

“Environmental Management Systems (EMAS) inside the EU strategy for environment (V° and VI° EAP)”

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Summary

- EU environmental Policy: origin and evolution
- Command & Control and voluntary systems
- EMAS & ECOLABEL in the EU
- Environmental Certification: EMAS & ISO 14001
- Conclusions

The Origin and evolution of the Environmental Protection

1972 – The “Club of Roma” initiated the discussion on environmental issues starting from the Report *“The limits to Growth”* from MIT Boston;

1987 – The Brundtland Report *“Our Common Future”* introduced for the first time the concept of Sustainable Development (economic, social & environmental issues strictly related);

1989 – G7 endorsed the results of the Brundtland Report and the concept of Sustainable Development: During the Paris summit 1989 a work on environmental indicators was initiated;

Starting 1990 Several companies adopted, on voluntary basis, the principles of sustainable development within their policies and the chemical sector introduced the “Responsible Care” scheme widely adopted at international level;

The Environmental Protection in the EU Policy

The environment was not part of the European Community agreements and was not included in the Treaties, but the relevance of such issue became very soon clear due to:

- Several relevant accidents with serious consequences on environment and public health;
- International consequences of national accidents or pollution crossing national borders;
- National environmental legislation not uniform as principles having indirect consequence on the European free market treaty.

In 1976 a specific article on Environment was approved in the European Union Treaty. Starting from this stage Environment will be part of the competencies of the EU.

The EU Environmental Action Programmes (EAP)

EAPs are intended as a framework for setting up environmental strategies within the European member states;

EAPs have been launched since 1972 in order to integrate environmental issues in all the sectors of the EU policies;

Up to now 6 EAPs have been approved following this principles:

- 1° EAP (1973-77): setting up principles such as “pollution-payer”;
- 2° EAP (1977-83): stronger effort in legislative measures (Directives) specially for water and waste;
- 3° EAP (1983-87): emphasis on potential risks and benefits of environmental policies to the internal Market and need for harmonization to avoid distortions to industry competitiveness.

The EU Environmental Action Programmes

- 4° EAP (1987-92): integrated approach, change from “trade orientation” to a “sustainability frame”. Part of the integrated approach was to reduce energy or material inputs and to close cycles to minimise waste streams. Pollution control systematically oriented to all environmental media (water, air and soil);
- 5° EAP (1992-2000): Among the most interesting elements:
 - ✓ The principal aim of sustainable development according to the definition of the Brundtland Report;
 - ✓ Reference to a sectorial approach, which integrates an environmental dimension into the most polluting sectors (transport, energy, agriculture, etc.), and the limits of old end-of-pipe approaches. The action programme proposed structural change in favour of public transport, energy efficiency and waste prevention;

The EU Environmental Action Programmes

- 5° EAP (1992-2000): Among the most interesting elements:
 - ✓ The emphasis on new instruments, especially on market-oriented instruments such as fiscal incentives or voluntary instruments, which strengthen producers and consumers own interests in environmental decision-making;
 - ✓ The new consensus-oriented approach taking into account the crucial role of non-governmental protagonists and local/regional authorities to represent the general interest of the environment. This may contribute to innovative concepts, raise public awareness, and enforce the implementation of EU directives.
 - ✓ The setting of medium and long-term objectives for the reduction of some pollutants, and proposed instruments to achieve these objectives.

The EU Environmental Action Programmes

- 6° EAP (2000-2010): starting points:
 - ✓ Consolidate and harmonize the actual environmental legislation, especially in the view of the EU enlargement;
 - ✓ formulate a framework of general principles and objectives, which will be more specified by so-called thematic strategies on key issues (pesticides, resources, recycling, soil, urban environment, marine environment, clean air);
 - ✓ Develop strategies with enterprises and consumers to find and incentive new solutions for products **(IPP)**;
 - ✓ Increase awareness in citizens and consumers through a correct information on products and production processes;
 - ✓ Involve public administration in Green Public Procurement strategies **(GPP)**.

EMAS & ECOLABEL in the EU

VI° Environmental Action Program

2010, the future and our choices: a “**greener market**” is a challenge for all, in particular:

- ✓ **Companies**: increase environmental performances in their activities (EMS), products (design for environment – LCA) and services, better use of products by costumers (EDP, technical instructions)
- ✓ **Consumers**: prefer purchasing green products (adequate information - ECOLABEL) and Services by companies correctly managing their impacts (EMS, ISO 14001, EMAS)
- ✓ **Public administration**: purchasing products and services (Green Public Procurement) environmentally friendly, promoting R&D, policies for GPP

