follows:

a/ The national-level environmental protection master plan and provincial-level

environmental protection master plans elaborated as separate reports shall be appraised by an appraisal council formed by the head of the agency appraising environmental protection master plans mentioned in Clause 2, Article 11 of the Law on Environmental Protection.

The appraisal council shall be composed of the chairman, one (1) vice chairman when necessary, two (2) members to make counter-arguments, one (1) secretary-member and some other members who are representatives from natural resources and environment; industry and trade; construction; agriculture and rural development; transport; culture, sports and tourism; planning and investment agencies and other related sectors of the same level with the master plan's;

b/ For provincial-level environmental protection master plans being integral parts of provincial-level socio-economic development master plans, People's Committees of provinces or centrally run cities (below collectively referred to as provincial-level People's Committees) shall appraise them simultaneously with provincial-level socio-economic development master plans.

2. A dossier of request for appraisal of the national-level environmental protection master plan or a provincial-level environmental protection master plan as a separate report is prescribed as follows:

a/ For the national-level environmental protection master plan, the dossier must comprise a written request for appraisal of the master plan, made by the agency in charge of elaborating and drafting the national-level environmental protection master plan;

b/ For a provincial-level environmental protection master plan, the dossier must comprise a written request for appraisal of the master plan, made by the agency in charge of elaborating and drafting provincial-level environmental protection master plans as separate reports.

3. Appraisal councils shall consider the contents of environmental protection master plans and give their appraisal opinions; activities of these councils must comply with the guidance of the Ministry of Natural Resources and Environment.

4. Agencies appraising environmental protection master plans may carry out the following activities to assist the appraisal councils:

a/ To collect independent counter-argument opinions from socio-political organizations, social organizations, socio-professional organizations and experts in the field of environment;

b/ To hold thematic meetings and seminars on contents of environmental protection master plans.

5. The Ministry of Natural Resources and Environment shall guide in detail forms of documents and papers in dossiers of request for appraisal, and organization and operation of appraisal councils; and elaborate and issue technical guidance for elaboration of environmental protection master plans.

Article 5. Approval of the national-level environmental protection master plan

1. The agency in charge of elaborating the national-level environmental protection master plan shall finalize this master plan and send it together with written explanations about the assimilation of appraisal opinions and comments to the Ministry of Natural Resources and Environment.

2. The Ministry of Natural Resources and Environment shall make a dossier of request for approval of the national-level environmental protection master plan, which must comprise:

a/ The Minister of Natural Resources and Environment's report on the elaboration and appraisal of the master plan, to be submitted to the Prime Minister;

b/ The draft master plan which has been finalized on the basis of appraisal opinions and comments;

c/ The Prime Minister's draft decision approving the master plan, which must specify the objectives and orientations of the master plan; prioritized environmental protection programs and projects; environmental indicators; and resources for, and responsibility to organize, examine and supervise, the implementation of the master plan.

Article 6. Approval of provincial-level environmental protection master plans

1. A dossier of request for approval of a provincial-level environmental protection master plan as a separate report must comprise:

a/ The provincial-level People's Committee's report on the elaboration and appraisal of the master plan and the assimilation of appraisal opinions, made by the agency in charge of elaborating provincial-level environmental protection master plans;

b/ The draft master plan;

c/ The Ministry of Natural Resources and Environment's appraisal opinions on the contents of the master plan;

d/ The provincial-level People's Committee chairperson's draft decision approving the master plan, which must specify the objectives and orientations of the master plan; environmental indicators; prioritized environmental protection programs and projects; and resources for, and responsibility to organize, examine and supervise, the implementation of the master plan.

2. For a provincial-level environmental protection master plan as an integral part of the provincial-level socio-economic development master plan, the chairperson of the provincial-level People's Committee shall approve its contents after obtaining the Ministry of Natural Resources and Environment's written appraisal opinions on such contents.

Article 7. Disclosure of information on environmental protection master plans

1. The Ministry of Natural Resources and Environment shall send a decision approving the national-level environmental protection master plan to related ministries and sectors and provincial-level People's Committees within five (5) working days after signing it.

2. Provincial-level People's Committees shall send decisions approving provincial-level environmental protection master plans to related departments and sectors, district-level People's Committees and the Ministry of Natural Resources and Environment within five (5) working days after signing them.

3. The Ministry of Natural Resources and Environment shall publicize the decision approving the national-level environmental protection master plan and the principal contents of this master plan on its website and in other forms within thirty (30) working days after signing it.

4. Provincial-level People's Committees shall publicize decisions approving provincial-level environmental protection master plans and the principal contents of these master plans on their websites and in other forms within thirty (30) working days after signing them.

Chapter III

STRATEGIC ENVIRONMENTAL ASSESSMENT

Article 8. Strategic environmental assessment

1. The strategies, master plans and plans mentioned in Appendix No. I to this Decree are subject to strategic environmental assessment.

2. Agencies assigned to elaborate the strategies, master plans and plans mentioned in Clause 1 of this Article shall:

a/ Conduct by themselves strategic environmental assessment or hire consultancy organizations to do so in accordance with Articles 14 and 15 of the Law on Environmental Protection;

b/ Send dossiers of request for appraisal of strategic environmental assessment reports to agencies responsible for appraising these reports (these agencies shall be determined based on the competence to approve strategies, master plans and plans) mentioned in Clause 1, Article 16 of the Law on Environmental Protection.

3. Consultancy organizations conducting strategic environmental assessment shall be held responsible before agencies elaborating strategies, master plans and plans and before law for the results of strategic environmental assessment as well as for their established information and data in strategic environmental assessment reports.

4. In case the adjustment of strategies, master plans or plans for which strategic environmental assessment reports have been appraised by competent agencies does not lead to an increase or leads to an insignificant increase in adverse impacts on the environment, the assigned agencies shall adjust dossiers and send them to the Ministry of Natural Resources and Environment for consideration and opinion, instead of sending dossiers of request for appraisal of strategic environmental assessment reports.

5. The Ministry of Natural Resources and Environment shall guide in detail forms of papers and documents in dossiers of request for appraisal of strategic environmental assessment reports; and elaborate and issue technical instructions for conducting strategic environmental assessment.

