



ENHANCE
Interreg Europe



European Union
European Regional
Development Fund

ENHANCE THEMATIC WORKSHOP

EMAS as a criteria in the definition of the IED
inspection programme

Vienna, 20th and 21st June 2018



Generalitat de Catalunya
**Departament de Territori
i Sostenibilitat**

Questions/Topics to be covered

- Is EMAS part of the national legislation regarding environmental inspections?
Is there a difference to the IED?
- How does the practical implementation of inspections work?
- What is the difference between EMAS organizations and Non-EMAS organizations regarding environmental inspections? (in theory and in practice)
- What experiences do EMAS organizations have regarding environmental inspections? (Challenges, benefits, burdens, costs, resources, ...)
- What is the current role of the EMAS verifier regarding environmental inspections?
- Please indicate the number of companies affected by environmental inspections and the number of EMAS companies affected by environmental inspections



The Environmental Inspection Plan

Industrial Emission Directive



The **Directive 2010/75/EU on Industrial Emissions (IED)** lays down rules on integrated **prevention and control of pollution** arising from industrial activities.

- **PREVENTION:** Lays down rules designed to prevent or, where that is not practicable, to reduce emissions into air, water and land and to prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole.
 - Obligation to hold a **permit** to be operated the industrial activities.
- **CONTROL:** For activities listed in **annex I IED**
 - Competent authority shall ensure that all installations are covered by an **environmental inspection plan** and shall ensure that this plan is regularly reviewed and, where appropriate, updated.

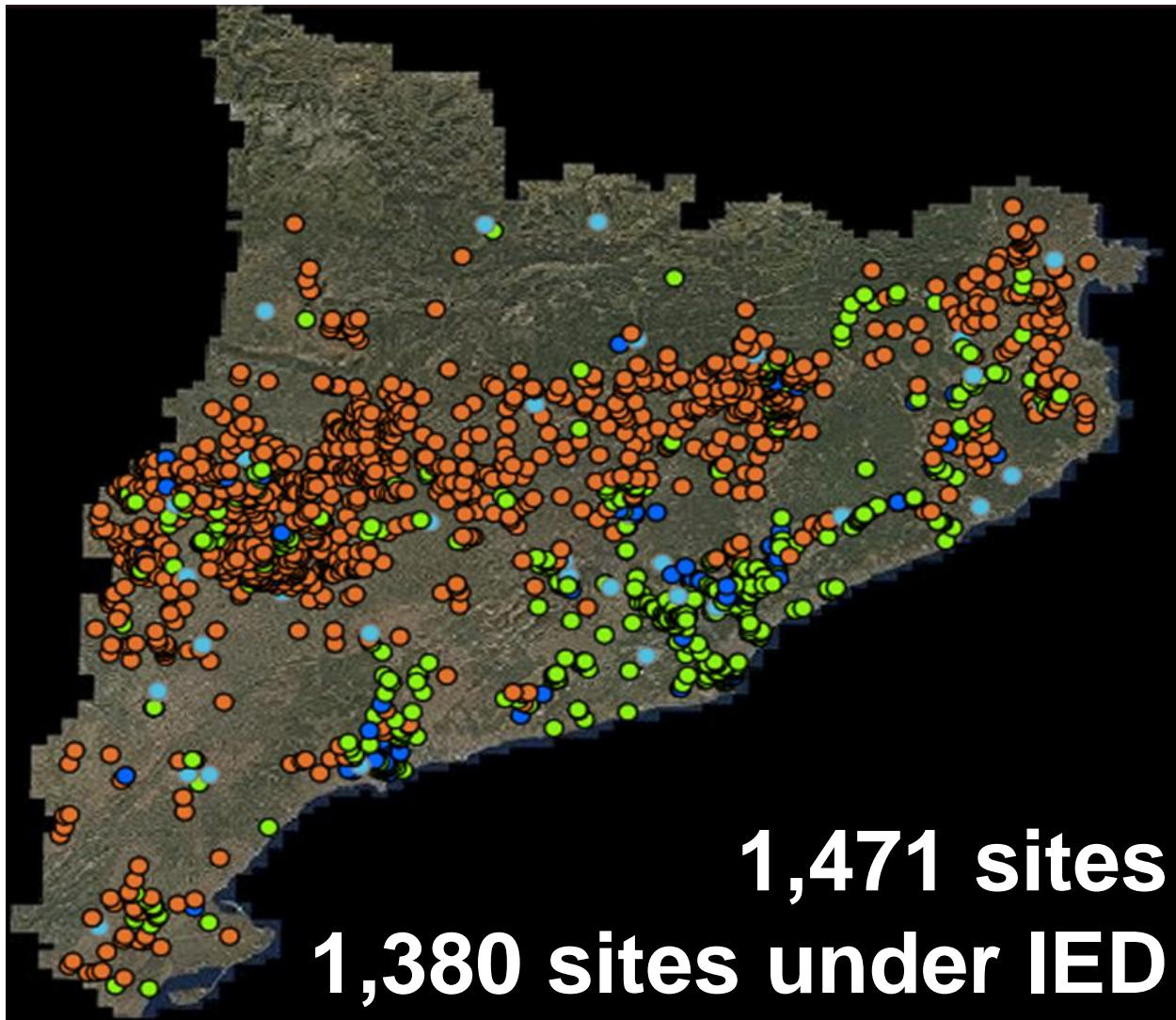
The Environmental Inspection Plan Establishments

- ❖ The 2017-2019 *Environmental Inspection Plan* covers **1,471 establishments**:
 - ❖ 1,380 establishments (94%) under **IED**
- ❖ All establishments are sites with **environmental authorization (permit)** that may be subject to integrated **environmental inspections**.

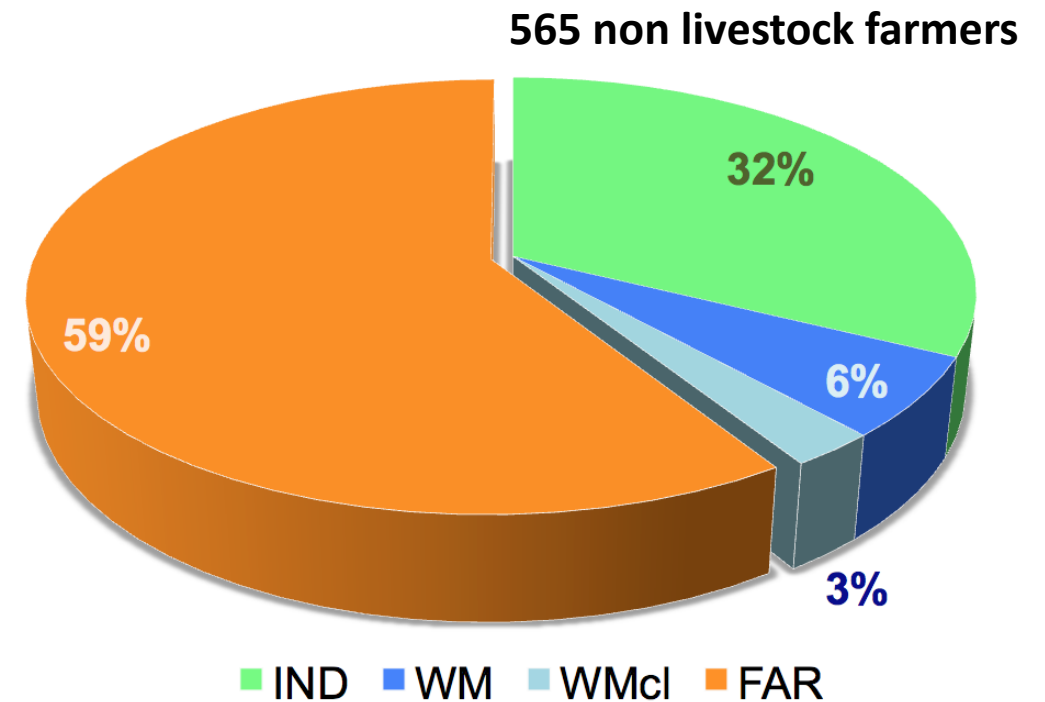


The Environmental Inspection Plan

Establishments: Sectors of activity



- Industrial
- Waste management
- Waste management – controlled landfill
- Livestock farm



The Environmental Inspection Plan Plan vs. Programme

Based on the **INSPECTION PLAN**, the competent authority shall regularly draw up **PROGRAMMES FOR ROUTINE ENVIRONMENTAL INSPECTIONS**, including the **frequency of site visits** for different types of installations.