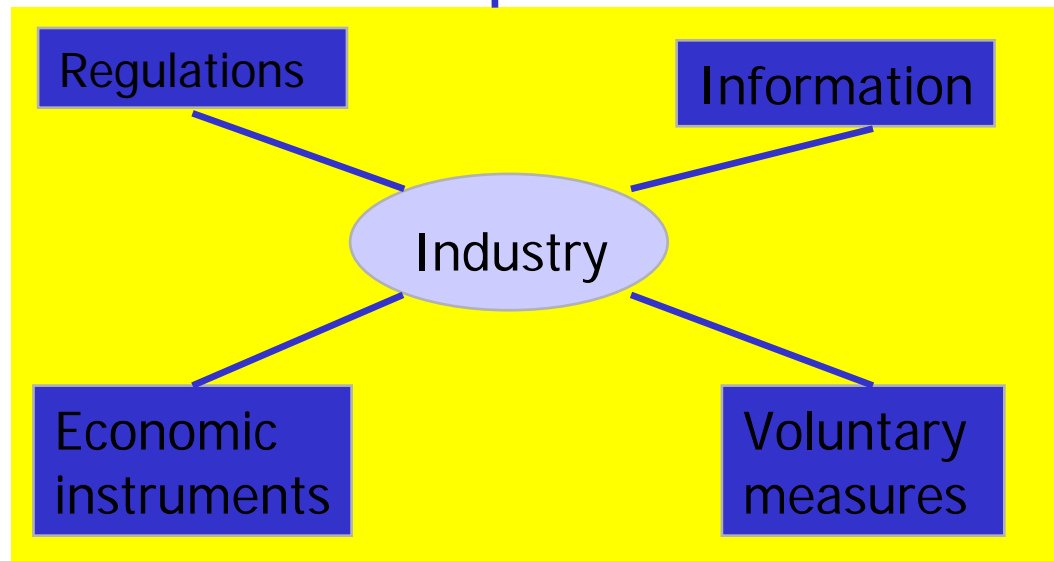
Voluntary systems and legislative measures in the EU

Objective of sustainable development

Framework of Environmental Action Programmes

General policies:

- Air
- Water
- Waste
- Biodiversity
- Etc



Example of mix regulatory – voluntary in industry: Regulatory requirements [permits (IPPC)] & voluntary systems [EMAS]

Command & Control tools

- “Command and control” tools are based on mandatory legislation, acts and standards coming from the authorities with the main objective to safeguard public interest (health, safety, environment, etc.);
- Legislation is normally directed to impose emission (or other) limits;
- Breaches to the legislation is sanctioned by means of civil or penal codes (depending by the state policy) or by administrative measures;
- Efficiency of Command & Control tools is strictly related to continuous monitoring of limits requiring high cost for structures and personnel;
- Command and control tools may generate difficult relationship between enterprises and public authorities (and public in general).

Voluntary Systems

- are based on a proactive approach towards environment by concerned organizations in an open dialogue with the stakeholders;
- mainly aimed to prevent pollution anticipating technology and legislative measures;
- based on the principle of performing beyond the legal limits;
- DO NOT replace mandatory legislation;
- should reward companies better performing in activities, products or services through the market and by incentives;
- credibility of these systems (i.e. certification) is based on certification schemes and 3° party verification.

Voluntary Systems

Main stakeholders in the voluntary systems:

- Enterprises (or participating organizations);
- public institutions;
- Citizens and consumers;

Other stakeholders:

- standardization bodies;
- certification and accreditation bodies;
- association of industries and enterprises;
- NGOs (consumers, environmentalists, workers unions);
enforcement Authorities;
- Other specific interested parties.

What is the EU Eco-management and audit scheme (EMAS)?

