

本署檔號
OUR REF: () in Ax(3) to EP2/G/A/124 Pt.14
來函檔號
YOUR REF: SCL-COR-ENVM-ENV-043788
電話
TEL. NO.: 2835 1122
圖文傳真
FAX NO: 2591 0558
電子郵件
E-MAIL: whcheung@epd.gov.hk
網址
HOMEPAGE: <http://www.epd.gov.hk>

**Environmental Protection Department
Branch Office**

28th Floor, Southern Centre,
130 Hennessy Road,
Wan Chai, Hong Kong.



環境保護署分處
香港灣仔
軒尼詩道
一百三十號
修頓中心廿八樓

28 November 2017

MTR Corporation Limited.

**Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Variation of an Environmental Permit**

**Project Title: Shatin to Central Link - Mong Kok East to Hung Hom Section
(Application No. VEP-535/2017)**

I refer to your above application received on 7 November 2017 for variation of an environmental permit under Section 13(1) of the EIA Ordinance.

Pursuant to Section 13(5) of the EIA Ordinance, we have amended the Environmental Permit (EP-437/2012). I attach the Environmental Permit as amended (No. EP-437/2012/A) for your use.

Under Section 15 of the Ordinance, the amended Environmental Permit will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

Please note that if you are aggrieved by any of the conditions imposed in this Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any queries on the above application, please contact my colleague Miss Queenie NG at 2835 1129.

Yours sincerely,

(Tony W.H. CHEUNG)

Principal Environmental Protection Officer
for Director of Environmental Protection

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
Sections 10 and 13
環境影響評估條例
(第 499 章)
第 10 條及 13 條

ENVIRONMENTAL PERMIT TO CONSTRUCT AND OPERATE
A DESIGNATED PROJECT
建造及營辦指定工程項目的環境許可證

PART A (MAIN PERMIT)**A 部 (許可證主要部分)**

Pursuant to Section 10 of the Environmental Impact Assessment Ordinance (EIA Ordinance), the Director of Environmental Protection (the Director) grants the environmental permit (No. EP-437/2012) to the **MTR Corporation Limited** (hereinafter referred to as the "Permit Holder") on 22 March 2012. Pursuant to Section 13 of the EIA Ordinance, the Director amends the environmental permit (No. EP-437/2012) based on the Application No. VEP-535/2017. The amendments described below are incorporated into this environmental permit (No. EP-437/2012/A). This environmental permit as amended is for the construction and operation of the designated project described in **Part B** subject to the conditions described in or attached to **Part C**. The issue of this environmental permit is based on the documents, approvals or permissions described below :-

根據《環境影響評估條例》(環評條例)第 10 條的規定，環境保護署署長(署長)於 2012 年 3 月 22 日將環境許可證(編號: EP-437/2012)批予**香港鐵路有限公司**(下稱許可證持有人)。根據環評條例第 13 條的規定，署長因應更改環境許可證的申請編號 VEP-535/2017 修訂環境許可證(編號: EP-437/2012)。以下修訂已包含在本環境許可證內(編號: EP-437/2012/A)。本經修訂的環境許可證作為建造及營辦 **B 部**所說明的指定工程項目，但須遵守 **C 部**所說明或附載的條件。本環境許可證的發出，乃以下表所列的文件、批准或許可作為根據：-

Application No. 申請書編號：	VEP-535/2017
Document in the Register: 登記冊上的文件：	<p>(1) Shatin to Central Link – Mong Kok East to Hung Hom Section (Register No.: AEIAR - 165/2012)</p> <ul style="list-style-type: none"> - Environmental Impact Assessment (EIA) Report [Hereinafter referred to as "the SCL(MKK-HUH) EIA Report"] - Environmental Monitoring and Audit (EM&A) Manual [Hereinafter referred to as "the SCL(MKK-HUH) EM&A Manual"] - Executive Summary <p>(1) 沙田至中環綫 - 旺角東至紅磡段 (登記冊編號: AEIAR - 165/2012)</p> <ul style="list-style-type: none"> - 影響評估報告 [下稱“沙中綫 - 旺角東至紅磡段環評報告”] - 環境監察審核手冊 [下稱“沙中綫 - 旺角東至紅磡段環監手冊”] - 行政摘要

