

# Enforcement Regulation of the Environmental Impact Assessment Act

(Order of the Prime Minister's Office No. 37 of June 12, 1998)

Based on the provisions of the Environmental Impact Assessment Act (Act No 81 of 1997), the Enforcement Regulation of the Environment Impact Assessment Act is enacted as follows.

(Matters to be described in a Document on the Primary Environmental Impact Consideration)

Article 1 (1) The matters specified by Order of the Ministry of the Environment prescribed in Article 3, paragraph (3), item (v) of the Environmental Impact Assessment Act (Act No 81 of 1997, hereinafter referred to as the "Act") are a summary of opinions of related administrative organs and the public if such opinions on a draft of a document on primary environmental impact consideration have been collected pursuant to the provisions of Article 3-7, paragraph (1) of the Act.

(2) In preparing a document on primary environmental impact consideration pursuant to the provisions of Article 3-3, paragraph (1) of the Act, a person preparing the relevant document must endeavor to include views, concerning the opinions referred to in the preceding paragraph, of the project proponent who intends to implement a class-1 project.

(Publication of Document on Primary Environmental Impact Consideration)

Article 1-2 (1) The place where a document on primary environmental impact consideration and its summary (hereinafter in this Article referred to as "consideration document etc.") are to be published pursuant to the provisions of Article 3-4, paragraph (1) of the Act is to be selected from the following places, within the area where considered to be within the range received environmental impact by a class-1 project by taking into consideration the convenience of the public in terms of access to the extent possible:

- (i) an office of a person who intends to implement a class-1 project;
- (ii) if the cooperation of related prefecture is obtained, the prefectural office building or other facility of the related prefecture;
- (iii) if the cooperation of related municipality is obtained, the municipal office building or other facility of the related municipality;
- (iv) beyond those set forth in the preceding three items, an appropriate facility available for a person who intends to implement a class-1 project.

(2) Consideration document etc. is to be made public pursuant to the provisions

of Article 3-4, paragraph (1) of the Act at the place prescribed in the preceding paragraph, and is also to be announced via the internet by selecting the appropriate measures specified below:

- (i) posting on the website of the person who intends to implement a class-1 project;
  - (ii) posting on the website of the related prefecture in cooperation with a related prefecture;
  - (iii) posting on the website of the related municipality in cooperation with related municipality.
- (3) The publication prescribed in the preceding two paragraphs is to be posted for an appropriate period of time which is fixed in order to make the contents of consideration document, etc. known to the public.

(Asking of Opinions of Persons with Relevant Expertise)

Article 1-3 The Minister of the Environment, in stating opinions pursuant to the provisions of Article 3-5 of the Act, if deemed necessary, may seek opinions of persons with relevant expertise.

(Publication in the Case of a Closure of a Class-1 Project)

Article 1-4 (1) The publication prescribed in the provisions of Article 3-9, paragraph (1) of the Act is to be made by selecting the appropriate measures from those listed below:

- (i) publication in an official gazette;
  - (ii) publication in a prefectural bulletin or newsletter in cooperation with related prefecture;
  - (iii) publication in a municipal bulletin or newsletter in cooperation with related municipality;
  - (iv) publication in a daily newspaper that publishes topical issues.
- (2) The publication prescribed in the provisions of Article 3-9 of the Act, paragraph (1) is to contain the following items:
- (i) the name and address of a person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office);
  - (ii) the name, type and scale of a class-1 project;
  - (iii) a statement to the effect that the project falls under one of the items listed in Article 3-9, paragraph (1) of the Act and the corresponding item;
  - (iv) when the project falls under Article 3-9, paragraph (1), item (iii) of the Act, the name and address of the person who has become a new project proponent by transfer and now intending to implement the class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office).

(Matters to be described in a Scoping Document)

Article 1-5 The matters prescribed in the Order of the Ministry of the Environment prescribed in Article 5, paragraph (1), item (viii) of the Act are as follows:

- (i) if a document on primary environmental impact consideration has been prepared in accordance with the provisions of Article 3-3, paragraph (1) of the Act, the following items:
  - (a) when the opinions of the related administrative organs or the public regarding a document on primary environmental impact consideration or its draft have been collected pursuant to the provisions of Article 3-7, paragraph (1) of the Act, then a summary of the opinions;
  - (b) views of the project proponent who intends to implement a class-1 project in response to the opinions prescribed in the preceding item;
  - (c) the background and details of the examination pertaining to the consideration for environmental conservation during the process of determining, pursuant to the provisions of Article 3-2, paragraph (1) of the Act, the area in which a project will be implemented and other matters specified by order of the competent ministry.
- (ii) In accordance with a Prefectural or Municipal Ordinance or administrative guidance prescribed in Article 36 of the Administrative Procedure Act (Act No. 88 of 1993) (including those enforced by a local government as prescribed in the provisions of the same Article of the same Act) and other measures (hereinafter referred to as "administrative guidance etc."), when a document that reports on the examination of items to consider for environmental conservation in one or two or more areas in which the target project will be implemented has been prepared during the process of determining the area in which the relevant project will be implemented and other matters at the planning stage of the relevant project, then the matters listed in the following items which are specified, as items to be described in a document corresponding to a scoping document prescribed in Article 5 of the Act, by Prefectural or Municipal Ordinance or administrative guidance etc.:
  - (a) the contents of the relevant document;
  - (b) if there are opinions stated by the related administrative organs on the relevant document, then such opinions;
  - (c) if there are opinions stated by the public on the relevant document, then a summary of such opinions;
  - (d) views of the project proponent on the opinions referred to in the preceding two items;
  - (e) the background and details of the examination pertaining to the consideration for environmental conservation during the process of

determining the area in which the relevant target project will be implemented and other matters.