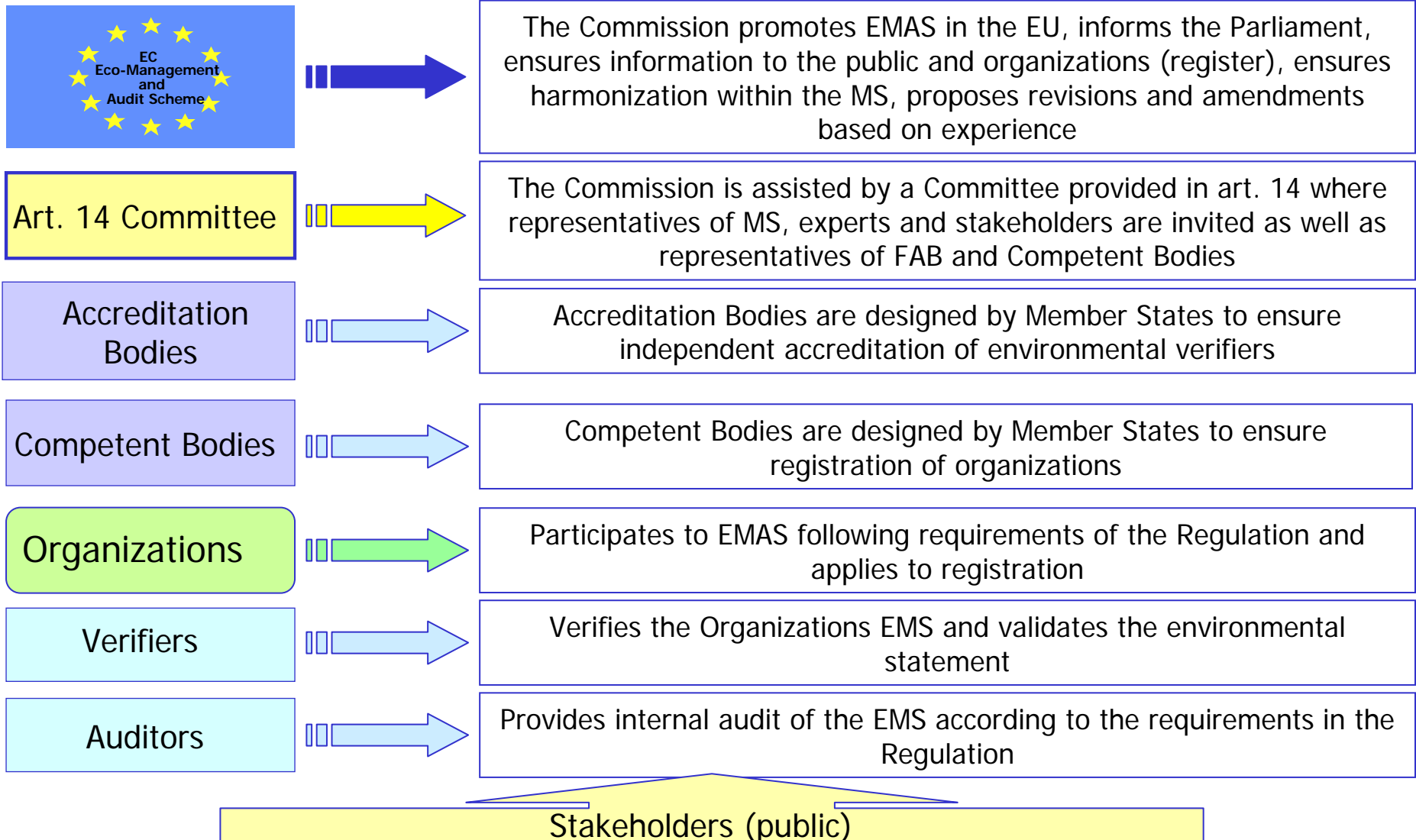
EMAS is a Voluntary scheme:

- ✓ Aim: to bring all organisations, both public and private, to improve their environmental performance and improve dialogue with their stakeholders;
- ✓ Means: management tools allowing assessment and monitoring of the environmental aspects of all the organizations activities and systematic public report on environmental performance;
- ✓ Outcomes: better management of environmental aspects and impacts and credible information both verifies and validated by 3^o part assessment.

Why a Regulation?

- ✓ Mandatory to Member States allow participation of organizations;
- ✓ Needed to setup adequate legislation and organizational measures;
- ✓ Member States shall promote the scheme and provide incentives;
- ✓ Member States shall inform the Commission about provisions in place.

