

**THE MINISTRY OF
NATURAL RESOURCES
AND ENVIRONMENT**

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SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, March 16, 2012

CIRCULAR

**REGULATION ON SETTING-UP, ASSESSMENT, APPROVAL, INSPECTION AND
CERTIFICATION OF THE IMPLEMENTATION OF DETAILED ENVIRONMENTAL
PROTECTION PROJECT; SETTING-UP AND REGISTRATION OF SIMPLE
ENVIRONMENTAL PROTECTION PROJECT**

**THE MINISTER OF THE MINISTRY OF NATURAL RESOURCES AND
ENVIRONMENT**

Pursuant to the Law on Environmental Protection dated November 29, 2005;

*Pursuant to the Decree No. 29/2011/ND-CP dated April 18, 2011 of the Government stipulating
the assessment of strategic environment, assessment of environmental impact and commitment of
environmental protection;*

*Pursuant to the Decree No. 25/2008/ND-CP dated March 04, 2008 of the Government
stipulating the functions, duties, rights and organizational structure of the Ministry of Natural
Resources and Environment amended and supplemented in the Decree No. 19/2010/ND-CP
dated March 05, 2010 and the Decree No. 89/2010/ND-CP dated August 16, 2010;*

*At the proposal of the General Director of the General Department of Environment, Director of
Legislation Department*

REGULATES:

Chapter I

GENERAL REGULATION

Article 1. Scope of adjustment

This Circular stipulates in detail the setting-up, assessment and approval of the detailed project of environmental protection, inspecting and certifying the implementation of the detailed project of environmental protection; setting up and registering the simple project of environmental protection as in Clause 6, Article 39 of Decree No. 29/2011/ND-CP dated April 18, 2011 of the Government stipulating assessment of strategic environment, assessment of environmental impact, commitment of environmental protection (hereafter referred to as Decree No.29/2011/ND-CP).

Article 2. Subjects of application

This Circular is applied to the state agencies, organizations and individuals in the country and abroad (hereafter referred to as organizations and individuals) relating to the setting-up, assessment and approval the detailed project of environmental protection; inspecting and certifying the implementation of the detailed project of environmental protection, setting up and registering the simple project of environmental protection

Chapter II

SETTING-UP, ASSESSMENT AND APPROVAL OF DETAILED PROJECT OF ENVIRONMENTAL PROTECTION

Article 3. Facility to set up the detailed project of environmental protection

1. The facility that has to set up the detailed project of environmental protection (hereafter referred to as facility) with scale and nature corresponding to the subject that must make report 29/2011/ND-CP including:

a) The facility doesnot have one of the following documents: Decision on approval of report on environmental impact assessment, decision to approve additional report on environmental impact assessment, decision to approve the project of environmental protection;

b) The facility has had a decision on approval of report on environmental impact assessment. When renovating, expanding and increasing capacity subject to make additional report on environmental impact assessment (before the date of validity of the Decree No. 29/2011/ND-CP) or subject to re-make report on environmental impact assessment (as prescribed in the Decree No. 29/2011/ND-CP) but having no decision to approve the additional report on environmental impact assessment or decision to approve report on environmental impact assessment that has completed the renovation, expansion and increase of capacity at the present time.

c) The facility has had a decision on approval of the environmental protection project, certificate of registration for environmental protection project. When renovating, expanding and increasing capacity subject to make report on environmental impact assessment but having no decision on approval of the report on environmental impact assessment that has completed the renovation, expansion and increase of capacity at the present time

d) The facility has had one of the following documents: Certificate of registration of environmental standards conformity, Certificate of registration of environmental protection commitment, additional Certificate of registration of environmental protection commitment, written notice on acceptance of registration of environmental protection commitment. When renovating, expanding and increasing capacity subject to make report on environmental impact assessment but having no decision on approval of the report on environmental impact assessment that has completed the renovation, expansion and increase of capacity at the present time

dd) The facility has had a decision on approval of the detailed environmental protection project. When renovating, expanding and increasing capacity subject to make report on environmental impact assessment but having no decision to approve the report on environmental impact assessment that has completed the renovation, expansion and increase of capacity at the present time

e) The facility has started work and in the stage of preparation (space preparation), has completed the stage of preparation and is in the stage of construction but has not had decision on approval of report on environmental impact assessment or decision to approve the detailed project of environmental protection

2. The facility owner as prescribed in clause 1 of this Article is responsible for setting up the detailed project of environmental protection as regulated in this Circular and sending to the competent authority for assessment and approval.

