



REGIONAL – GOVERNANCE AND KNOWLEDGE GENERATION PROJECT (GEF GRANT)

Components 1 - Governance Sub-Component 1.3 Procurement Reference: FC016

Terms of Reference for the activity “Supporting Industrial Pollution Abatement in West Bank”

1 Context

1. The Regional – Governance and Knowledge generation Project (ReGoKo) has been conceived to foster the integration of environmental issues into sectoral and development policies of Egypt, Lebanon, Morocco, Tunisia and West Bank and Gaza (Beneficiaries) and potentially of Algeria, Libya and Syria (potential Beneficiaries). The Project aims at achieving this objective via (i) the production of innovative knowledge on environmental issues, with specific reference to water related issues (freshwater, coastal, and marine resources), and (ii) the organization of conferences, seminars, workshops, etc. during which knowledge will be used to strengthen the capacity of key stakeholders at local, national, and regional level.

2. The Project's implementation period is three years. It has become effective on March 29th, 2012 and will last until June 30th, 2015.

3. Plan Bleu is the implementing agency of the Project and is therefore responsible for the management, coordination and all procurement connected to the implementation of the Project.

4. As part of the Regional-Governance and Knowledge generation Project (GEF Grant), the Project Steering Committee has approved to conduct and finance the activity described herein which aims at supporting environmental auditing and promotion of industrial pollution abatement in West Bank area- Palestinian Territories.

5. The environment in the Palestinian Territories is facing major challenges, including the degradation of the environmental assets at an alarming rate coupled with Israeli occupation. The major causes of pollution are solid waste and waste water, as well as the transportation and industrial sectors.

6. The Environment Quality Authority (EQA) as well as the Ministry of National Economy (MoNE) are currently working on raising the profile of industrial pollution control practices in the Palestinian Territories, through inter alia, conducting a survey of industrial activities, developing EIA manuals or enhancing national procedures for industrial licensing and register. One key endeavor that was recently launched by the EQA with support from the Swedish Development Agency (SIDA) executing through UNDP is a program aiming at strengthening the regulatory function of the EQA by:

- Formulating short and long term strategies and action plan;
- Establishing clear monitoring processes and procedures including clarification of roles and responsibilities for line ministries and authorities involved in the implementation of environmental regulations; and
- Enhancing the capacity of the EQA environmental protection directorate with foresight to better environmental monitoring and inspection.

7. In addition, the Palestinian Territories had adopted the Palestinian Environmental Assessment Policy (PEAP) in 2000, and published General Guidelines for Environmental Assessment. These provisions were completed recently by the publication of generic Terms of Reference for conducting Environmental Impact Assessment of any projects, including industrial activities, prior to their approval and licensing.

8. Despite these efforts, several gaps and barriers remain for fully integrating environmental Best Available Practices and Technologies within the industrial sector in the Palestinian Territories. There is insufficient information and technical data on types, numbers, categories and associated pollution sources as well as a lack of technical standards and guidelines for conducting environmental audits of polluting industries and developing pollution abatement action plans for the most polluting sectors. Inadequate enforcement of the environmental law pertinent to control and monitoring of emissions from industrial sites is another key challenge to be addressed in the Palestinian Territories. As a result, efforts by industries towards the application of cleaner production principles to minimize pollution discharges at source are often made on a voluntary and individual basis and lack proper frameworks and methodological tools. There is clearly a need to improve and develop the national capacities to support the industrial sector in assessing and reducing its pollution emissions and engaging in sustainable and “greener” production processes and technologies.

9. Amongst the industrial activities that are the most in need of robust pollution control and abatement methodologies is the Stone and Marble Industry (SMI). According to available studies and literature, the stone and marble sector is considered to be one of the most significant and most active industries in the Palestinian Territories. This sector contributes approximately 25% to the overall Palestinian industrial revenue and 4.5% to the total Palestinian GNP (Union of Stone and Marble Industry). In West Bank, the SMI is spread all over the territory. In the southern part of West Bank (Hebron and Bethlehem) there are more than 500 establishments that deal with stone and marble. The SMI is also distinguished for having the largest percentage of employment of the Palestinian labor force with more than 13,500 workers engaged in the sector. The industry enjoys a sustained business growth and generates around \$60m of annual exports.

