

IMPLEMENTING THE EEE-P ANNUAL REFORM PLAN – ENVIRONMENTAL MANAGEMENT PLAN

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BACKGROUND

EEE-P has triggered two World Bank safeguards policies: OP/BP 4.01 Environmental Assessment and OP/BP 4.12 Involuntary resettlement. Both of the policies are addressed through this part of the Operational Manual. EEE-P has been classified as environmental Category B in accordance with the Bank's Operational Policy on Environmental Assessment (OP/BP 4.01) due to anticipated rehabilitation and construction of schools and educational facilities as part of the government annual reform program expenditures. In the event that the screening process were to determine that a proposed sub-project should be designated as Category A, that sub-project will not be eligible for financing under the project. An environmental review that is based on the previous education projects in Albania was conducted to assess the application of Albanian environmental laws, permits, and practice to schools construction in Albania.

The review of existing documents concluded that the construction proposed under this project would not trigger a full Environmental Impact Assessment under the Albanian laws neither under World Bank policies. The type of expected environmental impacts of concern are localized in nature and more adequately addressed through environment permits and good construction practice, in the case of World Bank policies, through site-specific limited Environmental Assessments (in the case of construction on new sites) or simply just through implementation of site-specific environmental management plans (EMPs) (in the case of extension or reconstruction). The environmental issues to be addressed through these instruments include ensuring that sites are safe and suitable for school construction, proper waste management and disposal of construction debris (including asbestos), proper waste water treatment, laboratory operation safety plans where applicable, dust and noise control, sensitivity of designs to cultural settings, and cultural heritage/chance finds procedures. An overall **Environmental Management Plan** for the Project has been prepared as part of the Project Operation Manual (POM). It provides environmental screening procedures, the nature of EA or EMP which should be prepared for school construction or extension, and an example of the environmental issues that will be addressed through the permitting, construction, contracting, and operations of the new and/or rehabilitated facilities (See **Annex 1** for details). These environmental issues will be addressed and ensured through a series of local permits, through constructor contracts, through site supervising engineer oversight, through the local municipality requirements, and through oversight by a small team in the Department for Budget Planning in the MoES, (supported by an environmental consultant) will be designated for the issues of the project environmental compliance. Responsibilities for school construction in Albania has been decentralized to the municipal level, however, school construction with national funding remain under some central oversight.

As part of its due diligence, the Government of Albania is responsible to ensure that any land acquisition associated with a sub-project complies with the World Bank's Operational Policy 4.12 (OP 4.12), Involuntary Resettlement. OP 4.12 is triggered whenever a project requires land acquisition to carry out the physical investments. Involuntary resettlement may cause severe

long-term hardship and impoverishment unless appropriate measures are carefully planned and carried out. For these reasons, the overall objective of the Bank's OP 4.12 is that displaced/affected persons should be assisted in their efforts to maintain or improve their livelihoods and standards of living, at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The compliance requirement applies to every activity that may require land acquisition to be financed under the Project. The policy requires preparation of Resettlement Action Plans in such cases. These may take the form of Abbreviated Resettlement Plans in cases where the number of people affected is small (under 200) (see section 1.3)

ENVIRONMENTAL MANAGEMENT PLAN

Introduction

The overall Environmental Management Plan (EMP) as part of the Operation Manual has been prepared in order to integrate environmental concerns into the design and implementation of the proposed Project. The EMP supports:

- (a) inclusion of environmental screening procedures and sequent environmental due diligence documents for individual sub project sites concerning all Project-supported school rehabilitation, extension and construction activities;
- (b) site-specific environmental mitigation measures and monitoring requirements of activities commonly associated with the rehabilitation of buildings and construction;
- (c) highlighting of EMP follow-up responsibility in the TOR of the designated MoES staff and Municipal officials working on the project;
- (d) training of designated staff from the MoES involved in the implementation of Project activities;
- (e) guidelines and requirements on retrofitting buildings that may have historic or Cultural Property value and provisions associated with "chance finds"

Major Investment Components

The main physical investment component of the proposed program falls under the ***third priority area – improving and rationalizing education infrastructure, especially in secondary education***. Investments will be based on school mapping database, taking into consideration the demographic development in Albania. Because EEE-P will use a sector-wide approach, the actual scope of physical investments and their location will only be ascertained through the Annual Reform Programme. The preliminary list of sub- projects is shown in Table 1. Specific sites for new schools were chosen depending on demographic criteria and availability of state / municipally owned land. Activities would consist of: **a)** minor civil works for rehabilitation and renovation of existing school facilities, **b)** construction of extension buildings within the existing schoolyards (with or without the demolition of the old school) and **c)** construction of new schools on newly allocated sites. Science laboratories and ICT facilities will be provided to general secondary schools in line with the new curriculum and teacher training to be supported in priority area two.

Table 1 List schools and associated type of works

School name	Location	Intended civil works	Disposition	Procurement procedure number	Environmental assessment documents required ¹
ZallMner Primary School, Kamza, Tirane	Kamez-Zall Mner	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-04/07</i>	EMP checklist
Ibrahim Rugova Primary School, Kamza, Tirane	Kamez Center	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-01/07</i>	EMP checklist
Ballsh, Mallakaster Secondary School, Ballsh, Mallakaster	Ballsh, Mallakaster	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-05/07</i>	EMP checklist
Beslidhja Primary School, Lezhe	Lezhe	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-01/07</i>	EMP checklist
Lezhe Secondary School , Lezhe	Lezhe	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-02/07</i>	EMP checklist
Krume 9-year Primary School , Krume	Krume, Has	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-02/07</i>	EMP checklist
Durres B.Curri Primary School, Durres City	Durres city	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-03/07</i>	EMP checklist
Kilica Secondary School, Fier City	Fier city	Extension of school on existing schoolyard	Public asset	<i>MOES/LCS/CS/064-05/07</i>	EMP checklist
Paskuqan 9-year Primary School, Paskugan, Tirane	Paskuqan	Construction of new school on new schoolyard site	Municipal land Pending court waivers	<i>MOES/LCS/CS/064-03/07</i>	EA with EMP
Durres 9-year School, Porto Romano, Durres	Porto Romano, Durres	Construction of new school on new schoolyard site	Public asset Pending court waivers	<i>MOES/LCS/CS/064-03/07</i>	EA with EMP*
Saranda 9-year Primary School , Saranda	Saranda	Construction of new school on new schoolyard site	Public asset Pending ownership papers and court waivers	<i>MOES/LCS/CS/064-05/07</i>	EA with EMP
Shkoder Secondary School , Shkoder	Shkoder	Construction of new school on new schoolyard site	Public asset (former forestry state institute) Pending ownership papers and court waivers	<i>MOES/LCS/CS/064-02/07</i>	EA with EMP

¹ The type of documents required for each type of activities are described in the section 7.2.5.