(Method of Issuing a Public Notice Concerning a Scoping Document)

Article 1-6 A public notice prescribed in Article 7 of the Act is issued by selecting the appropriate measures from those listed below:

- (i) publication in the official gazette;
- (ii) publication in a prefectural bulletin or newsletter in cooperation with the related prefecture;
- (iii) publication in a municipal bulletin or newsletter in cooperation with related municipality;
- (iv) publication in a daily newspaper that publishes topical issues.

(Making a Scoping Document Available for Public Inspection)

Article 2 The place where a scoping document and its summary (hereinafter referred to as "scoping document etc.") are to be made available for public inspection pursuant to the provisions of Article 7 of the Act is to be selected from those listed below by taking into consideration the convenience of the public in terms of access to the extent possible:

- (i) an office of the project proponent;
- (ii) if the cooperation of related prefecture is obtained, the prefectural office building or other facility of the related prefecture;
- (iii) if the cooperation of related municipality is obtained, the municipal office building or other facility of the related municipality;
- (iv) beyond those set forth in the preceding three items, an appropriate facility available for the project proponent.

(Matters to be Stated in a Public Notice Concerning a Scoping Document)

Article 3 The matters specified by Order of the Ministry of the Environment prescribed in Article 7 of the Act are as follows:

- (i) the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the address of its principal office);
- (ii) the name, type, and scale of a target project;
- (iii) the area in which the target project should be implemented;
- (iv) the extent of the area where considered to be within the range received environmental impact by the target project prescribed in Article 6, paragraph (1) of the Act;
- (v) the place, period, and time for the public inspection of scoping document etc.;
- (vi) a statement to the effect that opinions in writing on the scoping document

from the standpoint of environmental conservation are invited;  
(vii) a submission deadline prescribed in Article 8, paragraph (1) of the Act, the office to which written opinions are to be submitted, and other items necessary for the submission.

(Publication of Scoping Document)

Article 3-2 Scoping document etc. is to be made public in accordance with the provisions of Article 7 of the Act by selecting the appropriate measures from those listed below:

- (i) posting on the website of the project proponent;
- (ii) posting on the website of the related prefecture in cooperation with related prefecture;
- (iii) posting on the website of the related municipality in cooperation with related municipality.

(Scoping Document Explanatory Meetings)

Article 3-3 The date, time and place of a scoping document explanatory meeting prescribed in the provisions of Article 7-2, paragraph (1) of the Act is to be determined by taking into consideration the convenience of the public in terms of access to the extent possible. If two or more municipalities are included within the area where it considered to be within the range effected by environmental impact by the target project and other reasons, when the project proponent finds it necessary, the area in which scoping document explanatory meetings are held is divided into two or more zones, and a scoping document explanatory meeting is held in each one of the relevant zones.

(Public Notice on Scoping Document Explanatory Meetings)

Article 3-4 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in the provisions of Article 7-2, paragraph (2) of the Act.

(2) The public notice prescribed in the provisions of Article 7-2, paragraph (2) of the Act is to be made on the following items:

- (i) the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its head office);
- (ii) the name, type and scale of the target project;
- (iii) the area in which the target project will be implemented;
- (iv) the extent of the area where considered to be within the range received environmental impact by the target project;
- (v) the scheduled date, time and place of the scoping document explanatory meetings.

(Reasons not Attributable to the Project Proponent)

Article 3-5 The reasons that are not attributable to the project proponent referred to in Article 7-2, paragraph (4) of the Act and specified in the Order of the Ministry of the Environment are as follows:

- (i) the inability to hold a scoping document explanatory meeting due to natural disaster, traffic disruption or other unpredictable circumstances;
- (ii) the apparent inability to ensure smooth proceeding of a scoping document explanatory meeting due to willful disruption by persons other than the project proponent.

(Submission of Written Opinions Concerning a Scoping Document)

Article 4 (1) The opinions referred to in Article 8, paragraph (1) of the Act are to include the following items:

- (i) the name and address of the person who is stating the opinions (in the case of a corporation, its name, the name of its representative, and the location of its principal office);
  - (ii) the name of the scoping document on which the relevant opinions are being stated;
  - (iii) the opinions on the scoping document from the standpoint of environmental conservation.
- (2) The opinions referred to in the preceding paragraph, item (iii) are to be written in Japanese and contain the reasons for such opinions.

(Asking of Opinions of Persons with Relevant Expertise)

Article 4-2 The provisions of Article 1-3 are applied *mutatis mutandis* pursuant to cases where the Minister of the Environment states opinions in accordance with the provisions of Article 11, paragraph (3) of the Act.