Art. 23 IED



Plan 2017-
2019



Programme
2017

Programme
2018

**Multiannual
Strategic criteria**

**Annual
Operational document**



The Environmental Inspection Plan

Frequency of site visits

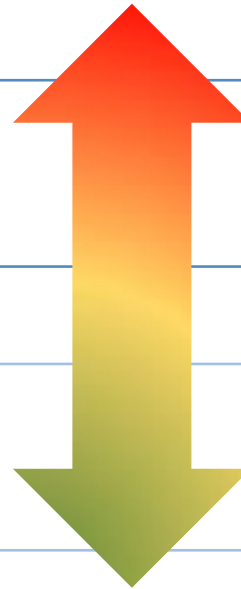
The **PERIOD BETWEEN TWO SITE VISITS** shall be based on a **systematic appraisal of the environmental risk** of the installations concerned and shall not exceed:

Highest risks

- 1 year

Lowest risks

- 3 years



The Environmental Inspection Programme

Systematic appraisal of the environmental risk



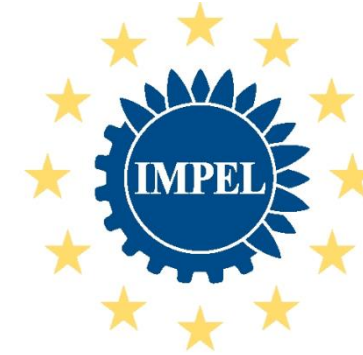
The systematic appraisal of the environmental risks shall be based **on at least** the following criteria:

- The **potential and actual impacts of the installations** concerned on human health and the environment taking into account the levels and types of emissions, the sensitivity of the local environment and the risk of accidents.
- The record of **compliance with permit conditions**.
- The participation of the operator in the Union **eco-management and audit scheme (EMAS)**

Art. 23 IED

The Environmental Inspection Programme

The methodology of appraisal



European Union Network for
the Implementation and Enforcement
of Environmental Law

IRAM method

Integrated Risk Assessment Method developed by
IMPEL



SEVERITY

source and environmental
vulnerability

IMPACT CRITERIA (IC)

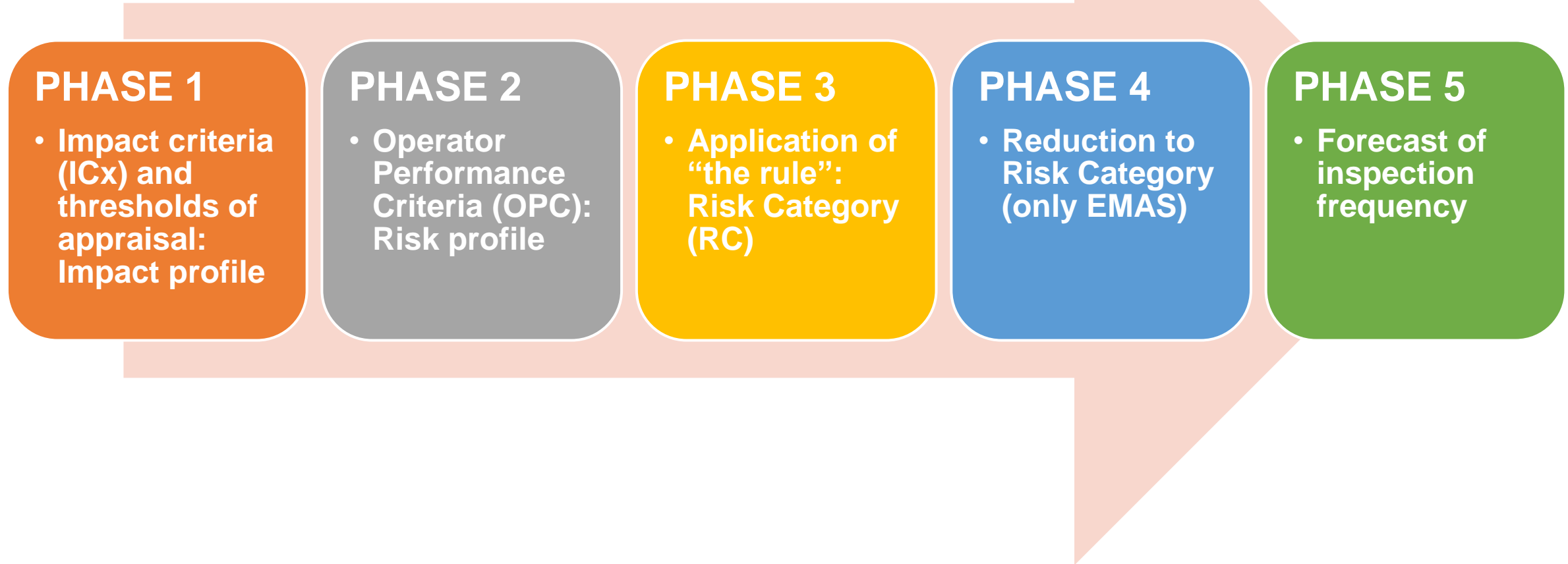
PROBABILITY

related to the organization
(**environmental management**,
level of compliance, attitude, age of
the installation, etc.).

OPERATOR PERFORMANCE
CRITERIA (OPC)

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The methodology of appraisal



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Systematic appraisal of the environmental risk



The systematic appraisal of the environmental risks shall be based **on at least** the following criteria:

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- The record of compliance with permit conditions.
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Art. 23 IED

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The methodology of appraisal-Impact criteria

IMPACT CRITERIA (IC)

- Type of installation
- Air emissions
- Emissions to water
- Transfer of non-hazardous and hazardous wastes
- Receipt of non-hazardous and hazardous waste.
- Risk of accident
- Sensitivity of the local environment

Each impact is punctuated between “0” and “5”



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The methodology of appraisal-Impact criteria

IMPACT CRITERIA (IC): Air emissions

Score	
0	No releases to air
1	The sum of the releases to air - normalised to the thresholds of Annex 2 E-PRTR is $\leq 0,5$
2	The sum of the releases to air - normalised to the thresholds of Annex 2 E-PRTR is > 0.5 and ≤ 1
3	The sum of the releases to air - normalised to the thresholds of Annex 2 E-PRTR is > 1 and ≤ 5
4	The sum of the releases to air - normalised to the thresholds of Annex 2 E-PRTR is > 5 and ≤ 10
5	The sum of the releases to air - normalised to the thresholds of Annex 2 E-PRTR is > 10