Vlora Secondary School , Vlora City	Vlora city	Construction of new school on new schoolyard site	Public asset Pending ownership papers and court waivers	<i>MOES/LCS/CS/064-05/07</i>	EA with EMP
Qesarak 9-year School Dajt Commune, Tirane	Dajt-Qesarake	Construction of new school on new schoolyard site	Municipal land Pending ownership papers and court waivers	<i>MOES/LCS/CS/064-04/07</i>	EA with EMP
Fushe Kruje Secondary School, Fushe Kruje, Kruje	Fushe-Kruje, Kruje	Construction of new school on new schoolyard site	Site not yet identified Pending ownership papers and court waivers	<i>MOES/LCS/CS/064-02/07</i>	EA with EMP
Peshkopi, Diber Secondary School, Peshkopi, Diber	Peshkopi, Diber	Construction of new school on new schoolyard site	<i>Expropriation / acquisition pending.</i> Abbreviated Resettlement Plan pending	<i>MOES/LCS/CS/064-04/07</i>	EA with EMP
Tropoje 9-year B.Curri Primary School, Bajram Curri, Tropeje	Bajram Curri, Tropeje	Construction of new school on new schoolyard site	<i>Expropriation / acquisition pending.</i> Abbreviated Resettlement Plan pending	<i>MOES/LCS/CS/064-03/07</i>	EA with EMP
Bathore 9-year school, Kamza- Bathore, Tirane	Kamza-Bathore	Construction of new school on new schoolyard site	<i>Expropriation / acquisition pending</i> Abbreviated Resettlement Plan pending	<i>MOES/LCS/CS/064-04/07</i>	EA with EMP
Bulcesh 9-year Primary School, Kamza-Bulcesh, Tirane	Kamza-Bulcesh	Construction of new school on new schoolyard site	<i>Expropriation / acquisition pending</i> Abbreviated Resettlement Plan pending	<i>MOES/LCS/CS/064-05/07</i>	EA with EMP
Shkoder 9-year Primary School	Mar-Lulaj	Construction of new school on new schoolyard site	<i>Expropriation / acquisition pending</i> Property demolition on June 04, 2008. Related MOES actions pending.	<i>MOES/LCS/CS/064-01/07</i>	EA with EMP**

*Alternative sites to the one proposed for a new school in Porto Romano are being considered by the MOES and relevant municipalities.

**Final transfer of land from national government to municipality is pending. A garden was demolished and additional compensation is due the garden user.

Environmental Category

It is anticipated that environmental risks related to rehabilitation, extension and construction would be easily predictable and mitigated in the proposed program. The measures on

rehabilitation or renovation of school facilities are considered in this POM and form part of the overall program to mitigate potential adverse environmental impacts. For the extension of schools on the existing sites and construction of new schools, which have potentially larger environmental impacts, a separate environmental assessment documents will be prepared for individual sub projects based on this POM.

The environmental impacts of the project are expected to be of manageable, temporary and of local impact as they are related to the general construction activities on already known location. These most commonly include: a) Dust and noise due to excavation, demolition and construction; b) Management of demolition and construction wastes and accidental spillage of machine oil, lubricants, etc., c) Encroachment to a private property; d) Risk of damage to historical or cultural property or unknown archaeological sites; e) Traffic disturbance, f) Impacts / damage to ecosystems, risks to health and safety from movement of heavy equipment, open excavations, etc., and h) Impacts on hydrology of the area.

Site Specific Environmental / Resettlement Screening

As a part of the POM, all Project-supported activities for rehabilitation and construction of school facilities will be subjected to a site-specific environmental / resettlement screening and review process.

Since the investments planned under the project might have different magnitude of environmental impacts which depends mainly on the size and location of investment, a preparation of environmental assessment documents of different scope for different type of sub projects is envisaged.

The team in the Department for Programming and Development from the MoES and Environmental Consultant hired by the MoES will together with the Municipality assess the sub project and propose the environmental category according to WB procedures as Albanian EIA legislation does not require an environmental assessment for this type of project. The required information for screening the sub project is presented in the following table form (table 2). Before commencing the preparation of the documents, MoES will submit the recommendation to WB for no objection (in the form bellow). The World Bank will issue its no objection to proposal of category².

Table 2 Environmental / resettlement screening data form

Sub project	<i>Name, location and type (school renovation, school extension on the existing school site, or school construction on new site)</i>
Description of present situation	
Description of location:	<i>(maximum one page) Historic, current use and purpose of land –</i>

² Only B category sub projects will be financed. Category A projects will not be financed under EEE-P project.