(Matters to be described in a draft EIS)

Article 4-3 The provisions of Article 1-5 are applied *mutatis mutandis* pursuant to the items specified by Order of the Ministry of the Environment referred to in Article 14, paragraph (1), item (ix) of the Act.

(Method of Issuing a Public Notice concerning a draft EIS)

Article 5 The provisions of Article 1-6 are applied *mutatis mutandis* to the public notice prescribed in the provisions of Article 16 of the Act (including as applied *mutatis mutandis* pursuant to Article 48, paragraph (2) of the Act).

(Making a draft EIS Available for Public Inspection)

Article 6 (1) The provisions of Article 2 are applied *mutatis mutandis* to the public inspection prescribed in the provisions of Article 16 of the Act. In this

case, the phrase "a scoping document and its summary (hereinafter referred to as "scoping document etc.")" in Article 2 is deemed to be replaced with "a draft EIS and its summary (hereinafter referred to as "draft EIS etc.")"

- (2) The provisions of Article 2 are applied mutatis mutandis to the public inspection prescribed in the provisions of Article 16 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "a scoping document and its summary (hereinafter referred to as "scoping document etc.")" in Article 2 is deemed to be replaced with "a draft EIS and its summary (hereinafter referred to as "draft EIS etc.")", and the term "the project proponent" in the same Article, items (i) and (iv) with "the port management body."

(Matters to be Stated in a Public Notice Concerning a Draft EIS)

Article 7 (1) The matters specified by the Order of the Ministry of the Environment prescribed in Article 16 of the Act are as follows:

- (i) the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office);
  - (ii) the name, type and scale of a target project;
  - (iii) the area in which the target project will be implemented;
  - (iv) the extent of the related area;
  - (v) the place, period and time for the public inspection of draft EIS etc.;
  - (vi) a statement to the effect that opinions in writing on the draft EIS from the standpoint of environmental conservation are invited;
  - (vii) a submission deadline prescribed in Article 18, paragraph (1) of the Act, the office to which written opinions are to be submitted, and other matters necessary for the submission.
- (2) The provisions of the preceding Article are applied mutatis mutandis to the public notice prescribed in the provisions of Article 16 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the preceding paragraph, item (i) is deemed to be replaced with "the name and address of the port management body"; the phrase "the name, type and scale of a target project" in the same paragraph, item (ii) is deemed to be replaced with "the name of the target port plan, and the landfill etc. area specified in the target port plan (excluding, in the case of modification of the port plan after the relevant area has been determined, the area prior to the relevant modification)"; the term "target project" in the same paragraph, item (iii) is deemed to be replaced with "the port development etc. specified in the target port plan"; the phrase "Article 18, paragraph (1) of the Act" in the

same paragraph, item (vii) is deemed to be replaced with "Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act."

(Publication of draft EIS)

Article 7-2 (1) The provisions of Article 3-2 are applied mutatis mutandis to the publication prescribed in the provisions of Article 16 of the Act. In this case, the term "scoping document etc." in Article 3-2 is deemed to be replaced with "draft EIS etc."

(2) The provisions of Article 3-2 are applied mutatis mutandis to the publication prescribed in the provisions of Article 16 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the term "scoping document etc." in the same Article is deemed to be replaced with "draft EIS etc." and the term "the project proponent" in the same Article, item (i) is deemed to be replaced with "the port management body."

(Draft EIS Explanatory Meetings)

Article 8 (1) The provisions of Article 3-3 are applied mutatis mutandis to the draft EIS explanatory meeting prescribed in the provisions of Article 17, paragraph (1) of the Act. In this case, the term "a scoping document explanatory meeting" in Article 3-3 is deemed to be replaced with "a draft EIS explanatory meeting" and the phrase "the area where considered to be within the range received environmental impact by the target project" is deemed to be replaced with "the related area."

(2) The provisions of Article 3-3 are applied mutatis mutandis to the explanatory meeting prescribed in the provisions of Article 17, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the term "a scoping document explanatory meeting" in Article 3-3 is deemed to be replaced with "a draft EIS explanatory meeting" and the term "the project proponent" is deemed to be replaced with "the port management body."

(Public Notice of a Draft EIS Explanatory Meeting)

Article 9 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in the provisions of Article 7-2, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act.

(2) The provisions of Article 3-4, paragraph (2) are applied mutatis mutandis to the public notice prescribed in the provisions of Article 7-2, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act. In this case, the term "a scoping document explanatory meeting" in

Article 3-4 is deemed to be replaced with "a draft EIS explanatory meeting" and the phrase "the area where considered to be within the range received environmental impact by the target project" in the same Article, paragraph (2), item (iv) is deemed to be replaced with "the related area."

- (3) The provisions of Article 1-6 and Article 3-4, paragraph (2) are applied mutatis mutandis to the public notice prescribed in the provisions of Article 7-2, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in Article 3-4, paragraph (2), item (i) is deemed to be replaced with "the name and address of the port management body"; the phrase "the name, type and scale of a target project" in the same paragraph, item (ii) is deemed to be replaced with "the name of the target port plan, and the landfill etc. area specified in the target port plan (excluding, in the case of modification of the port plan after the relevant area has been determined, the area prior to the relevant modification)"; the term "the target project" in the same paragraph, item (iii) is deemed to be replaced with "the port development etc. specified in the target port plan"; the term "a scoping document explanatory meeting" in the same paragraph, item (v) is deemed to be replaced with "a draft EIS explanatory meeting"

(Reasons not Attributable to the Project Proponent)

Article 10 (1) The provisions of Article 3-5 are applied mutatis mutandis to the reasons not attributable to the project proponent prescribed in the provisions of Article 7-2, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act. In this case, the term "a scoping document explanatory meeting" in Article 3-5 is deemed to be replaced with "a draft EIS explanatory meeting."