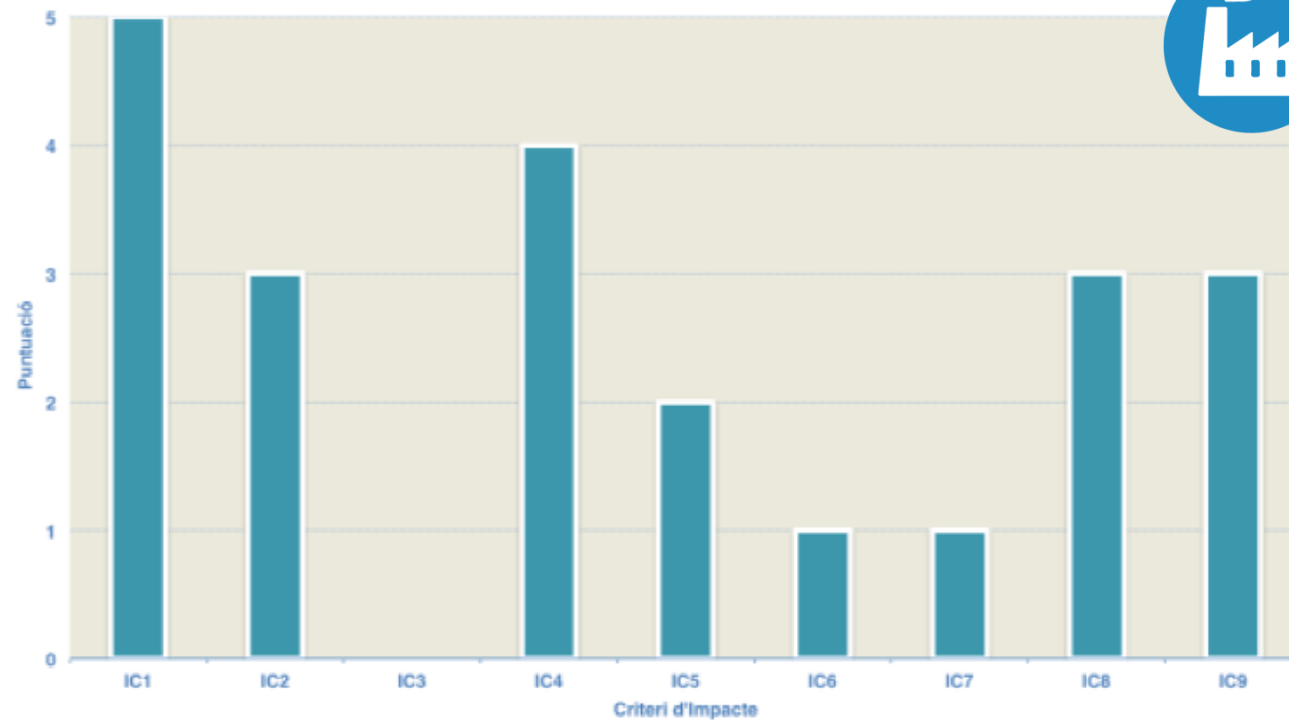


E-PRTR: The *European Pollutant Release and Transfer Register* (REGULATION (EC) No 166/2006)

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The methodology of appraisal-Impact criteria

IMPACT CRITERIA (IC): Impact profile



Each impact is punctuated between “0” and “5”

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Systematic appraisal of the environmental risk



The systematic appraisal of the environmental risks shall be based **on at least** the following criteria:

- The potential and actual impacts of the installations concerned on human health and the environment taking into account the levels and types of emissions, the sensitivity of the local environment and the risk of accidents.
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Art. 23 IED

The Environmental Inspection Programme

The methodology of appraisal-Operator Performance criteria

OPERATOR PERFORMANCE CRITERIA (OPC)

- The method assigns a score between "-1" and "+1" for each behaviour criterion.
 - **Good behaviour: -1**
 - **Moderate or neutral behaviour: 0**
 - **Bad behaviour: +1**
- There are different sub-criteria for each criterion

ENVIRONMENTAL MANAGEMENT SYSTEM

- **EMAS**
- **ISO 14001**
- **No EMS**

NOT
CONSIDERED
IN LIVESTOCK
FARMS



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The methodology of appraisal-Operator Performance criteria

OPERATOR PERFORMANCE CRITERIA (OPC)

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ENVIRONMENTAL MANAGEMENT SYSTEM

- **EMAS**
- **ISO 14001**
- **No EMS**

COMPLIANCE WITH PERMIT CONDITIONS

(Declaration of the inspection)

- **Satisfactory compliance (without defaults)**
- **Appropriate compliance (only minor defects)**
- **Inappropriate compliance (with one or more important defects)**

OPERATOR REACTION

- **Immediate reaction on detecting non-compliance in an inspection.**
- **Reaction after receiving one notification from Inspection Competent Authority**
- **Without reaction or reactions after receiving more than one notification from Inspection Competent Authority.**



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The general criterion adopted to qualify the non-compliances



Minor defects

Fact that does not entail risk or can entail a low risk of damage about the environment, the security or the health of the persons.

In general, the check of its correction does not require to plan an additional inspection.

For example:

- Non-compliance the administrative or documental permit condition
- Non-compliance the duties to communications to the Competent Authority (results of emissions, incidents and accidents of operation, ...).
- Operate the activity with a non authorized change, with effects about the environment, the security and the health of the persons, that can be qualified as non substantial, in application of the thresholds established by the Competent Authority.



Important defects

Fact that can entail a higher risk of damage about the environment, the security or the health of the persons.

The check of its correction requires to plan an additional inspection

For example:

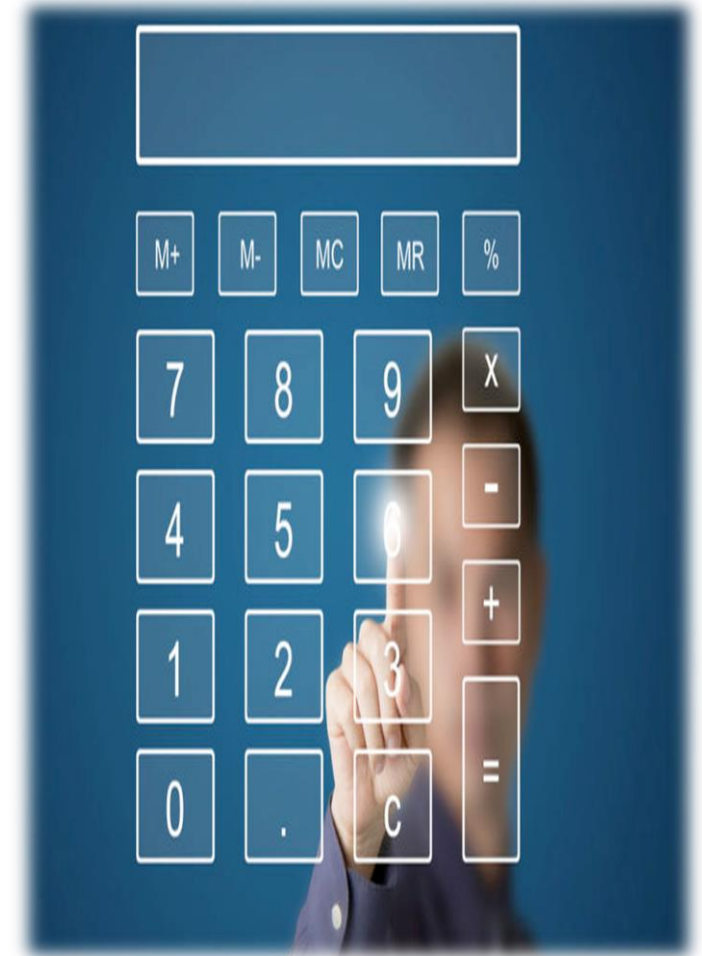
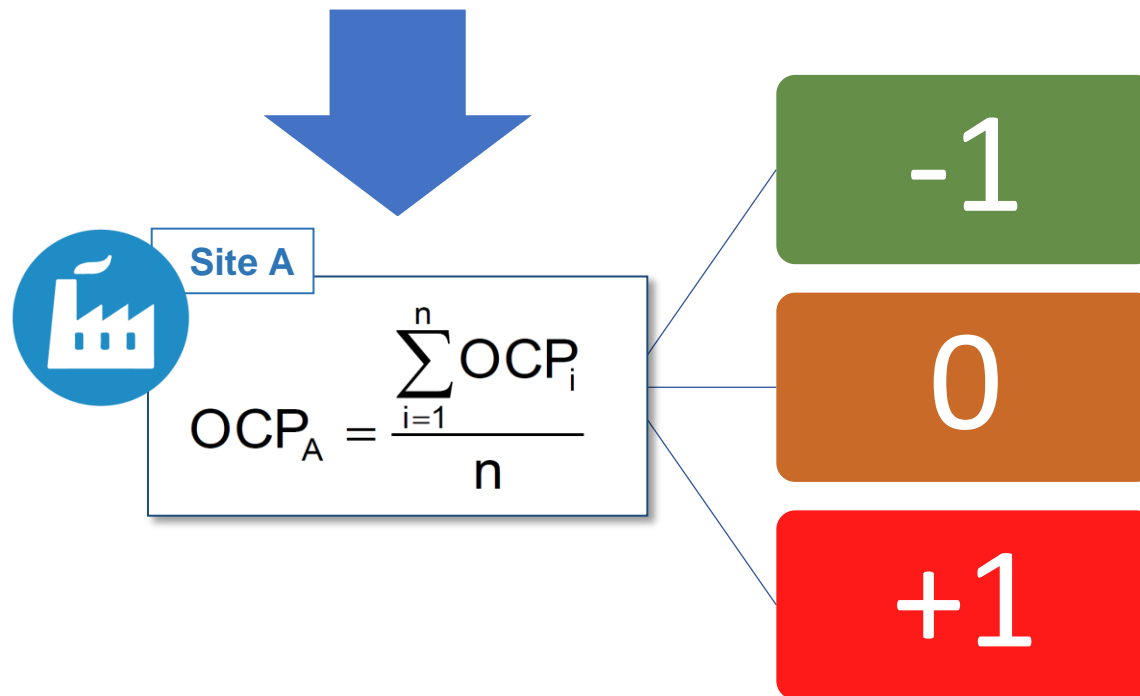
- Non-compliance the technical permit condition.
- Non-compliance the emission limit values limit for polluting substances.
- Non-compliance the emission monitoring requirements
- Operate the activity with a non authorized change, with effects about the environment, the security and the health of the persons, that can be qualified as substantial, in application of the thresholds established by the Competent Authority.

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The methodology of appraisal-Operator Performance criteria

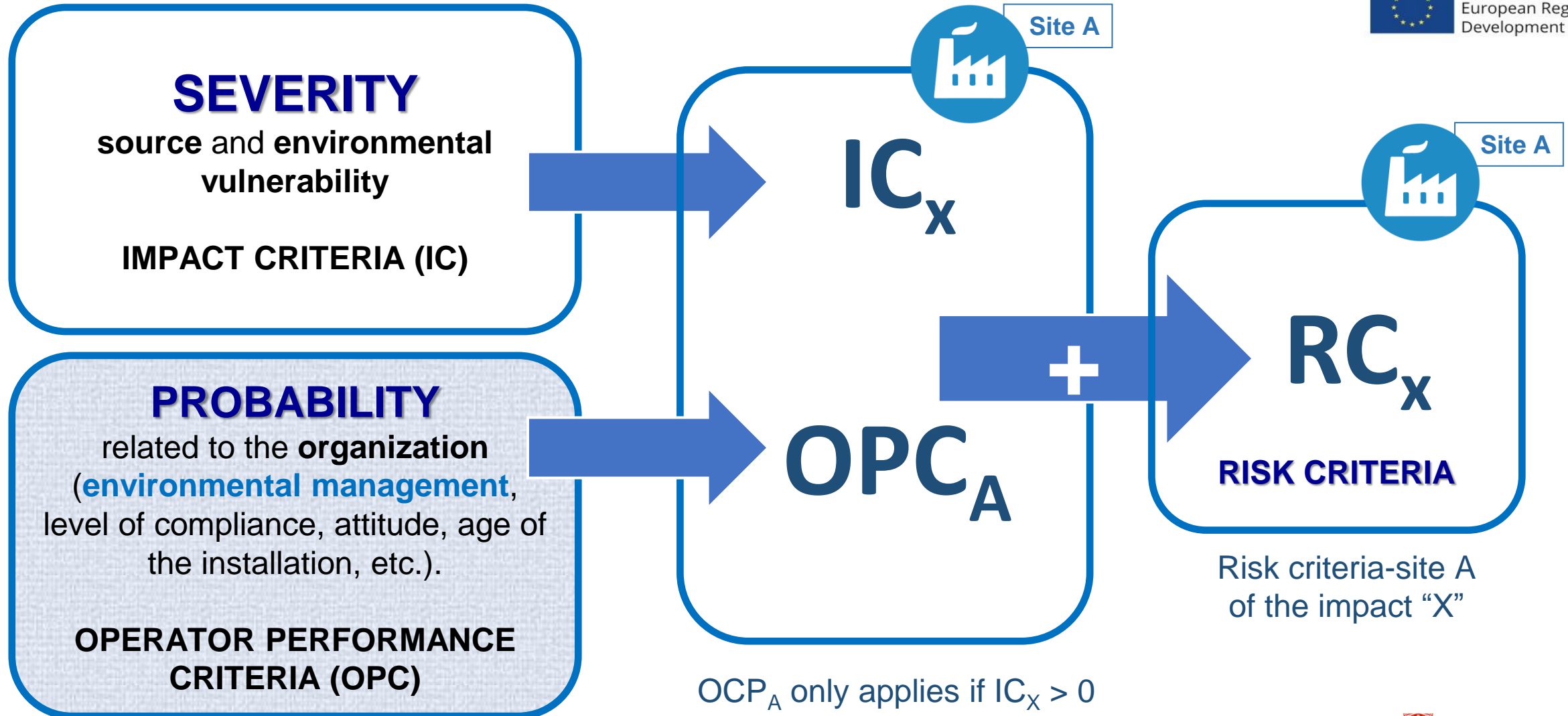
OPERATOR PERFORMANCE CRITERIA (OPC)