	<p><i>land-use plan, neighborhood, geographical position, basic hydrology, access to transport infrastructure, pertinent info on natural biota – or protected areas, significant cultural monuments; archeological heritage</i></p> <p><i>A special attention should be given to the current ownership, occupation and/ or use of the land – the precise conditions ownership should be describe and documentary evidence collected regarding the ownership status of each parcel of land, in addition to that presence of any type of residence or economic type of activities should be noted.</i></p>
Relation to Physical Plan:	<i>Physical Plan is available; location already included as part of the urban plan (if any)..., use of the area is compatible with the zoning scheme (if any).</i>
Public Consultation	<i>Meaningful consultation has been carried out with the population that may be affected by the project and their concerns have been taken into consideration. Minutes of meeting and attendance list should be kept.</i>
Land Documentation	<i>Land has been registered in the local and national land registries and title has been transferred to and duly registered by the municipality that will benefit.</i>
State of environment:	<i>Water supply: present/absent; sewage system present/absent;; solid waste disposal available/not available; ; air pollution; impact of other/existing industry/plants; state of transport facilities; potential soil pollution; flood risk, if any; presence of nearby industrial sites, heavy traffic, or contamination (past or present)..</i>
Description of planned activities:	
Description of activities:	<i>(half page) What? size?</i>
Environmental Impacts	<i>Please describe briefly potentially significant environmental impacts related to the construction and operation of school both during the construction phase and during the operational phase (if any)</i>
Proposed category	
A B 1 B 2 B 3	<i>Please elaborate (categories are explained in the POM, table 3)</i>
Person proposing the environmental category (MOES) and whether OP 4.12 (involuntary resettlement provision) is to be applied	

Date and Place	
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Filled form will be sent to the World Bank for review and clearance prior to preparation of environmental due diligence reports for relevant sub project. The required information in the table will as well help to assess whether the provisions of OP 4.12 (World Bank policy on Involuntary Resettlement) will be applied.

Category A projects are not eligible for financing under the project, therefore, all activities supported under the project will fall under World Bank category B related to environmental assessment. The category will depend on the environmental risks, sensitivity and suitability of the site.

As the construction of schools, in general, does not have significant environmental impacts, the sub projects might fall in the category A if the location for the school is not suitable or the efforts to make the location suitable are not feasible or justifiable. These would include sub projects in sensitive areas, sub projects in the vicinity of dangerous industries or contaminated sites, or any other sub - projects that are likely to have significant adverse environmental impact (e.g. significant dewatering of the site, removal of small creeks, etc.).

The environmental screening table for category B (Table 3) differentiates three different types of activities: a) rehabilitation (B3); b) extension or construction on existing schoolyard (B2); and c) construction on new location (B1). Consequently, three different type of due diligence environmental assessments reports can be applicable.

Table 3 Environmental Screening table

Types of Category B activities	Environmental Assessment documentation required	Type of public consultation	Applicable to:
B1	Environmental Assessment (EA) with Environmental Management Plans (EMP) for each individual construction (sub-project)	Public disclosure on the website of the MOES and the municipal info board Public consultation in form of at least one open meeting	New schools built entirely or partially on new sites
B2	Site-specific EMPs for each school in form of a checklist	Public disclosure on the website of the MOES and the municipal info board, written comments from the public requested	New schools or extensions built entirely on existing schoolyards.
B3	No site-specific EMPs necessary. General measures described in POM are applicable	Disclosed as part of POM	Rehabilitation of existing schools on existing schoolyards.

In the case of **new schools constructed on new sites (B1)**, the Environmental assessment report with the Environmental Management Plan will first briefly describe the project objective, sub project location and scope by highlighting preconstruction activities and construction specifications. Regarding the location a special attention will be put on the reasons for choosing site, on the environmental state of the site and on the proximity to the cultural or natural protected or sensitive sites. Environmental baseline conditions will be described and the previous and current land use with related ownership issues. Land acquisition issues and process should be briefly described. Second, the EA with EMP will briefly discuss the policy, legal and administrative / institutional framework within which the EA will be carried out. Third, the EA will identify any potential negative environmental impacts of the construction which require mitigation, including both general issues associated with construction of this scale and any specific issues associated with the proposed site. Fourth, the EA will present the EMP that will identify feasible and cost effective measures that may reduce potentially significant adverse environmental impacts to acceptable levels and will identify the party or parties responsible for funding and implementation of the EMP. The monitoring section of the EMP should provide a specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, monitoring and reporting procedures. Responsibilities of the building contractor in support of the EMP shall be part of the technical specifications of the bidding documents and shall be contractual obligations. To support timely and effective implementation of environmental project components and mitigation measures, the EMP will draw on the EA's assessment of the existence, role, and capacity of environmental units on site or at the agency and ministry level and propose strengthening measures emphasizing the role of MoES and the municipality in implementation and supervision of EMP. For mitigation, monitoring, and capacity development the EMP should provide an implementation schedule and the capital and recurrent cost estimates and sources of funds for implementing the EMP.

For **extension or construction of schools in existing schoolyards (B2)** For low risk typologies (e.g., rehabilitation works), the ECA Region of the Bank developed an EMP checklist format. The goal is to provide a more streamlined approach to preparing EMPs for minor rehabilitation or small-scale building construction, especially in education, health and public service reconstruction sector. The checklist format attempts to cover typical mitigation approaches to common civil works contracts with localized impacts. The intent is that this check-list would be directly usable and applicable in bidding documents and as an integral part of contract documents for civil works under Bank-financed projects. The checklist has three sections: a) Part 1 constitutes a descriptive part ("site passport") that describes the project specifics in terms of physical location, the institutional and legislative aspects, the project description, including the need for a capacity building program and a description of the public consultation process, b) Part 2 includes the environmental and social screening in a simple Yes/No format followed by mitigation measures for any given activity, c) Part 3 is a monitoring plan for activities during project construction and implementation.

Special attention in EMPs should be placed on

- a) current environmental problems at the sites (soil erosion, water supply contamination, soil contamination, flood risk etc.);

- b) potential environmental impacts due to the project (disposal waste from construction, construction noise and dust, etc);
- c) potential impacts on archaeological and historical sites as well as nature protection sites or sensitive zones;
- d) potential requirements for land acquisition or involuntary resettlement / temporary relocation of a limited number of affected persons during construction activities according to the procedures highlighted in the Resettlement / Land Acquisition Policy Framework

The Environmental Assessment documents will be prepared based on the criteria presented in table 3, specifying mitigation measures and assigning responsibilities for implementation. All documents will be prepared both in English and Albanian. After receiving clearance from the World Bank, the documents should be publicly disclosed within the municipality and as well in the MoES (websites and hardcopies on the municipal board) as presented in table 3. Each EA with the EMP (B1) will be as well presented in the municipality to the public in a public consultation meeting. All written and oral comments should be addressed but there is no obligation to accept all of them. Both written and oral comments made at the meeting will be reflected in the report to the extent possible and minutes would be attached to the final report as annex. This POM will be publicly disclosed on the website of the MoES. The supervising engineer will prepare the monthly reports for the MoES.

