

REGIONAL – GOVERNANCE AND KNOWLEDGE GENERATION PROJECT (GEF GRANT)

Component 1 Governance, Sub-Component 1.3 Promotion of private sector participation in environmental management

Procurement Reference: FC020

Terms of Reference for the activity “Supporting Industrial Pollution Abatement in Lebanon II”

1 Context

1. The Regional – Governance and Knowledge generation (ReGoKo) Project is carrying out activities to support the Ministry of Environment (MoE) in implementing the Lebanon Environmental Pollution Abatement Project (LEPAP) - a World Bank (WB) initiative providing technical assistance and financial facilities, through selected commercial banks, to public and/or private enterprises to bring their effluent discharges and/or their air emissions towards compliance with the Environment Protection Law 444 and national environmental standards including Decree No. 8471 dated 4/7/2012 on “Environmental Compliance for Establishments”, in a cost effective manner.
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 ReGoKo, which aims at producing innovative knowledge on environmental issues with specific reference to water related issues, this consultancy will focus on industries interested in identifying industrial wastewater treatment measures in two main regions based on the priorities set by the Government of Lebanon since 2006 and the significance of the pollution of these two regions on the fresh and marine water resources in Lebanon.
5. As per the decree No. 8471/2012, all industrial enterprises must develop an environmental audit (EA) including an Environmental Management Plan (EMP)/Compliance Action Plan (CAP) in order to provide an analysis of the environmental status of the industries and verify their compliance with the Environmental Limits Values (ELVs) set by the MoE. Furthermore, the EA/CAP is a requirement under the LEPAP project for industries interested in obtaining loans from the World Bank.
6. In this framework, ReGoKo has financed the development of 11 environmental audits starting April 2013 which are being conducted by the consortium LDK Consultants – EDESSA (Contract No 2013-007)” under the activity “Supporting industrial pollution abatement in Lebanon”. In order to better respond to the current needs and to better position interested enterprises in acquiring loans from LEPAP, it is proposed to extend the above mentioned activity to cover 10 additional EA/CAPs under a new contract.
7. In most of the regional projects and programs, Lebanon is considered in the Mediterranean watershed. Therefore, the abatement measures recommended as part of the EA/CAP will have a direct or indirect impact on the Mediterranean. Furthermore, the experience that will be acquired regarding the auditing procedures for various industrial sectors could be disseminated at the national and regional levels.

2 Objectives

8. The objective of this consultancy is to foster the integration of environmental issues into the industrial sector in Lebanon and to support enforcement of existing environmental regulations by providing technical support to 10 industries which have expressed their interest to prepare EA reports including EMP/CAPs required to apply for financing under LEPAP. The EAs prepared will provide an analysis of the potential environmental impacts of the industrial activities in order to verify their compliance with all Lebanese regulations. Moreover, the EMP/CAP will provide information regarding the needed mitigation measures, the monitoring and control program and the cost estimates of the mitigation plan.
9. The EA reports should be prepared in line with the revised guidelines for EA (including EMP/CAP) prepared by MoE in 2013 and based on existing guidelines previously developed by MoE under the SPASI project. The EA Guidelines include a section for the development of an EMP/CAP in the event of any significant findings of negative impacts on the environment.
10. 10 industries are currently being selected by a selection committee composed of representatives of the following institutions:
 - The Ministry of Environment;
 - The Ministry of Industry (Mol);
 - The Association of Lebanese Industrialists (ALI).
11. The selection process takes into account items such as company size, production volume, number of employees, location of the company, permits issued by the Mol, industry classification, pollution level and potential toxicity of air emissions, wastewater discharge and waste generation, the company's willingness to exchange information with other private sector and governmental institutions, and the company's commitment to borrow from LEPAP to implement the priority actions within the Environmental Management Plan / Compliance Action Plan.
The selection process will be finalized before the Consultant will initiate this assignment.
12. It is expected that the Consultant will prepare the Environmental Audit reports in light of the Sustainable Consumption and Production (SCP) principles such as eco-design requirements, green technologies, eco efficiency, eco-innovation knowledge and sustainable product design.

3 Activities

13. The consultancy will include the following tasks:

Step 1: Assessment of the current environmental status at the level of the selected industries

- (1) Conduct field visits to 10 industries as needed;
- (2) Review available documents at the level of the industries; and
- (3) Prepare major finding reports for each of the 10 industries.

Major finding reports will be submitted for each of the 10 industries to MoE as well as Plan Bleu for validation. The consultant will also submit a list containing contact details for the 10 enterprises, which will allow the ReGoKo project to conduct follow-up and monitoring after finalization of this consultancy as needed.