- The final OPC is obtained as follows



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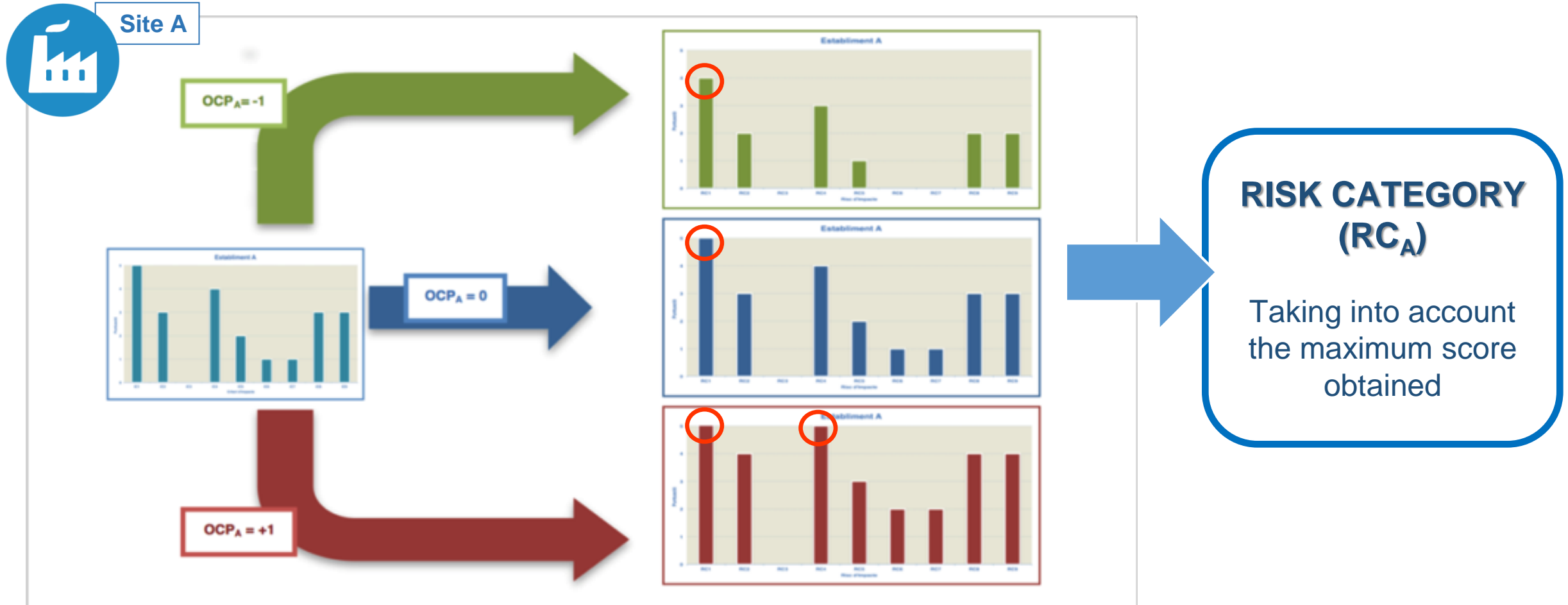
The methodology of appraisal-Risk Criteria



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The methodology of appraisal-Risk Criteria

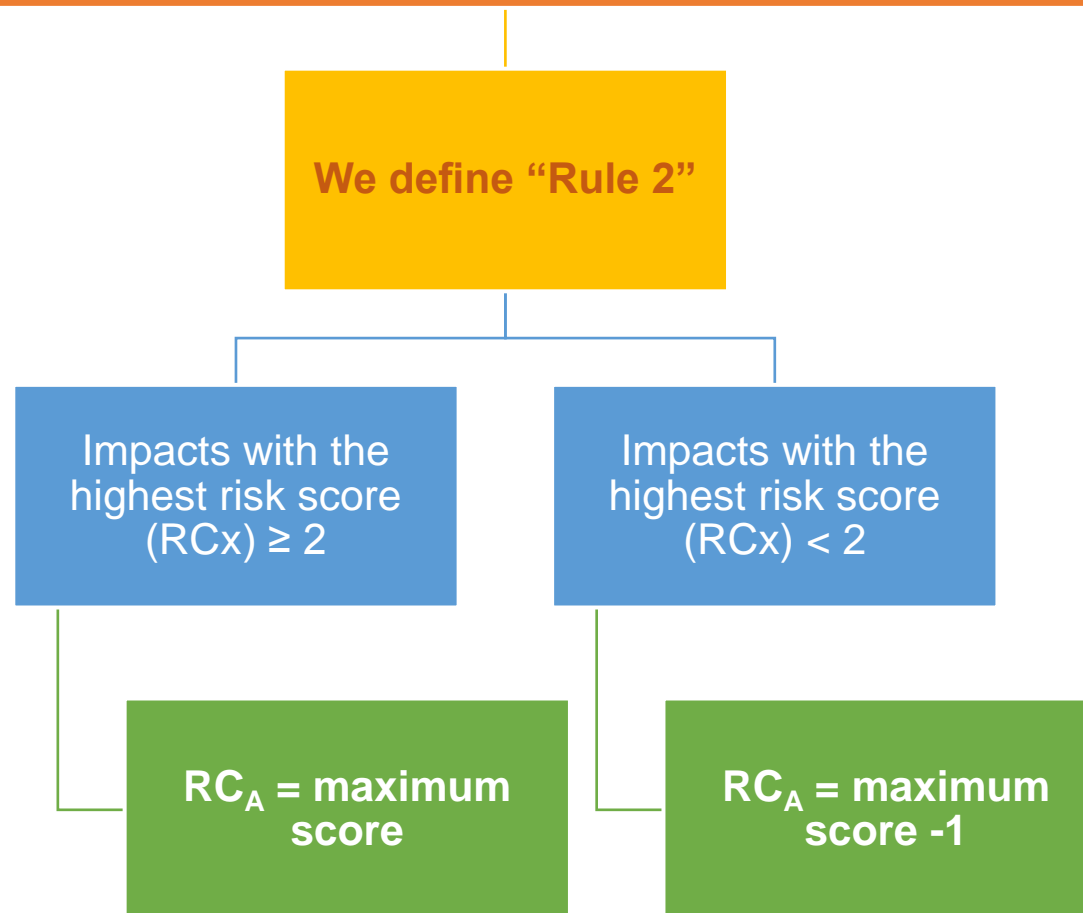
Impact profile (IC_x) in Risk profile (RC_x)



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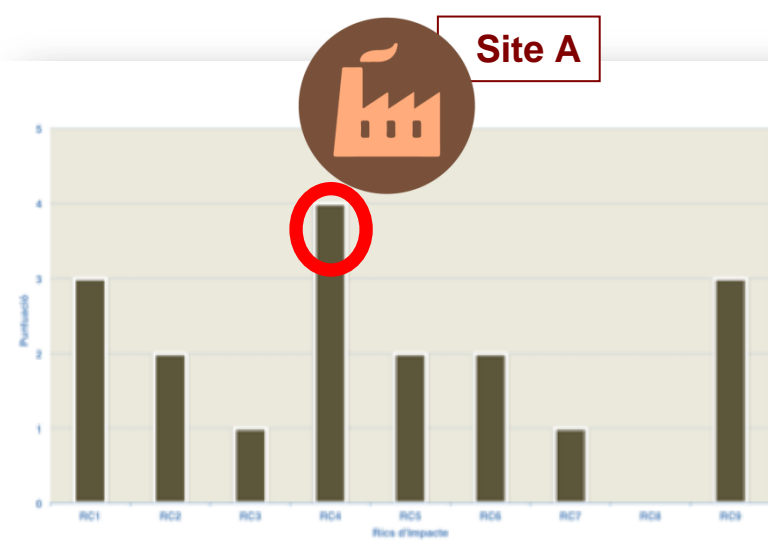
“The rule”

The **RISK CATEGORY** of the establishment (RCA) is calculated based on the highest score of all risk criteria (RCx) and the highest number of scores that have been established as a “The rule”



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“The rule”-Examples



- The maximum value of RC_x is 4
- The number of impacts with the highest punctuation is 1.
- The number of impacts with the highest punctuation is lower to “the rule” (2).
- The Risk Category value is the maximum value lowered 1 step
- **$RC_A = 3$**

- The maximum value of RC_x is 4
- The number of impacts with the highest punctuation is 2.
- The number of impacts with the highest punctuation is equal to “the rule” (2).
- The Risk Category value is the maximum value.
- **$RC_A = 4$**

- The maximum value of RC_x is 3
- The number of impacts with the highest punctuation is 3.
- The number of impacts with the highest punctuation is upper to “the rule” (2).
- The Risk Category value is the maximum value.
- **$RC_A = 3$**

EMAS is again considered before the end of the methodology together with the results of the last inspection in order to influence the final RC_A .