10. However, the SMI is characterized by poor environmental standards applied throughout the production chain. Quarries are not planned and exploited in a sustainable manner and engender a significant quantity of waste that is not prevented nor disposed properly across the country. Quarry remediation and rehabilitation schemes are poorly applied by the local companies. Processing factories use old and inadequate technologies and machinery which generate a high level of pollution in the form of carbonate powder, sludge and waste water. Most factories generally lack efficient waste recycling and treatment facilities. It is estimated that the industry produces approximately 0.7-1.0 million tons of sludge waste, out of which only a small portion is recycled.

11. This situation results in major impacts on the health and safety of the workers and population living in the vicinity of the industrial sites. It has also huge effects on the surrounding environment, its water resources and visual landscape.

12. The Palestinian Territories are relatively small and the environmental impacts of the SMI have now reached alarming levels. There is clearly a sense of urgency for developing and implementing pollution abatement measures that will safeguard the environment and protect the local population. In this regard EQA is seeking to have the SMI sector as one top priority for environmental management and wants to help these industries in minimizing their negative impacts on environment and thereby, enhance the sustainable use of resources.

13. Since recently, Stone and Marble Industries, especially crushers and mining, are subjected by law for granting environmental approvals from EQA. However, the old existing activities did not have environmental approvals. The ReGoKo project therefore provides a key opportunity to help EQA in setting out environmental auditing procedural manuals for both new and old SMI establishments.

14. Within this context, EQA held on 10-11 March 2014 a national workshop to discuss the opportunities and the obstacles of pollution reduction within the SMI. The workshop targeted the Union of SMI, owners of facilities from South, Middle and North West Bank in addition to the line ministries. The outcomes of this meeting revealed that there is a shared recognition across all stakeholders of the need to develop and implement a set of tools and processes to better mainstream environmental concerns at all stages of the SMI value-chain. One initial step forward was the decision made by the Ministry of National Economy to set up a one stop shop for licensing all industrial activities, especially SMIs.

15. This activity under the ReGoKo project will build on the achievements and ongoing efforts of EQA and MoNE and will help make the extra step towards raising the profile of environmental auditing and compliance practices within the SMI in West Bank. It will provide practical tools and systems tailored to the specific need of EQA for environmental monitoring and management of the SMI, while generating useful lessons learnt and practical models that could be replicated in other industrial sectors.

16. The proposed activity will be implemented in close conjunction with another ReGoKo activity dealing with "Industrial Survey and Mapping" in West Bank. To ensure the highest level of coordination and synergies between the two, a joint supervision mechanism and Joint Steering Committee will be established by EQA, which will also designate the same Project Manager for both activities.

2 Objectives

17. The general objective of the consultancy is to foster the integration of environmental issues into the SMI sector in West Bank by strengthening national capacities and practices for assessing environmental impacts of the SMI and adopting clean and sustainable production and pollution abatement technologies.

18. The specific objectives of the consultancy are the following:

- Conduct environmental audits for 20 SMI companies/ establishments in West Bank, selected amongst the most polluting ones;
- Develop environmental management and compliance action plans for the selected industries, defining the best measures and technologies for abating typical pollution stemming from extractive industries: noise, fugitive dust, ground vibration if blasting is part of the operation, mineralized waste waters, interception of ground waters, management of overburden and interburden, and traffic congestion;
- Prepare detailed technical and financial designs for the needed pollution abatement technologies/equipment;
- Prepare bankable proposals for the most priority abatement projects and support EQA's fundraising efforts with the international donor community active in West Bank;

- Strengthen institutional and technical capacities through guidelines and trainings on environmental auditing and compliance planning ;
- Assess and recommend a sustainable domestic incentive mechanism to support private investments in pollution reduction technologies.

3 Activities

19. The consultancy will comprise 4 phases. Expected tasks during each phase are as follows:

20. Phase 0: Inception phase:

Within the first two weeks of the assignment, the consultants will review the terms of reference, conduct introduction and orientation meetings with a wide range of stakeholders in West Bank, and collect basic data to inform and guide implementation of the work. The inception phase will include a kick-off meeting with EQA and Plan Bleu in West Bank, which will result in an inception note that addresses the following topics:

- a. Any changes to the methodological approach, work plan, deliverables and governance structure with regards to what has been stated in the technical proposal; and
- b. The list of resource persons and key stakeholders with their respective contact details.