Article 4. Process of setting-up, assessment and approval of the detailed project of environmental protection.

Setting-up, assessment and approval of the detailed project of environmental protection is implemented in accordance with the process as regulated in the Annex 1 attached to this Circular including the following steps:

1. The facility owner as prescribed in Article 3 of this Circular will set up and send dossier of request for appraisal and approval of the detailed project of environmental protection to the competent authority for assessment and approval as regulated in clause 1, Article 7 of this Circular.
2. The competent authority for assessment and approval will assign the standing assessment agency as regulated in clause 2, Article 7 of this Circular to consider the dossier. In case the content of dossier is not complete as regulated in Annex 2 attached to this Circular, a written notice will be sent to The facility owner for completion.
3. In case the content of dossier is complete and meet requirements on assessment, the standing appraisal agency will conduct a practical inspection at the facility. In necessary case, organizing consultation from agencies and experts.
4. The standing agency will sum up and process the result of practical inspection and opinions from agencies and experts and send a written notice to the facility owner on the assessment result of the detailed project of environmental protection.
5. The facility owner has complied with requirements of the notice of assessment result
6. Head of the approval and appraisal competent authority will consider and approve the detailed project of environmental protection.
7. The standing appraisal agency will certify and send the approved project of of environmental protection.

Article 5. Setting up and sending dossier for request of assessment and approval of the detailed project of environmental protection

The facility owner subject to setting up the detailed project of environmental protection is responsible for:

1. Setting up or the detailed project of environmental protection according to the structure .
2. Mailing the detailed project of environmental protection to
 - a) One for assessment and approval of the detailed project of environmental protection in attached ;
 - b) Five (05) copies of the detailed project of environmental protection are bookbinding with cover and cover subpage in the form prescribed in Annex 4 attached ;
 - c) One of the following documents: investment project, feasibility study only).

Article 6. Consultation the detailed project of environmental protection

1. The facility owner will the detailed project of environmental protection in the form prescribed in Annex 5 attached

2. Within the period of fifteen (15) working days, from the date receiving documents of the facility owner, the communal People's Committee will have a written response in the form prescribed in Annex 6 attached

3. In , before

a) The facility concentrated area of approved the project of environmental protection for the constructional stage of infrastructure by competent authorities with the activities of production, trading and services consistent with the sector and trade planning set forth in the report on environmental project of environmental protection of that concentrated zone of

b) Facility management of 's Committees;

c) The facility has factors of security and national defence secret.

Article 7. The competence of assessment and approval of the detailed project of environmental protection; The standing agency for assessment of the detailed project of environmental protection

1. The agencies having competence to assess and approve the detailed project of environmental protection are stipulated as follows:

a) The Ministry of Natural Resources and Environment will assess and approve the detailed project of environmental protection of the facility with the scale and nature similar to the subject that makes reports prescribed in Annex III promulgated together with the Decree No. 29/2011/ND-CP, except for facilities having the factors of security and national defence secret; assess and approve the detailed project of environmental protection of the facility under its decision and approval;

b) The Ministry of Defence, Ministry of Public Security will assess the detailed project of environmental protection of the facility under their decision and approval and other facilities assigned with the factors of security and national defence secret;

c) The Ministries, ministerial agencies and agencies under the Government will assess and approve the detailed project of environmental protection of the facility under their decision and approval, except for subjects stipulated at points a and b, clause 1 of this Article;

d) The provincial People's Committee will assess and approve the detailed project of environmental protection of the facilities in its area, except for subjects stipulated at points a, b and b, clause 1 of this Article;

2. The competent authority for assessment and approval will assign the professional agency for environmental protection directly under it to be the standing agency for assessment and submit for approving the detailed project of environmental protection (hereafter referred to as the standing agency for assessment). The standing agency for assessment has responsibilities and rights as follows:

a) Reviewing project of environmental protection;

b) Reporting assessment assessment of attached to this Circular and the list of agencies and experts

