


## Environmental licensing in secondary sloping wooden enterprises in the State of Acre in the years 2010-2014

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### ABSTRACT

Every year, forest-based activities have been expanding in the State of Acre and, to ensure the environmental sustainability of ecosystems, several protection instruments have been created, including Environmental Licensing, to regulate activities and enterprises that use natural resources in a way that does not cause or minimize their degradation. In this sense, the present study aimed to analyze the licensing process in the State of Acre between 2010-14, specifically, regarding the Forest Industry sector in the activities of secondary harvesting and wood processing. For the methodology, the descriptive method was used, based on the collection of data from the Annual Management Reports of DIF/Imac, regarding the following: (a) evolution of the number of licensed secondary development projects; (b) evolution of the areas covered by licensed secondary development projects and (c) annual changes in the number and area covered by non-licensed projects. The results were: (a) significant protocol of environmental licensing processes in the simplified modality; (b) only in 10 municipalities of the State, there was a request for licensing for secondary development in the normal modality; (c) Rio Branco and Sena Madureira were the municipalities where there were more restrictions on licensing in both modalities. The study showed that the licensing presented a positive balance, as the total number of licensed enterprises in the evaluated period exceeded the number of non-licensed, reflecting on the development of the region's economy, where companies left illegality and began to contribute directly to the growth of the State.

**Keywords:** Forestry Activity, Secondary Unfolding, Forest Industry, Environmental Licensing, Natural resources.

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## INTRODUCTION

The installation of a project without due attention to the legislation can lead to serious problems, making it essential to use procedures such as Environmental Licensing in the prevention of impacts and control of the use of natural resources, especially the activities of secondary development projects that, when installed in urban areas, cause, among others, problems of noise and air pollution.

The timber industry is one of the main activities of the transformation sector in the State of Acre, which moves R\$ 323 million together with the activities of the mineral extractive industry, civil construction, production and distribution of electricity and gas, water, sewage and urban cleaning, representing the 2nd place in the economy (ACRE, 2013).

In this sense, the present research sought to analyze the evolution of licensing based on data and information from the Forest Industry Division, belonging to the Department of Environmental Licensing of Forestry Activities of the Institute of Environment of Acre – DLF, responsible for supervising forest transformation enterprises.

Thus, analyses were carried out in the two segments of secondary splitting: (1) in the simplified modality, with issuance of LAU and (2) in the normal modality of licensing, with issuance of LP, LI and LO regarding the following: (a) evolution of the number of licensed secondary splitting projects; (b) evolution of the coverage areas of the licensed secondary development projects; (c) annual change in the number of unlicensed enterprises; (d) annual change in the areas covered by non-licensed enterprises.

## METHODOLOGY

Secondary splitting forestry projects are those that benefit sawn wood, regardless of size, originating products and by-products that need final finishing. They are characterized by carpentry shops, furniture shops, small wooden object factories and body factories (ACRE, 2014), which depend on prior environmental licensing, which is "one of the instruments that the Public Administration has to implement its environmental policy" (GARBACCIO, 2018).

According to Silva and Canto-Dorow (2011), licensing includes rules that seek to maintain natural resources and reduce degradation, in order to make production more sustainable; When not obeyed, they result in a penalty to the producer.

Bolonhesi et al. (2018) highlight that, currently, companies have seen the need to restructure their production processes due to the stricter environmental legislation and the pressures of the consumer market.

In this context, Environmental Licensing is the structural basis when it comes to environmental issues, as it is the entrepreneur's first contact with the inspection entity, a situation in



which he becomes aware of the environmental restrictions that his enterprise must follow, in addition to the possible sources of pollution, the existing risks and the forms of control (ANDREU, 2009).

According to CONAMA Resolution No. 237, of December 19, 1997, it is the responsibility of the Brazilian Institute of the Environment (Ibama) to carry out the licensing of enterprises and activities with significant regional and national impact. At the state and municipal levels, it is up to their respective environmental institutions to carry it out.

In Acre, according to Sousa and Castro (2009), most of the potentially polluting and environmentally degrading activities are licensed at the state level, by the Acre Institute of the Environment (IMAC), such as the attributions related to the environmental licensing activities of Forest Management Plans that were transferred to the State, through Technical Cooperation Agreement No. 07. of 21 June 2004.