Subjects in EMAS

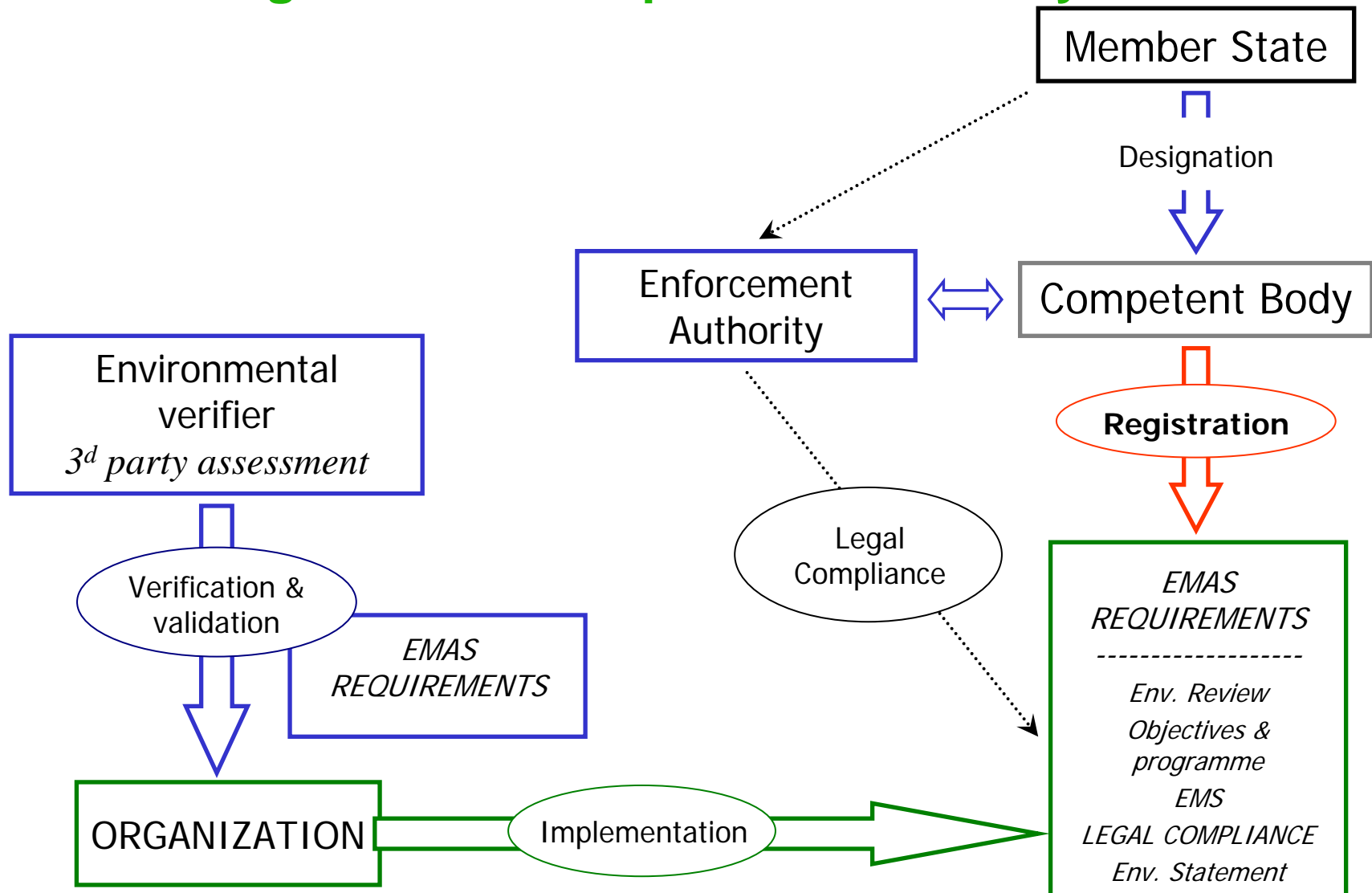


EMAS requirements for participating organizations

An organization shall implement the following steps:

- ✓ Perform an Environmental review (→Annex VI);
- ✓ Have an Environmental Management System (EMS) in place (→Annex I);
- ✓ Have internal Auditing carried out (→Annex II);
- ✓ Assess its Legal compliance;
- ✓ Perform a systematic, objective and periodic evaluation of its environmental performance;
- ✓ Involvement and active training of employees;
- ✓ Draft and Environmental Statement (ES) (→ Annex III);
- ✓ Submit the EMS to verification and ask validation of the Environmental Statement by an accredited environmental verifier;
- ✓ Ask for Registration to the national Competent Body;
- ✓ Publish the Environmental statement and its update each year.

Registration: first pillar of credibility



Member states designates the Competent Body (art.5)

- Member States shall designate the Competent Body responsible for Registration of Organizations;
- The composition of the Competent Bodies shall guarantee independence and neutrality;
- Member states shall have procedures for considering opinion of interested parties for the use of CBs;
- Competent bodies shall have procedures for refusal, suspension and deletion of organizations from registration;
- Competent bodies shall be responsible for control and maintenance of the registry.

Competent Bodies Tasks

Direct responsibilities

- Reviewing quality and consistency of environmental statements;
- Enquire Enforcement Authorities for LC;
- Register (suspend or delete) organizations;
- Participating to Forum of CB;
- Keep updated register of EMAS organizations.