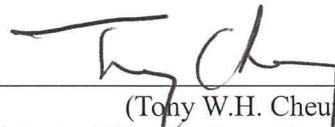
	<p>(2) The Director's letter of approval of the SCL(MKK-HUH) EIA report dated 17 Feb 2012 [Ref.: (28) in Ax(3) to EP2/G/A/124 Pt.8]</p> <p>(2) 署長於 2012 年 02 月 17 日發出批准沙中綫 - 旺角東至紅磡段環評報告的信件 [檔案編號: (28) in Ax(3) to EP2/G/A/124 Pt.8]</p> <p>(3) Shatin to Central Link – Stabling Sidings at Hung Hom Freight Yard (Register No.: AEIAR - 164/2012)</p> <ul style="list-style-type: none">- Environmental Impact Assessment (EIA) Report [Hereinafter referred to as "the SCL(HHS) EIA Report"]- Environmental Monitoring and Audit (EM&A) Manual [Hereinafter referred to as "the SCL(HHS) EM&A Manual"]- Executive Summary <p>(3) 沙田至中環綫 - 位於紅磡貨運站的列車停放處(登記冊編號: AEIAR - 164/2012)</p> <ul style="list-style-type: none">- 環境影響評估報告 [下稱“沙中綫 - 位於紅磡貨運站的列車停放處環評報告”]- 環境監察審核手冊 [下稱“沙中綫 - 位於紅磡貨運站的列車停放處環監手冊”]- 行政摘要 <p>(4) The Director's letter of approval of the SCL(HHS) EIA report dated 17 Feb 2012 [Ref.: (30) in EP2/G/A/160 Pt.3]</p> <p>(4) 署長於 2012 年 02 月 17 日發出批准沙中綫 - 旺角東至紅磡段環評報告的信件 [檔案編號: (30) in EP2/G/A/160 Pt.3]</p> <p>(5) Application for an Environmental Permit No. AEP-437/2012. [Hereafter referred to as “the Application No. AEP-437/2012”]</p> <p>(5) 申請環境許可證編號 AEP- 437/2012。 [下稱“申請書編號 AEP- 437/2012”]</p> <p>(6) Environmental Permit issued on 22 March 2012 (Permit No. EP-437/2012).</p> <p>(6) 於 2012 年 3 月 22 日簽發的環境許可證 (許可證編號: EP-437/2012)。</p> <p>(7) Application for Variation of Environmental Permit including all attachments submitted by the Permit Holder on 7 November 2017 (Application No. VEP-535/2017). [Hereafter referred to as “the Application No. VEP-535/2017”]</p> <p>(7) 許可證持有人於 2017 年 11 月 7 日提交的更改環境許可證申請包括所有附件 (申請書編號 VEP-535/2017)。 [下稱“申請書編號: VEP-535/2017”]</p>
--	---



Application No. 申請書編號	Date of Application 申請日期	List of Amendments Incorporated into Environmental Permit 已包含在環境許可證內的修訂項目	Date of Amendment 修訂日期
VEP-535/2017	7 November 2017 2017年11月7日	<p>Vary Condition 2.21 in Part C of Environmental Permit No. EP-437/2012 to include updated maximum sound power levels for the fixed plant noise sources conforming to the requirements of the Technical Memorandum on Environmental Impact Assessment Process.</p> <p>更改環境許可證編號 EP-437/2012，C 部的條件第 2.21 項，以包括更新的固定機器噪音源的最高聲功率級，該最高聲功率級須符合環境影響評估程序技術備忘錄的要求。</p>	28 November 2017 2017年11月28日

28 November 2017

Date
日期



(Tony W.H. Cheung)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 張偉雄代行)



PART B (DESCRIPTIONS OF DESIGNATED PROJECT(S))**B 部 (指定工程項目的說明)**

Hereunder is the description of the designated project(s) mentioned in Part A of this environmental permit :-
下列為本環境許可證 A 部所提及的指定工程項目的說明：-

Title of Designated Project(s) 指定工程項目的名稱	Shatin to Central Link - Mong Kok East to Hung Hom Section [This designated project is hereinafter referred to as "the Project"] 沙田至中環綫 - 旺角東至紅磡段 [這指定工程項目下稱“工程項目”]
Nature of Designated Project(s) 指定工程項目的性質	Construction and operation of a railway, its associated station, a railway tunnel more than 800m in length between portals, a road which is a district distributor road. 興建和運作一條鐵路及其相聯車站，一條入口之間的長度超過 800 米的鐵路隧道，屬地區幹路的道路。
Location of Designated Project(s) 指定工程項目的地點	The location of this Project and its works areas are shown in <u>Figure 1</u> attached to this Permit. 工程項目及其工地的位置見載於本許可證夾附的圖 1。
Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍	The Project comprises the following designated project elements: (i.) Construction and operation of an approximately 1.2 km realigned and modified railway from Portal 1A near Oi Man Estate to the new ventilation building in Hung Hom Station; the associated new platforms at Hung Hom Station; the associated ventilation shafts, cooling tower and other associated works; noise mitigation measures at Portal 1A; modification works on the existing Homantin Siding and Mong Kok Freight Terminal; and the operation of the integrated Hung Hom Station. (ii.) Realignment of the existing Cheong Wan Road. 工程項目的範圍包括： (i.) 興建和運作從隧道入口 1A 至紅磡站新建的北通風大樓一段長約 1.2 公里的鐵路改道，通風井、冷卻塔和其他相關工程，在隧道入口 1A 提供噪音緩解措施，為何文田側綫和旺角東站貨運站進行修改工程，及運作綜合紅磡站。 (ii.) 暢運道改道工程



PART C (PERMIT CONDITIONS)

1. General Conditions

- 1.1 The Permit Holder and any person working on the Project shall comply with all conditions set out in this Permit. Any non-compliance by any person may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499) and may become the subject of appropriate action being taken under the Ordinance.
- 1.2 The Permit Holder shall ensure full compliance with all legislation from time to time in force including but without limitation to the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358), Waste Disposal Ordinance (Cap. 354), and Dumping at Sea Ordinance (Cap. 466). This Permit does not of itself constitute any ground of defense against any proceedings instituted under any legislation or imply any approval under any legislation.
- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit or the documents referred to in Part A of the Permit readily available at all times for inspection by the Director or his authorised officers at all sites/offices covered by this Permit. Any reference to the Permit shall include all documents referred to in the Permit and also the relevant documents in the Register.
- 1.4 The Permit Holder shall give a copy of this Permit to the person(s) in charge of the site(s) and ensure that such person(s) fully understands all conditions and all requirements incorporated by the Permit. The site(s) refers to site(s) of construction and operation of the Project and shall mean the same hereafter.
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the construction site(s) at all vehicular site entrances/exits or at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about the Permit, including any amended permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of the Permit, the notice he sends to the Director shall also be displayed at the same locations as the original Permit. The suspended, varied or cancelled Permit shall be removed from display at the construction site(s).
- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project descriptions in Part B of this Permit.
- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and all recommendations described in the SCL(MKK-HUH) EIA Report; the SCL(HHS) EIA Report; the application document (Application No. AEP-437/2012) and other relevant documents in the Register; and the information or mitigation measures described in this Permit, and mitigation measures to be recommended in submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or impliedly amended in this Permit.
- 1.8 All deposited submissions, as required under this Permit, shall be rectified and resubmitted in accordance with the comments, if any, made by the Director within one month of the receipt of the Director's comments or otherwise as specified by the Director.
- 1.9 All submissions approved by the Director, all submissions deposited without comments by the