Article 9. Conditions on organizations conducting strategic environmental assessment

1. To conduct strategic environmental assessment, agencies assigned to elaborate strategies, master plans and plans and consultancy service organizations must satisfy the following conditions:

a/ Having strategic environmental assessors who meet the conditions prescribed in Clause 2 of this Article;

b/ Having laboratories and calibration equipment certified as capable of measuring and taking, processing and analyzing environmental samples to serve strategic environmental assessment; if having no such laboratories or calibration equipment, these agencies or organizations must sign contracts with capable units to conduct strategic environmental assessment.

2. Strategic environmental assessors must possess a university or higher degree and a certificate of consultancy on strategic environmental assessment.

3. The Ministry of Natural Resources and Environment shall manage the training of, and the grant of certificates of, consultancy on strategic environmental assessment.

Article 10. Appraisal of strategic environmental assessment reports

1. Strategic environmental assessment reports shall be appraised by an appraisal council which is formed by the head of the agency responsible for appraising strategic environmental assessment reports and be composed of at least nine (9) members.

The appraisal council shall be composed of the chairman, one (1) vice chairman when necessary, one (1) secretary-member, two (2) members to make counter-arguments, and some other members, of whom thirty percent (30%) or more must have at least five (5) years' experience in strategic environmental assessment.

2. Appraisal councils shall consider the contents of strategic environmental assessment reports and give their appraisal opinions. The Ministry of Natural Resources and Environment shall guide the operation of appraisal councils.

3. Agencies appraising strategic environmental assessment reports may also carry out the following activities:

- a/ To survey project areas and adjacent areas;
- b/ To check and weigh up information, data and analysis, assessment and forecast results in strategic environmental assessment reports;
- c/ To collect opinions from socio-political organizations, social organizations, socio-professional organizations and experts in relevant fields;
- d/ To hold thematic assessment meetings with experts.

4. Appraisal agencies shall organize appraisal of strategic environmental assessment reports and notify appraisal results to appraisal-requesting agencies within:

a/ Forty-five (45) working days after receiving a complete and valid dossier, for strategic environmental assessment reports of the objects mentioned in Sections 1, 2, 3, 4, 5.1 and 6, Appendix No. I to this Decree;

b/ Thirty (30) working days after receiving a complete and valid dossier, for strategic environmental assessment reports of the objects mentioned in Section 5.2, Appendix No. I to this Decree.

Article 11. Reporting on appraisal results of strategic environmental assessment reports

1. Agencies appraising strategic environmental assessment reports shall report the appraisal results to authorities competent to approve strategies, master plans and plans within fifteen (15) working days after receiving the reports already finalized by appraisal-requesting agencies based on opinions of appraisal councils.

2. Agencies appraising and approving strategies, master plans and plans shall consider thoroughly and objectively opinions and recommendations of agencies appraising strategic environmental assessment reports during the appraisal and approval of strategies, master plans or plans.

3. A report on appraisal results of a strategic environmental assessment report must state the appraisal process, achievements and weaknesses of the strategic environmental assessment as well as proposals and recommendations of the report-appraising agency for use as a basis for competent authorities to consider and decide to approve strategies, master plans or plans.

4. Reports on appraisal results of strategic environmental assessment reports shall be used as a basis for competent authorities to consider and approve strategies, master plans or plans.

Chapter IV

ENVIRONMENTAL IMPACT ASSESSMENT

Article 12. Environmental impact assessment

1. Subject to environmental impact assessment are the projects specified in Appendix No. II to this Decree.

2. Owners of the projects mentioned in Clause 1 of this Article shall themselves conduct environmental impact assessment or hire consultancy organizations to do so in accordance with Article 19 of the Law on Environmental Protection; and take responsibility before law for the results of environmental impact assessment as well as for information and data used in environmental impact assessment reports.

3. Consultancy organizations conducting environmental impact assessment shall be held responsible before project owners and law for the results of environmental impact assessment as well as for their established information and data in environmental impact assessment reports.

4. During environmental impact assessment, project owners shall consult People's Committees of project-covered communes, wards or townships (below collectively referred to as commune-level People's Committees), and project-affected organizations and communities; and study and assimilate objective opinions and reasonable recommendations of consulted entities to minimize the projects' adverse impacts on the natural environment, biodiversity and community well-being.

5. Consultation with commune-level People's Committees of project-covered localities and project-affected organizations shall be conducted in the following process:

a/ Project owners shall send projects' environmental impact assessment reports, enclosed with written requests for opinions, to commune-level People's Committees of project-covered localities and project-affected organizations;

b/ Within fifteen (15) working days after receiving the written requests from the project owners, commune-level People's Committees of project-covered localities and project-affected organizations shall give written replies, or may give no reply if approving the project implementation.

6. Consultation with project-affected communities shall be conducted in the form of a meeting jointly held by the project owner and commune-level People's Committee of the project-covered locality with the participation of representatives of the commune-level Fatherland Front Committee, socio-political organizations, socio-professional organizations and population groups, villages or hamlets convened by the commune-level People's Committee. Opinions of the meeting participants shall be fully and truthfully recorded in the meeting's minutes.

7. The Ministry of Natural Resources and Environment shall guide in detail forms of documents and papers in dossiers of request for appraisal of environmental impact assessment reports; and elaborate and issue technical guidance for making specialized environmental impact assessment reports.

Article 13. Conditions on organizations conducting environmental impact assessment

1. To conduct environmental impact assessment, project owners and consultancy organizations must fully satisfy the following conditions:

a/ Having environmental impact assessors who meet the conditions prescribed in Clause 2 of this Article;

b/ Having staffs possessing a university or higher degree in disciplines related to projects;

c/ Having laboratories and calibration equipment certified as capable of measuring and taking, processing and analyzing environmental samples to serve environmental impact assessment of the projects; if having no such laboratories or calibration equipment, these project owners and consultancy organizations must sign contracts with capable units to conduct environmental impact assessment.

2. Environmental impact assessors must possess a university or higher degree and certificates of consultancy on environmental impact assessment in relevant disciplines.

3. The Ministry of Natural Resources and Environment shall manage the training of environmental impact assessors and the grant of certificates of consultancy on environmental impact assessment.

Article 14. Appraisal and approval of environmental impact assessment reports

1. The competence to appraise environmental impact assessment reports is prescribed as follows:

a/ The Ministry of Natural Resources and Environment shall appraise and approve environmental impact assessment reports of the projects specified in Appendix No. III to this Decree, except projects classified as national defense and security secrets;

b/ Ministries and ministerial-level agencies shall appraise and approve environmental impact assessment reports of projects falling within their investment approval competence, except the projects specified in Appendix No. III to this Decree;

c/ The Ministry of National Defense and the Ministry of Public Security shall appraise and approve environmental impact assessment reports of projects classified as national defense and security secrets and projects falling within their investment approval competence, except the projects specified in Appendix No. III to this Decree;

d/ Provincial-level People's Committees shall appraise and approve environmental impact assessment reports of investment projects in their localities, except the projects mentioned at Points a, b and c of this Clause.