Semi annual reports outlining progress in EMP implementations and highlighting environmental issues arising from Program-supported activities, the status of mitigation measures and next steps will be prepared by MoES in coordination with the representatives of each participating municipality and submitted to World Bank for review.

Legal Framework Institutional and Implementation Arrangements

This section briefly describes existing environmental regulation and standards relevant to the Programme and makes reference to institutions at the local and national levels responsible for issuing permits, licenses, and enforcing compliance of environmental standards. The section as well identifies the responsibilities for the project implementation with in the MoES and Municipalities.

The following Albanian Laws define a legal framework for environmental management (see Attachment 1 for details):

- Law on Environmental Protection, No. 8934 dated September 5, 2002
- Law on Environmental Impact Assessment, No. 8990, dated January 23, 2003

Other secondary environmental legislation connected with the new environmental laws are:

- Law on Protected Areas, No. 8906, dated June 6, 2002;
- Law on the Protection of the Marine Environment from Damage and Pollution, No. 8905, dated June 6, 2002;
- Law on Air Protection, No. 8897 dated May 16, 2002;
- Law on Environmental Management of Solid Wastes, No. 9010, dated February 13, 2003;

- Law on Waste Water Environmental Management, No. 9115, dated July 24, 2003

The key legislative legal framework addressing the full range of environmental policy issues is the new Law on Environmental Protection, No. 8934 dated September 5, 2002. The new law has improved and increased the competencies of the environmental protection institutions, as compared with the first environmental law approved in 1993. The Law on Environmental Impact Assessment, No. 8990, dated January 23, 2003 (EIA law) defines the process of assessment of the potential direct or indirect environmental impacts of future projects or activities. In addition, the above-listed Decisions of the Council of Ministers complete the group of laws regulating the processes of environmental impact assessment and the issuance of environmental permits in Albania. According to the national Law on Environmental Impact Assessment no EIA is needed for the project planned activities.

The documents / approvals normally required by the KRT (Regional or National Council for the Adjustment of Territories), as defined in Law on urban planning and DCM on regulations on urban planning before a Construction Permit can be issued include, but are not limited to, the following:

For use of a piece of land for construction:

- Cadastral Land Ownership Verification Certificate.
- Outline details of the type of construction proposed, i.e. detailed project
- Approval of Local Urban Planning Office, on the suitability of land for proposed Construction, as per Land Use Zoning, etc.

For construction of physical infrastructure:

- Approval of Urban Planning Office for use of the land
- Environment Consent, Authorization or Permit if applicable.
- Permit for water and/or waste water supply (if the construction works and/or the completed project needs a water supply and/or is to discharge wastewater).
- Permit for energy supply (if the construction works need energy or the if the final building/works needs energy supply).
- Telecom permit/authorization, if the construction works are to go across telecom installations.
- License for operation of the building/installation after construction, after hand-over to the operator.
- Design License of the designer.
- Construction License of the Contractor
- Registration in the court of the Contractor

The Ministry of Environment (MOE) has primary responsibility for the environmental impact assessments (EIA) as well as the strategic environmental assessments (SEA). It defines the rules and procedures on activities and assessments, monitors the environmental issues, creates the national database system, publishes relevant data, and maintains a registration on pollutions and controls. It collaborates with several other ministries and institutions for specific issues related to EIAs, and coordinates with local authorities. The Regional Environmental Agency (REA) in every region is in charge with the initial review of EIA reports prior to submission to the MOE for final decision. Post-EIA monitoring is carried out by inspectors of REAs in collaboration with inspectors of the MOE.

Secretary General of the MoES will be responsible for the coordination and monitoring of activities at the technical level, including environmental planning and management. The directors of relevant departments of the MoES, (mainly Department for Programming and Development) and heads of the institutes will be responsible for the implementation of activities. The MoES would be responsible to hire and oversee the required environmental consultant, architects, engineers and contractors. In the context of the rehabilitation, extensions and constructions of schools, the MoES's role is to manage the design, bidding and supervision of projects (including civil works, goods and services). The MoES's responsibility includes the following activities related to environmental safeguards:

The MoES's responsibility includes the following activities:

- hire the environmental consultant that will prepare environmental due diligence documents for individual sites in coordination with the MoES and municipalities and will during the project implementation phase supervise the implementation of the EMPs and report on the same (the municipality will hire its own site supervising engineer that will be present at the specific site all the time during the construction);
- Ensure that pertinent aspects of the EMP are contractual obligations of the contractor;
- Supervise the work performed by the environmental consultant, engineering / design companies to ensure that they are applying adequate standards and are following agreed procedures, as well as the agreed environmental plan.
- Organize tendering procedures, review tender evaluation performed by the architectural/ engineering firms, and arrange for the contracts to be signed in accordance with agreed procedures.
- Ensure that the environmental consultant is providing adequate site supervision, particularly the supervision of carrying out the environmental management plan.
- Designate a team for the construction and environmental issues in the Department of Programming and Development within the MoES

The Ministry does not have a separate environmental unit. For the reason that implementation of EEE-P will have a direct impact on the environment through school rehabilitation, extension and construction, a team in the Department of Budget Planning will be responsible for coordination and supervision of the environmental plans and risk mitigation measures undertaken in the Project and cooperate with territorial departments for environment protection. To compensate the lack of the capacity within the Ministry, an environmental consultant will be hired by the Ministry that will report directly to the team in the Department for Programming and Development, and Secretary General in the Ministry on implementation of the EMPs. The consultant will be responsible for the preparation of EMPs and supervising the implementation of the same. The training for the staff will be provided. In the first report on the project progress implementation a team in the Programming and Development Department will propose a training program. The team will work in close cooperation with the Programming and Development Department and Legal Sector that will be in charge of procurement and legal aspects of the project and Secretary General responsible for coordination of program. The team with the support of environmental consultant will:

- coordinate environmental training for staff, designers and local contractors;

- disseminate existing environmental management guidelines and develop guidelines in relation to issues not covered by the existing regulations, for implementation, monitoring and evaluation of mitigation measures;
- ensure contracting for construction and supply of equipment includes reference to appropriate guidelines and standards;
- coordinate / do environmental screening of the sub projects ; and
- conduct periodic site visits to inspect and approve plans and monitor compliance
- prepare its own and consolidate reports received from the Municipalities and site supervising engineers on the implementation of the EMPs

Municipalities will be responsible for supervising construction to ensure, inter alia, full compliance with the environmental guidelines contained in this POM and individual EMPs.