Brasil (2007) mentions that the license consists of "an authorization issued by the competent public agency" and that "each type is appropriate to a certain stage of licensing", namely:

Preliminary License (LP): attests to the environmental feasibility and approves the location of the project. In the LP, the mitigating and compensatory measures for the negative impacts of the project are defined;

Installation License (LI): required before the start of the works, where the details of the project will be presented with the determined environmental control measures.

The installation must take place in accordance with the specifications established in the approved plans, programs and projects, which will contain the necessary environmental control measures and technical requirements (FIESP; CETESB, 2008).

Operating License (LO): authorizes the operation of the activities and establishes the environmental control measures and conditions to be observed during the operation.

Single Environmental License (LAU): authorizes the location, installation and operation of temporary or low-impact enterprises or activities, containing environmental control measures and conditions (BRASIL, 2016).

In short, in secondary branching activities that have a storage and production capacity of more than 10m<sup>3</sup> of sawn wood per month, three licensing phases are required (LP, LI and LO); On the other hand, for individuals and legal entities, whose stored and consumed volume does not exceed 10 m<sup>3</sup> of sawn or processed wood per month, in the execution of their activities, the simplified licensing procedure is adopted, culminating in the issuance of the LAU (ACRE, 2014).

In Acre, licensing for small entrepreneurs became more frequent in 2008. However, the LAU's only began to be issued in January 2010. During this period, the public administration, through IMAC, created and adopted different environmental licensing mechanisms for each type of activity, in partnership with Ibama, the State Secretariat for Development, Industry, Commerce and

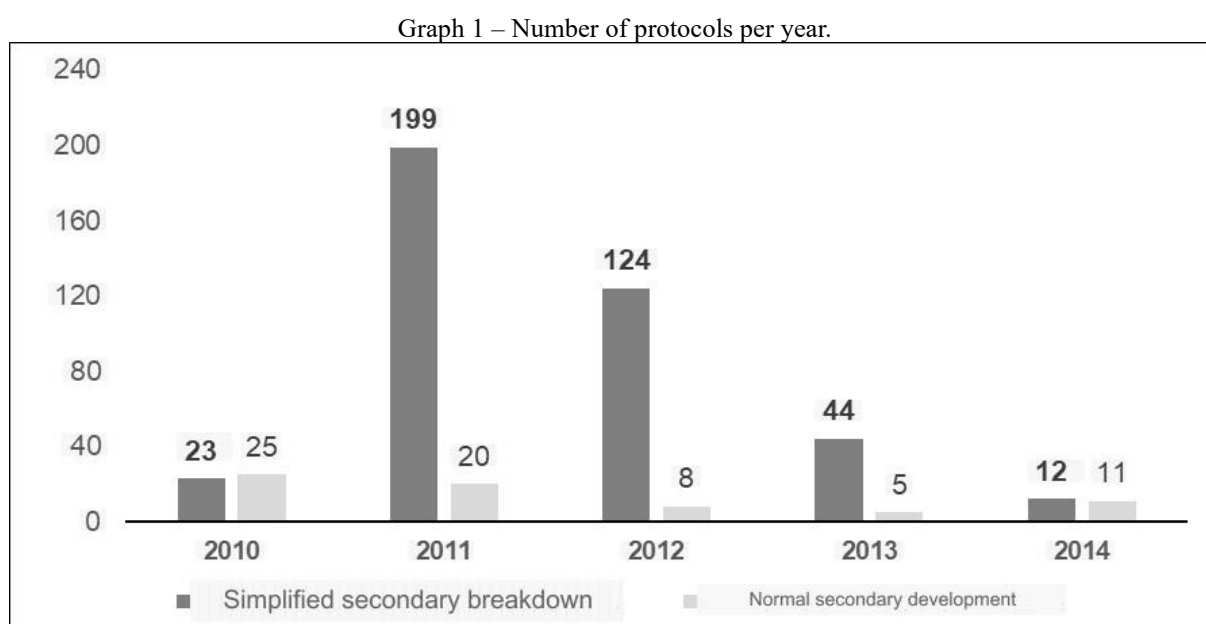
Technology of Acre (Sedict) and the Public Prosecutor's Office in order to legalize producers with companies installed in residential areas or even in Permanent Preservation Areas. until an adequate Industrial Pole was built, avoiding socioeconomic problems, since these enterprises supply the local market with timber products and offer direct and indirect jobs in the municipalities. Allied to this, in 2011, the State Government instituted the Support Program for the Carpentry and Furniture Sector, with actions to support the regularization and incentive to the activity through the signing of a Term of Commitment for Adjustment and Conduct (TAC) signed between the Public Prosecutor's Office of the State of Acre with the carpenters working in the municipalities of Brasiléia, Epitaciolândia, Xapuri, Tarauacá, Feijó and Sena Madureira; as well as the signing of a Term of Commitment (TC) with Imac and the carpenters of the other municipalities (ACRE, 2011).

