

A Step-by-Step Guide to Taiwan's Environmental Impact Assessment (EIA) for New Factories

A Step-by-Step Regulatory Guide for Project Developers

Content Partner: J. v. G. technology GmbH

Turnkey solar module production lines — since 1997

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Technical Overview: Taiwan's EIA Process for New Factories



Created as part of the PVKnowHow Knowledge Network



Prepared by J.v.G. Technology GmbH



European specialists in turnkey solar module production lines

Why EIA Matters for Industrial Projects



A critical and often underestimated regulatory hurdle

A project can meet every financial and technical requirement and still be delayed — or halted entirely — by a complex environmental approval process



Mandatory for new factory establishment

Taiwan's Environmental Impact Assessment Act designates the establishment of a factory or industrial park as a development activity requiring formal EIA review



EIA as project risk management

The most productive approach is to treat the EIA as an integral part of the project's development and risk management strategy — not as a bureaucratic barrier

Key Project Data

6–18+

Months

Typical total EIA timeline;
Phase II cases can extend
well beyond 18 months

50

Review Days

Statutory Phase I review
window for the competent
authority (extendable by 50
days)

2

EIA Phases

Phase I (standard
assessment) and Phase II
(enhanced review for
significant impacts)

5

Key Stages

Screening → Scoping →
Assessment → Review →
Decision

📄 Process: Environmental Impact Assessment (EIA) · Timeline: 6–18+ months · Authority: Taiwan Ministry of Environment (formerly EPA) · Scope: Industrial factory approval · Risk Level: Regulatory / environmental compliance · Source: PVKnowHow / J.v.G. Technology GmbH

Purpose of the EIA: What It Covers

Legal Definition

- A formal process to predict environmental consequences before a project proceeds
- Mandated by Taiwan's Environmental Impact Assessment Act (promulgated 1994)
- Requires identification of impacts on air quality, water resources, soil, ecosystems, and community health
- Compels the developer to propose concrete mitigation measures

Scope of Assessment

- Air quality and emissions
- Water resources and discharge
- Soil conditions and contamination risk
- Local ecosystems and biodiversity
- Community health and social environment
- Economic and cultural impact

Taiwan's Regulatory Framework

Governing Legislation

- Environmental Impact Assessment Act (環境影響評估法) – enacted 1994
- EIA Enforcement Rules define procedural standards and thresholds
- Standards for Determining Specific Items and Scope of EIAs