- c) Organizing an inspection group at the facility by decision on establishment of the competent authority to assess, approve; decide or decide at the request of the inspection group regarding the measurement, taking sample for analysis in order to verify the data.
- d) Collecting information relating to the facility and the detailed project of environmental protection of the facility to serve the assessment, approval; synthesizing and handling with the opinions of the agencies and experts consulted;
- dd) Notifying in writing the facility owner of the assessment result and requirements relating to the completion of the dossier of assessment of the detailed project of environmental protection;
- e) Organizing to review project of environmental protection that has been improved and returned by the facility owner after organization for assessment.
- g) Drafting of decision on approval of the detailed project of environmental protection to submit to the competent authority of assessment and approval in order to consider and make decision;
- h) Organizing the inspection and reporting to the competent authority for assessment and approval in order to consider and certify the implementation of the detailed project of environmental protection of the facility.
- i) Performing other tasks relating to the assessment and approval of the detailed project of environmental protection at the request of the competent authority of assessment and approval;

Article 8. Time limit for assessing the detailed project of environmental protection

1. A maximum of forty five (45) working days from the date of receiving complete and valid dossier for the detailed project of environmental protection of the facility with scale and nature corresponding to the subject that makes report 29/2011/ND-CP
2. A maximum of thirty (30) working days from the date of receiving complete and valid dossier for the detailed project of environmental protection of the facility not subject to regulations in clause 1 of this Article.
3. The time limit for assessment prescribed in clause 1 and 2 of this Article doesnot include the time the facility owner will complete dossier at the request of the standing assessment agency during the process of assessment of the detailed project of environmental protection.

Article 9. Assessing and completing project; setting up and re-assessing the detailed project of environmental protection.

1. Checking the dossier:) working from the date of receiving he standing assessment agency will send out written notice to the facility owner for completion. In case the dossier meets the requirements, the standing assessment agency will organize assessment as stipulated in clause 2 and 3 and 4 of this Article;
2. Making physical inspection of the work of environmental protection of the facility:
 - a) Inspecting the work of environmental protection of the facility under the decision to establish an inspection group of the competent authority of assessment and approval;
 - b) In necessary case, organizing the measurement, taking sample for analysis in order to verify the data.
 - c) Making report of inspection in the form prescribed in Annex 8 attached to this Circular.

3. Summing up and processing the result of experts and agencies consultation relating to the detailed project of environmental protection.

4. Notifying assessment result (only one time):

The standing assessment agency will send out written notice of the assessment result by one (01) of three (03) cases as follows:

- a) The detailed project of environmental protection is passed without amendment, supplement;
- b) The detailed project of environmental protection is passed under condition of amendment and supplement together with specific requirement regarding the amendment and supplement;
- c) The detailed project of environmental protection is not passes (specify reasons)

5. After having received the notice of assessment result, the owner facility is responsible for:

- a) For the detailed project of environmental protection passed without amendment and supplement: Signing , duplicating with the standing assessment agency for
- b) For the detailed project of environmental protection passed with requirement of amendment and supplement: amending and supplementing the project as required and signing, duplicating and binding into a book as prescribed at point a, clause 5 of this Article; sending (only one time) all copies of this project and one (01) recorded on CD enclosed with document of explanation on admendment and supplement of the project tostanding assessment agency for
- c) For the detailed project of environmental protection not passed: Re-setting up the project and sending to the competent authority for assesement and approval to re-assess it.

6. Setting up and re-assessing the detailed project of environmental protection:

- a) The facility owner must re-set up the detailed project of environmental protection and send dossier to request the re-assessment of the project as prescribed in Article 5 of this Circular;
- b) The time limit and process for re-assessment is implemented as prescribed in Article 4 and 8 of this Circular.

Article 10. Approving the detailed project of environmental protection

1. The time limit for approving the detailed project of environmental protection:

- a) A maximum of) working of project of environmental protection completed as required for the facility with scale and nature corresponding to the subject that makes report 29/2011/ND-CP;
- b) A maximum of) working of project of environmental protection completed of the facility owner for the facility not subject to regulations at point a, clause 1 of this Article;
- c) The time limit for assessment prescribed at point a and b, clause 1of this Article doesnot include the time the facility owner will complete dossier at the request of the competent authority for assesement and approval or of the standing assessment agency during the process of assessment of the detailed project of environmental protection.

