



**Lao People's Democratic Republic**  
Peace Independence Democracy Unity Prosperity

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Ministry of Natural Resources and Environment

No. 8056/MONRE

Vientiane Capital, dated 17 December 2013

**Ministerial Agreement on the Endorsement and Promulgation of  
List of Investment Projects and Activities Requiring for Conducting  
the Initial Environmental Examination or  
Environmental and Social Impact Assessment**

- Pursuant to Articles 21 and 22 of the Law on Environmental Protection (Amended) No. 29/NA, dated 18 December 2012;
- Pursuant to the Government Decree on the Establishment and Function of the Ministry of Natural Resources and Environment No. 435/PM, dated 28 November 2011;
- Pursuant to the Ministerial Instruction on the Process of Initial Environmental Examination of the Investment Projects and Activities No. 8029/MONRE, dated 17 December 2013;
- Pursuant to the Ministerial Instruction on the Process of Environmental and Social Impact Assessment of the Investment Projects and Activities No. 8030/MONRE, dated 17 December 2013;

**The Minister of the Ministry of Natural Resources and Environment agrees:**

- Article 1: To endorse and promulgate a list of Investment Projects and Activities which shall conduct the Initial Environmental Examination or Environmental and Social Impact Assessment (Amended).
- Article 2: Individuals, identities and relevant organizations, including the public or private and local or foreign investments operating in Lao PDR shall observe and implement this Agreement strictly and effectively.
- Article 3: To delegate the Department of Environmental and Social Impact Assessment, Ministry of Natural Resources and Environment, to be the central coordinator with relevant stakeholders and responsible for the implementation of this Agreement.
- Article 4: Cabinet Offices, Departments, Institute, and Centre within the Ministry of Natural Resources and Environment, including the Natural Resources and Environment Agencies at local level and other stakeholders, both the

public and private sectors shall acknowledge and implement this Agreement strictly.

Article 5: This Ministerial Agreement is effective from the execution date and supersedes the Agreement on Endorsement and Promulgation of a list of investment projects required for conducting the Initial Environmental Examination and Environmental and Social Impact Assessment, No.697/PMO.WREA, dated 12 March 2010.

The Minister of the Ministry of Natural Resources and Environment

Noulinh SINBANDHIT

**List of Investment Projects and Activities Requiring for Conducting the Initial Environmental Examination (IEE) or the Environmental and Social Impact Assessment (ESIA)**

The list of Investment Projects and Activities consists of types and scales of Investment Projects and Activities has categorized into two groups such as: group 1 shall prepare Initial Environmental Examination (IEE) and group 2 shall prepare environmental and social impact assessment (ESIA), except Investment Projects and Activities that fall into cases as specified in remarks in the table below.

Investment Projects and Activities are classified into 5 sectors such as: (1) Energy Sector, (2) Agriculture and Forestry Sector, (3) Industrial Processing Sector, (4) Infrastructure and Service Sector, and (5) Mining Sector.

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
<b>I. Investment Projects and Activities in Energy Sector</b>			
<b>Power development</b>			
1.1	Electricity generation by Hydro power (Hydropower plants construction)	(a) 1 - 15 MW (installed capacity) or (b) reservoir volume capacity <2million m <sup>3</sup> or (c) reservoir area < 1, 500 ha	(a) ≥ 15 MW (installed capacity) or (b) reservoir volume capacity (full supply level) ≥ 200 million m <sup>3</sup> or (c) reservoir area ≥ 1,500 ha
1.2	Nuclear power plant project, nuclear waste management and disposal		All
1.3	Natural gas or bio gas power plant project	5-50MW	> 50 MW
1.4	Wind power generation	2-10 units	> 10 units
1.5	Coal, oil or biomass power plant project	≤ 10 MW	> 10 MW

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
<b>Gas and petroleum power generation development</b>			
1.6	Petroleum and gas transmission pipeline		All
1.7	Extraction of oil or natural gas		All
1.8	Oil refinery		All
1.9	Petroleum storage facilities	5,000 – 50,000 m <sup>3</sup>	>50,000 m <sup>3</sup>
<b>High Voltage transmission line development</b>			
1.10	High voltage transmission line		
1.10.1	High voltage transmission line ≥230 kv	≤ 15 km	> 15 km
1.10.2	High voltage transmission line <230 kv	All	
1.11	High voltage power distribution station	<10 ha	≥ 10 ha
<b>II. Investment Projects and Activities in Agricultural and Forestry Sector</b>			
Tree plantation and crop growing			
2.1	Planting and cutting industrial trees plantation	20-200 ha	>200 ha
2.2	Industrial crops growing	20 – 400 ha	>400 ha
Livestock and fisheries			
2.3	Livestock raising such as: cattle, buffalo, horse and others	>500 heads	