Inspection report



Generalitat de Catalunya
Departament de Territori i Sostenibilitat
Registre de l'Inventari Ambiental
d'Activitats

Referència interna:

0-00772-01-00010001

Procediment d'inspecció: octubre 2017

Informe final relatiu a la inspecció ambiental integrada d'un establiment cobert pel Pla d'inspecció ambiental integrada de Catalunya

Dades generals de la inspecció ambiental integrada

Dades identificatives de la persona titular de la instal·lació i de l'activitat

Tipus de instal·lació:	U
PERMIS, S.L.	B17327616
www	www

www: URL de la pàgina de la instal·lació per la qual s'ha realitzat la inspecció

Dades identificatives de la instal·lació objecte de la inspecció ambiental integrada

Tipus de tractament:	OT01 de tractament d'1
PERMIS, S.L.	00772
Adreça:	Adreça Principal: Carretera T47, 1794, 08100, Vilanova del Camí
Adreça secundària:	08197 - 08031-20

Tipus de tractament:

Instal·lació local per a la valorització de residus

Deposició PTOM a 000000

Tipus d'activitat:

Tipus d'activitat:

Tipus d'activitat:

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Tipus d'activitat:

Tipus d'activitat:

Tipus d'activitat:

Satisfactory

Autoritzacions ambientals de la instal·lació

Tipus d'autorització:

Tipus d'autorització:

Tipus d'autorització:

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Satisfactory compliance

Appropriate compliance

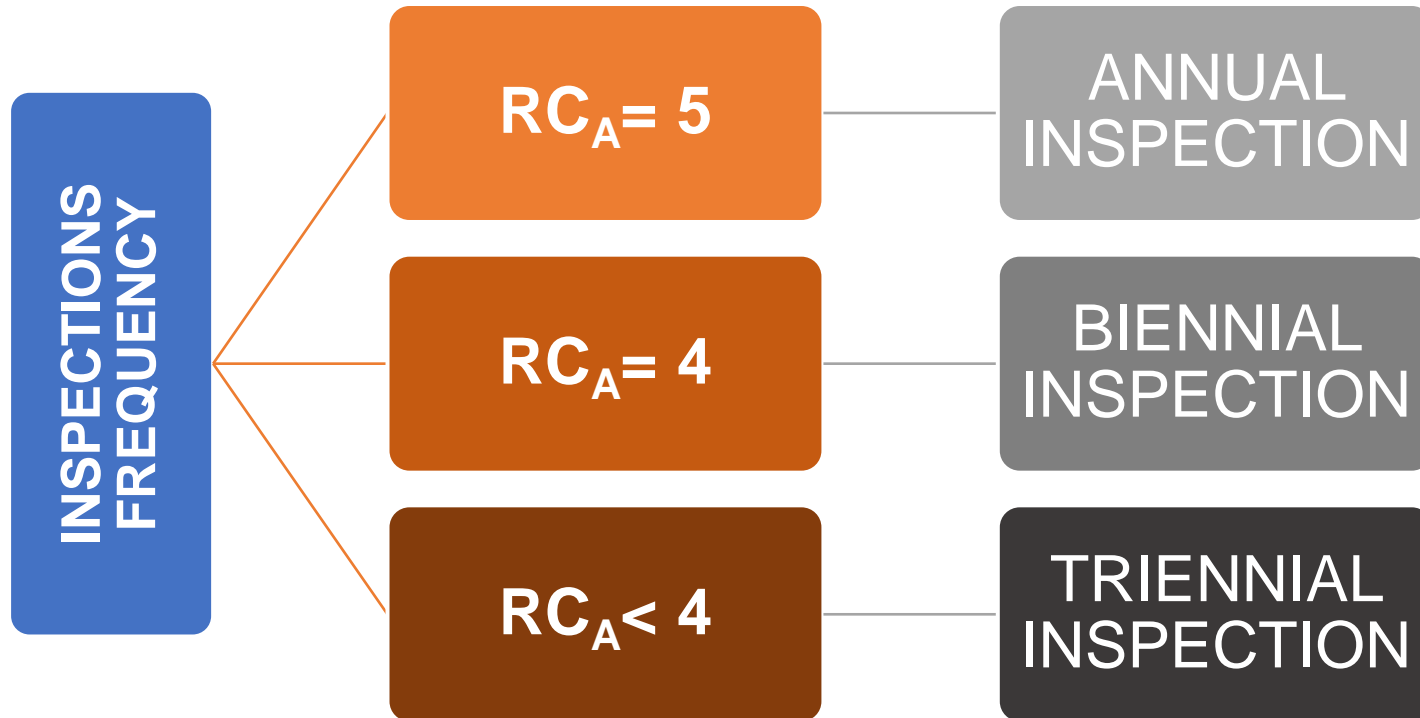
-1

RC_A resulting from the application of “the rule” lowers 1 step.

This sites don't have annual inspection

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Inspection frequency



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Distribution of organisations according to their EMS

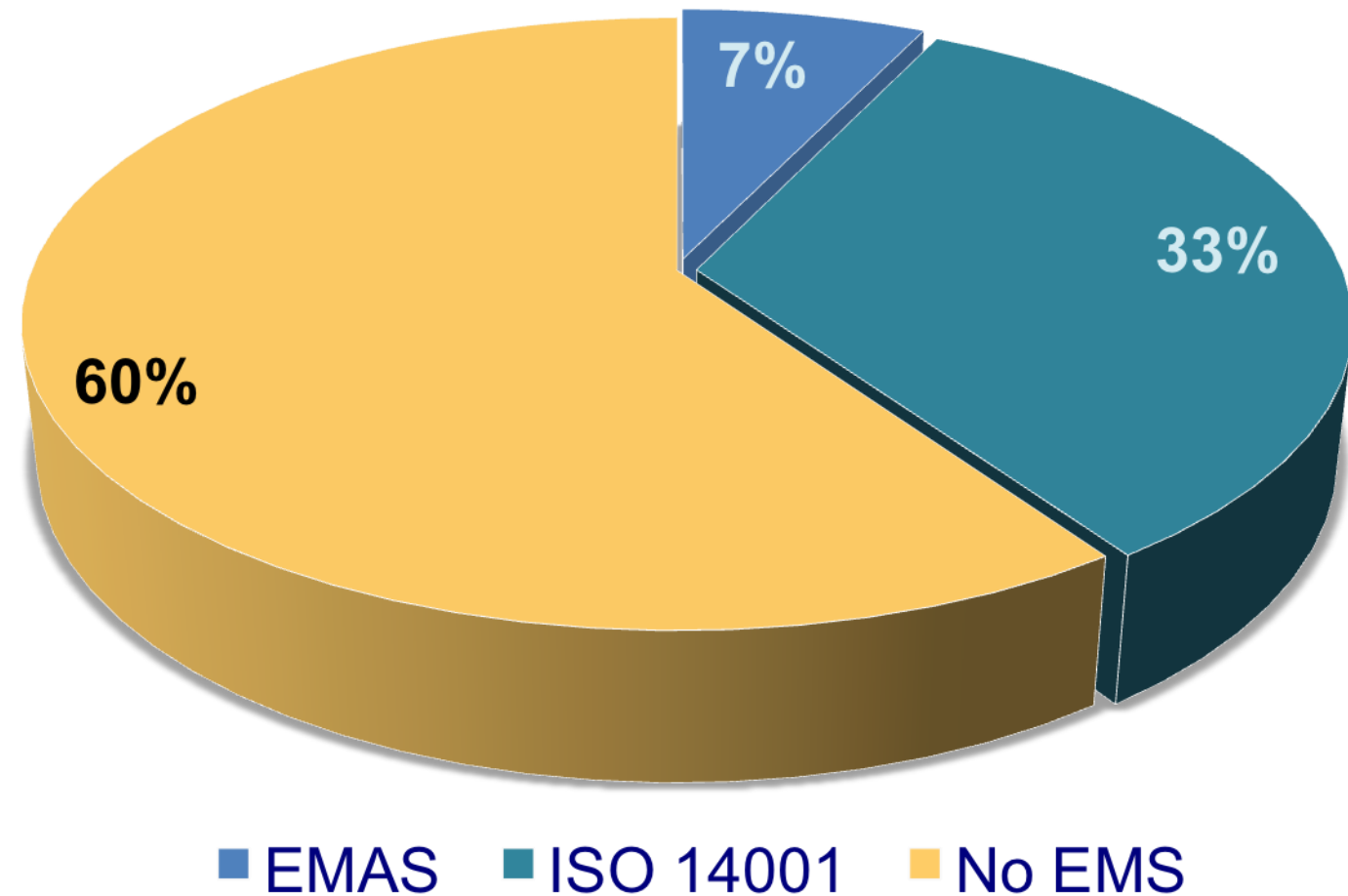
	IED	No IED	Total
EMAS	46	1	47
ISO 14001	217	1	218
No EMS	302	89	391
Total	565	91	656