2. The decision on approval of the detailed project of environmental protection in the form as prescribed in Annex 9 enclosed with this Circular.

Article 11. Certifying and sending the detailed project of environmental protection

1. After having decision on approval of the detailed project of environmental protection, the standing assessment agency must certify on the back side of the cover sub page in the form prescribed in Annex 10a attached to this Circular.
2. After certification, the standing assessment agency will send and retain the detailed project of environmental protection as required as follows:
 - a) For the detailed project of environmental protection approved by the Ministry of Natural Resources and Environment: sending one (01) copy of the decision on approval attached to the detailed project of environmental protection approved and certified to the facility owner, one (01) copy sent to the Department of Natural Resources and Environment where the facility performs the production, trading and services, one (01) copy sent to the branch management Ministry, one (01) copy is archived.
 - b) For the detailed project of environmental protection approved by the Ministry of Defence and the Ministry of Public Security: sending the decision on approval and the detailed project of environmental protection is implemented under separate regulations.
 - c) For the detailed project of environmental protection approved by the Ministries, ministerial-level agencies, agencies under the Government: sending one (01) copy of decision on approval attached to the detailed project of environmental protection approved and certified to the facility owner, one (01) copy sent to the Department of Natural Resources and Environment where the facility performs the production, trading and services, one (01) copy sent to the Ministry Natural Resources and Environment, one (01) copy is archived.
 - d) For the detailed project of environmental protection approved by the provincial People's Committee: sending one (01) copy of decision on approval attached to the detailed project of environmental protection approved and certified to the facility owner, one (01) copy sent to the the Department of Natural Resources and Environment, one (01) copy sent to the People's Committee of district level where the facility performs the production, trading and services, one (01) copy is archived; sending one (01) copy of the decision on approval of the detailed project of environmental protection to the Ministry of Natural Resources and Environment, the branch management Ministry and the communal - level People's Committee where the facility performs the production, trading and services respectively.
3. Department of Natural Resources and Environment of provinces will make copy from the original of the decision on approval of the detailed project of environmental protection sent by the Ministries, ministerial-level agencies, agencies under the Government and send to the People's Committee of district level and the communal - level People's Committee where the facility performs the production, trading and services

Chapter III

INSPECTING AND CERTIFYING THE IMPLEMENTATION OF THE DETAILED PROJECT OF ENVIRONMENTAL PROTECTION

Article 12. Responsibility of the facility owner in the implementation of the detailed project of environmental protection

1. Seriously implementing the contents of the detailed project of environmental protection approved.

2. After completion of works and measures for environmental protection, the facility owner will set up dossier to request the inspection and certification of the implementation of the detailed project of environmental protection and send to the competent authority of assessment and approval that has approved the detailed project of environmental protection in order to inspect and certify the implementation. The dossier consists of:

- a) One for inspection and certification of implementation of the detailed project of environmental protection in attached ;
- b) Five (05) reports on the result of the implementation of the detailed project of environmental protection in attached

3. For facility of hazardous waste treatment, inspecting and certifying the implementation of the detailed project of environmental protection shall comply with provisions of law on hazardous waste management

Article 13. Responsibilities and time limit for certifying the implementation of the detailed project of environmental protection

1. The competent authority for assessment and approval as prescribed in clause 1, Article 7 of this Circular is responsible for:

- a) Assigning the standing assessment agency to organize consideration of dossier and inspection of the implementation of the detailed project of environmental protection of the facility;
- b) Considering and issuing certificate of completion of the detailed project of environmental protection to the facilities as prescribed in clause 1, Article 3 of this Circular (hereafter referred to as Certificate of completion).

2. The time limit for issuing the Certificate of completion is regulated as follows:

- a) A maximum of twenty-five (25) working days from the date of receiving valid dossier for the detailed project of environmental protection of the facility with with the scale and nature similar to the subject that makes reports report prescribed in Annex III promulgated together with the Decree No. 29/2011/ND-CP.
- b) A maximum of twenty (20) working days from the date receiving valid dossier for the detailed project of environmental protection of the facility not subject to regulations at point a of this clause.
- c) The time limit for certification prescribed at points a and b of this clause doesnot include the time the facility owner will complete dossier at the request of the standing assessment agency.