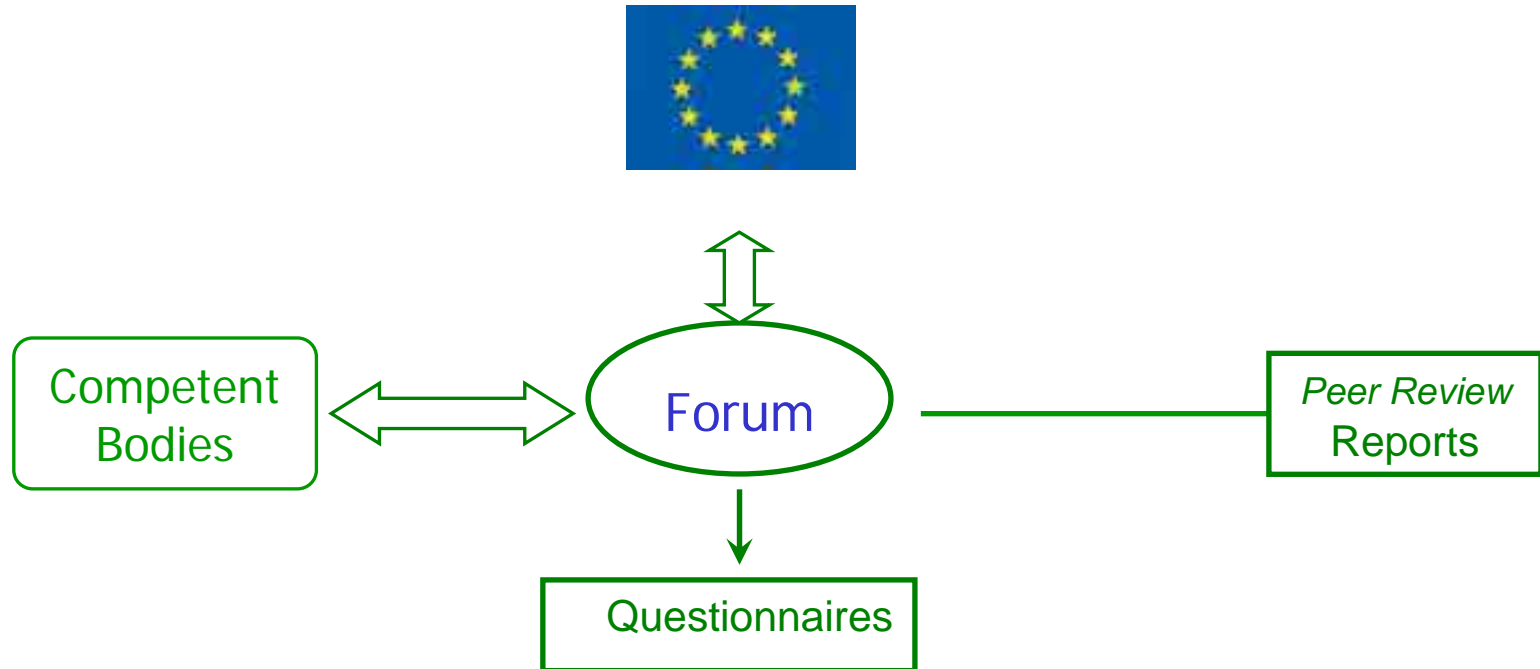
Indirect responsibilities

- Ensuring registered organizations continue comply with environmental legislation,

Relationships

- Accreditation bodies (supervision reports);
- Enforcement Authorities (Legal Compliance);
- Member state (communication of updated list of verifiers);
- EU Commission (Helpdesk).

Forum of Competent Bodies



A forum is set up among competent bodies with the aim of:

- avoid inconsistency between national registrations systems;
- Perform *peer reviews* though yearly questionnaires;
- report to the Commission peer review activities results.

Relevant data to be submitted to the CB

Minimum Information to be sent by the organization to the Competent Body Registration (→ Annex VIII):

- Name of the organization
- Address of the organization
- Contact person
- NACE code of activity
- Number of employees
- Name of the environmental verifier
- Verifiers accreditation number (i.e. IT-V-0001)
- Scope of accreditation (Sector of activity)
- Date of the next environmental statement



Registration follow-up

Following the CB registration decision:

1. Enter into the national register;
2. Communication to the EMAS helpdesk;
3. After three years renewal of registration;
4. Suspension if:
 - no new environmental statement is submitted (yearly update or 3 years new ES)
 - lack of legal compliance;
 - Motivated concerns of interested parties;
5. Deletion if no required actions follows suspension.

EMAS EU Register



Environment English

EMAS – the Eco-Management and Audit Scheme

Who can participate in EMAS?