- (2) The provisions of Article 3-5 are applied mutatis mutandis to the reasons not attributable to the port management body prescribed in Article 7-2, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the term "the project proponent" in Article 3-5, item (i) is deemed to be replaced with "the port management body" and the term "a scoping document explanatory meeting" is deemed to be replaced with "a draft EIS explanatory meeting."

(Making the Matters Stated in a Draft EIS Known to the Public)

Article 11 (1) Draft EIS is made known to the public in accordance with the

provisions of Article 17, paragraph (4) of the Act (including as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act) by selecting the appropriate measures from those listed below:

- (i) providing a summary of a draft EIS on request after making known to the public the availability of such summary on request;
  - (ii) issuing a public notice of an abstract of the draft EIS;
  - (iii) other than those set forth in the preceding two items, an appropriate method to make the matters described in the draft EIS known to the public.
- (2) The provisions of Article 1 are applied mutatis mutandis to the public notice prescribing in the preceding paragraph, item (ii).

(Submission of Opinions Regarding a Draft EIS)

Article 12 The provisions of Article 4 are applied mutatis mutandis to the opinions prescribed in Article 18, paragraph (1) of the Act (including the case as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act). In this case, the term "a Scoping Document" in Article 4 is deemed to be replaced with "a draft EIS."

(Asking of Opinions of Persons with Relevant Expertise)

Article 12-2 The provisions of Article 1-3 are applied mutatis mutandis to cases where the Minister of the Environment states opinions as prescribed in Article 23 of the Act.

(Method of Issuing a Public Notice Concerning an EIS)

Article 13 The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in Article 27 of the Act (including the cases where applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act).

(Making an Environmental Impact Statement (EIS) Available for Public Inspection)

Article 14 (1) The provisions of Article 2 are applied mutatis mutandis to the public inspection prescribed in Article 27 of the Act. In this case, the phrase "a scoping document and its summary (hereinafter referred to as "scoping document etc.")" in Article 2 is deemed to be replaced with "an EIS, its summary, and a document referred to in Article 24 of the Act (hereinafter referred to as "EIS etc.").

(2) The provisions of Article 2 are applied mutatis mutandis to the public inspection specified in Article 27 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "a scoping document and its summary (hereinafter referred to as "scoping document etc.")" in Article 2 is deemed to be replaced with "an EIS and its

summary" and the term "the project proponent" in the same Article, items (i) and (iv) is deemed to be replaced with "the port management body."

(Matters to be Stated in a Public Notice concerning an EIS)

Article 15 (1) The matters specified by Order of the Ministry of the Environment prescribed in Article 27 of the Act are as follows:

(i) the name and address of a person who intends to implement a target project (in the case of a corporation, its name, the name of its representative, and the location of its principal office);

(ii) the name, type and scale of a target project;

(iii) the area in which the target project will be implemented;

(iv) the extent of the related area;

(v) the place, period and time for the public inspection of EIS etc.

(2) The provisions of the preceding paragraph are applied mutatis mutandis to the public notice specified in Article 27 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the preceding paragraph, item (i) is deemed to be replaced with "the name and address of the port management body"; the phrase "the name, type and scale of a target project" in the same paragraph, item (ii) is deemed to be replaced with "the name of the target port plan, and the landfill etc. area specified in the target port plan (excluding, in the case of modification of the port plan after the relevant area has been determined, the area prior to the relevant modification)"; the term "the target project" in the same paragraph, item (iii) is deemed to be replaced with "the port development etc. specified in the target port plan"; the term "EIS etc." in the same paragraph, item (v) is deemed to be replaced with "an EIS and its summary."

(Publication of EIS)

Article 15-2 (1) The provisions of Article 3-2 are applied mutatis mutandis to the publication prescribed in Article 27 of the Act. In this case, the term "scoping document etc." in Article 3-2 is deemed to be replaced with "EIS etc."

(2) The provisions of Article 3-2 are applied mutatis mutandis to the publication prescribed in Article 27 of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the term "scoping document etc." in Article 3-2 is deemed to be replaced with "an EIS and its summary," and the term "the project proponent" in the same Article, item (i) is deemed to be replaced with "the port management body."

(A Public Notice of Judgment of not Requiring Implementation of Procedures)

Article 16 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in Article 29, paragraph (3) of the Act.

(2) A public notice prescribed in the provisions of Article 29, paragraph (3) of the Act is issued on the following items:

(i) the name and address of a person who has submitted a notification prescribed in Article 29, paragraph (1) of the Act (in the case of a corporation, its name, the name of its representative, and the location of its principal office);

(ii) the name, type and scale of the project for which the measures prescribed in Article 4, paragraph (3), item (ii) of the Act as applied mutatis mutandis pursuant to Article 29, paragraph (2) of the Act have been taken;

(iii) a statement to the effect that the measures prescribed in Article 4, paragraph (3), item (ii) of the Act as applied mutatis mutandis pursuant to Article 29, paragraph (2) of the Act have been taken.