Thus, the present study sought to make a quantitative analysis of the Forest licensing process in the State of Acre, especially in the Forest Industry sector in the transformation activities that make the secondary unfolding and processing of wood.

The descriptive research method was used, of the case study type, based on the data contained in the Annual Management Reports of the DLF, especially from the Forest Industry Division (DIF), between the years 2010-2014, to obtain the results regarding the evolution of licensing. The choice of the study period, after 2010, is justified because it is the time when public management began to adopt different environmental licensing mechanisms.

## RESULTS AND DISCUSSION

Graph 1 shows the number of protocols for secondary development projects at the Institute of the Environment of Acre, for the issuance of licenses, between the years 2010-2014.

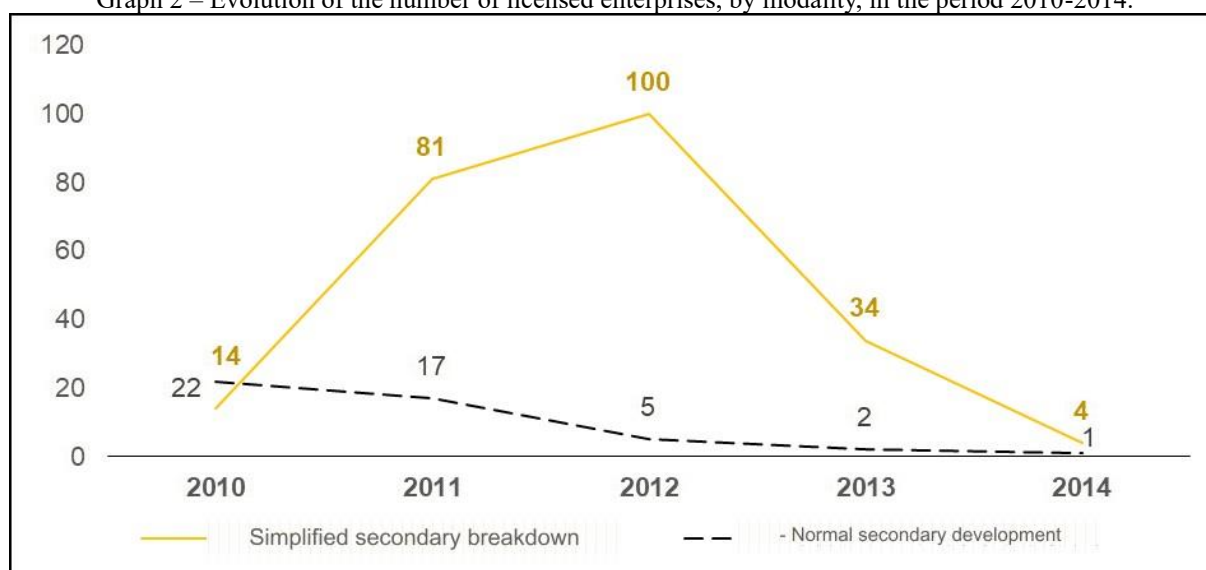


Source: DLF/IMAC, 2015.

Graph 1 shows a strong increase of more than 800% in license requests in 2011 in the simplified modality, compared to 2010. This year coincides with the period from which inspection institutions and the State intensified actions to promote the regularization of the activity in this sector. On the other hand, requirements for the activity of projects with a volume greater than 10m<sup>3</sup>/month, in the years after 2010, were lower.

The following graphs and tables show how much of these requests resulted in licensing and non-licensing during the study period.

Graph 2 – Evolution of the number of licensed enterprises, by modality, in the period 2010-2014.



Source: DLF/IMAC, 2015.

