# Annex №1

№. \_\_\_\_ of \_\_\_\_\_\_\_\_\_ 2024

**Technical specification**

**Purpose: To** provide services for the development of sections of the Best Available Techniques Reference Book (hereinafter referred to as BREF) on "Production of rare non-ferrous metals" in the Republic of Kazakhstan. Provision of consulting services.

**Basis:** Enterprises/facilities within the framework of the development of the BREFs of the Republic of Kazakhstan, are classified as Category I facilities whose activities have a negative impact on the environment.

In accordance with the requirements of the Environmental Code of the Republic of Kazakhstan dated 2 January 2021 No. 400-VI (hereinafter - the Code), availability of integrated environmental permits is mandatory for facilities of Category I. The transition of Category I facilities to the integrated permit system is based on the application of best available techniques (hereinafter referred to as BAT) as reflected in the BREFs.

In order to implement the abovementioned requirements, as well as the provisions of Article 113 of the Code, IGTIPC develops BREFs in accordance with the BAT fields of application.

The procedure for the development, application, monitoring, and revision of BREFs is determined in accordance with Decree No. 775 of the Government of the Republic of Kazakhstan dated 28 October 2021 "On Approval of the Rules for Development, Application, Monitoring and Revision of BREFs" (hereinafter referred to as the Rules).

1. **Composition and content of services**

This technical specification includes the following

**1.1 Step 1.** **Develop and finalize the first version of the draft BREF**

1.1.1 Data collection and analysis based on literature review, expert discussions, information from official sources, regulatory documents, BREF EU reference documents, similar documents from OECD countries and other technical regulatory documents.

1.1.2 Reviewing the results of the expert assessment of the comprehensive technology audit (hereinafter referred to as CTA) of enterprises for compliance with the principles of BAT.

1.1.3 Development of sections of the BREF assigned to the Contractor in accordance with the draft structure of the BREF approved by the Technical Working Group (hereinafter referred to as the TWG).

1.1.4 Development of the first version of the draft BREF as required by point 12 of Paragraph 2 of the Rules.

1.1.5 Advisory support to the client at TWG meetings and with other stakeholders (if any).

1.1.6 Analysis of the feasibility and reasonableness of including comments and observations in the second (and subsequent, if necessary) version of the draft BREF within no more than 10 (ten) working days from receipt of comments and observations from TWG members.

1.1.7 Preparation of a written reasoned and substantiated refusal in case of non-acceptance of comments and observations of TWG members within not more than 10 (ten) working days from the receipt of comments and observations of TWG members.

1.1.8 Development of a second (and subsequent, if necessary) version of the draft BREF, taking into account accepted comments and suggestions received following discussions by TWG members and other interested parties (if any).

1.1.9 Report to the Client at least once every ten (10) working days with supporting documents.

1.1.10 Provide the Client and the assessor with a progress report on Stage 1 with supporting documents (Explanatory note with graphical materials on sections of the draft BREF, first version of the draft BREF, at least 200 pages).

**1.2 Step 2.** **Finalize second and subsequent versions (if necessary) of the draft BREF**

1.2.1 Finalize the second and subsequent (if necessary) versions of the draft BREF taking into account all comments and suggestions received as a result of discussions by members of the TWG, BAT Committee, other interested parties (if any).

1.2.2 Consulting support of the Client at meetings and with other interested parties (if any).

1.2.3 Analysis and processing of comments received during BAT Committee meetings (if any) within no more than three (3) working days of receipt of comments and observations from BAT Committee members.

1.2.4 Preparation of a written reasoned and substantiated refusal in case of non-acceptance of comments and observations of BAT Committee members within not more than three (3) working days from the receipt of comments and observations of BAT Committee members.

1.2.5 The Contractor shall submit to the Client at least once every 10 working days, a progress report with supporting documents.

1.2.6 At the end of Stage 2, the Contractor shall submit to the Client and a progress report with supporting documents (Explanatory note with graphical materials, draft BREF itself (not less than 200 pages), finalized taking into account comments and suggestions received in accordance with clause 1.2.1 of this Technical Specification).

**1.3 Stage 3: Final stage. Provision of advice and expert support to the Client**

1.3.1 Expert support to the Client in the submission to the authorized environmental protection body for the subsequent approval procedure in accordance with the legislation of the Republic of Kazakhstan (if necessary).

1.3.2 As a result of Stage 3, the Contractor shall submit to the Client a progress report with supporting documents (Explanatory note with graphic materials, draft BREF (not less than 200 pages)).

1. **Quality requirements for services**
	1. The Contractor shall guarantee the high quality of the services and their prompt performance in accordance with the deadlines set out in the Contract and the technical specification.
	2. The service should be provided objectively, on a strictly scientific and practical basis, in a comprehensive and complete manner. The design of the sections of the handbook should be objective, systematic, clear, accessible and concise (without compromising the content).
	3. The Contractor shall ensure that the content of the sections is consistent with the main objective of the BREF, and that the BREF is user-friendly. The content of the sections should be limited to appropriate information to identify BAT and associated levels of environmental performance, as required by the Code, and should also include information on assessing the applicability of BAT.
	4. The service of developing the BAT Reference Book, best international practice in the field should be taken into account, including similar and comparable reference books officially applied in member states of the Organization for Economic Cooperation and Development under, but not limited to, Annex 1 to the Technical Specification, taking into account the need for reasonable adaptation to the existing production, technical and technological features, financial, material, climatic and environmental conditions of the Republic of Kazakhstan
	5. The information provided in the BREF sections on emission prevention and control methods, emission levels, waste generation, storage, disposal, technical, environmental and economic aspects is sufficient to allow the TWG and the BAT Committee to make an informed decision on whether to include a particular BAT in the BREF.
	6. The contractor shall prepare the sections of the draft BREF and ensure that the draft meets the client's requirements.

# Annex №2

№. \_\_\_\_ of \_\_\_\_\_\_\_\_\_ 2024

**Fees and payment arrangements**

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| **№** | **Name** | **Time of service** | **Procedure for payment for services rendered, %** | **Documents confirming the phasing of the planned scope of work** |
| 1 | Stage 1: Developing and finalizing the first version of the draft BREF | from the date of the contract until 31 of July 2024 | 30% | The draft BAT Reference Book, reviewed by the members of the TWG;Minutes of the TWG meeting on the approval of the draft BAT Reference Book;Progress report |
| 3 | Step 2: Finalize second and subsequent versions (if necessary) of the draft BREF | from 1 of August 2024 to 30 of September 2024 | 40% | Draft BREF, Voting Protocol of the TWG members; Minutes of the meeting of the BAT Committee for the review and approval of the BREFs;Progress report |
| 4 | Stage 3: Final stage. Provision of advice and expert support to the Client | 1 of October 2024 - 31 of December 2024 | 30% | Final report |
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