2. The time limit for appraisal of an environmental impact assessment report is:

a/ Forty-five (45) working days after the receipt of a complete and valid dossier, for projects falling within the appraisal competence of the Ministry of Natural Resources and Environment;

b/ Thirty (30) working days after the receipt of a complete and valid dossier, for the projects not mentioned at Point a of this Clause;

c/ Within the time limit prescribed at Point a or b of this Clause, appraisal agencies shall notify in writing the appraisal results to project owners. The time for project owners to finalize environmental impact assessment reports at the request of appraisal agencies shall not be included in the appraisal time limit.

3. Environmental impact assessment reports shall be appraised by an appraisal council which is formed by the head of the agency assigned to appraise environmental impact assessment reports (below referred to as appraisal agency) and composed of at least seven (7) members.

The appraisal council shall be composed of the chairman, one (1) vice chairman when necessary, one (1) secretary-member, two (2) members to give counter-arguments, and some other members, of whom thirty percent (30%) or more must have at least seven (7) years' experience in environmental impact assessment.

4. Appraisal councils shall consider the contents of environmental impact assessment reports and give their appraisal opinions as a basis for appraisal agencies to consider and decide on the approval of environmental impact assessment reports. The Ministry of Natural Resources and Environment shall guide the operation of appraisal councils.

5. Environmental impact assessment reports of projects to promptly respond to natural disasters or epidemics may be appraised through collecting opinions of related agencies and organizations, but not necessarily by an appraisal council.

6. The Ministry of Natural Resources and Environment shall guide provincial-level People's Committees in authorizing industrial park management boards to appraise and approve environmental impact assessment reports after considering the proposal of provincial-level People's Committees and assessment capacity of every industrial park management board;

and guide in detail forms of documents related to the appraisal, approval and certification of environmental impact assessment reports.

Article 15. Re-elaboration of environmental impact assessment reports

1. Re-elaboration of environmental impact assessment report is required when a project with an approved environmental impact assessment report sees any of the following changes during implementation:

a/ The change prescribed at Point a or b, Clause 1, Article 20 of the Law on Environmental Protection;

b/ The addition of investment items with an equivalent scale or capacity, for the projects specified in Appendix No. II to this Decree;

c/ The change in scale, capacity or technology or another change making the environmental protection facilities incapable of dealing with increasing environmental problems;

d/ At the proposal of the project owner.

2. The project owner may make the change mentioned at Point a, b, c or d, Clause 1 of this Article only after having his/her/its environmental impact assessment report re-approved by a competent agency.

3. Environmental impact assessment reports shall be re-elaborated, re-appraised and re-approved in accordance with Articles 12, 13 and 14 of this Decree.

Article 16. Responsibilities of project owners after environmental impact assessment reports are approved

1. When necessary, to adjust the contents of investment projects to ensure that environmental protection measures and facilities meet the requirements of decisions approving environmental impact assessment reports.

2. To make environmental management plans for projects on the basis of environmental management and monitoring programs proposed in environmental impact assessment reports and post them up at head offices of commune-level People's Committees of localities where consultation is made during environmental impact assessment under the guidance of the Ministry of Natural Resources and Environment.

3. To strictly comply with the requirements prescribed in Articles 26 and 27 of the Law on Environmental Protection.

4. To notify in writing consulted organizations and agencies that have approved environmental impact assessment reports of the plans on pilot operation of waste treatment facilities serving the project operation phase (in each phase or for the whole project) at least ten (10) working days before such pilot operation. The pilot operation duration must not exceed six (6) months; the extension of the pilot operation duration shall be subject to approval of agencies approving environmental impact assessment reports.

5. To make, approve and implement plans on cleansing of reservoir beds before storing water, for projects involving the construction of irrigation reservoirs or hydropower reservoirs; and store water in the reservoirs after such plans are examined and approved in writing by agencies approving environmental impact assessment reports.

6. For the contents mentioned in column 4 of Appendix No. II to this Decree, to report the results of implementation of environmental protection facilities serving the project operation phase on the basis of approved environmental impact assessment reports and accepted requests

for adjustment (if any), and send these results to agencies approving environmental impact assessment reports for examination and certification of the completion of environmental protection facilities before official commissioning of projects. For an investment project with different phases, to report the results of implementation of environmental protection facilities serving the project operation phase in each phase of the project.

7. To make written reports and make the changes related to the scope, scale, capacity, production technology, or environmental protection facilities and measures for projects only after obtaining approval from agencies approving environmental impact assessment reports.

Article 17. Examination, and certification of completion, of environmental protection facilities serving the project operation phase

1. Environmental protection facilities serving the project operation phase shall be examined by an examination team founded by the head of the agency approving environmental impact assessment reports or an authorized agency.

2. A written certification of the completion of environmental protection facilities shall be granted within:

a/ Fifteen (15) working days after the receipt of a dossier reporting on the results of implementation of environmental protection facilities serving the project operation phase, in case it is unnecessary to take environmental samples and analyze environmental indicators for checking;

b/ Thirty (30) working days after the receipt of a dossier reporting on the results of implementation of environmental protection facilities serving the project operation phase, in case it is necessary to take environmental samples and analyze environmental indicators for checking.

3. Within the time limit prescribed in Clause 2 of this Article, agencies approving environmental impact assessment reports or authorized agencies shall grant a written certification of the completion of environmental protection facilities serving the project operation phase, or clearly stating the reason in writing for their refusal to grant such certification.

4. The Ministry of Natural Resources and Environment shall guide in detail a dossier reporting on the results of implementation of environmental protection facilities; organization and operation of examination teams; and forms of documents related to the examination, and certification of the completion, of environmental protection facilities.

Chapter V

ENVIRONMENTAL PROTECTION PLANS

Article 18. Registration of environmental protection plans

1. Subject to registration of environmental protection plans are:

a/ Investment projects on construction, or expansion of the scale or increase of the capacity, of production, business and service establishments, which are not mentioned in Appendix No. II to this Decree;

b/ Production, business and service investment projects; and investment projects on expansion of the scale or increase of the capacity of production, business or service establishments, which are neither prescribed in Clause 4 of this Article nor mentioned in Appendix No. II to this Decree.