Director, and all submissions rectified in accordance with comments by the Director under this Permit shall be construed as part of the permit conditions described in Part C of this Permit. Any variation of the submissions shall be approved by the Director in writing or as prescribed in the relevant permit conditions. Any non-compliance with the submissions may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499). All submissions or any variation of the submissions shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to in Conditions 2.1 and 2.2 below, before submitting to the Director under this Permit.

- 1.10 The Permit Holder shall release all finalised submissions as required under this Permit, to the public by depositing copies in the Environmental Impact Assessment Ordinance Register Office, or in any other places, or any internet websites as specified by the Director, or by any means as specified by the Director, for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.
- 1.11 The Permit Holder shall notify the Director in writing the construction commencement date of the Project no later than one month prior to the commencement of construction of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the construction commencement date.
- 1.12 All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the Environmental Impact Assessment Ordinance Register Office (currently at 27/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong). Electronic copies of all finalised submissions required under this Permit shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF) (version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hardcopies.
- 1.13 For the purpose of this Permit, “construction commencement” does not include works related to site clearance and preparation, or other works as agreed by the Director.
- 1.14 The Permit Holder shall notify the Director in writing the operation commencement date of the Project no later than two months prior to the commencement of operation of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the operation commencement date.

2 Special Conditions

Submissions and Measures before Commencement of Construction of the Project

Employment of Environmental Monitoring and Audit (EM&A) Personnel

- 2.1 An Environmental Team (ET) shall be established by the Permit Holder no later than one month before the commencement of construction of the Project. The ET shall not be in any way an associated body of the Contractor or the Independent Environmental Checker (IEC) for the Project. The ET shall be headed by an ET Leader. The ET Leader shall be a person who has at least 7 years of experience in environmental monitoring and auditing (EM&A) or environmental management. The ET and the ET Leader shall be responsible for the implementation of the EM&A programme in accordance with the EM&A requirements as contained in the SCL(MKK-HUH) EM&A Manual. The ET Leader shall keep a contemporaneous log-book of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report and this Permit. The ET Leader shall notify the IEC within one working day of the occurrence of any such instance or circumstance or change of circumstances. The ET Leader’s log-book shall be kept readily available for inspection by all persons assisting in supervision of the implementation of the



recommendations of the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report and this Permit or by the Director or his authorized officers. Failure to maintain records in the log-book, failure to discharge the duties of the ET Leader as defined in the SCL(MKK-HUH) EM&A Manual or failure to comply with this Condition would entitle the Director to require the Permit Holder by notice in writing to replace the ET Leader. Failure by the Permit Holder to make replacement or further failure to keep contemporaneous records in the log-book despite the employment of a new ET Leader may render the Permit liable to suspension, cancellation or variation.

- 2.2 An IEC shall be employed by the Permit Holder no later than one month before commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor or the ET for the Project. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management. The IEC shall be responsible for duties defined in the SCL(MKK-HUH) EM&A Manual and shall audit the overall EM&A performance, including the implementation of all environmental mitigation measures, submissions required in the SCL(MKK-HUH) EM&A Manual, and any other submissions required under this Permit. In addition, the IEC shall be responsible for verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions under this Permit. The IEC shall verify the log-book(s) mentioned in Condition 2.1 of this Permit. The IEC shall notify the Director by fax, within one working day of receipt of notification from the ET Leader of each and every occurrence, change of circumstances or non-compliance with the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report and this Permit, which might affect the monitoring or control of adverse environmental impacts from the Project. In the case where the IEC fails to so notify the Director of the same, fails to discharge the duties of the IEC as defined in the SCL(MKK-HUH) EM&A Manual, or fails to comply with this Condition, the Director may require the Permit Holder by notice in writing to replace the IEC. Failure to replace the IEC as directed or further failure to so notify the Director despite employment of a new IEC may render the Permit liable to suspension, cancellation or variation. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition.

Community Liaison Group

- 2.3 Before the commencement of construction of the Project, the Permit Holder shall set up CLG comprising representatives of concerned and affected parties, including owners' corporations, management offices, local committees, residents and schools in the affected areas along the railway alignment, to facilitate communication, enquiries and complaints handling on environmental issues related to the Project. A designated complaint hotline shall also be set up for the Project to address the concerns and complaints in an efficient manner throughout the entire construction period of the Project. The Permit Holder shall follow up with the CLG on the implementation of mitigation measures and other initiatives proposed by the Permit Holder, arrangement of continuous construction noise monitoring as well as tree management and transplantation, etc. The Permit Holder shall notify the Director the date of setting up the CLG, the membership, the terms of reference and the contact details at least one month before commencement of construction of the Project.