EU register of EMAS organisations

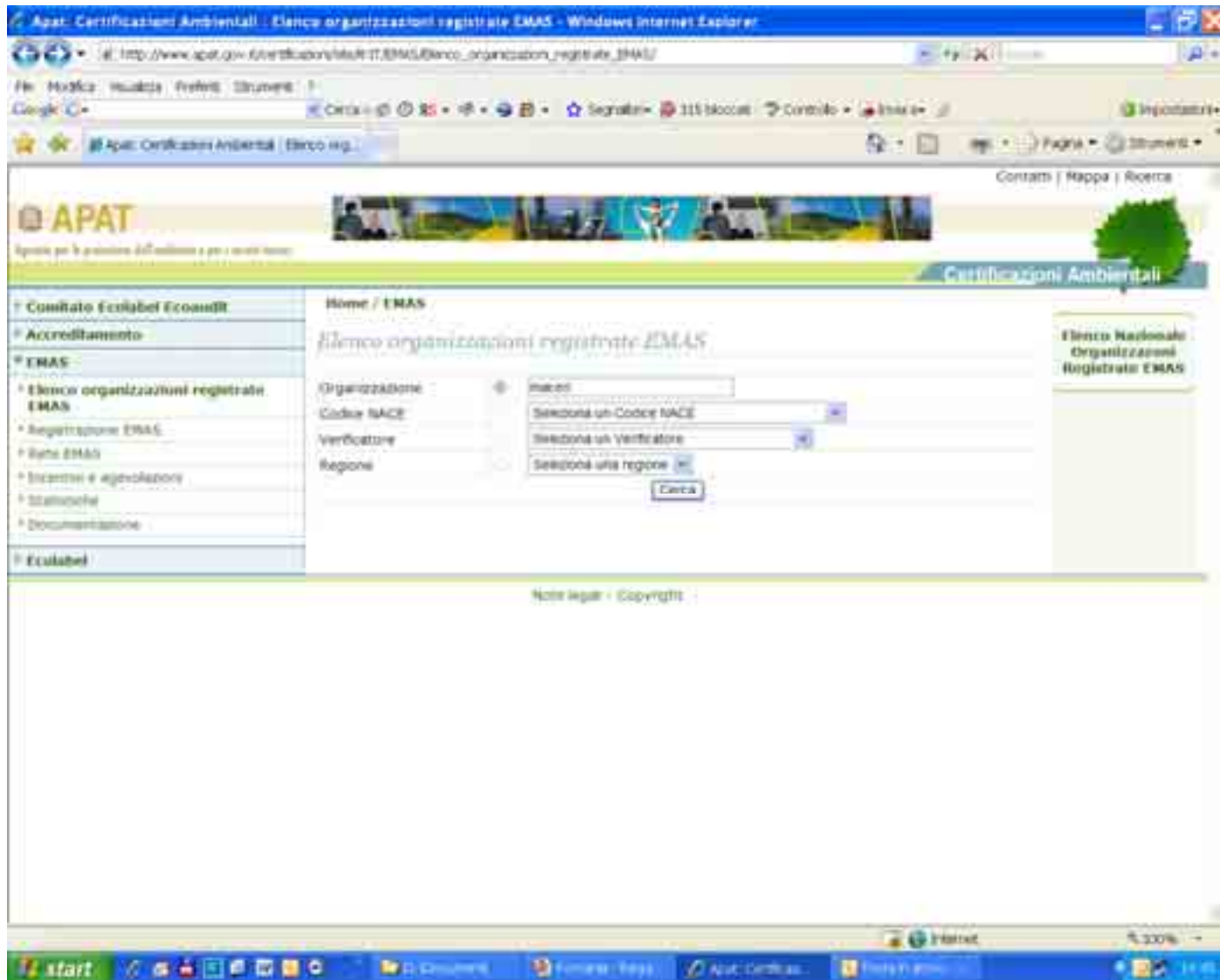
This list is a compilation of the national registers of EMAS organisations held by the EMAS Competent Bodies. Competent Bodies communicate on a regular basis changes, additions and deletions in their registers to the EMAS Helpdesk, which is responsible for maintaining the EU register.

This list was last updated on 15/01/2006. There are currently 6,140 sites in 3,470 EMAS registered organisations. Please note that Competent Bodies do not all send their national updates at the same time, the EU register might therefore not always reflect correct numbers of registered organisations for each Member State.

Please contact the [EMAS Helpdesk](#) if you wish to search the EU register for a specific organisation or for organisations with a specific Nave code.

 (PDF, 130Kb)	SMEs free	252	EMAS registered organisations	and 350 sites
 (PDF, 21Kb)	SMEs free	39	EMAS registered organisations	and 334 sites
	Overseas free	0	EMAS registered organisations	
 (PDF, 69Kb)	The Central Register free	21	EMAS registered organisations	and 22 sites