Municipalities where new schools will be built on existing schoolyards or new locations will be responsible for procuring and supervising all related works. The Municipalities will be responsible for:

- procuring works relating to the construction of the new schools funded under EEEP as well as the site supervising engineer;
- ensuring that the measures and monitoring in the individual Environmental Assessments / EMP become part of the agreement with the contractor and site supervising engineer; and
- supervising construction to ensure, inter alia, full compliance with the environmental guidelines contained in this POM and individual EMPs

After finalizing the construction the main responsibility of monitoring will fall under the School staff, especially the teachers of science laboratories, who will be responsible for waste management originating from the laboratories and school maintenance staff responsible for municipal waste management.

In addition to structure in the Ministry of Education and Municipalities, the Ministry of Environment with it's inspection unit can participate in the supervision of the individual sub project implementation.

The control of the state of the environment is the duty of the Environmental Inspectorate, assigned by the Minister of Environment, and Regional Environmental Agencies.

Environmental Inspectorate from time to time visit the project site and check are the activities conducted in accordance to the environmental legislation. The inspection has the power to close down, to suspend, to partially or totally stop the activity of the physical and legal persons, who have caused environmental pollution or damage and defines the relevant tasks for the improvement of the situation. Description of duties of state bodies related to environmental control is described in annex 1.

Implementation of the EMP provisions will be regularly reported in the semi annual progress reports. The input for the reports will be provided from the site supervising engineer, consultant

supervising project implementation, municipality and environmental consultant hired by the Ministry.

Table 4 Responsibilities for environment during construction and operation

<i>Responsibilities for mitigation and monitoring</i>	<i>Environmental information flow (reporting)</i>	<i>Decision making chain of command for environmental management (to take action, to authorize expenditures, to shut down, etc.)</i>	
		<i>Activities</i>	<i>Responsibility Institution or person</i>
<i>During Construction:</i>			
Environmental Consultant and the team in the Programming and Development Department within the MoES Municipality Contractor	Site Supervisory Engineer to MoES environmental consultant / MoES environmental consultant to General Secretary, General Directorate of Supporting Services and Programming and Development Department Environmental Inspectorate of the Regional Environment Agency	Monitoring of the Implementation of the EMP and provisions of the EA	Site Supervisory Engineer, Environmental consultant Environmental Inspectorate of the Regional Environment Agency
<i>During Operation:</i>			
Team in Programming and Development Department within the MoES Municipality School	School / Municipality to to General Secretary at MoES	Monitoring of the Implementation of the EMP and provisions of the EA	Appointed person from school maintenance Environmental Inspectorate of the Regional Environment Agency

LAND EXPROPRIATION AND RESETTLEMENT

Depending on the amount of land required and the extent to which it causes the relocation of households, the following requirements of OP 4.12 must be addressed:

- Minimize resettlement of homes, businesses and production sites;
- Assess the potential economic and social impacts of expropriation/resettlement
- Identify categories of affected persons and their respective entitlements
- Inform affected persons about their rights under expropriation and their rights and access to grievance mechanisms

- If relocation is involved, consult with affected persons on their options and engage them in the planning process, paying particular attention to the needs of vulnerable persons
- Compensate for lost assets at full replacement cost
- Compensate for indirect impacts and damages, including relocation expenses and support during transition
- Compensate informal land users for lost assets and provide assistance in relocating, if needed
- Compensate all those with entitlements and obtain legal access to expropriated land before starting construction
- Monitor progress and impacts of expropriation/resettlement.

The Resettlement Policy Framework (RPF) agreed upon between the Government of Albania and the World Bank clarifies the land acquisition and resettlement principles together with organizational arrangements under the Albania EEE Project. The zone of impact of subprojects cannot be determined in advance because the site locations and designs of new school construction included under all work plans are not yet finalized. For successive investments carried out under various annual workplans at the various Municipalities, specific Abbreviated Resettlement Plans consistent with the principles included in this RPF will be submitted to the Bank for approval when detailed investment planning information and the scope of the civil works become available.

There could be three types of civil works associated with school construction under the Project: (i) extension / construction of school on existing school yard; (ii) construction of new school on new schoolyard on land owned by Municipalities; (iii) construction of new school on land to be obtained from private parties.

Documentation Required for Compliance with OP 4.12

For (i) extension of school on existing school yard; construction of new school on old schoolyard or where there is no land expropriation, the relevant Municipalities will provide documentation confirming that the schoolyard is free of encumbrances and there are no informal or illegal uses to the land.

For (ii) construction of new school on land owned by Municipalities, they will provide documentation attesting ownership of land and a letter confirming there are no competing claims in court due to restitution or other claims. If any person or persons reside, do business or conduct other activities on the land, an Abbreviated Resettlement Plan (ARP) shall be prepared, regardless of the legal status of the occupants.

For (iii) construction of new school or other activities that require land to be obtained from private parties, the Municipalities will prepare an Abbreviated Resettlement Plan. It is to be noted that OP 4.12 is triggered and an Abbreviated Resettlement Plan is to be prepared when land is expropriated from any of the following three groups: (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of Albania); (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the Albanian law of

the country or become recognized through a process identified in the resettlement plan; (c) those who have no recognizable legal right or claim to the land they occupy. The Abbreviated Plan will contain the following details:

- Background details on school construction purpose, name and address of location, total land required for the school civil works etc.
- Census of the number of affected persons and the magnitude, type and value of the assets that need to be acquired.
- An entitlement framework and eligibility criteria
- A brief summary of consultations held with affected people .
- Review of the institutional responsibility for consultations, payment of compensation, grievance redressal and monitoring and evaluation.
- The timetable for land expropriation, payment of compensation, start of civil works.
- Estimated budget for the activity.
- Table of Inventory of Assets and Compensation based on the Entitlement Framework
- An appropriate mechanism for grievances including procedures for receiving and registering, adjudicating and referring grievances.

