



commission for environmental impact assessment

Mrs. F. Munguambe
Director Environment of the
Ministry for Environmental Co-ordination
Av Acordos de Lusaka 2115
C.P. No. 2020
MAPUTO
Mozambique

your reference
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your letter of
31 November 2002

our reference
050-050/ Po/lw

subject
Advisory review of the environmental
impact assessment studies of the Mavoco
Hazardous Waste Facility, Beluluane,
Mozambique

direct dial
+ 31 30 234 76 49

Utrecht,
3 February 2003

Dear Mrs. Munguambe,

By email dated 2 October 2002 you invited the Commission for Environmental Impact Assessment (the Commission) to advise on the environmental impact studies of the Mavoco Hazardous Waste Facility, Beluluane, Mozambique.

It is my pleasure to submit herewith the advice prepared by a Netherlands working group of the Commission. I would like to draw your attention to the following points:

Time constraint

The time constraint on the decision-making process (including the EIA process) has led to a situation where unauthorised project activities on the site may pressurise MICOA to approve establishment of the facility on the selected site. The Commission feels that current on-site investment and developments might influence MICOA's obligation to take the decision freely and without charge. It recommends to avoid time stress of this magnitude in future EIA cases.

Conflicts of interest

MICOA is the proponent, the future owner of the facility and responsible for its operation. Moreover, MICOA is the licensing authority, is responsible for managing the EIA process, for monitoring the construction and operation of the facility and for a part of the public participation processes. In addition, MICOA commissioned the EIA.

In order to address the problem of conflict of interest in the field of EIA, MICOA has asked the Netherlands Commission for EIA to advise on the review of the EIA. The Commission thinks that the solution chosen adequately resolves the problem.

It is, however, difficult to address the conflict of interest of MICOA having to license and monitor the environmental compliance of its own facility.

I would like to advise finding a satisfactory solution for this conflict of interests and suggest avoiding in future cases institutional set-ups which create similar conflicts of interests.

Postal address P.O. Box 2345
3500 GH UTRECHT, THE NETHERLANDS
Visiting address Arthur van Schendelstraat 800
Utrecht. The Netherlands

Telephone +31 30 234 76 60
Telefax +31 30 230 43 82
Website www.eia.nl
E-mail mer@eia.nl

Positive project impacts

The Environmental Impact Study does not identify and assess the potential positive impacts of establishing a hazardous waste treatment and disposal facility. It does not describe the actual practices of disposal and does not assess the environmental and health impacts associated with these practices. This is in agreement with the legislative framework for EIA and with the ToR for this Environmental Impact Study. In this particular case I think this is a lost opportunity to document the necessity to establish a hazardous waste facility. Had the positive impacts been assessed, they would have left no doubt about this necessity. I am happy to confirm the necessity of establishment of the facility.

More in general, I would like you to consider including in the regulatory framework for EIA the obligation to also assess positive impacts of activities. This can be done once a revision of the regulatory framework is to take place.

Further process

In order to realise maximal benefits from this EIA procedure, I would like to suggest:

- to document the present independent EIS review process in the final EIS;
- to describe in the final EIS what will be done with the recommendations in the EIS and in this review report;
- to describe in the final EIS the steps that will follow the EIA process and the possible role of the different stakeholders therein (including the general public).

The Commission appreciates to be informed about the use that is made of this advice.

K.J. Beek



vice-chairman

Postadres Postbus 2345
3500 GH UTRECHT
Bezoekadres Arthur van Schendelstraat 800
Utrecht

telefoon (030) 234 76 66
telefax (030) 233 12 95
website www.eia.nl
e-mail mer@eia.nl