Italian EMAS Register

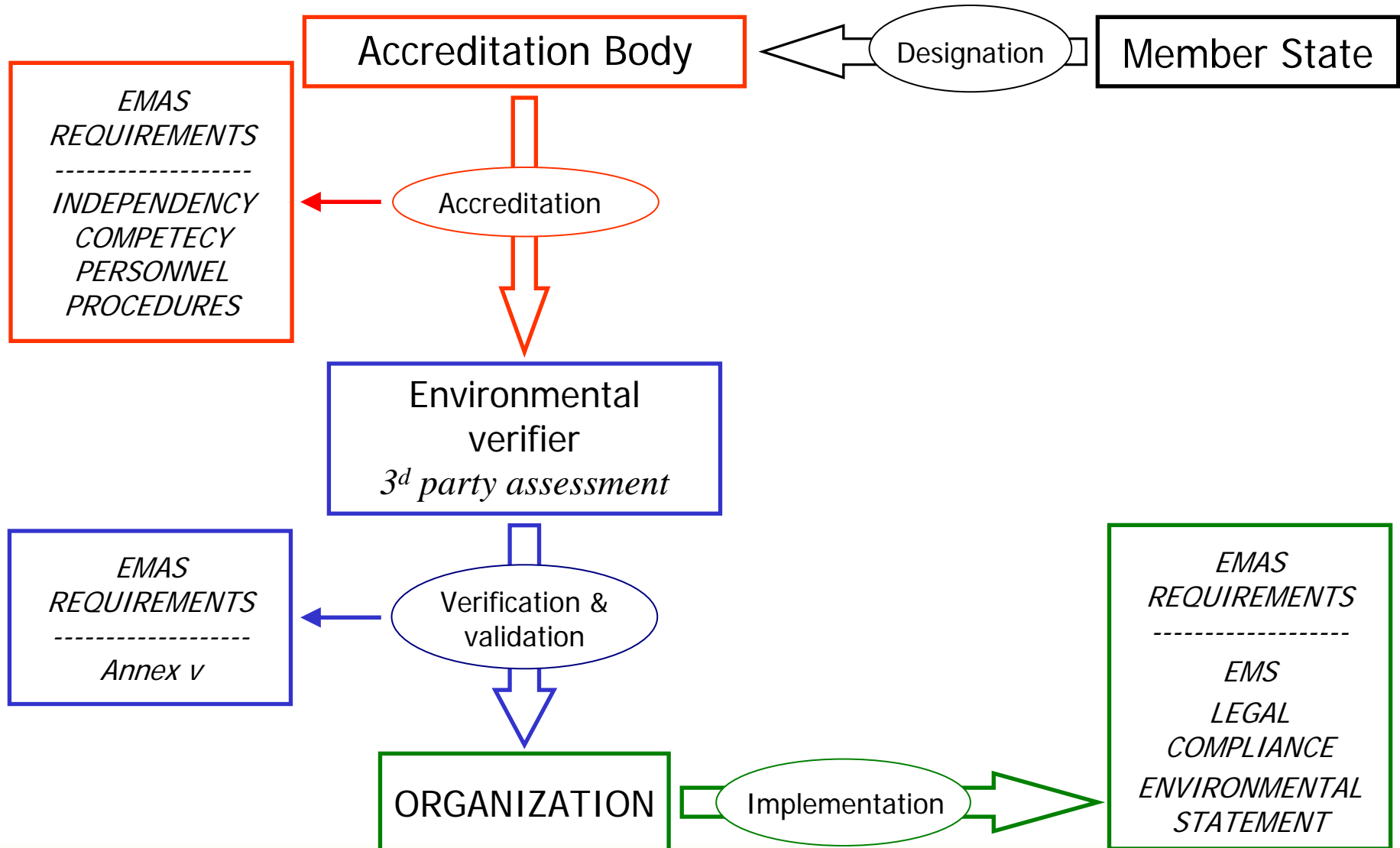


The screenshot shows a web browser window displaying the APAT website. The page title is "Elenco organizzazioni registrate EMAS". The main content area features a search form with the following fields:

- Organizzazione:
- Codice ISACE:
- Verificatore:
- Regione:

Below the search form is a "Cerca" button. On the right side of the page, there is a vertical box labeled "Elenco Nazionale Organizzazioni Registrato EMAS". The left sidebar contains a navigation menu with items like "Comitato Ecolabel Ecoaudit", "Accreditamento", "EMAS", "Elenco organizzazioni registrate EMAS", "Registrazione EMAS", "Bando EMAS", "Incontri e agevolazioni", "Statistiche", "Documentazione", and "Ecolabel".

Accreditation: second pillar of credibility



Member states establishes the accreditation system (art.4)

- Member States shall establish a system for the accreditation and supervision of verifiers;
- The composition of the accreditation systems shall guarantee independence and neutrality;
- Member States shall ensure appropriate consultation of parties involved, in setting up and directing the accreditation systems;
- Member States shall ensure that these systems are fully operational within 12 months following the date of entry into force of the Regulation.

EMAS requirements for Accreditation Systems

What kind of institution can be used?

- a) existing accreditation institutions may be used (all MS except Germany, Austria & Italy)
- b) EMAS competent bodies (Italy & Ireland);
- c) any other body with an appropriate status.

Which are the requirements for accreditation & supervision of environmental verifiers?

Rules listed in Annex V of the EMAS Regulation.

Environmental verifiers shall be organizations or individuals?

The Accreditation Body may decide for accreditation of individuals, organizations or both.

Can a verifiers perform their activities in any EU country?

Yes, any accredited verifier in one Member State may perform verification activities in any other Member State. The only condition is that he shall notify to the latter's accreditation system for supervision.

Accreditation Bodies Tasks

Direct responsibilities

- Accreditation of verifiers;
- Supervision of verifiers (also notified);
- Participating to FAB;
- Be subject to peer review;
- Keep updated list of accredited verifiers.