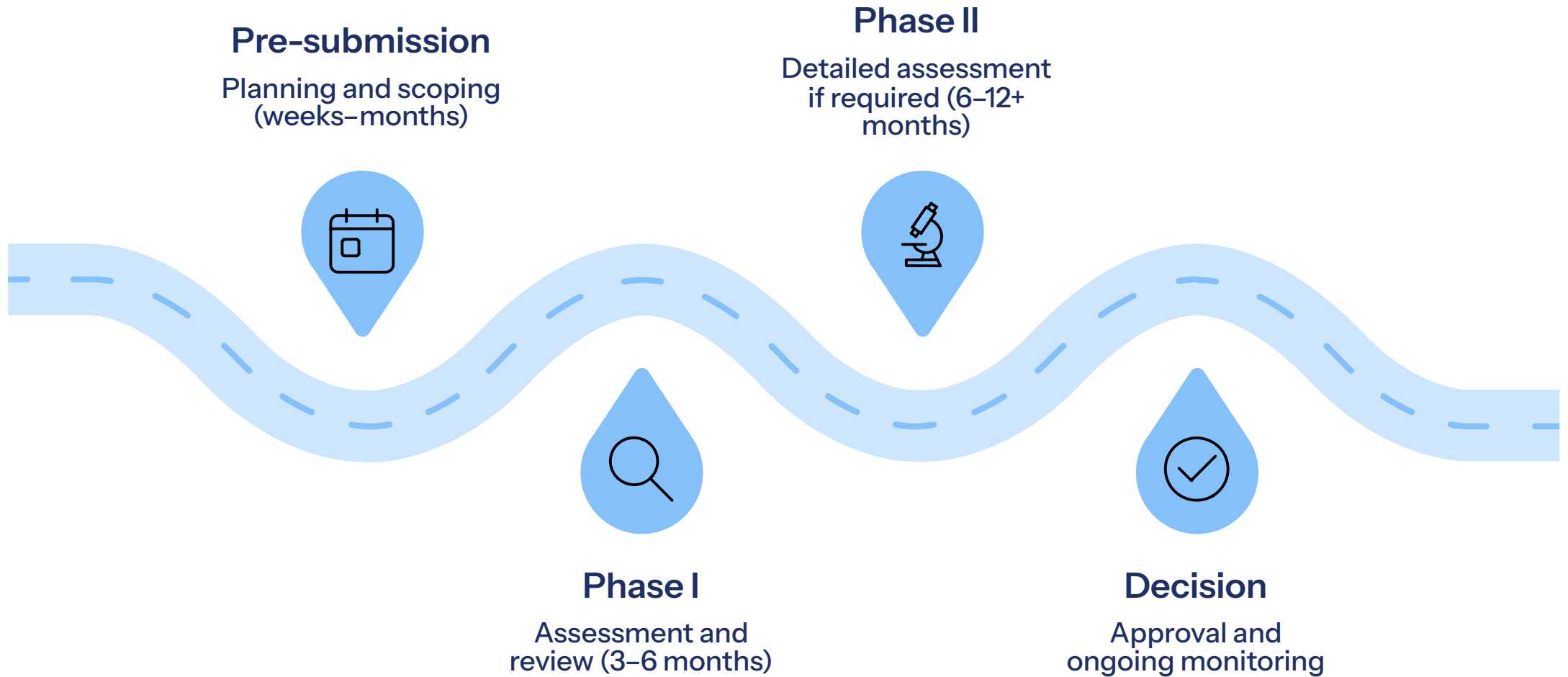
Competent Authority

- Central authority: Taiwan Ministry of Environment (formerly EPA)
- Industry competent authorities co-manage project permitting and post-approval tracking
- EIA Review Committee: includes agencies, expert scholars, and local resident representatives

Applicability to Factories

- Establishment of a factory or industrial park is explicitly listed as a regulated development activity
- Project size, capital, location sensitivity, and proximity to protected areas are key screening criteria
- Permission granted prior to EIA completion is legally invalid

EIA Timeline Overview



A straightforward Phase I process typically resolves within 6 months. If the competent authority determines that significant environmental impact is a concern, a Phase II assessment is triggered – which can extend the total timeline to 18 months or considerably longer depending on complexity and the review cycle.

Stage 1 — Screening

What Happens

- Initial determination of whether a full EIA is required
- Projects assessed against the official list of regulated development activity types
- Threshold criteria evaluated: project size, capital expenditure, location sensitivity
- Factory establishment is explicitly listed — EIA is typically mandatory

Key Outputs

- Decision: EIA required or expedited clearance
- Determination of applicable assessment level (Phase I or direct Phase II)
- Identification of industry competent authority for the project
- Formal notification issued to developer

Stage 2 – Scoping

Purpose

- Defines which specific environmental aspects must be studied in detail
- Prevents unnecessary analysis of minor issues while ensuring significant ones are addressed
- Sets geographic study area boundaries and the timeframe for analysis

Participants

- Collaborative phase: developer, Ministry of Environment, and relevant government agencies
- Expert committees and technical advisors may be invited
- Scoping document published online for public comment (minimum 14 days)

Key Outputs

- Agreed Terms of Reference (ToR) guiding the full assessment
- Identification of the most significant potential environmental impact categories
- Assessment methodology and baseline data collection plan established

Stage 3 – Assessment: Phase I and Phase II

Criterion	Phase I EIA	Phase II EIA
Trigger	Standard requirement for listed projects	Concern of significant environmental impact identified in Phase I review
Content	Project description, existing environment analysis, impact identification, mitigation measures	Detailed technical studies; full environmental impact assessment report
Review Period	50 days (extendable by 50 days)	60 days (extendable); full committee review cycles
Public Disclosure	Public briefing meeting required upon approval	Phase I study must be posted publicly for ≥ 30 days; newspaper notice required
Typical Duration	3–6 months total process	6–12+ additional months beyond Phase I

Stage 4 – Review and Public Consultation

1 Submission to Competent Authority

EIA report submitted via industry competent authority with on-site survey records and public hearing records

2 EIA Review Committee Assessment

Committee of agencies, scholars, experts, and local resident representatives evaluates the report; maximum three preliminary review meetings permitted to improve efficiency

3 Public Display and Notification

For Phase II: study posted at ≥ 5 accessible public locations (government offices, schools, libraries, markets) for ≥ 30 days; newspaper notice published

4 Public Hearing

Community stakeholders, local residents, and interest groups given formal opportunity to raise concerns or objections

5 Official Review Conclusion

Competent authority issues and publicly announces review conclusion; records made available on the internet

Stage 5 – Decision Outcomes

Approved – Phase I Sufficient

No significant environmental concern identified; developer holds mandatory public briefing meeting and proceeds to permitting

Escalated – Phase II Required


Significant impact concern identified; developer must conduct full Phase II assessment before approval can be granted

Approved with Conditions

Approval granted subject to specific environmental management commitments; developer must adhere strictly to EIA report content during implementation

Rejected

Project deemed incompatible with environmental standards or carrying capacity; main grounds include significant conflict with nearby plans, protected habitat impact, or exceeding local environmental limits

 Post-approval: Industry competent authority tracks implementation throughout development and operation. Developers may be ordered to submit regular environmental impact survey reports. Non-compliance triggers fines and mandatory remediation.

Key Success Factors

1

Early Planning

Integrate EIA requirements into the project timeline from the outset – delays caused by late engagement are among the most common and costly outcomes

2

Qualified Local Expertise

Engage experienced local environmental consultants and legal advisors familiar with Taiwan's EIA Act, review committee expectations, and agency relationships

3

Stakeholder Engagement

Proactively communicate with local communities and government agencies early; unresolved public objections are a leading cause of Phase II escalation

4

Document Quality

Submit a thorough, well-structured EIA report; incomplete or inconsistent submissions trigger additional review cycles and extend timelines significantly

5

Ongoing Compliance

Treat EIA commitments as binding operational obligations; post-approval monitoring, reporting, and adherence to mitigation measures are legally enforceable

About the Content Partner

J. v. G. technology GmbH – The DESERT Company

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