(3) The provisions of Article 1-6 and the preceding paragraph are applied mutatis mutandis to the public notice prescribed in Article 29, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act. In this case, the phrase "Article 29, paragraph (1) of the Act" in the preceding paragraph, item (i) is deemed to be replaced with "Article 29, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act," and the phrase "Article 29, paragraph (2) of the Act" in the same paragraph, item (ii) and (iii) is deemed to be replaced with "Article 29, paragraph (2) as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act."

(4) The provisions of Article 1-6 and paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 29, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act. In this case, the phrase "Article 29, paragraph (1) of the Act" in paragraph (2), item (i) is deemed to be replaced with "Article 29, paragraph (1) of the Act as applied mutatis mutandis to Article 55, paragraph (2) of the Act," and the phrase "Article 29, paragraph (2) of the Act" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "Article 29, paragraph (2) of the Act as applied mutatis mutandis to Article 55, paragraph (2) of the Act."

(A Public Notice of Abandonment of a Target Project)

Article 17 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in Article 30, paragraph (1) of the Act.

(2) A public notice prescribed in the provisions of Article 30, paragraph (1) of the Act is issued on the following items:

(i) the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal

- office);
- (ii) the name, type and scale of the target project;
  - (iii) a statement to the effect that the project falls under one of the items listed in Article 30, paragraph (1) of the Act and the corresponding item;
  - (iv) if the project falls under Article 30, paragraph (1), item (iii) of the Act, the name and address of the person who has newly become the project proponent by transfer (in the case of a corporation, its name, the name of its representative, and the location of its principal office).
- (3) The provisions of Article 1-6 and the preceding paragraph are applied mutatis mutandis to the public notice prescribed in Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act. In this case, the phrase "Article 30, paragraph (1) of the Act" in the preceding paragraph, item (iii) and (iv) is deemed to be replaced with "Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act."
- (4) The provisions of Article 1-6 and paragraph (2) (excluding item (iv)) are applied mutatis mutandis to the public notice prescribed in Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act. In this case, the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in paragraph (2), item (i) is deemed to be replaced with "the name and address of the port management body"; the phrase "the name, type and scale of the target project" in the same paragraph, item (ii) is deemed to be replaced with "the name of the target port plan, and the landfill etc. area specified in the target port plan (excluding, in the case of modification of the port plan after the relevant area has been determined, the area prior to the relevant modification)"; and the phrase "Article 30, paragraph (1) of the Act" in the same paragraph, item (iii) is deemed to be replaced with "Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act."
- (5) The provisions of Article 1-6 and paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act. In this case, the term "the project proponent" in paragraph (2), item (i) is deemed to be replaced with "the person who intends to implement new target project etc. specified in Article 55, paragraph (1) of the Act"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "new target project etc. specified in Article 55, paragraph (1) of the Act"; the phrase "Article 30, paragraph (1)" in the same paragraph, item (iii) and (iv) is deemed to be replaced with "Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act"; the term "the

project proponent" in the same item is deemed to be replaced with "the person who intends to implement new target project etc. specified in Article 55, paragraph (1) of the Act."

(A Public Notice of Transfer After a Public Notice on an EIS has Been Issued)

Article 18 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in Article 31, paragraph (4) of the Act.

(2) A public notice prescribed in the provisions of Article 31, paragraph (4) of the Act is issued on the following items:

(i) the name and address of the project proponent before transfer (in the case of a corporation, its name, the name of its representative, and the location of its principal office);

(ii) the name, type and scale of the target project;

(iii) a statement to the effect that the implementation of the target project has been transferred to another person;

(iv) the name and address of the person who has newly become the project proponent by transfer (in the case of corporation, its name, the name of its representative, and the location of its principal office).

(3) The provisions of Article 1-6 and the preceding paragraph are applied mutatis mutandis to the public notice prescribed in Article 31, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act.

(4) The provisions of Article 1-6 and paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 31, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act. In this case, the term "the project proponent" in paragraph (2), item (i) is deemed to be replaced with "the person who intends to implement new target project etc. specified in Article 55, paragraph (1) of the Act"; the term "the target project" in the same paragraph, item (ii) and item (iii) is deemed to be replaced with "new target project etc. specified in Article 55, paragraph (1) of the Act"; the term "the project proponent" in the same paragraph, item (iv) is deemed to be replaced with "the person who intends to implement new target project etc. prescribed in Article 55, paragraph (1) of the Act."

(A Public Notice of Additional Environmental Impact Assessment and Other Procedures)

Article 19 (1) The provisions of Article 1-6 are applied mutatis mutandis to the public notice prescribed in Article 32, paragraph (2) of the Act.