Analyzing Graph 2, it can be noted that there was a large increase in the issuance of licenses in the simplified modality, in the years 2011 and 2012, by the enterprises whose stored and consumed volume was limited to 10m<sup>3</sup>/month of wood, representing, respectively, 41% and 81% of the total applications in relation to 2010. On the other hand, there was a reduction in the issuance of licenses in 2013 and 2014.

As already mentioned, in 2010, the State Government created measures aimed at the regularization of secondary branching and processing of Timber Forest Products and the use of Medium Density Fiberboard (MDF). The actions were intensified in 2011 with the creation of the Support Program for the Joiner and Furniture Sector.

From then on, a new licensing model was adopted, requiring less bureaucracy (documentation) compared to the normal modality. The increase of the curve in one modality, therefore, does not imply a decrease in the other, considering that they are modalities used for activities of different sizes. However, it can be seen that there was a significant reduction in licensing by the normal procedure over the years, in relation to 2010, not reaching 10% of the requests.

Table 1 below shows the locations where there was licensing and predominance of the normal modality between the years 2010-2014.

Table 1 – Total number of licensed projects by area covered in the normal modality, between 2010 and 2014.

Coverage area	2010	2011	2012	2013	2014	TOTAL
1. Acrelândia	0	1	0	0	0	1
2. Cruzeiro do Sul	6	0	0	0	0	6
3. Epiaciolândia	2	0	0	0	0	2
4. Feijó	0	1	0	0	0	1
5. Marechal Thaumaturgo	0	1	0	0	0	1
6. Rio Branco	7	10	3	2	1	23
7. Sena Madureira	1	1	2	0	0	4
8. Senador Guiomard	1	1	0	0	0	2
9. Tarauacá	4	2	0	0	0	6
10. Xapuri	1	0	0	0	0	1

Source DLF/IMAC, 2015.

Of the total number of municipalities in the state, only 10 of them had the licensing process of secondary development companies through the normal procedure, during the period analyzed. The municipalities with the highest number of cases filed and licensed were the state capital, Rio Branco, especially in 2011, where there were 10 licensed companies; followed by Cruzeiro de Sul, with 6 licensed projects in total, all in 2010; and Tarauacá, which carried out 4 licenses in 2010 and 2 in 2011.

Table 2 shows the locations where there was licensing, in the simplified modality, between the years 2010 and 2014.

Table 2 – Area covered by projects licensed in the simplified modality, between 2010 and 2014.

Coverage area	2010	2011	2012	2013	2014	TOTAL
1. Acrelândia	0	0	4	0	0	4
2. Brasiléia	1	0	0	8	0	9
3. Bujari	0	0	0	1	0	1
4. Capixaba	0	0	5	0	0	5
5. Cruzeiro do Sul	0	1	2	1	0	4
6. Epiaciolândia	3	0	0	8	0	11
7. Feijó	5	2	5	2	0	14
8. Mâncio Lima	0	1	0	0	1	2
9. Manoel Urbano	0	1	2	1	0	4
10. Plácido de Castro	3	0	6	2	0	11
11. Porto Acre	0	2	9	2	0	13
12. Rio Branco	1	72	49	3	3	128
13. Sena Madureira	0	1	5	0	0	6
14. Senador Guiomard	0	0	7	5	0	12
15. Tarauacá	0	1	0	0	0	1
16. Xapuri	1	0	6	1	0	8