2. Owners of projects or establishments prescribed in Clause 1 of this Article shall register environmental protection plans with competent agencies mentioned in Clause 1, Article 19 of this Decree.

3. For a production, business and service investment project which is implemented in two (2) or more provinces, its environmental protection plan shall be registered with the People's Committee of one of such provinces as requested by the project or establishment owner.

4. Registration of environmental protection plan is not required for the objects mentioned in Appendix No. IV to this Decree.

Article 19. Certification of environmental protection plans

1. The responsibility to certify environmental protection plans is prescribed as follows:

a/ Provincial-level specialized agencies in charge of environmental protection shall certify environmental protection plans of the projects mentioned in Clause 1, Article 32 of the Law on Environmental Protection;

b/ District-level People's Committees shall certify environmental protection plans of the projects mentioned in Clause 1, Article 18 of this Decree, except the projects prescribed at Point a of this Clause;

c/ Commune-level People's Committees shall certify environmental protection plans of household-scale production, business and service investment projects as authorized in writing by district-level People's Committees;

d/ Management boards of industrial parks, export processing zones or economic zones shall certify environmental protection plans of investment projects and production, business and service investment projects in their industrial parks, export processing zones or economic zones as authorized by competent agencies.

2. The time limit for certification of the registration of environmental protection plans is prescribed in Clause 3, Article 32 of the Law on Environmental Protection.

3. The projects mentioned in Clause 1, Article 18 of this Decree may be implemented only after having their environmental protection plans certified by competent authorities.

4. Responsibilities of project or establishment owners and state agencies after environmental protection plans are certified are prescribed in Articles 33 and 34 of the Law on Environmental Protection.

5. The Ministry of Natural Resources and Environment shall guide in detail forms of papers in dossiers of registration of environmental protection plans and the authorization for management boards of industrial parks, export processing zones or economic zones to certify such plans.

Chapter VI

ORGANIZATION OF IMPLEMENTATION

Article 20. Financial regimes applicable to environmental protection master plans, strategic environmental assessment, environmental impact assessment, environmental protection plans and environmental protection schemes

1. Expenses for elaboration, appraisal and publicization of environmental protection master plans shall be covered by environmental non-business funds or other sources of capital (if any).

2. The financial regime applicable to strategic environmental assessment is prescribed as follows:

a/ Expenses for strategic environmental assessment shall be included in the funds for elaboration of strategies, master plans and plans and covered by economic non-business funds or other sources of capital (if any);

b/ Expenses for appraisal of strategic environment assessment reports shall be covered by environmental non-business funds.

3. The financial regime applicable to environmental impact assessment is prescribed as follows:

a/ Expenses for environmental impact assessment shall be covered by projects' investment capital;

b/ Expenses for appraisal of environmental impact assessment reports shall be covered by revenues from appraisal charges;

c/ Expenses for examination of environmental protection facilities serving the project operation phase shall be covered by environmental non-business funds.

4. The financial regime applicable to elaboration and certification of environmental protection plans is prescribed as follows:

a/ Expenses for elaboration of environmental protection plans shall be covered by investment capital for projects or production, business and service projects;

b/ Expenses for certification of environmental protection plans shall be covered by environmental non-business funds.

5. The financial regime applicable to elaboration, appraisal, approval, and examination of the completion, of detailed environmental protection schemes; and elaboration, and examination of the implementation, of simplified environmental protection schemes is prescribed as follows:

a/ Expenses for elaboration of detailed environmental protection schemes and simplified environmental protection schemes shall be covered by funds of project or establishment owners;

b/ Project or establishment owners that have not yet paid charges for appraisal of environmental impact assessment reports shall pay expenses for appraisal of detailed environmental protection schemes which are equivalent to the charges for appraisal of environmental impact assessment reports to agencies that directly appraise these schemes; the collection, remittance and use management of charges for appraisal of detailed environmental protection schemes must be the same as for charges for appraisal of environmental impact assessment reports;

c/ Expenses for examination of the completion of detailed environmental protection schemes shall be covered by environmental non-business funds.

6. Guidance responsibility:

a/ The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment in, guiding Clauses 1 and 2, Points b and c of Clause 3, Point b of Clause 4, and Points b and c of Clause 5, of this Article;

b/ The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the Ministry of Planning and Investment in, guiding Point a of Clause 3, and Point a of Clause 4, of this Article, for state-funded investment projects.

Article 21. Reporting regime

1. Before January 1 every year, district-level People's Committees shall submit reports on registration, and examination of the implementation, of environmental protection plans in the previous year in their localities to provincial-level People's Committees.

2. Before January 15 every year, provincial-level People's Committees shall submit reports on appraisal of strategic environmental assessment reports; appraisal and approval of environmental impact assessment reports; registration, and examination of the implementation,

of detailed environmental protection schemes; and examination, and certification of the completion, of environmental protection facilities in the previous year in their localities to the Ministry of Natural Resources and Environment.

3. Before January 15 every year, ministries and ministerial-level agencies shall send reports on appraisal of strategic environmental assessment reports; appraisal and approval of environmental impact assessment reports and detailed environmental protection schemes; and examination, and certification of the completion, of environmental protection facilities in the previous year for the projects under their management to the Ministry of Natural Resources and Environment.

4. The Ministry of Natural Resources and Environment shall guide in detail the contents and forms of the reports mentioned in Clauses 1, 2 and 3 of this Article.

Chapter VII

IMPLEMENTATION PROVISIONS

Article 22. Transitional provisions

1. Dossiers of strategic environmental assessment reports; environmental impact assessment reports; reports on the results of implementation of environmental protection measures and facilities serving the project operation phase; written certifications of the registration of environmental protection commitments; and environmental protection schemes which are received by competent state agencies before the effective date of this Decree shall be further considered and processed in accordance with the law applicable at the time of receipt.

2. Production, business and service establishments that officially operate before this Decree takes effect without decisions approving environmental impact assessment reports or written certifications of the registration of environmental protection commitments under law shall, within thirty-six (36) months from the effective date of this Decree, take either of the following remedial measures:

a/ For establishments with a scale and nature equivalent to those of the projects subject to elaboration of environmental impact assessment reports as prescribed in this Decree, to elaborate detailed environmental protection schemes and send them to competent agencies mentioned in Clause 1, Article 14 of this Decree for appraisal and approval;

b/ For establishments with a scale and nature equivalent to those of the projects subject to registration of environmental protection commitments as prescribed in Clause 1, Article 18 of this Decree, to elaborate simplified environmental protection schemes and send them to competent agencies mentioned in Clause 1, Article 19 of this Decree for registration.