Appointment of Certified Arborist

- 2.4 The Permit Holder shall appoint a Certified Arborist for the Project to advise on, monitor and ensure proper implementation of measures for protecting trees affected by the Project, as well as trees to be transplanted, and to prepare submissions as required under Condition 2.11.

Management Organization of Main Construction Companies

- 2.5 The Permit Holder shall, no later than two weeks before the commencement of construction of the Project, inform the Director in writing the management organization of the main construction

companies and/or any form of joint ventures associated with the construction works of the Project. The submitted information shall include at least an organization chart, names of responsible persons and their contact details.

Submission of Construction Programme and EP Submission Schedule

- 2.6 The Permit Holder shall, no later than two weeks before commencement of construction of the Project, deposit with the Director four hard copies and one electronic copy of the construction programme showing the commencement and completion dates of major items of construction works; together with the anticipated schedule of submissions for fulfilling the submission requirements as contained in this Permit. The Permit Holder shall inform the Director in writing of any subsequent changes to this submitted construction programme and EP submission schedule.

Submission of Construction Noise Mitigation Measure Plan

- 2.7 To further reduce the air-borne construction noise impacts on the Noise Sensitive Receivers (NSRs) with exceedance after mitigation, as predicted in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report (i.e. Carmel Secondary School (South Block) and Wing Fung Building as shown at [Figure 1](#)), the Permit Holder shall, no later than one month before the commencement of construction of the Project, submit to the Director for approval four hard copies and one electronic copy of an updated Construction Noise Mitigation Measure Plan (CNMMP) and other initiatives proposed by the Permit Holder. The plan shall include:-

- (a) a schedule of construction works to be carried out at the works areas of the Project within 300m from the NSRs;
- (b) an updated construction methodology of the construction works;
- (c) an updated powered mechanical equipment (PME) list for the construction works;
- (d) an updated proposal of air-borne construction noise mitigation measures for the NSRs as shown in [Figures 1](#), including the provision of noise barriers, enclosures; and
- (e) an updated prediction of noise levels in accordance with the above updated information and mitigation proposals in place.

Before submission to the Director, the CNMMP shall be certified by the ET and verified by the IEC as conforming to the relevant information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. The approved CNMMP shall be fully and properly implemented.

Submission of Continuous Noise Monitoring Plan

- 2.8 The Permit Holder shall, no later than one month before the commencement of construction of the Project, submit to the Director for approval four hard copies and one electronic copy of a Continuous Noise Monitoring Plan for the Project. The plan shall include:-

- (a) updated environmental monitoring and audit requirements relating to continuous noise monitoring at the Noise Sensitive Receivers (NSRs) with exceedance after mitigation in air-borne construction noise impact as predicted in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report (i.e. Carmel Secondary School (South Block) and Wing Fung Building as shown at [Figure 1](#)) and as updated in the CNMMP approved under Condition 2.7;
- (b) drawings in the scale of 1:5,000 or other appropriate scale as agreed by the Director showing the proposed locations for conducting continuous noise monitoring;
- (c) monitoring methodology and measurement parameters;
- (d) a system to report the continuous noise monitoring results on a website as required under Condition 4.2, within a period of 2 working days after the relevant noise monitoring data are

- collected or become available; and
- (e) an Event and Action Plan giving details of the immediate active remedial measures in the event that the measured noise levels exceed the worst-case scenario predicted in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report or the levels as updated by the CNMMP approved under Condition 2.7.

Before submission to the Director, the Continuous Noise Monitoring Plan shall be certified by the ET and verified by the IEC as conforming to the relevant information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report or the updated prediction of noise levels as contained in the CNMMP approved under Condition 2.7. The approved Continuous Noise Monitoring Plan shall be fully and properly implemented.

Submission of Construction and Demolition (C&D) Material Management Plan

- 2.9 The Permit Holder shall, no later than one month before commencement of construction of the Project, submit to the Director for approval four hard copies and one electronic copy of a construction and demolition (C&D) materials management plan (C&DMMP). The C&DMMP shall describe the arrangements for avoidance, reuse, recovery and recycling, storage, collection, treatment and disposal of C&D materials to be generated from the construction of the Project. The C&DMMP shall indicate the disposal location(s) of all surplus excavated spoil and other wastes. A trip ticket system shall be included in the C&DMMP. Surplus excavated spoil and other wastes shall only be disposed of at designated disposal locations unless otherwise approved by the Director.

Before submission to the Director, the C&DMMP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. The approved C&DMMP shall be fully and properly implemented.

Submission of Sediment Management Plan

- 2.10 The Permit Holder shall, no later than one month before the commencement of construction of the Project, submit to the Director for approval four hard copies and one electronic copy of an updated sediment management plan. The plan shall include, but not limited to, details of the proper treatment and handling of sediments so generated by the Project before disposal. The sediment management plan shall be fully and properly implemented.

Submission of Visual, Landscape, Tree Planting & Protection Plan

- 2.11 The Permit Holder shall, no later than one month before the commencement of construction of the Project, submit four hard copies and one electronic copy of the visual, landscape, tree planting & protection plan to the Director for approval. The plan, with drawings in the scale of 1:1000 or other appropriate scales as agreed by the Director shall show the visual, landscape, tree planting & protection measures of the Project, and shall include at least the following information:-
- (a) aesthetic landscape and architectural treatment for above ground structures including (i) the North Side Ventilation Shafts and South Side Ventilation Shafts, (ii) Trackside Ventilation Plant, (iii) Cooling Tower, and (iv) Noise Mitigation Measures at Portal 1A;
 - (b) tree protection proposal showing locations, size, number and plant species of trees to be retained; and detailed working method statement for protection of retained trees;
 - (c) transplantation proposal showing locations, size, number and tree species to be transplanted and the final locations for transplantation;
 - (d) tree felling proposal showing locations, size, number and plant species to be felled;
 - (e) tree compensation proposal showing locations, size, number and plant species to be provided or compensated;



- (f) post-planting care proposal showing the proposed establishment period and associated maintenance care requirements and frequency for transplanted trees and trees planted as compensation under this Condition; and
- (g) implementation programme, maintenance and management schedules for measures proposed in (a) to (f) above.

