

**THE MINISTRY OF NATURAL RESOURCES
AND ENVIRONMENT**

**DECISION No. 19/2003/QĐ-BTNMT OF
DECEMBER 30, 2003 PROMULGATING THE
REGULATION ON PROCEDURES FOR
CERTIFICATION OF COMPLETION OF
APPLICATION OF THOROUGH HANDLING
MEASURES BY SERIOUSLY POLLUTING
ESTABLISHMENTS UNDER THE PRIME
MINISTER'S DECISION No. 64/2003/QĐ-TTg
OF APRIL 22, 2003**

**THE MINISTER OF NATURAL RESOURCES
AND ENVIRONMENT**

Pursuant to the Government's Decree No. 91/

2002/ND-CP of November 11, 2002 defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment;

Pursuant to the Prime Minister's Decision No. 64/2003/QĐ-TTg of April 22, 2003 approving the plan for thoroughly handling establishments which cause serious environmental pollution;

At the proposal of the Director of the Environmental Protection Department,

DECIDES:

Article 1.- To promulgate together with this Decision the Regulation on procedures for certification of completion of the application of thorough handling measures by establishments which have caused serious environmental pollution under the Prime Minister's Decision No. 64/2003/QĐ-TTg of April 22, 2003.

Article 2.- The Environmental Protection Department shall coordinate with the provincial/municipal Services of Natural Resources and Environment in disseminating this Decision to the seriously polluting establishments named in Appendices 1 and 2 to the Prime Minister's Decision No. 64/2003/QĐ-TTg of April 22, 2003 for organization of implementation.

Article 3.- This Decision takes implementation effect 15 days after its publication in the Official Gazette.

Article 4.- The Director of the Environmental Protection Department, the heads of the units under the Ministry, the directors of the provincial/municipal Services of Natural Resources and Environment as well as the concerned organizations and individuals shall have to implement this Decision.

*Minister of Natural Resources and
Environment
MÀM THƯC*

REGULATION ON PROCEDURES FOR CERTIFICATION OF COMPLETION OF APPLICATION OF THOROUGH HANDLING MEASURES BY SERIOUSLY POLLUTING ESTABLISHMENTS UNDER THE PRIME MINISTER'S DECISION No. 64/2003/QĐ-TTg OF APRIL 22, 2003

(Promulgated together with Decision No. 19/2003/QĐ-BTNMT of December 30, 2003 of the Minister of Natural Resources and Environment)

Article 1.- Objects of application

This Regulation applies to the seriously polluting establishments named in Appendices 1 and 2 to the Prime Minister's Decision No. 64/2003/QĐ-TTg of April 22, 2003 (hereinafter called the establishments for short).

Article 2.- Conditions for being considered for certification

1. For establishments which must suspend their operation:

a/ Operation of the polluting establishments or their sections has been ceased;

b/ The establishments' operating sections (if any) must satisfy the current Vietnamese standards on environment.

2. For establishments which must be relocated:

a/ The environment-polluting establishments or sections have been relocated to other places, in compatibility with local plannings;

b/ Environmental pollution, caused by such establishments or sections, has been overcome.

3. For establishments, which must invest in building, upgrading or renovation of the waste water, waste gas and noise treatment systems:

The waste water, waste gas and noise treatment systems, which are built, upgraded or renovated, must satisfy the current Vietnamese standards on environment.

Article 3.- Dossiers of application for certification

1. For establishments whose operation must be suspended, such a dossier shall comprise:

a/ A document of application for recognition of

the completion of the application of thorough handling measures under Decision No. 64/2003/QĐ-TTg;

b/ The certification by the provincial/municipal Service of Natural Resources and Environment of the locality where the establishment is based that the establishment has suspended its production.

2. For establishments, which must be relocated, such a dossier shall comprise:

a/ A document of application for recognition of the completion of application of thorough handling measures under Decision No. 64/2003/QĐ-TTg;

b/ The certification by the provincial/municipal Service of Natural Resources and Environment of the locality where the establishment is based that the establishment or its sections have already been relocated, meeting the requirements of Decision No. 64/2003/QĐ-TTg;

c/ The certification by the provincial/municipal Service of Natural Resources and Environment of the locality where the establishment is moved to of the operational situation of the relocated establishment or its sections and their satisfaction of the environmental protection requirements.

3. For establishments, which must invest in upgrading or renovation of the waste treatment systems, such a dossier shall comprise:

a/ A document of application for recognition of the completion of application of thorough handling measures under Decision No. 64/2003/QĐ-TTg;

b/ The certification by the provincial/municipal Service of Natural Resources and Environment of the locality where the establishment is based that the establishment has invested in upgrading or renovation, fully meeting the environmental protection requirements.

Article 4.- Order and procedures for certification

1. Establishments shall, after finalizing the dossiers according to the provisions of Article 3 of this Regulation, send the dossiers to the

Environmental Protection Department for evaluation.

2. Within no more than 30 days (or 45 days in cases where samples must be taken for analysis) after receiving the complete and valid dossiers, the Environmental Protection Department shall have to evaluate the dossiers and make written reports to the Minister of Natural Resources and Environment for consideration and decision in cases where conditions are fully met for certification; or return the dossiers and clearly notify the dossier-submitting establishments of the reasons therefor in cases where conditions are not fully met for certification.

Article 5.- Forms of certification

1. Establishments, which have been decided for certification, shall be granted by the Minister of Natural Resources and Environment the certificates of completion of application of thorough pollution-handling measures under Decision No. 64/2003/QĐ-TTg.

2. The Environmental Protection Department shall publicize on the mass media the list of establishments which have been granted certificates of completion of application of thorough pollution-handling measures under Decision No. 64/2003/QĐ-TTg.

Article 6.- Implementation organization

1. The Environmental Protection Department shall have to report to the Minister of Natural Resources and Environment on the organization of implementation of this Regulation.

2. In the course of implementation, if any problems arise, organizations and individuals should promptly report them to the Ministry of Natural Resources and Environment for appropriate amendment or supplementation.

**Minister of Natural Resources and
Environment
MAI AI THUC**