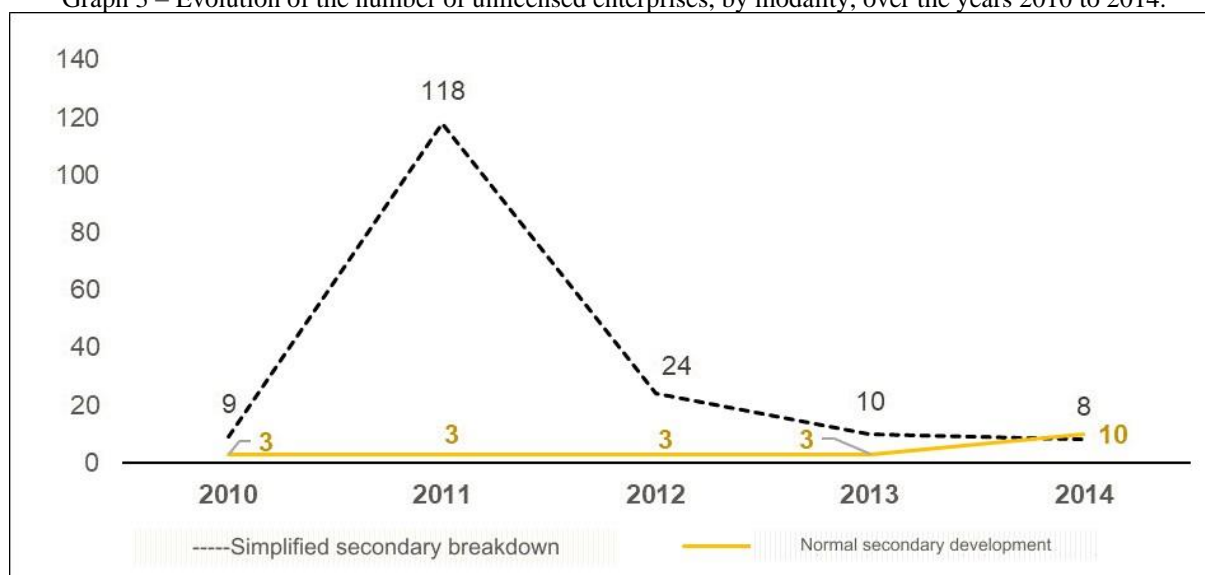
Source: DLF/IMAC, 2015.

From Table 2, it can be observed that the municipality of Rio Branco was the location where the most licenses were released in the simplified licensing modality, with a very significant number of licensed companies.

Comparing Tables 1 and 2, it can be seen that the adhesion to the simplified modality resulted not only in an increase in the general number of licensed enterprises, but also in the coverage of other municipalities that had not been reached, since they were in illegal conditions of operation, but that, after the signing of the TAC and TC, were able to obtain their regularization. namely: Brasiléia, Bujari, Capixaba, Mâncio Lima, Manoel Urbano, Plácido de Castro and Porto Acre.

Graph 3, below, shows the number of unlicensed enterprises, in the normal and simplified modalities, in the period 2010-2014.

Graph 3 – Evolution of the number of unlicensed enterprises, by modality, over the years 2010 to 2014.



Source: DLF/IMAC, 2015.

Looking at the graph, the number of unlicensed enterprises in the normal modality remained stable over the years, increasing only in 2014, which represents 91% of the total applications in that year. Comparing Graphs 1 and 2, in relation to the simplified modality, despite the increase in the number of licenses in 2011, there was also an increase in the number of non-licensed companies, that is, even with incentives received, many firms were not able to adapt to the minimum requirements proposed.

Table 3 presents an overview of the unlicensed enterprises according to each area of coverage.



Table 3 – Area covered by unlicensed projects between 2010-2014.

Coverage area	2010	2011	2012	2013	2014	TOTAL
<b>Normal Mode</b>						
1. Epitaciolândia	0	0	0	0	1	1
2. Rio Branco	2	0	2	1	5	10
3. Sena Madureira	1	3	1	2	2	9
4. Xapuri	0	0	0	0	2	2
<b>Simplified Modality</b>						
1. Acrelândia	0	7	2	1	0	10
2. Brasiléia	2	6	1	0	0	9
3. Capixaba	0	4	0	0	0	4
4. Cruzeiro do Sul	0	3	1	0	0	4
5. Epitaciolândia	0	3	1	1	0	5
6. Feijó	2	12	0	0	0	14
7. Jordão	0	0	1	0	2	3
8. Manoel Urbano	0	2	3	1	0	6
9. Plácido de Castro	3	9	0	0	1	13
10. Porto Acre	0	4	2	0	0	6
11. Rio Branco	0	46	3	3	3	55
12. Sena Madureira	1	9	3	4	0	17
13. Senador Guiomard	0	6	5	0	0	11
14. Tarauacá	1	3	2	0	0	6
15. Xapuri	0	4	0	0	2	6

Source: DLF/IMAC, 2015.

The municipalities where there were more restrictions on licensing in both modalities were Rio Branco, with 10 companies not licensed in the normal modality, followed by Sena Madureira, with 9. In the simplified modality, the municipality of Rio Branco totaled 55 enterprises that did not obtain a license and 17 in Sena Madureira.

This percentage was representative, especially in 2011, when 46 companies in the capital did not have their projects licensed, mainly due to the pending documents necessary for licensing. It is worth mentioning that after the process is filed, the environmental agency has up to 120 (one hundred and twenty) days to complete the analysis.