The proposals under Condition 2.11 (b) to (f) shall be prepared by the Certified Arborist appointed under Condition 2.4. The plan shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. The approved plan shall be fully and properly implemented.

Submissions and Measures to be Implemented During Construction Stage

Measures for Mitigating Construction Dust Impact

- 2.12 In order to minimise the construction dust impact, the following dust mitigation measures shall be implemented:-
- (a) watering once every working hour to keep active works areas, exposed areas and paved haul roads wet; and
 - (b) enclosing the unloading process at any barging point by a 3-sided screen with top tipping hall, and operating water spraying and flexible dust curtains at the discharge point

Measures for Mitigating Aerial Emissions from Construction Plant

- 2.13 All diesel fuelled construction plant, including marine vessels if possible, used by the contractors within the work areas of the Project shall be powered by ultra low sulphur diesel fuel.

Submissions and Measures Before and During Operational Stage

Submission of As-built Drawings of Measures for Mitigating Landscape and Visual Impact and Tree Planting

- 2.14 At least one month before the Project commences operation, four hard copies and one electronic copy of as-built drawing(s) on landscape and visual mitigation measures with an explanatory statement showing the final locations, size, number and species of planting to demonstrate compliance with the approved submissions under Condition 2.11 of this Permit shall be deposited with the Director. This as-built submission shall be certified by the ET Leader and verified by the IEC that the visual, landscape, tree planting & protection plan approved under Condition 2.11 has been fully and properly implemented.

Submissions and Measures for Mitigating Operational Noise

- 2.15 The Permit Holder shall operate 9-car SP1900 train, or other train type with equivalent or better noise performance supported with justifications by the ET Leader and verified by the IEC as conforming to the information, requirements and recommendations as set out in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. The maximum train frequency operating in the Project from hours 0700 to 2300 shall not exceed 30 trains per hour in each direction. The maximum train frequency operating in the Project from hours 2300 to 0700 of the following day shall not exceed 24 trains per hour in each direction.
- 2.16 The Permit Holder shall, no later than one month after completion of corresponding parts of the tunnel excavation of the Project, deposit with the Director four hard copies and one electronic copy of an Operational Ground-borne Noise Mitigation Measures Plan to justify the need of any

ground-borne noise mitigation measure for that part of the tunnel in the SCL(MKK-HUH) EIA Report. The plan shall include the review and verification of the assumptions adopted in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report, such as line source response and ground vibration conditions, and shall include justifications and recommendations for any noise mitigation measures found necessary, including but not limited to:-

- (a) medium attenuation baseplates (Type 1);
- (b) high attenuation baseplate or booted dual sleepers (Type 2); or
- (c) floating mini slab trackform (Type 3).

Before submission to the Director, the Operational Ground-borne Noise Mitigation Measures Plan shall be certified by the ET Leader and verified by the IEC as conforming to the information, requirements and recommendations as set out in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report.

- 2.17 The Permit Holder shall, no later than one month after the completion of installing the rail tracks, deposit with the Director four hard copies and one electronic copy of a set of as-built drawing(s) for the operational ground-borne noise mitigation measures as recommended in the Operational Ground-borne Noise Mitigation Plan deposited under Condition 2.16 above. Before submission to the Director, the set of as-built drawing(s) shall be certified by the ET Leader and verified by the IEC who shall confirm that the measures set out in the Operational Ground-borne Noise Mitigation Plan under Condition 2.16 has been fully and properly implemented.
- 2.18 To mitigate the operational air-borne noise from the at-grade section near Portal 1A, an approximately 150 m long natural ventilated absorptive noise enclosure as shown in Figure 2 of this Permit shall be installed before operation of the Project.
- 2.19 The Permit Holder shall, no later than one month after the completion installing noise enclosure as required under Condition 2.18 above, deposit with the Director four hard copies and one electronic copy of a set of as-built drawing(s) showing:-
- (a) noise enclosure under Condition 2.18 above; and
 - (b) any additional or changes to noise enclosure if required.

Before submission to the Director, the set of as-built drawing(s) shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. The noise enclosure as shown in the deposited as-built drawings shall be fully and properly implemented.

- 2.20 At least one month before commencement of operation of the Project, the Permit Holder shall carry out noise performance test in accordance with Sections 5.4 to 5.6 of the SCL(MKK-HUH) EM&A Manual and Section 9.7 of the SCL(HHS) EM&A Manual and deposit with the Director four hard copies and one electronic copy of a Noise Performance Test Report to confirm the compliance of the operational ground-borne levels in accordance with the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. Before submission to the Director, the Noise Performance Test Report shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report. All measure(s) recommended in the deposited Noise Performance Test Report shall be fully and properly implemented.
- 2.21 At least one month before commencement of operation of the Project, the Permit Holder shall carry out fixed plant noise audit and deposit with the Director four hard copies and one electronic copy of an audit report showing that the design of the fixed plant noise sources associated with the Project complies with the maximum sound power levels determined in the SCL(MKK-HUH) EIA Report

and the SCL(HHS) EIA Report, or otherwise approved by the Director in compliance with the requirements in Technical Memorandum on Environmental Impact Assessment Process having due regard to the characteristics of tonality, impulsiveness and intermittency. The audit report shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report, or other relevant documents in the Register.