3. The Ministry of Natural Resources and Environment shall guide in detail the elaboration, appraisal and approval of detailed environmental protection schemes and the elaboration and registration of simplified detailed environmental protection schemes.

Article 23. Effect

1. This Decree takes effect on April 1, 2015.

2. The Government's Decree No. 29/2011/ND-CP of April 18, 2011, on strategic environmental assessment, environmental impact assessment and environmental protection commitment, and the Government's Decree No. 35/2014/ND-CP of April 29, 2014, amending and supplementing a number of articles of the Government's Decree No. 29/2011/ND-CP of April 18, 2011, on strategic environmental assessment, environmental impact assessment and environmental protection commitment, cease to be effective on the effective date of this Decree.

Article 24. Implementation responsibility

1. The Ministry of Natural Resources and Environment shall guide and organize the implementation of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and chairpersons of People's Committees at all levels shall implement this Decree.

On behalf of the Government

Prime Minister
NGUYEN TAN DUNG

Appendix I**List of strategies, master plans and plans subject to strategic environmental assessment**

(To the Government's Decree No. 18/2015/ND-CP of February 14, 2015)

1	Socio-economic development strategies and master plans of socio-economic regions, key economic regions, economic corridors and economic belts
2	Socio-economic development master plans of provinces and centrally run cities and special zones and special administrative-economic units
3	National-level strategies and master plans on development of economic zones, export-processing zones, hi-tech parks and industrial parks
4	Strategies, master plans and plans on development of sectors and fields exerting great impacts on the environment
4.1	National-level strategies and master plans on development of sectors and fields
4.1.1	National-level strategies on development of industries, agriculture and rural development, transport, construction, tourism, and health
4.1.2	Strategies and master plans on development of electricity, hydropower, thermo-power, atomic energy and nuclear power; oil and gas exploitation, oil refining and petrochemical engineering; paper; chemicals, fertilizers and pesticides; rubber; textiles and garments; cement; steel; and mineral exploration, exploitation and processing
4.1.3	Strategies and master plans on development of agriculture, forestry, fisheries, irrigation and animal husbandry
4.1.4	Strategies and master plans on development of road, railway, seaway, riverway, port and aviation infrastructure facilities
4.1.5	Strategies and master plans on urban systems; and master plans on construction materials

4.1.6	Strategies and master plans on development of tourism and golf courses
4.1.7	Strategies and master plans on development of health care networks
4.2	Inter-provincial and regional master plans on development of sectors and fields
4.2.1	Fisheries development master plans
4.2.2	Irrigation development master plans
4.2.3	Hydropower development master plans
4.2.4	Transport development master plans
4.2.5	Overall plans on urban centers
4.2.6	Master plans on mineral exploitation and processing
4.2.7	Land use master plans
4.2.8	Master plans on marine resource use and marine environment
5	Adjustment of strategies, master plans or plans
5.1	Strategies, master plans or plans listed in Sections 1, 2, 3 and 4 of this Appendix with strategic environment assessment reports not yet appraised by competent agencies before the time of adjustment
5.2	Strategies, master plans or plans listed in Sections 1, 2, 3 and 4 of this Appendix the adjustment of which threatens to exert adverse impacts on the environment
6	Other strategies, master plans and plans as directed by the National Assembly, the Government or the Prime Minister

Appendix II

List of projects subject to environmental impact assessment

(To the Government's Decree No. 18/2015/ND-CP of February 14, 2015)

No.	Projects	Size	Subject to reporting on results of implementation of environmental protection facilities
(1)	(2)	(3)	(4)
1	Projects on which investment policy is decided by the National Assembly, the Government or the Prime Minister	All	To be determined under specific projects on this list

2	Projects using land of national parks, nature reserves, world heritages or biosphere reserves; and projects using land of historical-cultural relics or nationally ranked landscapes and scenic places; Projects resulting in deforestation; change of forest land use purposes; or change of rice-farming land use purposes	All With an area of at least 5 ha, for protection forests or special-use forests; With an area of at least 10 ha, for natural forests; With an area of at least 50 ha, for other forests; With an area of at least 5 ha, for rice-farming land changed into non-agricultural land.	To be determined under specific projects on this list
Construction projects			
3	Projects to build technical infrastructure of urban centers and residential areas	With an area of at least 5 ha	None
4	Projects to build or upgrade water drainage systems of urban centers and residential areas; Projects to dredge canals, ditches, river beds and lake beds	With a length of at least 10 km; With a to-be-dredged area of at least 5 ha or a total to-be-dredged volume of at least 50,000 m ³	None
5	Projects to build technical infrastructure of industrial parks, hi-tech parks, industrial complexes, export-processing zones, trade zones, craft villages and other centralized production and business zones	All	All
6	Projects to build department stores and trade centers	With a floor area of at least 10,000 m ²	None
7	Projects to build grade-1 and grade-2 marketplaces in cities, towns and townships	All	None

8	Projects to build medical examination and treatment establishment and other health establishments	With 50 at least patient beds	All
9	Projects to build tourist accommodations; Projects to build residential areas	With at least 50 rooms For at least 500 inhabitants or 100 households	None
10	Projects to build tourist sites; sports, recreation and entertainment centers or golf courses	With an area of at least 10 ha	None
11	Projects to build cemeteries; Projects to build incinerators	With an area of at least 20 ha; All	None
12	Projects to build military training centers, shooting ranges, defense ports, military depots, and defense-economic zones	All	None
13	Sea-encroaching construction projects	With a length of coastal beltways of at least 1,000 m or a sea-encroaching area of at least 5 ha	None
Projects to produce construction materials			
14	Projects to build cement plants; Projects to build clinker plants	All With an annual capacity of at least 100,000 tons of clinker	All
15	Projects to build plants producing bricks, roofing tiles and asbestos cement sheets	With an annual capacity of at least 100 million standard bricks or roofing tiles or at least 500,000 m ² of asbestos cement sheets	All
16	Projects to build establishments producing flooring and walling tiles of all types	With an annual capacity of at least 500,000 m ²	All
17	Projects to build establishments producing other construction materials	With an annual capacity of at least 50,000 tons of products	All