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
2.4	Poultry raising	≥5000 chicks	
2.5	Pig raising	≥500 heads	
2.6	Fish and aquatic species culture in industrial ponds	≥10 ha	
2.7	Fish and aquatic species culture in cages along the river	≥300 m <sup>2</sup>	
2.8	Crocodile raising	≥100 heads	
<b>III. Investment Projects and Activities in the Industrial Processing Sector</b>			
<b>Industrial Food Processing</b>			
3.1	Production, processing and storage of foods (Meats, fish, fruits, cooking oils, animals and animal feeds)	≤ 1ton/day	> 1 ton/day
3.2	Milk processing factory	≤ 40 tons/day	> 40 tons /day
3.3	Tapioca and tapioca products processing factory	40 – 80 tons/day	> 80 tons /day
3.4	Sugar processing factory	≤ 30 tons/day	> 30 tons /day
3.5	Alcohol processing factory	≤ 500,000 little/day	> 500,000 little/day
3.6	Drinking water processing factory	All	

<b>Type of Investment Projects and Activities</b>		<b>Group 1 Shall prepare IEE</b>	<b>Group 2 Shall prepare ESIA</b>
3.7	Tobacco production factory	All	
<b>Textile, Pulp Paper, and wood products Industry</b>			
3.8	Textile , fabric and clothes making and dyeing factory	All	
3.9	Leather soaking and tanning factory	All	
3.10	Leather processing factory	≤ 1 million pieces/year	>1 million pieces/year
3.11	Rattan product processing and bamboo materials for weaving factory	All	
3.12	Plywood processing factory	≤100,000 m <sup>2</sup> /year	>100,000 m <sup>2</sup> /year
3.13	Paper processing factory	≤30 tons/day	>30 tons/day
3.14	Printing factory	All	
<b>Chemical Product Industry and Medical Equipment</b>			
3.15	Petroleum and hydrocarbon factory		All
3.16	Chemical products production factory		All

<b>Type of Investment Projects and Activities</b>		<b>Group 1 Shall prepare IEE</b>	<b>Group 2 Shall prepare ESIA</b>
3.17	Medical equipment and pharmaceutical product factory using chemical reaction and bio-chemicals		All
3.18	Cleaning products, polishing and making up equipment factory	≤10 tons/day	>10 tons/day
3.19	Rubber processing factory	50 - 200 tons/year	>200 tons/year
3.20	Plastic product production factory	<400 tons/year	>400 tons/year
<b>Mineral product production industry with no heavy metal</b>			
3.21	Glass and products from glass production factory	All	
3.22	Mineral product production factory with no other heavy metals	All	
3.23	Cement , lime and plaster processing factory	≤20 tons/hour	>20 tons/hour
<b>Metallurgic Industry (Extraction of metal from minerals)</b>			
3.24	Steel and iron smelting factory	≤5000 tons/year	>5000 tons/year
3.25	Initial metal and non-ferrous metal processing factory		All
3.26	Metal processing factory	≤50 tons/day	>50 tons/day

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
3.27	Non-ferrous metal processing factory	All	
3.28	Steel products, tanks and iron tubs	All	
3.29	Backup battery processing factory	All	
<b>Other industries</b>			
3.30	Home appliances, office equipments, and electrical tools processing factory	All	
3.31	Automotive battery and alkaline battery factory	≤70 tons/year	>70 tons/year
3.32	Spare parts, automobile parts and related machines factory	≤1,000 tons/year	>1,000 tons/year
3.33	Bicycle and disabled wheelchair making factory	≤10,000 units/year	>10,000 units/year
3.34	Home appliances production factory	≤10,000 units/year	>10,000 units/year
3.35	Water supply processing factory	All	
<b>Waste management</b>			
3.36	Disposal of non-hazardous waste	≤5,000 tons/year	>5,000 tons/year
3.37	Disposal of hazardous waste		All
3.38	Hazardous waste minimization		All
3.39	Other waste treatment and management		All



Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
3.40	Construction of factory for recycling		All
3.41	Construction of waste incinerator and treatment factory		All
3.42	Waste water treatment plant of the City	≤5,000 persons	>5,000 persons
3.43	Industrial waste water treatment plant		All
3.44	Construction of sewage drainage	All	
<b>IV. Investment projects and activities in the infrastructure and service sector</b>			
4.1	Soil filling on lakes, rivers, channels causing impacts to the public		All
4.2	Construction of dormitory and relocation village	> 50 rooms	
4.3	Golf field construction		All
4.4	Construction of sport complex stadium		All
4.5	Construction of hotel and recreation area	≤80 rooms	>80 rooms
4.6	Construction of complex hotel	≤50 ha	>50 ha
4.7	Tourism and recreation areas development in critically social and environmental aspects		All
4.8	Special and specific economic zones construction and development		All
4.9	Construction of the hospital	≤80 beds	> 80 beds