Measures for Mitigating Impacts on Water Quality from Track Run-off

- 2.22 To mitigate water quality impact from tunnel run-off from rail track:-
- (a) track drainage channels discharge shall pass through oil/grit interceptors/chambers to remove oil, grease and sediment before discharging into public storm drainage / foul sewerage systems;
 - (b) the silt traps and oil interceptors shall be cleaned and maintained regularly; and
 - (c) oily contents of the oil interceptors shall be transferred to an appropriate disposal facility, or to be collected for reuse, if possible.

3. Environmental Monitoring and Audit Requirements

- 3.1 The EM&A programme shall be implemented in accordance with the procedures and requirements as set out in the SCL(MKK-HUH) EM&A Manual and the Continuous Noise Monitoring Plan submitted under Condition 2.8 above. The Permit Holder shall review the EM&A requirements or programme based on the submitted construction programme required under Condition 2.6. Any changes to the EM&A requirements or programme and termination of the EM&A programme shall be supported with justifications by the ET Leader and verified by the IEC to their conformance with the requirements as set out in the SCL(MKK-HUH) EM&A Manual and the Continuous Noise Monitoring Plan submitted under Condition 2.8 above; and the prior approval from the Director shall be sought before their implementation.
- 3.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the SCL(MKK-HUH) EM&A Manual by:-
- (a) conducting baseline environmental monitoring;
 - (b) conducting impact monitoring;
 - (c) carrying out remedial actions described in the Event/ Action Plans of the SCL(MKK-HUH) EM&A Manual in accordance with the time frames set out in the Event/ Action Plans, or as agreed by the Director, in case where specified criteria in the SCL(MKK-HUH) EM&A Manual are exceeded; and
 - (d) logging and keeping records of details of all parameters within 3 working days of the collection of data or completion of remedial action(s), for the purpose of preparing and submitting the monthly EM&A Reports and to make available for inspection on site.
- 3.3 Four hard copies and one electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least 2 weeks before the commencement of construction of the Project. The submissions shall be certified by the ET Leader and verified by the IEC as complied with the requirements as set out in the SCL(MKK-HUH) EM&A Manual before submission to the Director. Additional copies of the submission shall be provided upon request by the Director.
- 3.4 Four hard copies and one electronic copy of the monthly EM&A Reports shall be submitted to the Director within two weeks after the end of the reporting month throughout the entire construction period. The monthly EM&A Reports shall include a summary of all non-compliance with the recommendations in the SCL(MKK-HUH) EIA Report and the SCL(HHS) EIA Report or this Permit. The submissions shall be certified by the ET Leader and verified by the IEC as complying

with the requirements as set out in the SCL(MKK-HUH) EM&A Manual before submission to the Director. Additional copies of the submission shall be provided upon request by the Director.

3.5 All EM&A results submitted under this Permit shall be true, valid and correct.

4. Electronic Reporting of EM&A Information

4.1. To facilitate public inspection of the Baseline Monitoring Report and the monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports shall be prepared in the Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF) (version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies as described in Conditions 3.3 and 3.4 of this Permit. For the HTML version, a content page capable of providing hyperlink to each section and sub-section of these Reports shall be included in the beginning of the document. Hyperlinks to all figures, drawings and tables in these Reports shall be provided in the main text from where the respective references are made. All graphics in these Reports shall be in interlaced GIF format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.

4.2. The Permit Holder shall set up a dedicated web site and notify the Director in writing the internet address where the environmental monitoring and project data is to be placed within 1 month after the commencement of construction of the Project. All environmental monitoring results described in Condition 4.1 above and all submissions required by this Permit shall be made available to the public via this dedicated web site to be set up by the Permit Holder in the shortest time practicable, and in no event later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. The Permit Holder shall maintain the dedicated website for public access of the environmental monitoring data and reports throughout the entire construction period and during the first 3-year of operation of the Project, or otherwise as agreed by the Director.

4.3. The internet website as described in Condition 4.2 above shall enable user-friendly public access to the monitoring data and project data including the EIA report, the environmental permit(s) and project profile of the Project. The internet website shall have features capable of:-

- (a) providing access to all environmental monitoring data collected since the commencement of construction and all submissions under this permit;
- (b) searching by date;
- (c) searching by types of monitoring data; and
- (d) hyperlinks to relevant monitoring data after searching.

or otherwise as agreed by the Director.

Notes :

1. This Permit consists of three parts, namely, PART A (Main Permit), PART B (Description of Designated Project) and PART C (Permit Conditions). Any person relying on this permit should obtain independent legal advice on the legal implications under the Ordinance, and the following notes are for general information only.