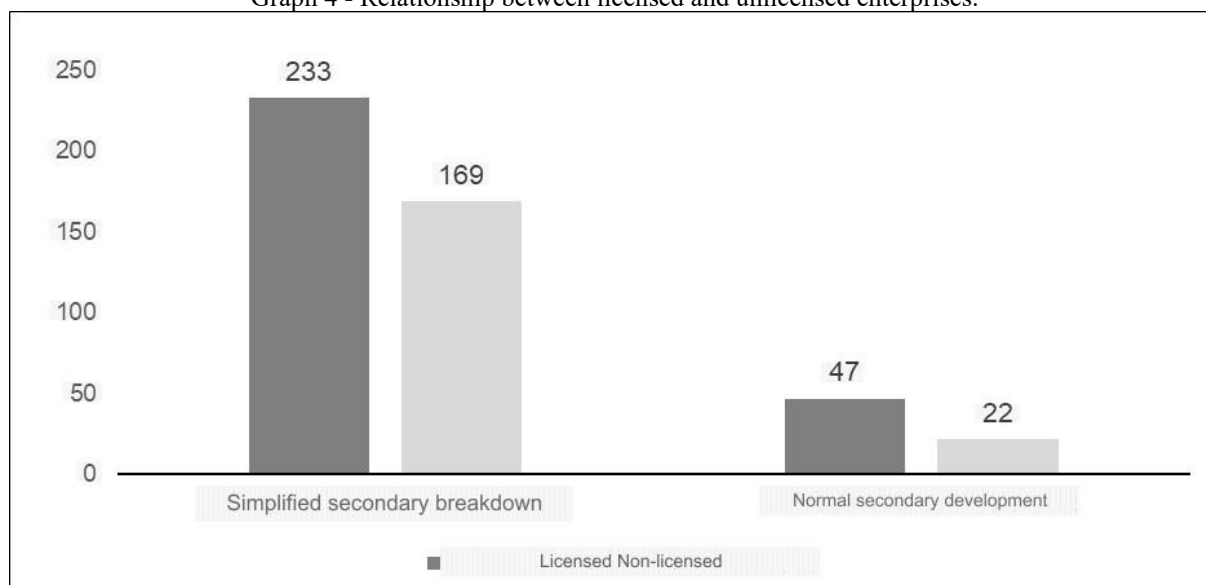
If the documentation is not in agreement or there are pending issues confirmed in the inspection or during the document analysis, the entrepreneur is notified, and it is up to him to resolve them; During this time, the process is archived and the counting of days is paused.

It is important to mention that non-compliance with environmental legislation can lead to serious environmental problems, the main ones pointed out in the reports were: noise and air pollution, caused by machine noise at levels above the allowed; the release of saw dust in the vicinity and improper disposal of waste; and non-compliance with the agreements, causing the enterprises to be fined.

From Graph 4, it is possible to perceive the relationship between the total number of licensed and non-licensed enterprises. In both modalities, the number of legalized enterprises was higher in the period evaluated.



Graph 4 - Relationship between licensed and unlicensed enterprises.



Source: DLF/IMAC, 2015.

## CONCLUSIONS

Based on the results, the licensing process in the state presents a positive balance, as the total number of licensed enterprises in the period is higher than that of non-licensed enterprises.

There is an advance in the procedure, since more companies in several municipalities have been legalized, which is reflected in the development of the region's economy, as a good part of the companies have left the illegal activity, starting to contribute directly to the growth of the State.

The measures taken by the management and the inspection bodies were of fundamental importance to boost the licensing of activities, which is responsible for defining the appropriate location for the installation and the criteria for the operation of a company, in order to avoid environmental degradation.

In most cases, this type of degradation is related to operating in places that are unsuitable for operation, in addition to noise and air pollution caused by high noise levels and the large amount of saw dust that are generated.

On the other hand, in addition to preserving the environment, the procedure ensures the sustainability of the activity through the orderly and balanced use of inputs, so as not to jeopardize economic development, due to the scarcity of the resource that is a source of income for the region.

Finally, we highlight the need for a qualitative study to identify certain aspects, such as the effectiveness of the TACs and the progress of the Incentive Program for the sector, as well as work on the evolution of licensing in the years following this research.



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