21. Phase 1: Environmental auditing of 20 priority SMI companies of West Bank

This phase will include the following activities:

- (1) Select in close conjunction with the EQA and the Union of the Stone & Marble Industry in the Palestinian Territories (USM) a set of 20 pilot industrial facilities including quarrying sites, crushers and processing factories. EQA and the Union of the SMI will agree on joint criteria for the selection of the industries which will benefit from the audits to be realized under this assignment. However, only industries where significant findings of negative impacts on the environment and public health are expected, will be selected.
- (2) Conduct Environmental Audits (EA) of the selected SMI facilities :
 - a. Elaborate an audit protocol, including guidelines, ToRs and reporting templates, to be used for all audits to be realized;
 - b. Review the production processes and technologies used;
 - c. Assess the nature and volume of pollution generated;
 - d. Identify complementary information needed and measures to collect it;
 - e. Analyze the environmental status of the industrial facilities and verify their compliance with all Palestinian environmental regulations;
 - f. Identify the production areas where environmental upgrading actions are required; and
 - g. Draft an EA report for each industrial facility, as per Annex 5 of the PEAP.
- (3) For each facility, in the event of any significant findings of negative impacts on the environment, develop an Environmental Management and Compliance Action Plan (EM/CAP):
 - a. Make technical recommendations on the needed clean production and pollution abatement measures/equipment. These should include Best Available Practices and Technologies for, *inter alia*:
 - i. Quarry planning, exploitation and rehabilitation (landscaping);
 - ii. Carbonate powder and sludge separation, treatment and recycling; and
 - iii. Waste water treatment and reuse.
 - b. Develop an action plan with clear timelines and organizational settings to implement the plan;

- c. Prepare cost estimates for the action plan and identify possible funding arrangements;
- d. Define a monitoring protocol for assessing and reporting on progress towards implementation of the plan and environmental compliance achieved by the industry. This protocol should build on the other pollution monitoring instruments carried out by the EQA under the ReGoKo and other related projects. At the end of Phase 1, a technical report will be delivered covering the 20 industries, and consolidating the results of both EA and EM/CAP.

The outputs of phase 1 will include:

- 20 EA reports
- EMP/CAP reports as needed.

22. Phase 2: Design of 20 priority pollution abatement projects

Based on the outcomes of the previous phase, one priority investment project will be selected in each audited enterprise. For every project, the Consultant will:

- (1) Define the technical design and specifications for the processes/technologies/equipment identified under the selected projects;
- (2) Prepare detailed project technical notes;
- (3) Prepare detailed cost evaluation and cost investment/recovery plan;
- (4) Prepare tender documents in accordance with the EQA and World Bank Procurement Guidelines, for the implementation of the identified projects.
- (5) Assist EQA in presenting the priority projects during a donor meeting that will bring together international development agencies active in the field of industrial pollution management in West Bank (AFD, KfW, USAID, GIZ, JICA, etc.). Under the supervision of EQA, the Consultant will be responsible for the preparation of the meeting agenda, materials and presentations, invitations, distribution and collection of evaluation forms, drafting of the meeting report, etc.

The outputs of phase 2 will include:

- 20 design study reports for the needed de-pollution technologies/equipment, including technical and financial specifications;
- Tender documents for the implementation of the identified de-pollution projects; and
- Project funding requests for presentation during a dedicated donor meeting.
- Donor meeting report

23. Phase 3: Institutional and technical capacity building for effective industrial pollution control and abatement

This phase will cover the following tasks:

- (1) Develop a technical guidance document on environmental auditing and compliance planning in the form of an operational guidebook and procedure manual. The document will propose a standard methodological framework that will not be limited to SMI activities only and that can apply to all sorts of industries and heavy polluters. In developing the guidebook, the Consultant will review the current application status of ISO 14001 standards and Environmental Management Systems in the Palestinian Territories and will ensure that the proposed guidance is well aligned with these frameworks, their associated tools and the Palestinian regulations. Prior to developing the guidance, the Consultant shall also interview a representative panel of target users in order to really account and cater for their needs.

