

OVERSEAS PRIVATE
INVESTMENT CORPORATION



***ASSESSMENT OF ENVIRONMENTAL IMPACT
AND INDUSTRIAL SAFETY IN
DEVELOPMENT WELLS
PALAGUA – CAIPAL FIELD
PUERTO BOYACA (BOYACA, COLOMBIA)***

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TECHNOLOGIES
INTERNATIONAL, INC.



CHAPTER II.

**POLITICAL, LEGAL AND
MANAGERIAL FRAMEWORK**



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2. CHAPTER II POLITICAL, LEGAL AND MANAGERIAL FRAMEWORK

2.1 APPLICABLE LAWS AND REGULATIONS (COLOMBIAN LEGISLATION)

The legal and regulatory framework that serves as reference for the preparation of the present study is governed particularly within Law 99/93, decree 1220 of 2005 and decree 500 of 2006. With regard to the general regulatory framework, Table 2-1 is presented.

Table 2 - 1

COLOMBIAN LEGAL FRAMEWORK		
CONSTITUTIONAL REGULATIONS	Environmental Protection Principles. Co-responsibility State – Community natural resources-Nation Environmental Cleanup as public service. Right to a healthy environment. Natural Resources Planning under the State's responsibility Law 100 of 1993. Social Security Structure – Professional Risks System Duty of Colombians protection and conservation of environment.	Constitution of 1991. Article 8 N.C. Article 49 N.C. Article 79 N.C. Article 80 N.C. Article 82 N.C. Article 95 N.C. Article 58 N.C. Article 329 N.C. Article 330 N.C. Article 55 Transitory
LEGAL REGULATIONS	National Code of Renewable Natural Resources and Protection of Environment Objectives and organic structure of the Ministry of Environment, Housing and Land Development	Decree 2811/74 Law 99/93 Decree-216/2003
STATUTORY REGULATION	Mines Code Environmental Licenses Forest Use (if required) River bed intervention (if required) Water Management Concession (if required) Permit for liquid waste discharge (if required) Transportation, Management and Disposal of Slag and Solid Waste	Law 685 of 2001 Decree 1220 of 2005 Law 1021 of 2006 Law 1021 of 2006 Decree 1541 of 1978 Decree 1584 of 1984 Decree 948 of 1995 Resolution 0627 of 2001 Resolution 909 of 2008 Resolution 541 of 1994 Decree 1713 of 2002 (modified by Decree 838 of 2005) Decree 4741 of 2005
LANDSCAPE	Right to enjoy urban and rural landscape. Landscape protection	Art.302-304 C.R.N.R. D.1715/78



2.2 RELEVANT INTERNATIONAL TREATIES AND STANDARDS USED TO EVALUATE POLLUTION

The following are some the most relevant worldwide treaties:

- United Nations Sustainable Development Summit, Johannesburg, South Africa, September 2,002.
- Earth Summit 1,992, Rio de Janeiro, Brazil, inter-relates Sustainable Development, Climate Change and Biological Diversity.
- Resolution 54/175 of 2000, issued by the United Nations General Assembly, taking into account the right for Pure Water as a Human Fundamental Right.
- Agenda 21 on Sustainable Development International Treaties.
- Ramsar Convention 1971, on Wetlands of International Interest.
- Mar del Plata Action Plan, Argentina 1977, Hydric Resources Management from a perspective of improvement in economic and social conditions for humanity.
- Helsinki Convention 1997, Protection and Use of Trans-boundary Watercourses and International Lakes.
- The Millenium Summit on Potable Water and Basic Sanitation, Colombia 2009. La Cumbre del Milenio de Agua Potable y Saneamiento Básico, Colombia 2009.
- International Convention for the Prevention of Pollution of the Sea by Oil
- United Nations Conference on the Environment, Stockholm 1972.
- Kyoto Protocol 2002, on Climate Change and Greenhouse Gas Emissions.

Other International Conventions

- United Nations International Convention on Biological Diversity.
- Vienna Convention, for the Protection of the Ozone Layer.



- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- Convention on Migratory Species of Wild Animals (CMS).
- Basel Convention on the Control of Trans-boundary Movement of Hazardous Wastes and their Disposal.
- Rotterdam Convention On the Prior Informed Consent Procedure for certain hazardous Chemical products and Pesticides in international trade, 2004
- Montreal Protocol on Substances That Deplete the Ozone Layer, 1987

With respect to the areas of Industrial Health and Safety, the following are listed:

- International Work Regulations (NIT)
- Technical Regulation on Business Behavior, 1: SA8000 and FLO (Fair Labeling Organization).
- Occupational Health and Safety Regulations IRAM 3800 and OHSAS 18001. (Accident prevention and in consequence business profitability).
- Technological Standards – ANSI, NIOSH

2.3 APPLICABLE ENVIRONMENTAL STANDARDS – ENVIRONMENTAL GUIDELINES ON HEALTH AND SAFETY FOR OIL EXPLOITATION DEVELOPMENT.

The oil sector corporations have included environmental quality management systems among their operative policies. Apart from observing the increasingly more rigorous and punitive Environmental Legislation with those that commit crimes against the environment, the environmental quality management improves the efficiency of the corporations and at the same time reduces the risk of possible accidents and their respective sanctions, achieving an ecologic image that contributes while improving its competitiveness.

ISO 14000 is amongst the international environmental quality systems. It is important to highlight the environmental management regulations (ISO 14001 and 14004); environmental audit and related investigation (ISO 14010, 14011 and 14012); environmental performance evaluation (14031); the environment labeling (14022, 14023); the life cycle (14040, 14041); terms and definitions (14050) and product environmental standards (14060).