(2) A public notice prescribed in the provisions of Article 32, paragraph (2) of the Act is made on the following items:

(i) the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal

- office);
- (ii) the name, type and scale of the target project;
  - (iii) a statement to the effect that an environmental impact assessment and other procedures will be conducted in accordance with the provisions of Article 32, paragraph (1) of the Act, as well as the procedures to be conducted.
- (3) The provisions of Article 1-6 and the preceding paragraph are applied mutatis mutandis to the public notice prescribed in Article 32, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act. In this case, the term "the project proponent" in the preceding paragraph, item (i) is deemed to be replaced with "the person who intends to implement new target project etc. prescribed in Article 55, paragraph (1) of the Act"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "new target project etc. specified in Article 55, paragraph (1) of the Act"; the phrase "Article 32, paragraph (1)" in the same paragraph, item (iii) is deemed to be replaced with "Article 32, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 55, paragraph (2) of the Act."

(Measures for Which the Effect of Environmental Conservation is not Certain)  
Article 19-2 The matters specified by Order of the Ministry of the Environment prescribed in Article 38, paragraph (2), item (i) of the Act are as follows:

- (i) measures pertaining to the conservation of the habitat or growing environment of endangered animals and plants;
- (ii) measures necessary for the protection of endangered animals and plants;
- (iii) beyond those set forth in the preceding two items, the measures which have been taken in cases where there exists in surroundings an environment recognized to require conservation especially because it is irreversible, but whose effectiveness is not certain.

(Publication of a Report)

Article 19-3 The provisions of Article 1-2 are applied mutatis mutandis pursuant to the publication of a report prescribed in Article 38-3, paragraph (1) of the Act. In this case, the phrase "within the area where considered to be within the range received environmental impact by a class-1 project" in Article 1-2, paragraph (1) is deemed to be replaced with "within the related area," and the phrase "a person who intends to implement a class-1 project" in the same paragraph, items (i) and (iv) and the same Article, paragraph (2), item (i) is deemed to be replaced with "the project proponent."

(Asking of Opinions of Persons with Relevant Expertise)

Article 19-4 The provisions of Article 1-3 are applied mutatis mutandis pursuant to the cases where the Minister of the Environment states opinions pursuant to

the provisions of Article 38-4 of the Act.

(Replacement of Terms and Phrases when the City Plan Stipulator Follows Procedures)

Article 19-5 If the city plan stipulator conducts an examination of items for primary environmental impact consideration and other procedures pursuant to the provisions of Article 38-6, paragraphs (1) and (2) of the Act, the provisions of Articles 1 through 1-4 (excluding Article 1-4, paragraph (2), item (iv)) are applied. In this case, regarding the application of the relevant provisions, the phrase "Article 3-3, paragraph (1), item (v)" in Article 1, paragraph (1) is deemed to be replaced with "Article 3-3, paragraph (1), item (v) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3)"; the phrase "Article 3-7, paragraph (1) of the Act" is deemed to be replaced with "Article 3-7, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "Article 3-3, paragraph (1) of the Act" in the same Article, paragraph (2) is deemed to be replaced with "Article 3-3, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "Article 3-4, paragraph (1) of the Act" in Article 1-2, paragraph (1) is deemed to be replaced with "Article 3-4, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "by a class-1 project" is deemed to be replaced with "by a class-1 project in a city plan"; the phrase "a person who intends to implement a class-1 project" in the same paragraph, items (i) and (iv) is deemed to be replaced with "the city plan stipulator"; the phrase "Article 3-4, paragraph (1) of the Act" in the same Article, paragraph (2) is deemed to be replaced with "Article 3-4, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "a person who intends to implement a class-1 project" in the same paragraph, item (i) is deemed to be replaced with "the city plan stipulator"; the term "a class-1 project" in the title of Article 1-4 is deemed to be replaced with "a class-1 project in a city plan"; the phrase "Article 3-9, paragraph (1) of the Act" in the same Article, paragraphs (1) and (2) is deemed to be replaced with "Article 3-9, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3)"; the phrase "the name and address of a person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "a class-1 project" in the same paragraph, item (ii) is deemed to be replaced with "a class-1 project in the city

plan."

Article 20 If the city plan stipulator conducts an environmental impact assessment and other procedures pursuant to the provisions of Article 38-6, paragraph (1) and Article 40, paragraph (1) of the Act, the provisions of Articles 1-5 through 19 (excluding Article 6, paragraph (2), Article 7, paragraph (2), Article 7-2, paragraph (2), Article 8, paragraph (2), Article 9, paragraph (3), Article 10, paragraph (2), Article 14, paragraph (2), Article 15, paragraph (2), Article 15-2, paragraph (2), Article 16, paragraph (3) and (4), Article 17, paragraph (2), item (iv) and paragraphs (3) through (5), Article 18, paragraph (3) and (4), and Article 19, paragraph (3)) are applied. In this case, regarding the application of the relevant provisions, the phrase "Article 5, paragraph (1), item (viii) of the Act" in Article 1-5 is deemed to be replaced with "Article 5, paragraph (1), item (viii) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 3-3, paragraph (1) of the Act" in the same paragraph, item (i) is deemed to be replaced with "Article 3-3, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3)"; the phrase "Article 3-7, paragraph (1) of the Act" is deemed to be replaced with "Article 3-7, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "a person who intends to implement a class-1 project" is deemed to be replaced with "the city plan stipulator"; the phrase "Article 3-2, paragraph (1) of the Act" is deemed to be replaced with "Article 3-2, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the Act"; the phrase "Article 7 of the Act" in Articles 1-6 and 2 is deemed to be replaced with "Article 7 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the term "the project proponent" in the same Article, items (i) and (iv) is deemed to be replaced with "the city plan stipulator"; the phrase "Article 7 of the Act" in Article 3 is deemed to be replaced with "Article 7 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same Article, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the same Article, items (ii) through (iv) is deemed to be replaced with "the target project in city plan"; the phrase "Article 6, paragraph (1) of the Act" in the same item is deemed to be replaced with "Article 6, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40,