18	Projects to produce hot mix asphalt concrete, commercial concrete and concrete of other types	With a daily capacity of at least 100 tons of products	None
Transport projects			
19	Projects to build underground transport works; Projects to build cable cars	All With a length of at least 500 m	None
20	Projects to build express motorways, motorways of grades I thru III, railways and overhead railways Projects to build mountainous grade-IV roads	All With a length of at least 50 km	None
21	Projects to build airports and airfields (runways, cargo terminals and passenger terminals)	All, for runways and passenger terminals; With an annually capacity of at least 200,000 tons, for cargo terminals	None
22	Projects to build road and rail bridges	With a length of at least 500 m (excluding access roads)	None
23	Projects to build river ports and seaports; or storm shelter anchorages and moorages; Projects to dredge navigational channels or inland waterway channels	Accommodating vessels with a tonnage of at least 1,000 DWT; With an annual to-be-dredged volume of at least 50,000 m ³	None
24	Projects to build passenger car terminals or railway stations	With an area of at least 5 ha	None
Electronic, energy and radioactive projects			
25	Projects to build nuclear reactors; or nuclear power plants and thermo-power plants	All	All
26	Projects to build production, business and service establishments using radioactive substances or emitting radioactive waste	All projects that emit radioactive waste in excess of permitted levels	None

27	Projects to build wind power and photoelectric plants; Projects to build hydropower plants	With an area of at least 100 ha; With a reservoir storage capacity of at least 100,000 m ³ of water or a capacity of at least 1 MW	None
28	Projects to build electricity transmission lines; Projects to build power stations	Of a capacity of at least 110 kV; Of a capacity of at least 500 kV	None
29	Projects to manufacture and process electronic devices and electric and electronic components; Projects to manufacture and process electric devices	With an annual capacity of at least 500,000 products; With an annual capacity of at least 500 tons of products	All projects involving the stage of plating
Projects on irrigation, forest exploitation and cultivation			
30	Projects to build reservoirs	With a storage capacity of at least 100,000 m ³ of water	None
31	Projects to build irrigation and water supply and drainage works for agricultural, forestry and fishery production	Irrigation and water supply and drainage for an area of at least 500 ha	None
32	Projects to build dykes and sea and river embankments	With a length of at least 1,000 m	None
33	Forest exploitation projects	With an area of at least 200 ha, for planted forests being production forests subject to clear-cutting with centralized areas; With an area of at least 50 ha, for natural forests being production forests subject to clear-cutting with centralized areas	None
34	Projects to build industrial-crop zones, zones for forage crops, zones for medicinal plants, and centralized zones for vegetables and flowers	With an area of at least 50 ha	None

Mineral exploration, exploitation and processing projects			
35	Projects to exploit sand and gravel; Projects to exploit materials for ground leveling	With an annual capacity of at least 50,000 m ³ of primitive materials; With an annual capacity of at least 100,000 m ³ of primitive materials	None
36	Projects to exploit solid minerals (without using toxic chemicals or industrial explosives)	With an annual volume (of primitive minerals or discharged earths and rocks) of at least 50,000 m ³ ; With a total volume (of monolithic minerals or discharged earths and rocks) of at least 1,000,000 m ³	All
37	Projects to explore rare earth and radioactive minerals; projects to exploit and process solid minerals using toxic chemicals or industrial explosives; and projects to process and refine nonferrous metals, radioactive metals and rare earth	All	All, excluding exploration projects
38	Projects to process solid minerals without using toxic chemicals	With an annual capacity of at least 50,000 m ³ of products; With a total annual volume of at least 500,000 m ³ of discharged earths and rocks	All
39	Projects to exploit water for supply to production, business, service and daily-life activities	With a daily capacity of at least 3,000 m ³ of groundwater; With a daily capacity of at least 50,000 m ³ of surface water	None
40	Projects to exploit natural mineral water and natural thermal water (ground or surface)	With a daily capacity of at least 200 m ³ of water used for bottling; With a daily capacity of at least 500 m ³ of water used for other purposes	None
41	Projects to sort and enrich rare earth and radioactive minerals	With an annual capacity of at least 500 tons of products	All

Oil and gas projects			
42	Oil and gas exploitation projects	All	All
43	Projects to build oil refining and petrochemical engineering plants (except projects on LPG filling and lubricant preparation); plants to produce petrochemical products and drilling fluids and petroleum chemicals; Projects to build oil and gas pipelines; Project to build oil and gas entrepots	With an annual capacity of at least 500 tons of products; With a length of at least 20 km; All	All projects to build oil refining and petrochemical engineering plants and plants to produce petrochemical products (except projects on LPG filling and lubricant preparation)
44	Projects to build petroleum depots and filling stations	With a storage capacity of at least 200 m ³	None
Waste treatment and recycling projects			
45	Projects to build solid or hazardous waste recycling and treatment facilities	All, for hazardous waste; With a daily capacity of at least 10 tons, for ordinary solid waste	To comply with regulations on waste and scrap management
46	Projects to build centralized urban or industrial wastewater treatment systems	All	None
Mechanical engineering and metallurgy projects			
47	Projects to build metallurgy plants	All, for projects using scraps as raw materials; With an annual capacity of at least 1,000 tons of products, for projects using other materials	All
48	Projects to build metal rolling or drawing mills	With an annual capacity of at least 2,000 tons of products	None
49	Projects to build ship building and repair yards	For ships of a tonnage of at least 1,000 DWT	All
50	Projects to build plants manufacturing and repairing containers and trailers	With an annual manufacturing capacity of at least 500 containers and trailers;	None

