

THE MINISTRY OF TRANSPORT

**Circular No. 13/2012/TT-BGTVT of April 24, 2012, amending and supplementing a number of articles of the Transport Minister's Circular No. 09/2010/TT-BGTVT of April 6, 2010, on environmental protection in the development of transport infrastructure**

*Pursuant to the November 29, 2005 Environmental Protection Law;*

*Pursuant to the November 26, 2003 Construction Law;*

*Pursuant to the Government's Decree No. 51/2008/ND-CP of April 22, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Transport;*

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

*At the proposal of the director of the Environment Department;*

*The Minister of Transport issues this Circular to amend and supplement a number of articles of Circular No. 09/2010/TT-BGTVT of April 6, 2010, on environmental protection in the development of transport infrastructure.*

**Article 1.** To amend and supplement a number of articles of Circular No. 09/2010/TT-BGTVT of April 6, 2010, on environmental protection in the development of transport infrastructure

**1. Article 3 is amended as follows:**

“Article 3. Environmental protection contents in transport infrastructure development strategies, master plans and plans

1. Organizations in charge of elaborating transport infrastructure development strategies,

master plans and plans under the management of the Ministry of Transport shall conduct the strategic environmental assessment under the Government's Decree No. 29/2011/ND-CP of April 18, 2011, providing strategic environmental assessment, environmental impact assessment and environmental protection commitment (below referred to as Decree No. 29/2011/ND-CP); the Natural Resources and Environment Ministry's Circular No. 26/2011/TT-BTNMT of July 18, 2011, detailing a number of articles of Decree No. 29/2011/ND-CP (below referred to as Circular No. 26/2011/TT-BTNMT).

2. The Ministry of Transport shall establish a council for appraisal of strategic environmental assessment reports of transport infrastructure development strategies, master plans and plans according to the Point c, Clause 1, Article 7 of the Government's Decree No. 29/2011/ND-CP.”

**2. Clauses 1 and 2 of Article 4 are amended as follows:**

“1. The investor of an investment project on transport infrastructure construction shall:

a/ Elaborate or hire a qualified consultancy service institution to elaborate an environmental impact assessment report or written environmental protection commitment under Decree No. 29/2011/ND-CP and Circular No. 26/2011/TT-BTNMT and take environmental protection measures stated in the environmental impact assessment report or the written environmental protection commitment approved

by a competent authority;

b/ Abide by the provisions on charge for appraisal of environmental impact assessment reports under Circular No. 218/2010/TT-BTC of December 29, 2010, providing the rates, collection, remittance and use management of the charge for appraisal of environmental impact assessment reports.

2. The Ministry of Transport shall appraise and approve environmental impact assessment reports of projects falling under its competence according to Point b, Clause 2, Article 18 of Decree No. 29/2011/ND-CP.”

**3. Point e, Clause 4 of Article 5 is amended as follows:**

“e/ Managing hazardous waste under the Natural Resources and Environment Ministry’s Circular No. 12/2011/TT-BTNMT of April 14, 2011, on management of hazardous waste;”

**Article 2. Effect**

This Circular takes effect on July 1, 2012.

The chief of the Ministry’s Office, the Ministry’s Chief Inspector, directors of departments, the director of the Vietnam Road Administration, directors of specialized departments, directors of provincial-level Transport Departments, heads of agencies and related organizations and individuals shall implement this Circular.-

*Minister of Transport*  
DINH LA THANG