paragraph (2) of the Act"; the phrase "Article 8, paragraph (1) of the Act" in the same Article, item (vii) is deemed to be replaced with "Article 8, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)"; the phrase "Article 7 of the Act" in Article 3-2 is deemed to be replaced with "Article 7 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the term "the project proponent" in the same Article, item (i) is deemed to be replaced with "the city plan stipulator"; the phrase "Article 7-2, paragraph (1) of the Act" in Article 3-3 is deemed to be replaced with "Article 7-2, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the term "the target project" is deemed to be replaced with "the target project in city plan"; the term "the project proponent" is deemed to be replaced with "the city plan stipulator"; the phrase "Article 7-2, paragraph (2) of the Act" in Article 3-4, paragraphs (1) and (2) is deemed to be replaced with "Article 7-2, paragraph (2) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the provisions of the same paragraph, items (ii) through (iv) is deemed to be replaced with "the target project in a city plan"; the phrase "Article 7-2, paragraph (4) of the Act" in Article 3-5 is deemed to be replaced with "Article 7-2, paragraph (4) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the term "the project proponent" is deemed to be replaced with "the city plan stipulator"; the phrase "Article 8, paragraph (1) of the Act" in Article 4, paragraph (1) is deemed to be replaced with "Article 8, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 11, paragraph (3) of the Act" in Article 4-2 is deemed to be replaced with "Article 11, paragraph (3) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 14, paragraph (1), item (ix) of the Act" in Article 4-3 is deemed to be replaced with "Article 14, paragraph (1), item (ix) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 16 of the Act (including the cases where applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act)" in Article 5, paragraph (1) is deemed to be replaced with "Article 16 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 16 of the Act" in Article 6, paragraph (1) and Article 7,

paragraph (1) is deemed to be replaced with "Article 16 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "the target project in city plan"; the phrase "Article 18, paragraph (1) of the Act" in the same paragraph, item (vii) is deemed to be replaced with "Article 18, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 16 of the Act" in Article 7-2, paragraph (1) is deemed to be replaced with "Article 16 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 17, paragraph (1) of the Act" in Article 8, paragraph (1) is deemed to be replaced with "Article 17, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 17, paragraph (2)" in Article 9, paragraph (1) and (2) is deemed to be replaced with "Article 17, paragraph (2) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 17, paragraph (2) of the Act" is deemed to be replaced with "Article 17, Paragraph (2) as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the term "the project proponent" is deemed to be replaced with "the city plan stipulator"; the phrase "Article 18, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act)" in Article 12 is deemed to be replaced with "Article 18, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 27 of the Act (including the cases where applied mutatis mutandis pursuant to Article 48, paragraph (2) of the Act)" in Article 13 is deemed to be replaced with "Article 27 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 27 of the Act" in Article 14, paragraph (1) and Article 15, paragraph (1) is deemed to be replaced with "Article 27 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the same paragraph, items (ii) and (iii) are

deemed to be replaced with "the target project in city plan"; the phrase "Article 27 of the Act" in Article 15-2 is deemed to be replaced with "Article 27 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 29, paragraph (3) of the Act" in Article 16, paragraph (1) and (2) is deemed to be replaced with "Article 29, paragraph (3) as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of a person who has submitted a notification prescribed in Article 29, paragraph (1) of the Act (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of a person who has submitted a notification prescribed in the provisions of Article 29, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 4, paragraph (3), item (ii) of the Act as applied mutatis mutandis pursuant to Article 29, paragraph (2) of the Act" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "Article 4, paragraph (3), item (ii) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 29, paragraph (2) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 30, paragraph (1) of the Act" in Article 17, paragraph (1) and (2) (excluding item (iv)) is deemed to be replaced with "Article 30, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "the target project in city plan"; the phrase "Article 31, paragraph (4) of the Act" in Article 18, paragraphs (1) and (2) with "Article 31, paragraph (4) as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act."

(Replacement of Terms and Phrases regarding Reports on Environmental Conservation Measures for Target Project in City Plan)

Article 21 In cases where the city plan stipulator conducts an environmental impact assessment and other procedures pursuant to the provisions of Article 40-2 of the Act, the provisions of Articles 19-2 through 19-4 are applied. In this case, regarding the application of the relevant provisions, the phrase "Article 38-2, paragraph (1) of the Act" in Article 19-2 is deemed to be replaced with

"Article 38-2, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40-2 of the Act"; the phrase "Article 38-3, paragraph (1) of the Act" in Article 19-3 is deemed to be replaced with "Article 38-3, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40-2 of the Act"; the term "the project proponent" is deemed to be replaced with "the city plan stipulator."