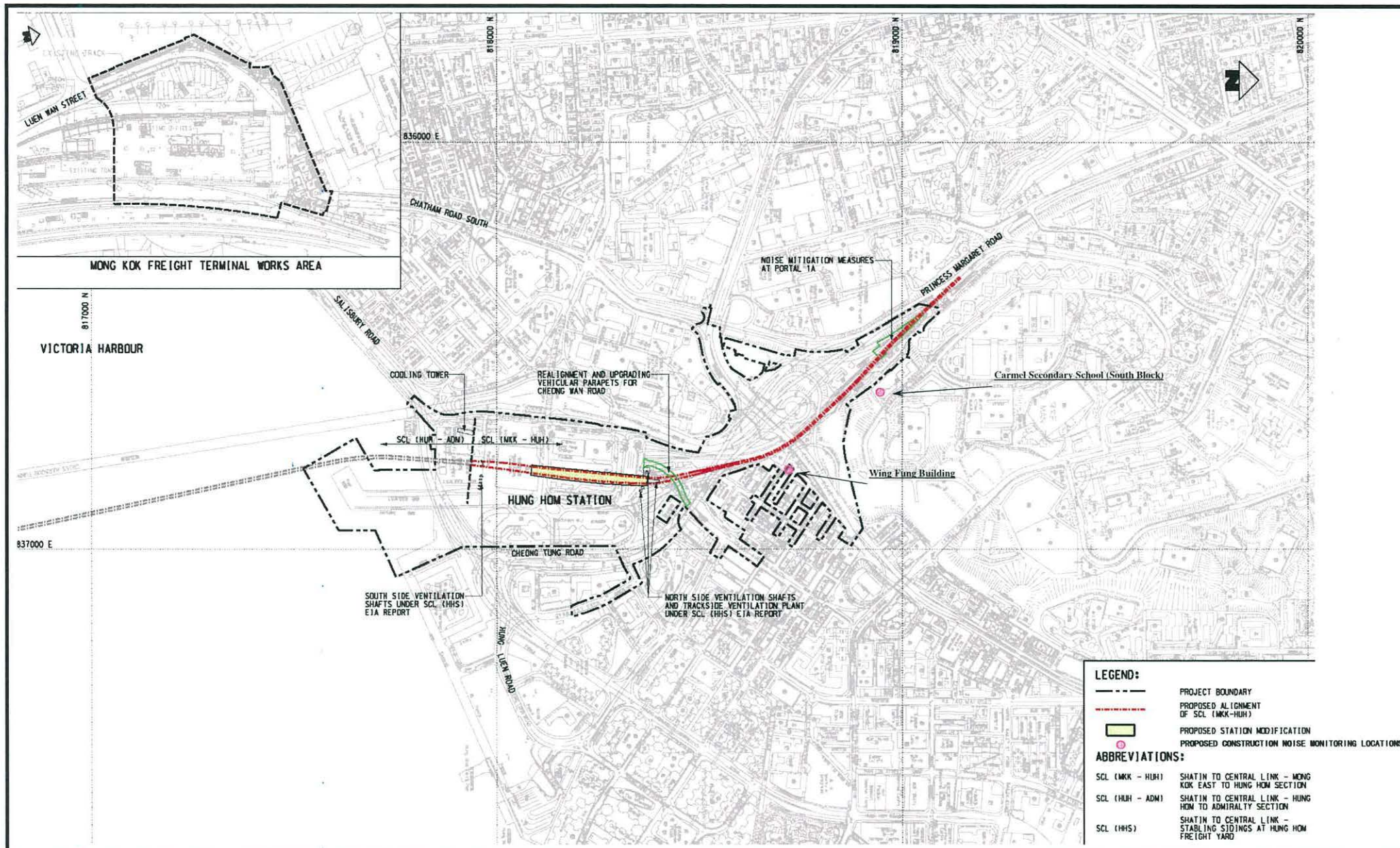
2. If there is a breach of any conditions of this Permit, the Director or his authorized officer may, with the consent of the Secretary for the Environment, order the cessation of associated work until the remedial action is taken in respect of the resultant environmental damage, and in that case the Permit Holder shall not carry out any associated works without the permission of the Director or his authorized officer.



3. The Permit Holder may apply under Section 13 of the Ordinance to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the construction site by the amended permit.
4. A person who assumes the responsibility for the whole or a part of the designated project may, before he assumes responsibility of the designated project, apply under Section 12 of the Ordinance to the Director for a further environmental permit.
5. Under Section 14 of the Ordinance, the Director may with the consent of the Secretary for the Environment, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the construction site.
6. If this Permit is cancelled or surrendered during construction or operation of the Project, another environmental permit must be obtained under the Ordinance before the Project could be continued. It is an offence under section 26(1) of the Ordinance to construct or operate a designated project listed in Part I of schedule 2 of the Ordinance without a valid environmental permit.
7. Any person who constructs or operates the Project contrary to the conditions in the Permit, and is convicted of an offence under the Ordinance, is liable:-
 - i. on a first conviction on indictment to a fine of \$ 2 million and to imprisonment for 6 months;
 - ii. on a second or subsequent conviction on indictment to a fine of \$ 5 million and to imprisonment for 2 years;
 - iii. on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
 - iv. on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
 - v. in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$ 10,000 for each day on which he is satisfied the offence continued.
8. The Permit Holder may appeal against any condition of this Permit under Section 17 of the Ordinance within 30 days of receipt of this Permit.
9. The Notes are for general reference only and that the Permit Holder should refer to the EIA Ordinance for details and seek independent legal advice.