- (2) Develop, organize and conduct a 3-day training of trainers on the guidance for 25 participants coming from sectoral industries, government agencies and consulting companies;
- (3) Support practical application of the guidance by the trainees themselves in pilot industries, by providing necessary assistance and follow-up by e-mail and telephone with trainees during the application exercise;
- (4) Develop, organize and conduct a 1-day workshop to review the results of the pilot applications and extract lessons learnt and recommendations;
- (5) Based on task (1), improve the proposed methodological approach and finalize the guidance tool in both English and Arabic.

The outputs of this third phase will be:

- A draft technical guidance document for conducting Environmental Audits and preparing Environmental Management/ Compliance Action Plans for Industries;
- Two “training-of-trainers” workshop and their workshop reports;
- A note on the pilot application and testing of the guidance including evidence of support provided to industries;
- A final technical guidance document for conducting Environmental Audits and preparing Environmental Management/ Compliance Action Plans for Industries; and
- Each of these documents in English and Arabic.

24. Phase 4: Identification of a suitable policy and financial mechanism to promote industrial pollution abatement in West Bank

Activities that will be undertaken under this phase are as follows:

- (1) Review (regional benchmarking) at least 3 successful policy and financial incentive mechanisms existing in countries within the EU and MENA region to support private investments by industrials in clean and sustainable production measures (e.g. government-backed partial credit guarantee of a commercial loan, private bank-executed low interest loan from a government financed revolving fund, output-based aid/grant system supported by specific environmental taxation, etc.). The Consultant will include in the scope of the analysis regional experiences such as the Egyptian, Lebanese or Jordanian Pollution Abatement Programs and their associated financial tools;
- (2) Carry out a comparative analysis of 3 potential options, highlighting the strengths and weaknesses of each option; and
- (3) Advise on one suitable option and recommend a policy roadmap and action plan for the establishment of the proposed enabling mechanism in the Palestinian Territories, outlining needed prerequisites, funding sources, legal instruments, institutional settings and governance arrangements.

Phase 4 will produce the following outputs:

- An analytical note on EU/MENA best practices and lessons learned in terms of successful domestic policy and financial incentive mechanisms for industrial pollution abatement; and
- A Policy Roadmap and Action Plan for establishing a similar mechanism in the Palestinian Territories.

4 Monitoring and Evaluation

25. Throughout the implementation of this activity and upon its finalization, its impact shall be assessed. Therefore, the following monitoring and evaluation actions will be realized by the Consultant:

- During all workshops that will take place under this activity, the Consultant will distribute the project's evaluation sheets (provided by Plan Bleu upon contract signature), make sure they are filled-in by all participants, send the original sheets to Plan Bleu, provide a pdf file comprising copies of the evaluation sheets; and compile a summary table counting the answers of the filled-in evaluation sheets (summary table provided by Plan Bleu upon contract signature).
- Create an excel file compiling contact details of all stakeholders involved in the realization of the activity (workshop participants, representatives of audited enterprises, EQA staff, other stakeholders) that can be used for additional follow-up by Plan Bleu.

26. A preliminary list of output and outcome indicators for tracking the activity is provided in Annex I. The Consultant is invited to enhance this list and propose additional monitoring and evaluation (M&E) measures and indicators in the technical proposal. The M&E Plan can be presented as part of a logical framework, or in any other format that is deemed relevant by the Consultant.

5 Data to be provided by the client (if any)

27. The Client will be responsible of providing the following data:

- (1) All general information, strategies, legislations and other issues are found on EQA website : www.environment.pna.ps/ar
- (2) Other key data and documents will be provided by EQA to the Consultant upon contract signature.

6 Modalities, deliverables and duration

28. The total duration of the assignment will be 10 months. The first mission will take place preferably in June 2014. The activity must be fully completed by April 2015.