### **Supplementary Provisions [Extract]**

(Effective Date)

Article 1 This Order of the Prime Minister's Office comes into effect as of the date of enforcement of the Act (June 12, 1999); provided, however, that the provisions of Articles 1 through 4, Article 20 (limited to the part pertaining to Articles 1 through 4), and the Supplementary Provisions, Article 3 come into effect as of the date of promulgation.

(Procedures when Procedures Are Taken Pursuant to the Provisions of Article 4, Paragraph (1) of the Supplementary Provisions of the Act)

Article 2 (1) The provisions of Article 1 and Article 16, paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 29, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act. In this case, the phrase "Article 29, paragraph (1) of the Act" in Article 16, paragraph (2), item (i) is deemed to be replaced with "Article 29, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act," and the phrase "Article 29, paragraph (2) of the Act" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "Article 29, Paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act."

(2) The provisions of Article 1 and Article 17, paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 30, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act. In this case, the term "the project proponent" in Article 17, paragraph (2), item (i) is deemed to be replaced with "a person who intends to implement a class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "the class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the phrase "Article 30, paragraph (1) of the Act" in the same paragraph, item (iii) and (iv) is deemed to be replaced with "Article 30, paragraph (1) of the Act as applied mutatis mutandis

pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act"; the term "the project proponent" in the same item is deemed to be replaced with "a person who intends to implement a class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act."

- (3) The provisions of Article 1 and Article 18, paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 31, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act. In this case, the term "the project proponent" in Article 18, paragraph (2), item (i) is deemed to be replaced with "a person who intends to implement a class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the term "the target project" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "the class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the term "the project proponent" in the same paragraph, item (iv) is deemed to be replaced with "a person seeking to implement a class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act."
- (4) The provisions of Article 1 and Article 19, paragraph (2) are applied mutatis mutandis to the public notice prescribed in Article 32, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act. In this case, the term "the project proponent" in Article 19, paragraph (2), item (i) is deemed to be replaced with "a person who intends to implement a class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "the class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act"; the phrase "Article 32, paragraph (1) of the Act" in the same paragraph, item (iii) is deemed to be replaced with "Article 32, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (2) of the Supplementary Provisions of the Act."

(Submission of a Notification in Cases of Conducting Procedures Concerning Scoping Document before the Enforcement of the Act)

Article 3 (1) Submission of a notification pursuant to the provisions of Article 5, paragraph (2) of the Supplementary Provisions of the Act is made by reporting the matters listed below:

- (i) the name and address of a person who will become the project proponent after the enforcement of the Act (in the case of a corporation, its name, the name of its representative, and the location of its principal office);
- (ii) the name, type and scale of the project pertaining to the environmental

- impact assessment and other procedures to be conducted pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Act;
- (iii) the area in which the project pertaining to an environmental impact assessment and other procedures conducted pursuant to Article 5, paragraph (1) of the Supplementary Provisions of the Act will be implemented;
  - (iv) the extent of the area considered to be within a range to be affected by environmental impact by the target project prescribed in Article 6, paragraph (1) of the Act;
  - (v) a statement to the effect that an environmental impact assessment and other procedures prescribed in Articles 5 through 12 of the Act will be conducted based on the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Act.
- (2) The provisions of the preceding paragraph are applied mutatis mutandis to the notification prescribed in Article 5, paragraph (2) of the Supplementary Provisions of the Act as applied mutatis mutandis pursuant to the same Article, paragraph (6). In this case, the phrase "the name and address of a person who will become the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in the preceding paragraph, item (i) is deemed to be replaced with "the name of a person who will become the city plan stipulator and conduct an environmental impact assessment and other procedures in lieu of the project proponent, pursuant to the provisions of Article 40, paragraph (1) of the Act"; the phrase "Article 5, paragraph (1) of the Supplementary Provisions of the Act" in the same paragraph, items (ii) and (iii) is deemed to be replaced with "Article 5, paragraph (1) of the Supplementary Provisions of the Act as applied mutatis mutandis pursuant to the same Article, paragraph (6)"; the phrase "the target project prescribed in Article 6, paragraph (1) of the Act" in the same paragraph, item (iv) is deemed to be replaced with "the target project in city plan prescribed in Article 6, paragraph (1) of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) of the Act"; the phrase "Article 5, paragraph (1) of the Supplementary Provisions of the Act" in the same paragraph, item (v) is deemed to be replaced with "Article 5, paragraph (1) of the Supplementary Provisions of the Act as applied mutatis mutandis pursuant to the same Article, paragraph (6)"; the phrase "Article 5 of the Act" is deemed to be replaced with "Article 5 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)."

**Supplementary Provisions [Order of the Prime Minister's Office No. 94 of August 14, 2000]**

(1) This Order of the Prime Minister's Office comes into effect as of the enforcement date (January 6, 2001) of the Act on the Partial Revision of the Cabinet Act (Act No. 88 of 1999).

**Supplementary Provisions [Order of the Ministry of the Environment No. 27 of October 14, 2011]**

This Order of the Ministry of the Environment comes into effect as of April 1, 2012.

**Supplementary Provisions [Order of the Ministry of the Environment No. 31 of October 24, 2012]**

This Order of the Ministry of the Environment comes into effect as of April 1, 2013.