		With an annual repairing capacity of at least 2,500 containers and trailers	
51	Projects to build plants building, repairing and assembling locomotives and carriages	All	None
52	Projects to build plants manufacturing, repairing and assembling motorcycles and automobiles	With an annual capacity of at least 5,000 motorcycles; With an annual capacity of at least 500 automobiles	All projects involving the stage of plating
53	Projects to build plants manufacturing machinery, equipment and tools	With an annual capacity of at least 1,000 tons of products	None
54	Projects to build metal plating, coating and polishing plants	With an annual capacity of at least 500 tons of products	All
55	Projects to build plants manufacturing aluminum and steel profiles	With an annual capacity of at least 2,000 tons of products	None
56	Projects to build plants manufacturing and repairing weapons, ammunition and military technical equipment	All	All
Projects on timber processing and glass, ceramic and porcelain production			
57	Projects to build mills processing timber and woodchips from natural timber	With an annual capacity of at least 3,000 m ³ of products	None
58	Projects to build plywood plants	With an annual capacity of at least 100,000 m ²	All
59	Projects to build plants of wood articles	With a total area of warehouses, yards and workshops of at least 10,000 m ²	None
60	Projects to build glass, ceramic or porcelain plants	With an annual capacity of at least 1,000 tons of products or 10,000 products	All
61	Projects to build bulb and thermos plants	With an annual capacity of at least 1 million products	All
Food production and processing projects			
62	Projects to build food preliminary-processing or processing establishments	With an annual capacity of at least 500 tons of products	All
63	Projects to build centralized slaughterhouses for cattle and poultry	With a daily capacity of at least 200 cattle individuals or 3,000 poultry individuals	All

64	Projects to build establishments processing aquatic products, fish meal and aquatic by-products	With an annual capacity of at least 100 tons of products	All
65	Projects to build sugar mills	With an annual capacity of at least 10,000 tons of sugar	All
66	Projects to build alcohol and liquor breweries	With an annual capacity of at least 500,000 liters of products	All
67	Projects to build beer and beverage breweries	With an annual capacity of at least 10 million liters of products	All projects to build beer breweries
68	Projects to build food seasoning plants	With an annual capacity of at least 5,000 tons of products	All
69	Projects to build milk production and processing establishments	With an annual capacity of at least 10,000 tons of products	All
70	Projects to build cooking-oil production and processing establishments	With an annual capacity of at least 10,000 tons of products	All
71	Projects to build confectionery mills	With an annual capacity of at least 5,000 tons of products	All
72	Projects to build plants of refined water and bottled refined water	With an annual capacity of at least 2,000 m ³ of water	None
Farm produce processing projects			
73	Projects to build cigarette plants and tobacco-material processing establishments	With an annual capacity of at least 100 million cigarettes; With an annual capacity of at least 1,000 tons of materials	All, for projects to build cigarette plants
74	Projects to build farm produce and starch production and processing establishments	With an annual capacity of at least 10,000 tons of products. for water-free production and processing technologies; With an annual capacity of at least 1,000 tons of products, for wet production and processing technologies	All
75	Projects to build tea, cashew nut, cocoa, coffee and pepper processing establishments	With an annual capacity of at least 5,000 tons of products, for water-free production and processing technologies; With an annual capacity of at least 1,000 tons of products for wet production and processing technology	All projects using wet processing technologies with an annual capacity of at least 1,000 tons of products

Projects on animal husbandry and animal feed processing			
76	Projects to build establishments processing animal feed	With an annual capacity of at least 1,000 tons of products	All
77	Projects to build aquaculture establishments	With a water surface area of at least 10 ha, or at least 50 ha for extensive aquaculture projects	None
78	Projects to build centralized establishments for raising cattle and poultry and caring wild animals	With a breeding facility area of at least 1,000 m ² for cattle and poultry raising; With a breeding facility area of at least 500 m ² , for wild animals caring	All cattle and poultry raising projects with a breeding facility area of at least 1,000 m ²
Projects on fertilizer and pesticide production			
79	Projects to build chemical fertilizer plants	With an annual capacity of at least 1,000 tons of products	All
80	Projects to build pesticide or fertilizer warehouses	With a storage capacity of at least 500 tons, for pesticides, or at least 5,000 tons, for fertilizers	None
81	Projects to build pesticide factories	All	All
82	Projects to build pesticide bottling and packaging establishments	With an annual capacity of at least 300 tons of products	None
83	Projects to build organic fertilizer or micro-bio fertilizer plants	With an annual capacity of at least 10,000 tons of products	All
Projects on chemicals, pharmaceuticals, cosmetics, plastics			
84	Projects to build pharmaceuticals or veterinary drug plants; projects to produce drug materials (including pharmaceutical materials and adjuvants)	All, for vaccine production; With an annual capacity of at least 50 tons of products, for veterinary drugs drug materials (including pharmaceutical materials and adjuvants) and other pharmaceuticals	All
85	Projects to build chemicals-cosmetics plants	With an annual capacity of at least 50 tons of products	None
86	Projects to build plants of chemicals, plastics, plastic products and paint	With an annual capacity of at least 100 tons of products	All
87	Projects to build plastic products and plastic resin plants	With an annual capacity at least 1,000 tons of products	All

88	Projects to build plants of detergents and additives	With an annual capacity of at least 1,000 tons of products	All
89	Projects to build plants of propellants, explosives and firing devices	All	All
90	Projects to build industrial explosive plants, immobilized explosive warehouses, and chemical warehouses	All, for industrial explosive plants and immobilized explosive warehouses with a storage capacity of at least 5 tons; With a storage capacity of at least 500 tons, for chemical warehouses	All
91	Projects to build zones making salt from seawater	With an area of at least 100 ha	None
Projects on paper and stationery production			
92	Projects to build plants producing pulp and paper from raw materials	With an annual capacity of at least 300 tons of products	All
93	Projects to build plants producing paper or carton packagings from pulp or scraps	With an annual capacity of at least 5,000 tons of products	All
94	Projects to build stationery plants	With an annual capacity of at least 1,000 tons of products	All
Textile, dyeing and garment projects			
95	Projects to build dyeing or dye-weaving establishments	All	All
96	Projects to build dye-free weaving establishments	With an annual capacity of at least 10 million m ² of fabrics	None
97	Projects on production and sub-production of textiles and garments	With an annual capacity of at least 50,000 products, for projects involving the stage of washing and bleaching; With an annual capacity of at least 2 million products, for projects not involving the stage of washing and bleaching	All projects involving the stage of washing and bleaching
98	Projects to build industrial washing and laundering establishments	With an annual capacity of at least 50,000 products	All
99	Projects to make silk, cotton yarn and artificial fiber	With an annual capacity of at least 1,000 tons of products	All