Livestock farmers are not included

60% have no EMS
33% have ISO 14001



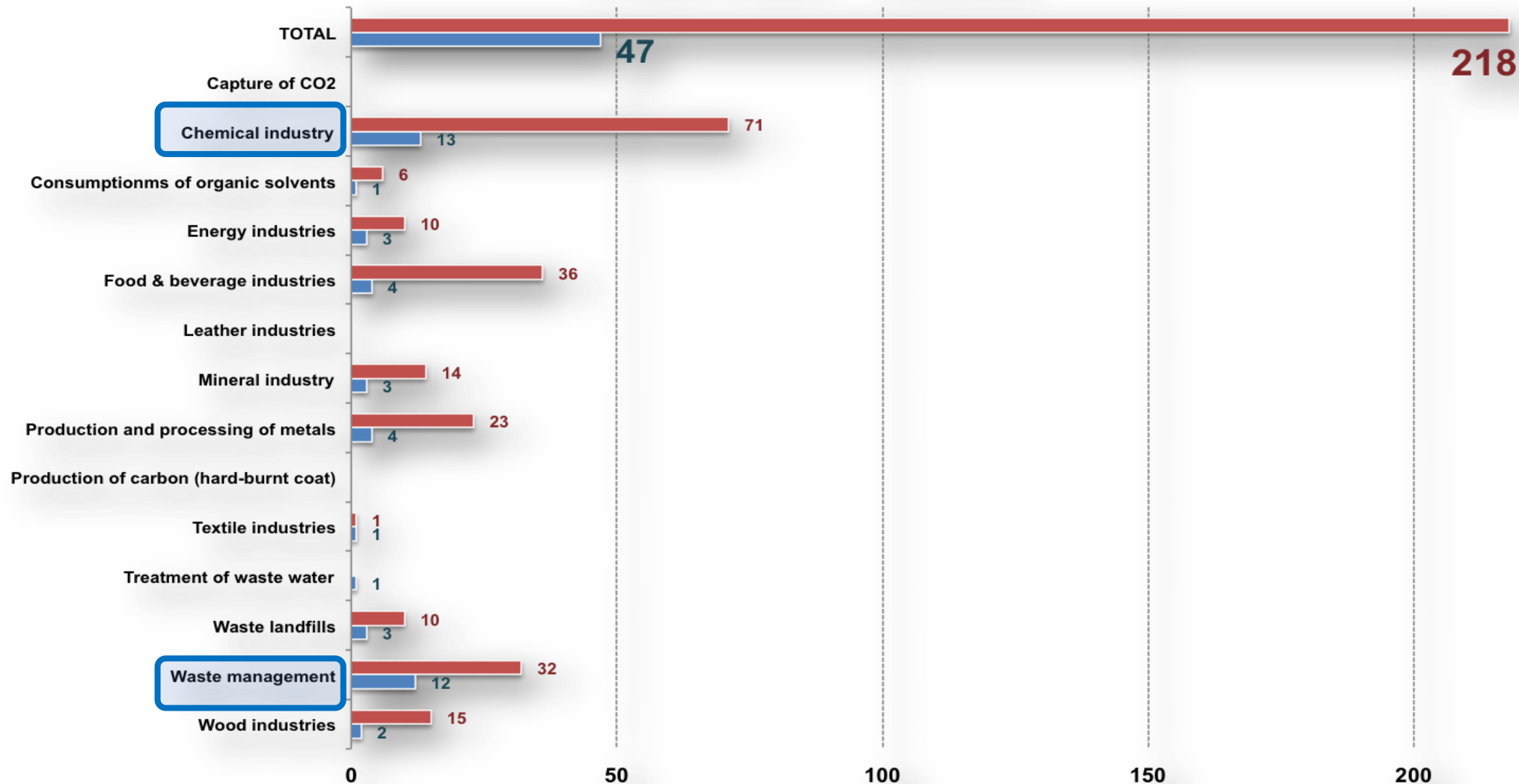
Potencial opportunity to
influence theses
organizations



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Current situation sector and type of EMS