Article 14. Inspecting and certifying the implementation the detailed project of environmental protection

1. In case the dossier is as) working from the date of receiving, the standing assessment agency will send a written notice to the facility owner .

2. In case the dossier is in conformity with the regulation as the standing assessment agency.

3. The standing assessment agency is responsible for organizing inspection group in inspecting measures and work of protection of the facility. After finishing the inspection at the facility, the group of inspection is responsible for making report of inspection in the form as prescribed in Annex 16 attached to this Circular.

4. Based on the inspection report on the implementation of the detailed project of environmental protection and proposal of the standing assessment agency, the competent authority of assessment and approval will consider and decide on issuing the Certificate of completion in the form prescribed in Annex 17 attached to this Circular.

Chapter IV

SETTING-UP AND REGISTRATION OF SIMPLE ENVIRONMENTAL PROTECTION PROJECT

Article 15. Facility to set up the simple project of environmental protection

1. The facility that has to set up the simple project of environmental protection is one with scale and nature corresponding to the subject that must make environmental protection commitment as prescribed in Article 29 of the Decree No. 29/2011/ND-CP including:

- a) The facility does not have one of the following documents: Certificate for registration of satisfaction of environmental standards, Certificate for registration of environmental protection commitment, written notice on acceptance of registration of environmental protection commitment, Certificate for registration of environmental protection project;
- b) The facility : Certificate for registration of environmental standard conformity, Certificate for registration of environmental protection commitment, written notice on acceptance of registration of environmental protection commitment, when improving, expanding and increasing its capacity subject to making additional registration of Certificate of Environmental Standard conformity, written environmental protection commitment (before the date the Decree No. 29/2011/ND-CP takes effect) or subject to re-make the environmental protection commitment (as prescribed by the Decree No. 29/2011/ND-CP) but not having Certificate for registration of environmental standard conformity or certificate of additional environmental protection commitment or the written notice on acceptance of registration of environmental protection commitment having completed the improvement, expansion and increase of capacity for the time being;
- c) The facility has the Certificate for registration of environmental protection project when improving, expanding and increasing its capacity subject to making additional environmental protection commitment (before the date the Decree No. 29/2011/ND-CP takes effect) or subject to re-make the environmental protection commitment (as prescribed by the Decree No. 29/2011/ND-CP) but not having Certificate of additional environmental protection commitment or the written notice on acceptance of registration of environmental protection commitment having completed the improvement, expansion and increase of capacity for the time being;
- d) The facility has the certificate for registration of simple project of environmental protection when improving, expanding and increasing its capacity subject to making the environmental protection commitment but not having the written notice on acceptance of registration of environmental protection commitment having completed the improvement, expansion and increase of capacity for the time being;
- dd) The facility has started work and in the stage of preparation (space preparation), has completed the stage of preparation and is in the stage of construction but not having the written notice on acceptance of registration of environmental protection commitment or Certificate for registration of simple environmental protection project;

2. The facility owner as prescribed in clause 1 of this Article is responsible for making the simple environmental protection project as regulated in this Circular and the People's Committee of district level for consideration and certification.

Article 16. Process of setting up, registration and certification of the registration of simple environmental protection project

Setting up, registration and certification of the registration of simple environmental protection project is implemented in conformity with the process in Annex 18 attached to this Circular including the following steps:

1. The facility owner as prescribed in clause 1, Article 15 of this Circular sets up and sends dossier for registration of simple environmental protection project as prescribed in Article 17 of this Circular to the People's Committee of district level.
2. The People's Committee of district level assigns the standing registration agency to consider dossier. In case the content of dossier is not complete as prescribed in Annex 19a, Annex 19b attached to this Circular, the facility owner will receive a written notice for completion of dossier.
3. In case the dossier is complete as prescribed, the standing registration agency will process the dossier. In necessary case, conducting practical inspection at the facility and consultation from agencies, experts:
4. The standing registration agency will sum up, process and notify the processing result to the facility owner (if any).
5. The facility owner will comply with requirements of the notice (if any).
6. The People's Committee of district level will issue certificate for registration of simple environmental protection project.
7. The standing registration agency will certify and send the simple environmental protection project certified