Other projects			
100	Projects to build yards for demolishing used ships or cleaning ships	All	All
101	Projects to build rubber and rubber latex processing establishments	With an annual capacity of at least 1,000 tons of products	All
102	Projects to build plants of medical products and equipment from medical plastics and rubber	With an annual capacity of at least 100,000 products	All
103	Projects to build footwear factories	With an annual capacity of at least 1 million pairs	None
104	Projects to build factories of rubber tires and tubes of different types	With an annual capacity of at least 50,000 products of rubber tires and tubes for automobiles and tractors; or at least 100,000 products of rubber tires and tubes for bicycles and motorcycles	All
105	Projects to build factories of printing ink and other printing materials	With an annual capacity of at least 500 tons of printing ink or at least 1,000 products of other printing materials	All
106	Projects to build battery and cell factories	With an annual capacity of at least 50,000 kWh or 100 tons of products	All
107	Projects to build tanning establishments	All	All
108	Projects to build establishments manufacturing extracted and liquefied CO ₂ and industrial gases	With an annual capacity of at least 3,000 tons of products	None
109	Population relocation and resettlement projects	For at least 300 households	None
110	Projects on grounds for materials, fuels and scraps	With an area of at least 1 ha	All
111	Projects not listed in Sections 1 thru 110 of this Appendix which have a total volume of industrial wastewater of at least 500 m ³ per day or gas emissions of at least 200,000 m ³ per hour or solid waste of at least 5 tons per day	All	All

112	Projects on renovation, expansion, upgrading and capacity increase	With size and capacity equivalent to those of the projects listed in Sections 1 thru 110	To be determined under specific projects on this list
113	Projects with their items' sizes equivalent or characteristics similar to those listed in Sections 1 thru 110 of this Appendix	All	To be determined under specific projects on this list

Appendix III

List of projects with environmental impact assessment reports to be appraised and approved by the Ministry of Natural Resources and Environment

(To the Government's Decree None. 18/2015/ND-CP of February 14, 2015)

1. Projects on which investment policy is decided by the National Assembly, the Government or the Prime Minister.

2. Projects using land of national parks or nature reserves; and projects using land areas of at least 1 ha of nationally ranked historical-cultural relics, at least 5 ha of world heritages or nationally ranked landscapes and scenic places, or at least 10 ha of biosphere reserves.

3. Projects to build atomic power plants, thermonuclear power plants or nuclear reactors; projects to build thermo-power plants with a capacity of at least 600 MW; and projects to build hydropower plants and irrigation works with a reservoir capacity of at least 100 million m³ of water.

4. Projects encroaching a sea area of at least 20 ha; projects using land of protection forests or special-use forests areas of at least 20 ha or land of natural forests of at least 100 ha; and projects using paddy land of at least 10 ha.

5. Projects to build oil refining and petrochemical engineering plants; projects to build plants producing chemicals, pesticides, detergents, additives and chemical fertilizers and processing rubber latex with an annual capacity of at least 10,000 tons of products; cement plant projects with an annual capacity of at least 1.2 million tons of cement; production, business or service projects emitting radioactive waste; projects to build battery plants with an annual capacity of at least 300,000 kWh or 600 tons of products; projects to build pulp mills with an annual capacity of at least 25,000 tons of products; projects to build plants producing cooking oil, food seasoning or sugar or processing milk with an annual capacity of at least 50,000 tons of products; projects to build beer or beverage plants with an annual capacity of at least 30 million liters of products; projects to build alcohol and liquor breweries with an annual capacity of at least 2 million liters of products; projects to build dye-weaving establishments with an annual capacity of at least 100 million m² of fabrics; and projects to build aquatic-product processing establishments with an annual capacity of at least 5,000 tons of products.

6. Oil and gas exploitation projects; projects to exploit solid minerals, sand, gravel and materials for ground leveling with an annual capacity of at least 500,000 m³ of primitive materials (including minerals and tailings); projects to dredge navigational channels, maritime channels and anchorages and moorages for ships with an annual capacity of at least 500,000 m³ or a total volume of dredged materials of at least 10 million m³; mining projects with an exploited area of at least 50 ha or a total exploited volume (including minerals and tailings) of at least 10 million m³;

projects to exploit rare earth and radioactive ores or ores containing radioactive materials exceeding the permitted levels under the law on radiation safety and control; projects to sort and enrich rare earth and radioactive minerals with an annual capacity of at least 50,000 tons of products; projects to process and refine rare earth, nonferrous metals and radioactive minerals with an annually capacity of at least 100,000 tons of refined ores; and projects to exploit minerals and water within the exploitation licensing competence of the Ministry of Natural Resources and Environment.

7. Projects to build infrastructure of industrial parks, export-processing zones, hi-tech parks, industrial complexes, tourist service and recreation and entertainment centers and urban centers with an area of at least 200 ha; projects to build ports and anchorages and moorages for ships of at least 50,000 DWT; projects to build cast-iron and steel refineries with an annual capacity of at least 200,000 tons of products.

8. Projects to build facilities for recycling and treating ordinary solid waste with a daily capacity of at least 250 tons; projects to recycle and treat hazardous waste; projects to build health establishments with at least 500 patient beds (except investment projects approved by the Ministry of Health); projects to build centralized wastewater treatment systems with a daily capacity of at least 5,000 m³ of industrial wastewater, or at least 50,000 m³ of residential wastewater.

9. Projects to expand, upgrade, and increase capacity of, production and business establishments to the sizes of the projects listed in Sections 1 thru 8 of this Appendix.

10. Projects involving one item or more items among the projects listed in Sections Nos. 1 thru 9 of this Appendix.

11. Projects listed in Appendix II which are located in 2 or more provinces or in a sea area for which it is impossible to define the management responsibility of any provincial-level People's Committee, or projects located in 2 or more countries.-

Appendix IV

List of objects not subject to registration of environmental protection plans

(To the Government's Decree None. 18/2015/ND-CP of February 14, 2015)

1. Human resources training; consultancy; technology transfer; vocational training, training in technical and managerial skills; information provision; marketing and investment and trade promotion.

2. Production, broadcasting and distribution of television programs, production of cinemas, videos and television programs; television activities; recording activities and music publication.

3. Commercial services, mobile trading activities without fixed locations.

4. Commercial services; consumer goods and household goods trading.

5. Catering services with a restaurant area of below 200 m².

6. Personal or household-scale repair or maintenance services for household appliances.

7. Photocopy, internet access and video game services.

8. Raising cattle, poultry and wild animals with a breeding facility area of below 50 m², aquaculture on a water surface area of below 5,000 m².

9. Personal or household-scale cultivation on agricultural land or forest land.

10. Assay planting on an area of below 1 ha.

11. Construction of houses for individuals and households.

12. Construction of working offices, guesthouses, hotels and tourist accommodations on a floor area of below 500 m².-