Once the affected population has been censured and the assets inventoried, a cutoff date may be declared after which no compensation will be paid for new construction or improvements.

Demolition of structures, whether legal or illegal, shall be carried out with due process with the right to a hearing, and appeal. Notification shall be made not less than 60 days prior to actual demolition. The World Bank should be notified simultaneously of the intention to demolish property of any kind. Regardless of entitlements under Albanian law, both legal and illegal buildings erected before the cutoff date shall be appropriately compensated. If they were built without a valid building permit, the owner shall be given the opportunity to obtain such permit.

Assessment of Compliance with OP 4.12

MOES will review the documentation provided by the Municipality to determine whether OP 4.12 applies to the proposed investment and, if so, if the Municipality has complied with all relevant provisions of OP 4.12. After an initial review, MOES will forward documentation to the World Bank for its review. If either the MOES or the World Bank determines that the documentation is inadequate, they will a request to the Municipality for additional remedial actions, additional information or revised documentation, as appropriate. Once MOE is satisfied that the Municipality has complied with relevant requirements of OP 4.12, and the World Bank has issued a no objection, MOE will disclose the Abbreviated Resettlement Plans in the MOES website and made available locally in the relevant Municipalities. Thereafter, MOES can proceed to process the proposal for investment.

Supervision

MOES and relevant Municipalities should familiarize themselves with the RPF and fully understand policies and procedures set out in RPF. MOES should be involved along with the relevant Municipalities in informing the project affected people about the project and holding meaningful consultations with them; inform them about their entitlements and compensation

plans; inform them about and available grievance redress mechanisms to resolve their compensation related complaints. MoES will supervise the payment of compensation to the concerned individuals and will ensure that civil works do not begin until after the payments have been made.

ENVIRONMENTAL GUIDELINES

Introduction

The Environmental Guidelines section details the specifics to be addressed in the ecological/biologic concept, design and planning of small-scale projects for the upgrading of school infrastructure. The guidelines cover the handling of construction debris generated, selection of construction materials and construction methods with limited impact on the environment, energy saving methods as well as the handling of construction wastes under Programme-supported activities. The guidelines are a base for training, programming, research, discussions and workshops. However, in selecting suitable construction methods and materials, great attention should be paid to locally available traditions, skills and resources in the project sites.

The Site

The proposed locations for new schools were chosen solely on the demographic criteria, availability of state owned land and physically suitability for construction and operation of a school. The site specific environmental and social screening will be done according to table 13 and a review should carefully assess the following issues:

- History of land use at the site (particularly any industrial or other activity which might have resulted in the presence of hazardous contaminants or sub-surface structures;
- Presence of any important ground or surface water resources which could be negatively affected by the construction or operation of the school;
- Proximity of the site to any known historical or archaeological assets which could be directly or indirectly damaged by the construction
- Present use of the land (presence of any residences or economic structures or activities, legal or otherwise)

Construction sites should be fenced off in order to prevent entry of public, and general safety measures would be imposed. Temporary inconveniences (traffic or other) due to construction works should be minimized through planning and coordination with contractors, neighbours and authorities. After completion of works the site should be restored as planned in the design. All wastes and machinery should be removed from the location. In densely populated areas, noisy or vibration generating activities should be strictly confined to the daytime. The contractor should conduct its practice to assure safety of vehicles and pedestrians around the site.

Dust from transportation and handling of construction works will be minimized by water and other means such as enclosure of construction sites. To reduce noise, construction will be restricted during certain hours. All debris, construction and wood waste will be stored within the

work site. Wood waste will be stored separately and arranged to be recycled instead of disposing it. Open burning and illegal dumping will not be permitted. Proper sites for earth/clay and sand disposal will be determined and prior approval from relevant authority for disposal will be obtained. Stockpiling of construction debris on site will be avoided and waste will be disposed of on a regular basis at the authorized government dumping ground. Debris chutes will be provided to transfer debris from higher floors to the ground.

Encroachment into neighbouring territory should be avoided if possible. In case where manoeuvring surface is too small, approval for the encroachment should be asked. Any accidental damages of the neighbouring properties should be recovered and brought in the condition as it was prior to the construction.

If encountering archaeological finds during preparation of the site for the construction, the contractor should stop the works, respond immediately and notify the municipal authorities, the Regional Centre for Protection of Cultural and Historical Heritage and MoES

It is necessary to arrange transport and make agreements with relevant organizations involved in waste and construction debris discharge including the inspection.

It is also required to create necessary conditions for safe removal (if necessary) and installation and connection to municipal infrastructure during the construction and rehabilitation activities and observe the ecological and sanitary regulations during the rehabilitation of sanitary and technical equipment, sewage pipes and purifying constructions.

Energy Efficiency, Insulation and Ventilation

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

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

High-efficiency systems for heating domestic water (including solar systems) and for interior space heating should be selected with maintenance and long term running costs in mind. Plumbing should be coordinated to minimize plumbing and also water service to toilets, kitchen and utility rooms. Water-saving faucets, ring mains and other devices also require consideration. All plumbing lines should preferably be copper, with waste lines in cast iron to avoid PVC outgassing. Exposed plumbing and pipe insulation should be of nontoxic material.

All materials and equipment (to be used) should have a security certificate.

Cabinetry and Wood

Selecting the least toxic finishes (water based sealers) should be used especially on easily accessible surfaces for children. This implies that varnishes and lead-based paints should not be used. All materials should have appropriate permissions on quality and safety (appropriateness certificate and sanitary-epidemiologic conclusion).