Article 17. Setting up and sending dossier for registration of simple environmental protection project

The facility owner subject to set up simple environmental protection project is responsible for:

1. Setting up or hiring consultant to set up the simple environmental protection project. The structure and content of the simple environmental protection project is stipulated as follows:
 - a) For the facility subject to setting investment project whose scale and capacity are not in the list or below the level as stipulated of the list in the Annex II promulgated together with the Decree No. 29/2011/ND-CP must comply with regulations in the Annex 19a attached to this Circular;
 - b) For the facility not subject to setting investment project but there is waste material generated from the process of activity of production, trading and services will comply with regulations in the Annex 19b attached to this Circular;
2. Mailing project of environmental protection at the People's Committee of district level where the facility are implementing its production, trading and services. In case the facility is located in the area of two (02) or more than two (02) administrative units of district level, the facility owner

can choose one (01) among these administrative units of district level in order to send dossier of registration. It consists of:

- a) One (01) document of the facility owner in the form prescribed in attached ;
- b) Five (05) copies of the simple project of environmental protection are bound with cover and cover sub page in the form prescribed in Annex 21 attached the People's Committee of district level, the facility owner will send additional copies of the simple project of environmental protection as required.

Article 18. Competence and certification of

1. The People's Committee of district level is responsible for organizing the registration of simple environmental protection project and considering the issuance of the certificate for registration of simple environmental protection project to the facility owner (hereafter referred to as certificate)

2. Time limit for issuing certificate:

- a) A maximum of thirty (30) working days, from the date of receiving a complete and valid dossier for the simple environmental protection project of the facility located in the area of two (02) or more than two (02) administrative units of district level;
- b) A maximum of twenty (20) working days, from the date of receiving a complete and valid dossier for the simple environmental protection project of the facility located in the area of one (01) administrative unit of district level;
- c) The time limit as prescribed at points a and b, clause 2 of this Article doesnot include the time the facility owner will complete dossier at the request of the standing registration agency during the process of dossier consideration.

3. The People's Committee of district level will determine its professional agency on environmental protection for help and work regularly in organizing the registration and certification of the simple environmental protection project (hereafter referred to as registration standing agency)

Article 19. Considering and completing dossier, issuing the certificate for registration of the simple project of environmental protection; setting up and re-registering the simple project of environmental protection.

1. Checking the dossier:) working from the date of receiving of dossier, he standing registration agency will send out written notice to the facility owner for completion. In case the dossier meets the requirements, the standing registration agency will organize to consider and assess and submit to the People's Committee of district level for certifying the registration of the simple project of environmental protection as stipulated in clause 2 and 3 of this Article;

2. Considering and assessing the simple project of environmental protection: The standing registration agency will organize to consider and assess the project; in necessary case, organizing an inspection group to come and survey and practical inspect at the facility, inviting experts to write opinion on the project, asking for opnion from the People's Committee of district level concerned (in case location of the facility is located in the area of the other People's Committee of district level) in order to assess the project; sending written notice to the facility owner to know one of two (02) cases as follows (only one time):

a) The simple project of environmental protection must be amended and supplemented in order to be issued certificate of registration enclosed with the specific requirement on the amendment and supplement;

b) The simple project of environmental protection is not qualified for issuance of certificate of registration (specify reason)

3. For the simple project of environmental protection with no amendment and supplement or the facility owner has amended and supplemented as required, the People's Committee of district level will issue the certificate for registration of simple project of environmental protection in the form prescribed in Annex 22 attached

4. For the simple project of environmental protection is not qualified for issuance of certificate of registration, the facility owner has responsible for re-setting up the simple project of environmental protection and sending to the People's Committee of district level for re-registration as prescribed in Article 17 and Article 18 of this Circular.

Article 20. Certifying and sending the simple project of environmental protection

1. After the simple project of environmental protection has been registered, the standing registration agency will certify on the back side of the cover subpage of the simple project of environmental protection in the form prescribed in Annex 10b attached to this Circular.