29. The tentative schedule of the activity is presented below:

Tentative date	June 2014	June-September 2014	September-November 2014	November 2014-January 2015	February-April 2015
Phase	Inception Phase	Phase 1	Phase 2	Phase 3	Phase 4
Deliverables	Activity inception note; Minutes of kick-off meeting	Technical Report #1 including the industrial facilities: EA reports EMP/CAP reports	Technical report #2 including: 20 design study reports tender documents for each pollution abatement projects	Technical Report #3 including: technical guidance document to prepare EA and EM/CAP reports conducting two workshops	Technical Report #4 including: A regional analysis on EU/MENA of successful policy and financial mechanisms; A policy Roadmap and Action Plan for the Palestinian Territories

				reports of the two trainings workshops	
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30. The consultant will develop all reports in close collaboration with the designated contact persons. In addition and for monitoring purposes, drafts will be shared with the EQA and Plan Bleu prior to submission of the final documents.

31. For all workshops to be organized under this activity, the Consultant will make sure to follow the indications referring to monitoring and evaluation of this activity, as stipulated in section 4 of these ToRs. Moreover, the organization and realization of all workshops, including all logistical aspects (identification of participants in coordination with EQA, drafting of invitation letters, drafting of workshop agendas, preparation and presentation of workshop content, animation and facilitation of workshops and follow-up), will be the responsibility of the Consultant. The Consultant's financial offer should thus include costs linked to the organization and coordination of these workshops as well as costs linked to printing workshop material and similar costs.

Important: Accommodation, travel cost and daily subsistence allowance for workshop participants shall be estimated for planning purposes, if applicable. These costs will be reimbursable upon presentation of relevant invoices, but shall not be part of the evaluation of the Consultant's financial proposal during the evaluation process.

32. All deliverables will be produced in English and Arabic. All final deliverables will be disclosed on the Plan Bleu, ReGoKo and World Bank websites.

33. It is expected that the assignment would take a total of 191 person-days divided as follows (the timing is indicative only and is modifiable depending on identified priorities):

ref	Tasks	Duration [person-days]
Phase 0: Inception phase		
0(1)	Preparation of the activity inception note	3
0(2)	Kick-off meeting in West Bank	2
0(3)	Finalization of the activity inception note	1
Subtotal		6
Phase 1: Conduct Environmental Auditing and Planning for SMI companies		
1(1)	Selection of SMI companies	2
1(2)	Visits and rapid EA of 20 facilities in West Bank, including reports	20
1(3)	Preparation of EM/CAP for 20 facilities in West Bank, including reports	20
1(4)	Prepare Main Report Phase 1	3
Subtotal		45
Phase 2: Design of priority pollution abatement projects		
2(1)	Technical design and specifications of 20 projects, including technical factsheets	35
2(2)	Costing and financial feasibility of 20 projects	20
2(3)	Preparation of project tender documents	20
2(4)	Support to the organization of one donor meeting for project fundraising (preparation of meeting agenda, materials and presentations, invitations, , drafting of meeting report, etc.)	5
2(5)	Prepare main Technical Report Phase 2	5
Subtotal		85
Phase 3: Institutional and technical capacity building		

3(1)	Draft generic technical guidance on EA and EM/CAP in industries	15
3(2)	Organization and facilitation of two training workshops on the guidance (preparation of workshop programs, materials and presentations, invitations, distribution and collection of evaluation forms, drafting of workshop reports, etc.)	6
3(3)	Final generic technical guidance document (English and Arabic)	3
3(4)	Compile main Technical Report Phase 3	1
	Subtotal	25
Phase 4: Identification of a suitable policy and financial mechanism to promote industrial pollution abatement in West Bank		
4(1)	Conduct regional benchmarking of three successful domestic policy and financial incentive mechanisms	7
4(2)	Propose and compare two different mechanisms suitable for the Palestinian Territories	7
4(3)	Select one preferred mechanism and develop national Policy Roadmap and Action Plan document for the Palestinian Territories	15
4(4)	Prepare Main Technical Report Phase 4	1
	Subtotal	30
TOTAL		191

34. The Consultant will organize and facilitate at least 5 Activity Steering Committee Meetings (SCM) in West Bank (1 Kick-off and one SCM after each phase).