Finishes

Water-based interior nontoxic, no allergenic paint for drywall or plaster surfaces is preferable to latex or oil-based paints from a respiratory standpoint. Any enamel coating for doors or other surfaces that require a more durable finish shall be applied away from interior spaces and be fully aired for over a month before installation. Indoor space should not be occupied until odour and toxins of the paint or finish has been adequately aired.

Demolition work

Existing building elements (walls, foundations, ground cement slabs etc.) should be carefully demolished and the debris should be sorted and removed as directed by the annex 6 (to be determined during the preparation phase of the project). All valuable materials (doors, windows, sanitary fixtures, etc) should be carefully dismantled and transported to the storage area assigned for the purpose. Valuable materials should be recycled within the project or sold.

Prior to rehabilitation or demolition, a building should be inspected to determine wheatear there are building material such as particleboard, plywood, urea-formaldehyde foam insulation and various adhesives which emit formaldehyde, or weather there are asbestos insulation or roofing. If such material is found, a special mitigation health and safety measures should be prepared.

Selection of Construction Materials and Construction Methods

Priority should be given to products meeting international or national environmental standards. Both traditionally well-tried techniques and nationally or internationally accepted innovative techniques can be used

MONITORING, REPORTING AND DEVELOPMENT COMMUNICATION

KEY PERFORMANCE INDICATORS

MONITORING REPORTS AND REVIEW MEETINGS

The following monitoring reports will be produced:

1. **Monthly Progress Reports:** each unit will produce Activity Progress Reports and Summaries as showed in **Error! Reference source not found.** and **Error! Reference source not found.** for the activities for which it is responsible. These reports will be sent to the General Secretary's Office for consolidation. In addition to tables, a short (1-2 pages) summary will be produced highlighting any difference from plan together with an analysis of possible causes. **The monthly report will as well present the information form the supervision of the implementation of EMPs on individual sub project sites gathered from the site supervising engineers by the environmental consultant.**
2. **Quarterly and Semi-annual Progress Reports:** they will be produced by the General Secretary's Office by combining monthly reports and the results of the review meetings. Formats for Semi-Annual Reports as well as a reporting calendar are included in **Annex 7. Semi – annual report should as well outline progress in EA preparation and EMP implementations and highlighting environmental issues arising from Programme-supported activities, the status of mitigation measures and next steps needed.**
3. **Annual Report on ARP Performance,** to be submitted to the Development Partners by April 15 each year. The format of the Annual Report on ARP Performance as well as a reporting calendar are included in **Annex 7.**

EVALUATIONS

COMMUNICATING ACHIEVEMENTS AND LESSONS

ANNEX 1. ENVIRONMENTAL MANAGEMENT PLAN

A. MITIGATION PLAN

Phase	Issue	Mitigating Measure	Cost		Institutional Responsibility	
			Install	Operate	Install	Operate
Construction	<ul style="list-style-type: none"> Insulation materials – asbestos wool: Some schools had been equipped with heating systems. Asbestos wool may have been used as insulation material in some industrial facilities, but schools were probably never insulated. Asbestos roofing sheets were not used. 	<p>Before the renovation of the building a construction team should examine old insulation and determine the presence of asbestos</p> <p>Replace asbestos and other not environmental friendly material from the building, applying strict safety measures to prevent inhalation of asbestos fibers (like protection masks, enclosure of the space, etc.)</p> <p>Insulation material containing asbestos is defined as hazardous waste and it has to be handled Accordingly to the law on hazardous waste</p>		<p>Significant cost</p> <p>All costs should be beard by contractor.</p>	Contractor	Contractor
	<ul style="list-style-type: none"> Paints – walls and ceilings are painted with white wash. Wooden windows, exposed roofing timber, doors and all other woodwork was most probably painted with lead based paints 	<p>Because schools have practically never been maintained, little paint is left. Bills of quantities would nevertheless include a clause for appropriate disposal of painted wood. Procurement documents would specify that no lead based paints would be used in rehabilitation.</p>		Cost beared by contractor	Architectu ral-firms/ (designers)	Contractor Supervision- engineers

			Cost		Institutional Responsibility	
Phase	Issue	Mitigating Measure	Install	Operate	Install	Operate
	<ul style="list-style-type: none"> Disposal of construction waste: both hazardous and non hazardous (paint of wood, lime, cement and sand plaster, concrete, glass, ceramics electrical and sanitary, fabric insulated copper wiring, cast iron sanitary pipes, galvanized water pipes, etc). 	The building site would be cleaned and all debris and waste materials would be separated according to the legislation on waste and would be disposed of in accordance with clauses specified in the bills of quantities and law on waste. The sites for disposal of construction waste would be government approved sites same as the types of treatment for hazardous waste		Cost beared by contractor	Contractor	Contractor Architectural-firms/ Supervision-engineers
	<ul style="list-style-type: none"> Landscape: 	The rehabilitation contract would include for site works and the planting of trees. One of the community involvement measure built in the project would be to get commitments from families and local businesses to look after those trees. This commitment would be one of the aspects of the school opening ceremony.		Cost beared by contractor	Designer, i.e architectural firms	Schools Communities/ Families
	<ul style="list-style-type: none"> Sanitation: 	The project includes the rehabilitation of adequate sanitary facilities, including appropriate disposal of waste water and sewerage.		Cost beared by contractor	Architectural-firms/ (designers)	Contractor/ Supervision-engineers