Step 2: Conduct Environmental Audits for 10 industries

- (1) Identify and prepare a list of analytical testing needed for each industry and provide the needed assistance to perform the sampling.
- (2) Conduct necessary follow-up with the industries and additional site visits for sampling and collecting information as needed ; and
- (3) Prepare the draft EA reports for the 10 industries in accordance with the guidelines set by MoE.

10 draft audit reports will be submitted to MoE and Plan Bleu for validation

Step 3: Prepare and submit final Environmental Audits including Compliance Action Plans for 10 industries

- (1) Prepare the final EA reports including the EMP/CAP for the 10 industries upon receipt of comments from Plan Bleu and MoE and the concerned industries; and
- (2) Respond to comments received from MoE on the final EA/CAP reports submitted to MoE, and review and/or update the reports accordingly or submit addendum reports as needed.

The final audit reports including EMP/CAPs for 10 industries will be submitted upon receipt of comments from MoE, Plan Bleu and the concerned industries.

Step 4: Prepare a note on lessons learned

Draw lessons from the realization of this activity and prepare a report especially highlighting:

- (1) Methodology, in view of experience sharing with other Mediterranean countries; and
- (2) Based on lessons learned from this activity, formulate recommendations to enhance enforcement of/ compliance with existing regulations addressed to both the regulators and the private/public enterprises respectively.

4 Modalities, deliverables and duration

14. The activity is expected to start in August 2014 over a duration of 9 months.

15. The consultant will implement the activity in close coordination with the designated contact persons at the MoE and Plan Bleu.

16. It is expected that the assignment would take a total effort of 120 days, divided as follows:

Ref	Activity's Title	Duration (working days)
Step 1 Assessment of current environmental status		
1(1)	Conduct field visits to 10 industries	10
1(2)	Review available information	5
1(3)	Prepare a finding report for each industry	20
	subtotal	35 days
Step 2 Conduct EAs for 10 industries		
2(1)	Conduct necessary follow-up with the industries	5
2(2)	Prepare draft EA reports	35
	subtotal	40 days
Step 3 Submit final EA/CAPs for 10 industries		
3(1)	Prepare final EA/CAPs	35
3(2)	Respond to MoE's comments/requirements	7
	subtotal	42 days
Step 4 Prepare note on lessons learned		
4(1)	Lessons learned on methodology	1
4(2)	Recommendations to support enforcement/compliance	2
	subtotal	3 days
	GRAND TOTAL	120

17. All of the abovementioned deliverables are subject to validation by the MoE and Plan Bleu. Additional sub-deliverables may also be defined, as the Consultant and MoE and Plan Bleu may agree at the beginning of this consultancy.
18. The reports or addendums will be delivered to the industries that will in turn submit it officially to the MoE for review.
19. Given the regional character of the ReGoKo project and in order to foster knowledge sharing on a Mediterranean regional level, all deliverables will be published on the ReGoKo, Plan Bleu and World Bank websites. Therefore, and if needed, the Consultant will also prepare a publishable version of all final deliverables where any proprietary or confidential information shall be removed.
20. Given that the present ToRs aim at extending the previously initiated activity under ReGoKo through the same Consortium LDK Consultants – Edessa, the qualifications of the consultant specified under the initial ToRs (Annex A to the Contract No 2013-007) shall remain unchanged.

5 Environmental and Social Safeguards Policy

21. 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.

6 Consultant's qualifications

22. Firm general profile

The firm should have a proven experience and expertise in: (a) all industrial sectors, especially the food, minerals, pulp and paper and furniture industries; and in the abatement of solid waste, wastewater and air pollution from industries. Experience of clean(er) production particularly in the Mediterranean region is a plus; and (b) environmental assessment and procurement in accordance with the World Bank policies and guidelines.

23. Required staff

Coordination skills and teamwork abilities are essential to carry out the consultancy. The Consulting firm will provide detailed information about the composition of the team who will work on the consultancy, as well as about relevant experience of each team member. The technical proposal will also include indications about the distribution of the workload related to steps 1 to 4 between all members of the team who will be assigned to the consultancy. The following staff is required for the preparation of the above-specified deliverables:

- (1) Key-Staff specialists required qualifications are the following (local and international experts required):

^[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)

- a. Advanced diploma in engineering, environmental engineering, sustainable and clean production or other related fields.
- b. Domain(s) of international technical expertise: Cleaner production and pollution abatement in industrial sectors, particularly in the food, minerals, pulp and paper and furniture industries. Wastewater management, solid waste management, air pollution reduction, environmental impact mitigation.
- c. Specialization in procurement.
- d. Specialization in environmental assessment.
- e. Sound previous experience in similar projects in the required domains.

(2) Language requirements:

- a. Staff: English is a must. Arabic or French are a plus.
- b. Reporting: English is a must.