35. The number of international travels required for performing the services should not exceed 12 in total.

7 Qualifications of the Firm and staff

36. Firm general profile

- The firm should have a proven environmental management experience in extractive industries. The firm should be experienced in the reduction of typical pollution types resulting from extractive industries: noise, fugitive dust, ground vibration if blasting is part of the operation, management of mineralized waste waters, interception of ground waters, management of overburden and interburden, and traffic congestion.
- Particular experience in the SMI sector as well as in cleaner production in the Mediterranean Region would be plus.
- Experience in environmental auditing/management and procurement in accordance with the World Bank policies and guidelines would be appreciated.

37. Required staff

Coordination skills and Teamwork abilities are essential to carry out the consultancy. The following staff is required for the preparation of the above-specified deliverables:

(1) Key-Staff: Specialists with the following qualifications:

- i. Advanced diploma in environmental engineering, sustainable and clean production as well as environmental auditing and management
- ii. Domain(s) of expertise: Environmental management and compliance of Stone & Marble Industries, Environmental policy and financing.
- iii. Years of professional experience in general: 10
- iv. Years of professional experience in the required domain(s): 8
- v. Previous experience in similar projects: at least 8 years
- vi. Recommended number of key staff specialists: at least 5 key experts (with at least 3 internationals)

(2) Non-Key experts:

- i. Domain(s) of expertise: clean industrial production and pollution assessment and reduction; waste water treatment, solid waste management and air emission reduction, environmental impact mitigation, etc.
 - ii. Years of professional experience: at least 8 years
 - iii. Recommended number of non-key staff : at least 5 non key experts (with at least 2 internationals)
- (3) Language requirements:
- i. Staff: English and Arabic.
 - ii. Reporting: English and Arabic.

8 World Bank Environmental and Social Safeguards Policy

38. Although the activity subject to these terms of reference does not have itself an adverse social or environmental impact, some of the actions resulting from this activity (downstream actions) could have potential environmental and social impacts. In order to avoid and mitigate such impacts, downstream actions need to comply with the safeguards requirements of the World Bank, whether or not they are funded by the World Bank. Therefore, a screening against the 10 safeguard policies of the World Bank^[1] will need to be realized for downstream actions, and in accordance with the World Bank's safeguard policies (<http://go.worldbank.org/WTA1ODE7T0>). The safeguard screening and the possibly resulting remediation and compliance measures will be the responsibility of the organizations/institutions in charge of the downstream action.

^[1] The 10 safeguard policies are: Environmental Assessment (4.01); Natural Habitats (4.04); Pest Management (4.09); Indigenous Peoples (4.10); Physical Cultural Resources (4.11); Involuntary Resettlement (4.12); Forests (4.36); Safety of Dams (4.37); Project in International Waterways (7.50); Projects in Disputed Areas (7.60)

ANNEX I

List of outputs and outcome indicators

FC016	Outputs	Outcomes	Measurement
Phase 1	<ul style="list-style-type: none"> - Environmental audit reports - Environmental Management and Compliance Action Plan Reports 	<ul style="list-style-type: none"> - Knowledge and awareness about industrial pollution sources and hotspots enhanced, providing a required knowledge base for being able to reduce the pollution. - Use of this knowledge - National capacities and practices on EA and EM/CAP improved - EQA processes and policies informed - Pollution reduction considered by polluting industries - Environmental Policy frameworks enhanced 	<ul style="list-style-type: none"> - Follow-up questions to participants of workshops about knowledge received and use of this knowledge - Follow-up questions to enterprises audited (pollution reduction considered/envisaged following the EA, EMCAP) - Guidance document fully mastered and applied by sectoral stakeholders - National policy dialogue on industrial pollution informed
Phase 2	<ul style="list-style-type: none"> - Design study reports for the needed de-pollution technologies/equipment, including technical and financial specifications, - Tender documents for the implementation of the identified de-pollution projects. - Project proposals for submission to international donor agencies - Donor meeting report 		
Phase 3	<ul style="list-style-type: none"> - Technical guidance document for conducting Environmental Audits and preparing Environmental Management/ Compliance Action Plans for Industries published in English and Arabic 		
Phase 4	<ul style="list-style-type: none"> - Analytical note on EU/MENA best practices and lessons learned in terms of domestic policy and financial incentive mechanisms for industrial pollution abatement; - Policy Roadmap and Action Plan for establishing similar mechanism in for the Palestinian Territories; 		