2. The standing registration agency is responsible for sending and archiving the simple project of environmental protection which has been certified as required as follows:

a) In case location of the facility is located in the area of one (01) administrative unit of district level: Sending one (01) copy of the certificate of registration enclosed with the simple project of environmental protection certified to the facility owner; one (01) copy is sent to the Department of Natural Resources and Environment; one (01) copy is sent to the communal-level People's Committee where the facility is located, one (01) copy is archived.

b) In case location of the facility is located in the area of more than two (02) administrative units of district level: Besides sending and archiving as prescribed at point a of this clause, one (01) copy of the certificate of registration enclosed with the simple project of environmental protection certified to the other People's Committee of district-level where the facility is located will also be sent respectively

Article 21. Responsibilities of the facility owner after the simple project of environmental protection has been registered.

After the simple project of environmental protection has been certified, the facility owner is responsible for:

1. Complying well and completely the contents of the simple project of environmental protection certified.

2. In the stage of preparation, stage of construction, stage of operation, if the facility, as prescribed at point a, Article 15 of this Circular, has a change on the scale, capacity, technology and other changes relating to the environmental problem that the part of the old content and the part of content to be changed has a scale and nature corresponding to the subject that must make report on environmental impact assessment as prescribed in the Decree No. 29/2011/ND-CP, the

facility owner must make report on environmental impact assessment in conformity with regulations of the law on environmental impact assessment.

3. In the stage of preparation and construction performance, stage of operation, if the facility, as prescribed at clause 1, Article 15 of this Circular, has a change on the scale, capacity, technology and must set up investment project corresponding to the subject as regulated at point a, clause 1, Article 17 of this Circular must set up the simple project of environmental protection as prescribed in this Circular.

4. In the stage of preparation and construction performance, stage of operation, if the facility, as prescribed at clause 1, Article 15 of this Circular, has a change on the scale, capacity, technology and other changes relating to the environmental problem but are not serious enough to make report on environmental impact assessment as prescribed in the Decree No. 29/2011/ND-CP must have a report in written to the People's Committee at district level where the certificate of registration for project is issued and these changes are only made after this agency has a written approval.

Chapter V

IMPLEMENTATION ORGANIZATION AND EXECUTION PROVISIONS

Article 22. Transitional provision

For dossier to request the approval or certification of the environmental protection project is implemented by the regulations of the Circular No. the Ministry of Natural Resources and Environment guiding the setting-up, approval and certification of the environmental protection project and examining and inspecting the implementation of the environmental protection project but having not been approved or certified, the Department of Natural Resources and Environment or Division of Natural Resources and Environment is responsible for returning dossier and guiding the facility owner to set up the detailed environmental protection project or simple environmental protection project in order to send to the competent authority of assessment and approval or organize the registration as regulated in this Circular.

Article 23. Implementation organization

1. The General Department of Environment is the standing agency to assess the detailed environmental protection project of the Ministry of Natural Resources and Environment.
2. The Ministries, , directly agency to assess their detailed environmental protection projects and have a form of broad announcement in nation-wide
3. The provincial-level People's Committee assigns the Department of Natural Resources and Environment to be the standing agency to assess its detailed environmental protection project and have appropriate form of announcement.
4. The district-level People's Committee assigns its professional agency directly under to be the standing registration agency and have appropriate form of announcement.
5. The Ministries, , the provincial-level People's Committee, the district-level People's Committee are responsible for implementing reporting regime on the activities of assessment, approval, inspection and certification of the implementation of the detailed environmental protection project; activities of registration and certification for registration of the simple

environmental protection project as regulated in Article 38 of the Decree No. 29/2011/ND-CP and in the forms as prescribed in Annex 23, 24 and 25 attached to this Circular.

Article 24. Implementation provisions

1. The Ministers, Heads of ministerial-level agencies, agencies under the Government and Chairmans of People’s Committee of levels organize to execute this Circular.
2. This Circular will take effect since May 02, 2012 and supersede the Circular No. 04/2008/TT-BTNMT dated September 18, 2008 of the Ministry of Natural Resources and Environment guiding the setting-up and approval or certification of the environmental protection project.
3. During the course of implementation of this Circular, if there is any problem and difficulty arising, promptly report to the Ministry of Natural Resources and Environment for guidance, amendment and supplement as appropriate./.

**PP MINISTER
DEPUTY MINISTER**

Bui Cach Tuyen

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