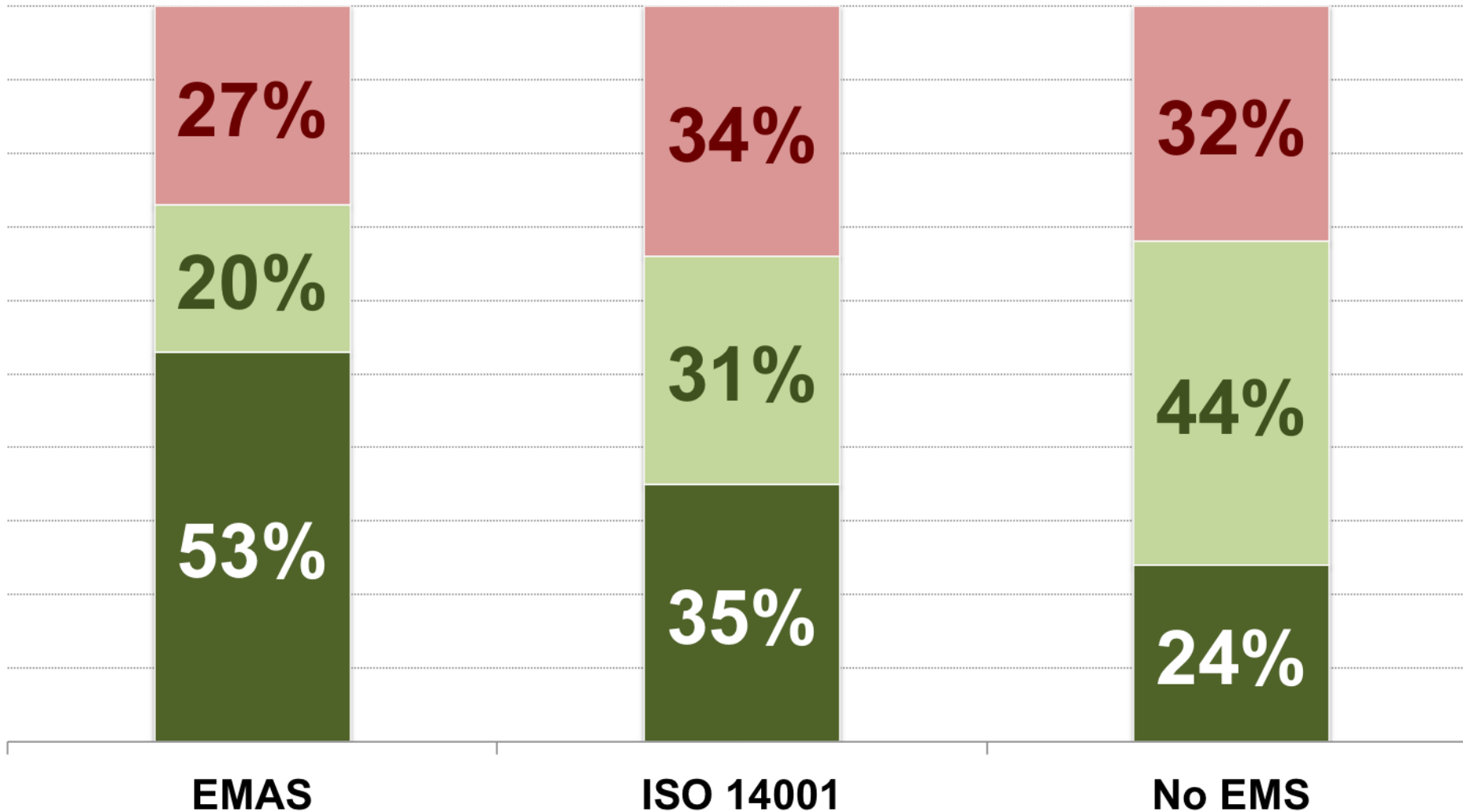
■ ISO 14001 ■ EMAS



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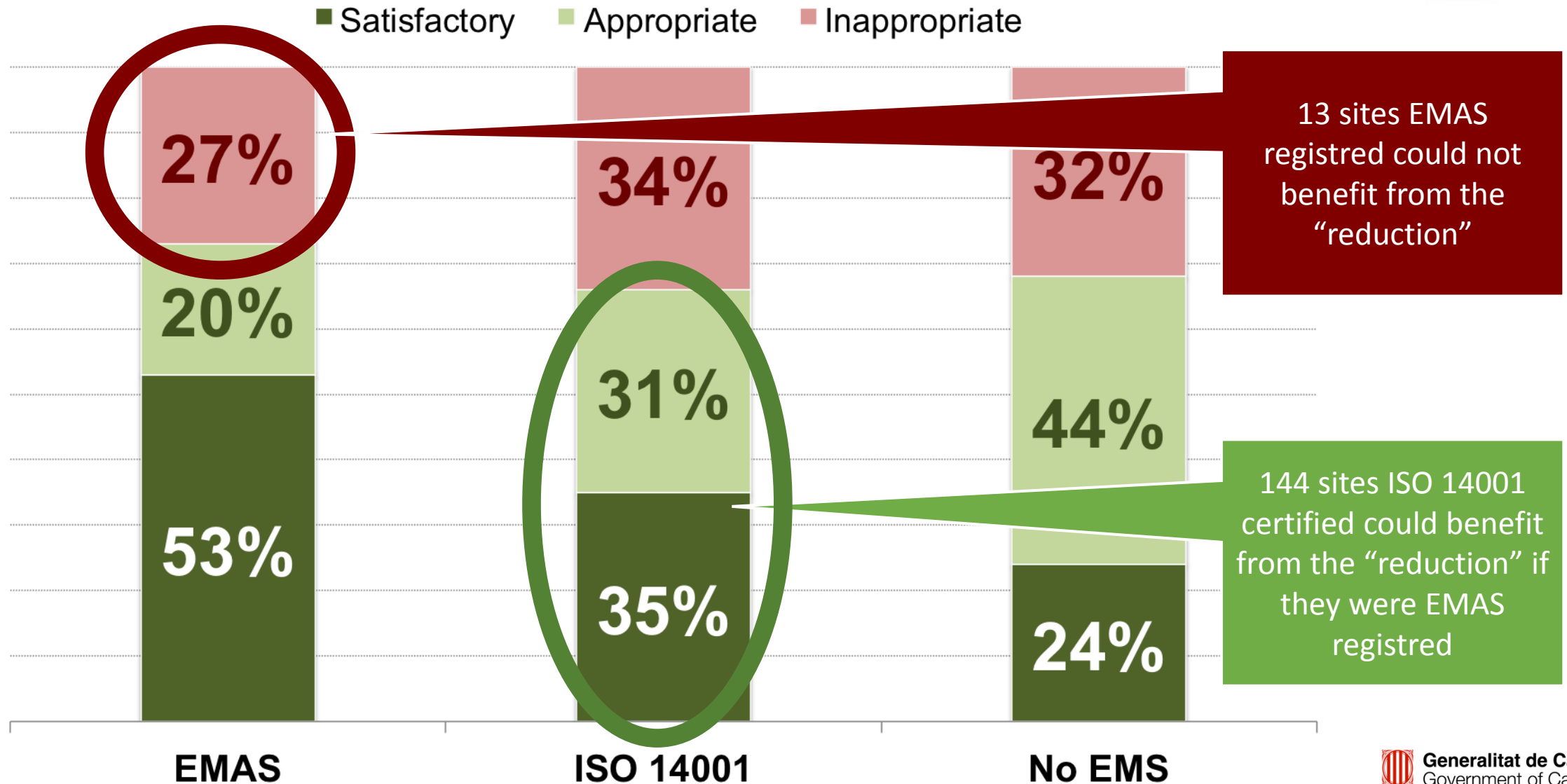
Available data on last inspections

■ Satisfactory ■ Appropriate ■ Inappropriate



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Available data on last inspections



Questions/Topics to be covered

<ul style="list-style-type: none"> Is EMAS part of the national legislation regarding environmental inspections? Is there a difference to the IED? 	<p>YES NO</p>
<ul style="list-style-type: none"> How does the practical implementation of inspections work? 	<p>There exists a procedure that harmonizes the operative one of the inspections and the qualification of the non-compliances</p>
<ul style="list-style-type: none"> What is the difference between EMAS organizations and Non-EMAS organizations regarding environmental inspections? (in theory and in practice) 	<p>The operative one of the inspection is the same for all sites. The sites with EMAS are better report inspections than sites without EMAS.</p>
<ul style="list-style-type: none"> What experiences do EMAS organizations have regarding environmental inspections? (Challenges, benefits, burdens, costs, resources, ...) 	<p>If the report of inspection is satisfactory or appropriate: there is reduced the value of risk and the frequency of inspection.</p>
<ul style="list-style-type: none"> What is the current role of the EMAS verifier regarding environmental inspections? 	<p>The verifiers do not take part in the inspection. The inspection is an action of competence of the competent authority</p>
<ul style="list-style-type: none"> Please indicate the number of companies affected by environmental inspections and the number of EMAS companies affected by environmental inspections 	<p>656 establishments (livestock farmers excluded) are covered by Inspection Plan. 47 sites with EMAS</p>

Thank you!!



Mr. Xavier Gómez Olmos

*Responsible for Monitoring and Environmental Monitoring
Service of Information, Inspection and Environmental Control of Activities
Directorate-General for Environmental Quality and Climate Change
Ministry of Territory and Sustainability*

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let's do it!