			Cost		Institutional Responsibility	
Phase	Issue	Mitigating Measure	Install	Operate	Install	Operate
	<ul style="list-style-type: none"> Cultural Property – is it in a historic building, district or in close connection with other physical cultural resources 	<p>If so, ensure that reconstruction, design of extensions and materials used are appropriate. If works are on historical monument, the construction workers should follow the special condition of construction</p> <p>If encountering archaeological finds during preparation of the site, the contractor should stop the works and follow the procedure to notify authorized bodies</p>			Architectural-firms/ (designers)	Contractor/ monitored by Local Authority
	<ul style="list-style-type: none"> Community awareness: 	The contracts with the architectural firms (hired to design and supervise these rehabilitation projects), would include for two open forums with the community. EA with EMP would be presented during at least first forum with the community.		Minor costs	MoES, Municipality	MoES, Municipality Architectural firms
Operation	<ul style="list-style-type: none"> Waste management: (municipal waste and hazardous chemicals) 	Develop plan for waste management and collect and separate waste within facility, sort it according to the type Hand over waste to authorized company for hazardous or municipal waste management (depending on the type) and follow obligatory reporting procedure on waste	Cost included in the operation of schools	Minor cost Cost included in the operation of schools	School	School maintenance
Operation	Heating system and storage for crude oil or diesel for emergency generators	Fire protection measures have to be implemented Emergency Operation Plan has to be done if fuel storage exceeds mass of 5000 kg (crude oil) and / or 500 kg of gas	Cost included in the operation of schools	Minor cost Cost included in the operation of schools	School	School maintenance

			Cost		Institutional Responsibility	
Phase	Issue	Mitigating Measure	Install	Operate	Install	Operate
Operation	Management of the lab chemicals	Chemicals need to be stored and handled according to the MSDS instructions	Cost included in the operation of schools	Minor cost Cost included in the operation of schools	School	School maintenance and chemical lab teacher

B. MONITORING PLAN

Phase	What <i>parameter is to be monitored?</i>	Where <i>is the parameter to be monitored?</i>	How <i>is the parameter to be monitored/ type of monitoring equipment?</i>	When <i>is the parameter to be monitored- frequency of measurement or continuous?</i>	Why <i>Is the parameter to be monitored (optional)?</i>	Cost		Responsibility	
						Install	Operate	Install	Operate
Construction	Appropriate disposal of paint wood and other hazardous waste including asbestos.	On the construction site	MoES would ensure that the site supervisors/ supervision engineers enforce these clauses It will be monitored through regular waste disposal manifests and reports to the Ministry of Environment	During the rehabilitation and construction activities.	Legal obligation		Minor costs	Constructor	Supervision engineers
Construction	Appropriate disposal of construction waste other than hazardous	On the construction site	MoES would ensure that the site supervisors/ supervision engineers enforce these clauses It will be monitored through regular waste disposal manifests	During the rehabilitation process.	Legal obligation		Minor Costs	Constructor	Supervision engineers

Phase	What <i>parameter is to be monitored?</i>	Where <i>is the parameter to be monitored?</i>	How <i>is the parameter to be monitored/ type of monitoring equipment?</i>	When <i>is the parameter to be monitored- frequency of measurement or continuous?</i>	Why <i>Is the parameter to be monitored (optional)?</i>	Cost		Responsibility	
						Install	Operate	Install	Operate
Construction	Sanitation and disposal of waste water and sewage, with suitable where-how-when-why guidance	On the construction site	MoES would ensure that the site supervisors/ supervision engineers enforce these clauses.	During the rehabilitation process.	Legal obligation		Minor costs	Constructor	Architectural firm/ Supervision engineers
Construction	Stipulations from construction permit on the procedures for handling historic buildings or sites	Local Authority and on site	Check on status of site at Local Authority; check on issues on site	Before work commences and during rehabilitation.	Legal obligation				Local Authority
Operation	Municipal waste Hazardous waste from the laboratories	In the whole school In the school laboratories	It will be monitored through regular waste disposal manifests and reports to the Ministry of Environment	During operation continuously			Part of the operation costs	School maintenance and chemical lab teacher	School maintenance and chemical lab teacher

C. INSTITUTIONAL STRENGTHENING

1. Training

Training related to environmental management would be arranged as required. The training plan will be proposed in the first progress report.

2. Consultant Services

An architectural firm(s) and / or supervisory engineer would be selected by the MoES or municipality to ensure the quality of the rehabilitation and construction of the schools. It would also involve communities in the rehabilitation of each school.

D. SCHEDULE

Present (preferably in Chart Form) Start Dates and Finish Dates for:

- **Mitigation Activities**
- **Monitoring Activities**
- **Training Activities**

Rehabilitation activities could only be decided and start after the proposal is agreed on, and the detailed methodology is developed in selecting schools and allocating funds using the school mapping database. Therefore, activities on mitigation, monitoring and training would be carried out throughout the project.

ANNEX 2. FORMAT OF THE REPORT ON THE PERFORMANCE OF THE ANNUAL REFORM PROGRAM AND OF PROJECT REPORTS AND REPORT CALENDAR

The Ministry of Education and Science will need to submit to the funding partners each year, no later than April 15, a Report on the Performance of the Annual Reform Program³. The Ministry will also need to submit two Project Reports per year, each one covering six months and to be delivered to the funding partners no later than 45 days from the end of each period⁴.

A. Format of the Report on the Performance of the Annual Reform Program

1. Outcome Indicators
2. Activity Progress Report (see **Error! Reference source not found.**)
3. Factors affecting performance during the year
4. Lessons learnt
5. Measures to ensure the continued efficient and effective execution of the EEE-P, and to achieve EEE-P's objectives (including changes to the next ARP and the EEE-P's POM)
6. Proposed decisions to be taken at the Review Meeting

B. Format of Project Reports

1. Outcome Indicators (se
2. Activity Progress Report (see **Error! Reference source not found.**)
3. Factors affecting performance during the semester
4. Information on the implementation of the Operation manual and individual EMPs
5. Lessons learnt
6. Measures to ensure the continued efficient and effective execution of the EEE-P, and to achieve EEE-P's objectives

C. Reporting Calendar

Given the timing of these reports and their (almost identical) structure, the report calendar will be as follows:

1. **July 15:** submission of Project Report on the first half of the year
2. **October:** discussion of the Project Report at the Fall Review Meeting
3. **February 15:** submission of Project Report on the second half of the year
4. **April 15:** submission of Report on the Performance of the Annual Reform Program which will derive most information from the aggregation of the two six-monthly reports while focusing attention on proposed decisions
5. **May:** discussion of the Performance Report at the Spring Review Meeting.
- 6.

³ Section II, para 2, point (b) of the Financing Agreement.

⁴ Section III A of the Financing Agreement.