| Figure 1 | Figure 2 |



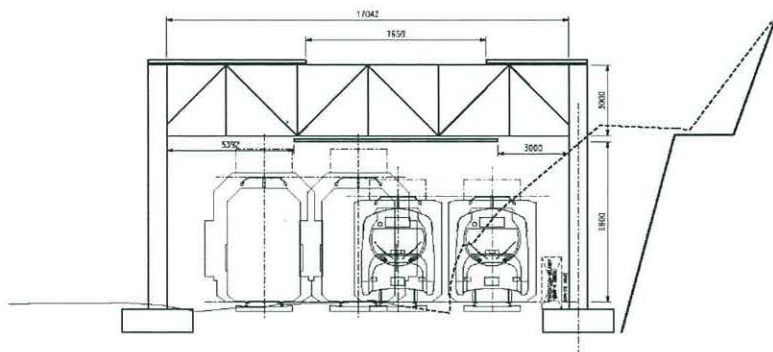
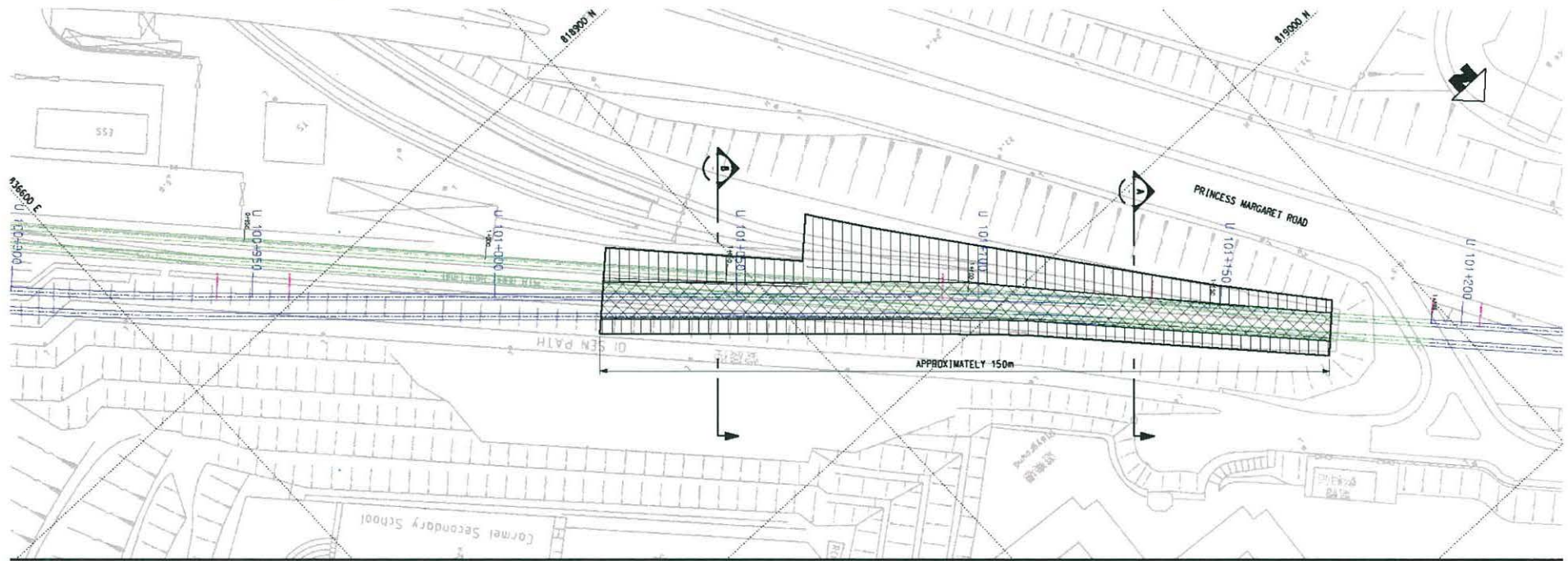


Project Title - Shatin to Central Link (SCL) - Mong Kok East to Hung Hom Section
 工程名稱 - 沙田至中環綫 - 旺角東至紅磡段

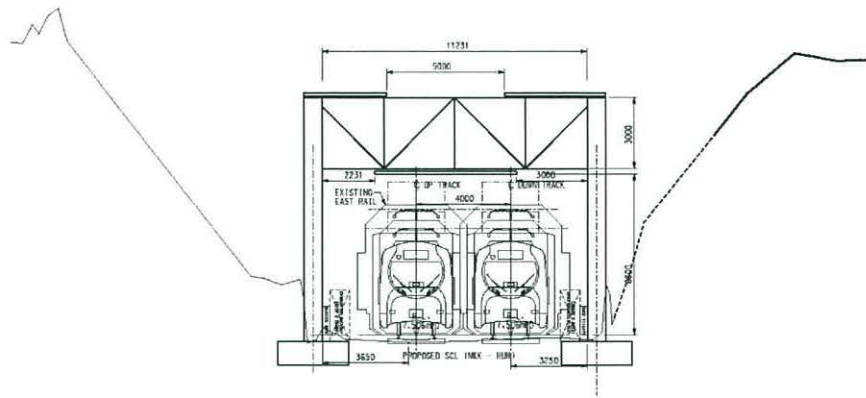
Environmental Permit No. : EP-437/2012
 環境許可證編號 : EP-437/2012

Figure 1 - Location Plan of the Project
 圖一 - 工程項目的位置圖





TYPICAL CROSS SECTION B



TYPICAL CROSS SECTION A

DIMENSIONS FOR INDICATION ONLY

Project Title - Shatin to Central Link (SCL) – Mong Kok East to Hung Hom Section
 工程名稱 - 沙田至中環綫 - 旺角東至紅磡段

Environmental Permit No. : EP-437/2012
 環境許可證編號 : EP-437/2012

Figure 2 – Noise Mitigation Measures at Portal 1A, Ho Man Tin
 圖二 - 在何文田隧道入口1A的噪音緩解措施