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
4.10	Railway construction		All
4.11	Construction of new roads (National, provincial, district, rural and special roads).		All
4.12	Rehabilitation of national, provincial, district, rural and special roads.	All	
4.13	Airport construction		All
4.14	Construction of the telecommunication network	All	
4.15	Navigation (Improvement of navigation channel along rivers)	≤200 tons	>200 tons
4.16	Port construction		
4.16.1	Port for public transport	≤500 tons (not include the weight of the vessel)	>500 tons (not include the weight of the vessel)
4.16.2	Port for transporting the general goods	≤500 tons (not include the weight of the vessel)	>500 tons (not include the weight of the vessel)
4.16.3	Port for transporting the hazardous goods		All
4.17	Construction of embankment	≤ 1 kilometer	> 1 kilometer
<b>V. Investment projects and activities in the minerals sector</b>			
<b>Mineral extraction and processing</b>			
5.1	Extraction of gravel, sand in rivers	1,000 – 5,000 m <sup>3</sup> /day	> 5,000 m <sup>3</sup> /day
5.2	Rock drilling and transportation	≤ 50 tons/day	> 50 tons/day
5.3	Extraction of construction materials (soil, gravel, sand) on	≤ 100,000 m <sup>3</sup> /year or area ≤20 ha	> 100,000 m <sup>3</sup> /year or area >20 ha

Type of Investment Projects and Activities		Group 1 Shall prepare IEE	Group 2 Shall prepare ESIA
	the ground		
5.4	Extraction of solid minerals (without using chemicals)		All
5.5	Minerals extraction and processing using hazardous chemicals		All
5.6	Solid minerals processing	≤ 50,000 tons/year	> 50,000 tons/year
<b>Water management and administration</b>			
5.7	Extraction and using of groundwater for consumption in industry, agriculture and the city.	500 – 5,000 m <sup>3</sup> /day	> 5,000 m <sup>3</sup> /day
5.8	Construction of reservoir and dams	1-200 million m <sup>3</sup> or height of dam ≤10m	>200 million m <sup>3</sup> or height of dam >10m

**Remarks:**

1. For any Investment Projects and Activities which consist of many sub-projects that are subject to the conductance of the environmental impact assessment which have proposed to be developed at the same area and approved at the same investment project (Such as: the hydropower project that covers: dam construction, access road construction and transmission line construction or the sugar factory that covers: sugarcane plantation and sugar processing plant or the rubber project covers: rubber plantation and rubber processing factory and others), if these are the cases, the Project Owner shall prepare one ESIA report and put together as one set report covering environmental and social impacts of all project activities and components.

2. For any Investment Projects and Activities which have the same activities but the development is taken place at different locations (Such as: road project, high voltage transmission line construction, other industrial tree plantation projects), disregard of the fact that they may have the same activity or same scale or be owned by the same Project Owner, if these are the cases, the project owner shall prepare the separate IEE or ESIA report based on the scale of the project which may be categorized in group 1 or group 2 for each location. In other words, this means that it is not allowed to prepare one set of report covering different locations, except agreed and certified otherwise by the Natural Resources and Environment Agencies from relevant level.

3. For any Investment Projects and Activities that proposes to develop within economic development zone or specific economic zone, in addition to ESIA report that the owner of the zone shall prepare to cover all zones of specific economic zones or specific economic zone, each sub-project owner of each Investment Project and Activities shall conduct additional environmental impact assessment, specifically for each sub-project whether falls under which group. If the project is classified under group 1, IEE report is required or if it is classified under group 2, EIA report is required to be prepared pursuant to the specified technical guideline.

4. If any Investment Projects and Activities will cause on impact that would require the compensation and resettlement of the people as specified in the provision of the Decree on Compensation and Resettlement of People Affected by Development Projects No. 192/PM, dated 7<sup>th</sup> July 2005 or any superseded legislation, these Investment Projects and Activities is required always to prepare ESIA report pursuant to the conditions set in the Ministerial Instruction and relevant technical guidelines, regardless of whether these projects and activities are categorized into group 1 or group 2 or not falling to this list at all.

5. If any Investment Projects and Activities which is categorized in group 1 are located in the Socially and Environmentally Valuable Site (as defined below), the project owner shall prepare the ESIA report (instead of the IEE) and submit the same Un for consideration and issuance of Environmental Compliance Certificate.

The Socially and Environmentally Valuable Site covers areas as follows:

- all areas or the majority of areas which have declared as protection forest, protected areas based on the Law on Forestry, No.06/NA, dated 24 December 2007 or any superseded legislation;
- all areas or the majority of areas which have declared as aquatic and wildlife conservation zone pursuant to the Wildlife and Aquatic Law, No.07/NA, dated 24 December 2008 or any superseded legislation;
- all areas or the majority of areas which have declared as cultural and historical heritage site pursuant to the Law on National Heritage, No.08/NA, dated 9 November 2005 or any superseded legislation;
- all areas or the majority of areas which have declared as water conservation pursuant to the Law on Water and Water Resources, No.02/NA, dated 11 January 1996 or any superseded legislation; and
- other areas which laws have declared for socially and environmentally valuable site from to time to time.