

6. SITE ENVIRONMENTAL AUDIT

6.1 Site Inspections / Audits

Site Inspections / Audits provide a direct means to trigger and enforce the specified environmental protection and pollution control measures. They shall be undertaken routinely to inspect the construction activities in order to ensure that appropriate environmental protection and pollution control mitigation measures are properly implemented. With well defined pollution control and mitigation specifications and a well established site inspection, deficiency and action reporting system, the site inspection is one of the most effective tools to enforce the environmental protection requirements on the construction site.

The ET Leader is responsible for formulation of the environmental site inspection, deficiency and action reporting system, and for carrying out the site inspection works. He shall submit a proposal on the site inspection, deficiency and action reporting procedures within 21 days of the construction contract commencement to the Contractor for agreement and to the ER and IC(E) for approval.

Regular site inspections / audits shall be carried out at least once per week. The areas of inspection shall not be limited to the environmental situation, pollution control and mitigation measures within the site; it should also review the environmental situation outside the site area which is likely to be affected, directly or indirectly, by the site activities. The ET Leader shall make reference to the following information in conducting the inspection:

- (a) the EIA recommendations on environmental protection and pollution control mitigation measures;
- (b) works progress and programme;
- (c) individual works methodology proposals (which shall include proposal on associated pollution control measures);
- (d) the contract specifications on environmental protection;
- (e) the relevant environmental protection and pollution control laws; and
- (f) previous site inspection results.

The Contractor shall update the ET Leader with all relevant information of the construction contract for him to carry out the site inspections / audits. The inspection results and its associated recommendations on improvements to the environmental protection and pollution control works shall be submitted to the ER, IC(E) and the Contractor within 24 hours, for reference and for taking immediate action. The Contractor shall follow the procedures and time-frame as stipulated in the environmental site inspection, deficiency and action reporting system formulated by the ET Leader to report on any remedial measures subsequent to the site inspections / audits.

Ad hoc site inspections / audits shall also be carried out if significant environmental problems are identified. Inspections / audits may also be required subsequent to receipt of an environmental complaint, or as part of the investigation work, as specified in the Action Plan for environmental monitoring and audit.

6.2 Compliance with Legal and Contractual Requirements

There are contractual environmental protection and pollution control requirements as well as environmental protection and pollution control laws in Hong Kong which the construction activities shall comply with.

In order that the works are in compliance with the contractual requirements, all the works method statements submitted by the Contractor to the ER for approval shall be sent to the ET Leader and IC(E) for vetting to see whether sufficient environmental protection and pollution control measures have been included.

The ET Leader shall also review the progress and programme of the works to check that relevant environmental laws have not been violated, and that the any foreseeable potential for violating the laws can be prevented.

The Contractor shall regularly copy relevant documents to the ET Leader and IC(E) so that the checking work can be carried out. The document shall at least include the updated Work Progress Reports, the updated Works Programme, the application letters for different licence/permits under the environmental protection laws, and all the valid licence/permit. The site diary shall also be available for the ET Leader's inspection upon his request.

After reviewing the document, the ET Leader shall advise the ER and the Contractor of any non-compliance with the contractual and legislative requirements on environmental protection and pollution control for them to take follow-up actions. If the ET Leader's review concludes that the current status on licence/permit application and any environmental protection and pollution control preparation works may not cope with the works programme or may result in potential violation of environmental protection and pollution control requirements by the works in due course, he shall also advise the Contractor and the ER accordingly.

Upon receipt of the advice, the Contractor shall undertake immediate action to remedy the situation. The ER shall follow up to ensure that appropriate action has been taken by the Contractor in order that the environmental protection and pollution control requirements are fulfilled.

6.3 Environmental Complaints

Complaints shall be referred to the ET Leader for carrying out complaint investigation procedures. The ET Leader shall undertake the following procedures upon receipt of the complaints:

- (a) log complaint and date of receipt onto the complaint database;
- (b) investigate the complaint to determine its validity, and to assess whether the source of the problem is due to works activities;
- (c) if a complaint is valid and due to works, identify mitigation measures;
- (d) if mitigation measures are required, advise the Contractor accordingly;
- (e) review the Contractor's response on the identified mitigation measures, and the updated situation;
- (f) if the complaint is transferred from EPD, submit interim report to EPD on status of the complaint investigation and follow-up action within the time frame assigned by EPD;
- (g) undertake additional monitoring and audit to verify the situation if necessary, and review that any valid reason for complaint does not recur;
- (h) report the investigation results and the subsequent actions to the source of complaint for responding to complainant (If the source of complaint is EPD, the results should be reported within the time frame assigned by EPD); and
- (i) record the complaint, investigation, the subsequent actions and the results in the monthly EM&A reports.

During the complaint investigation work, the Contractor and ER shall cooperate with the ET Leader and IC(E) in providing all the necessary information and assistance for completion of the investigation. If mitigation measures are identified in the investigation, the Contractor shall promptly carry out the mitigation. The ER shall ensure that the measures have been carried out by the Contractor.

A flow chart of the complaint response procedures is shown in Figure 6-1.