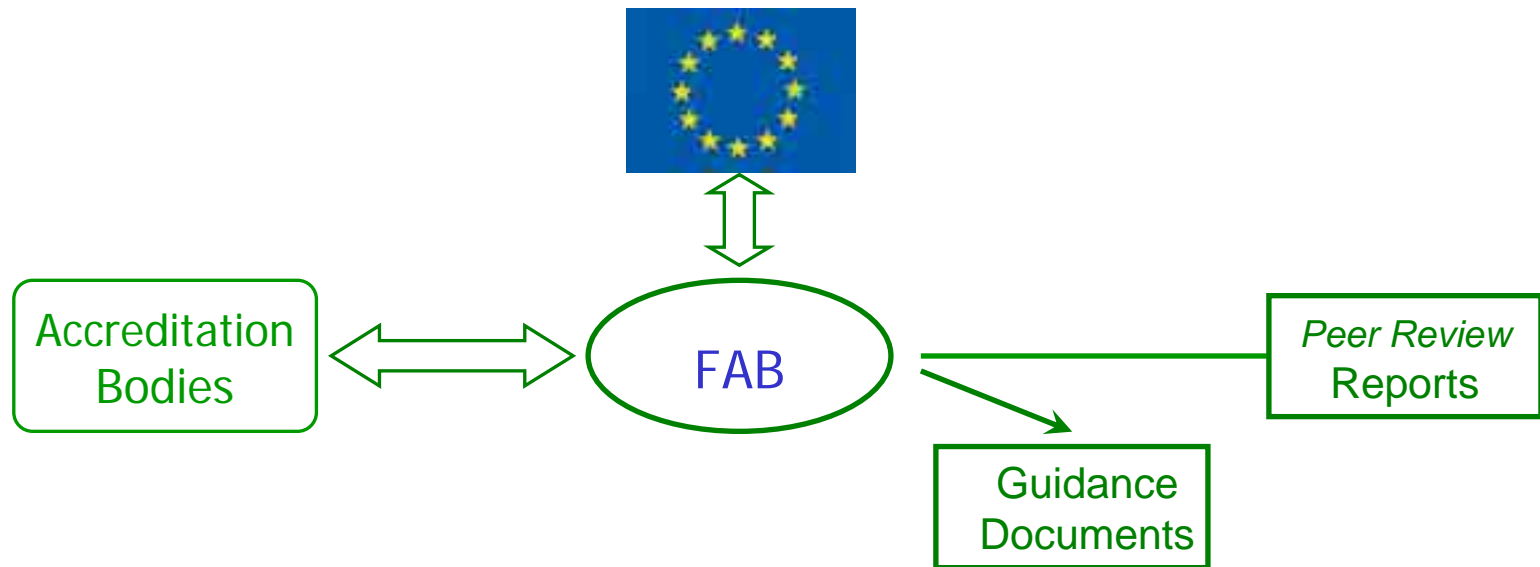
Indirect responsibilities

- Ensuring verifiers work quality (through supervision);
- Ensuring quality & consistency of environmental statements (through review of validated statements).

Relationships

- Competent Body (supervision reports);
- Enforcement Authorities (Legal Compliance);
- Member state (communication of updated list of verifiers);
- EU Commission (Helpdesk).

Forum of Accreditation Bodies (FAB)



A forum (FAB) is set up among accreditation bodies with the aim of:

- avoid inconsistency between national accreditation systems;
- develop guidance's in the field of accreditation & and supervision of environmental verifiers;
- develop procedures for a *peer review* process;
- Perform *peer reviews*;
- report to the Commission peer review activities results.

Accreditation & supervision of Verifiers

Which are the basic principles for accreditation?

Accreditation Body shall assess:

- **Competence** through evidence of the applicants (both individuals and organizations) knowledge, relevant experience and technical capacities in the requested fields (NACE codes);
- **Independence and impartiality** of the applicant from consultancy and internal audit;
- **freedom from any commercial, financial or other pressures** which might influence judgment, endanger trust and that they comply with any rules applicable in this respect (if organization through organisational chart detailing structures and responsibilities, statement of legal status, ownership and funding sources);
- documented **methodologies and procedures**, including **quality control mechanisms** and confidentiality provisions, for the verification requirements of this Regulation.

Requirements for accreditation of verifiers

COMPETENCE

- (a) knowledge and understanding of the Regulation, the general functioning of environmental management systems, relevant standards and guidance issued by the Commission, under Article 4 and 14(2), for the use of the Regulation;
- (b) knowledge and understanding of the legislative, regulatory and administrative requirements relevant to the activity subject to verification;
- (c) knowledge and understanding of environmental issues, including the environmental dimension of sustainable development;
- (d) knowledge and understanding of the technical aspects, relevant to environmental issues, of the activity subject to verification;
- (e) understanding of the general functioning of the activity subject to verification in order to assess the appropriateness of the management system;
- (f) knowledge and understanding of environmental auditing requirements and methodology;
- (g) knowledge of information audit (Environmental Statement).

Scope of accreditation

- Defined according to the classification of economic activities (NACE codes – Reg. CEE 3037/90);
- limited by the competence of the environmental verifier;
- take into account the size and complexity of the activity.

NACE "Nomenclature générale des activités économiques dans les Communautés Européennes" Regulation No 3037/90 of 9/10/1999 revised (N. 29/2002) 19 December 2001.

NACE codes are represented as follows:

- ✓ **"Sections"** – by a letter (i.e. Section A - Agriculture, Hunting & forestry)
- ✓ Sections include several **"Divisions"** represented by numbers (i.e. Division 01 - Agriculture, hunting and related service activities)
- ✓ Each Division includes **"Groups"** represented by numbers (i. e. Group 01.2 Farming of animals)
- ✓ Each Group is represented by further detail in **"Classes"** (i.e. 01.24 Farming of poultry)

Example of Verifiers List (Italy)



Elenco Nazionale Verificatori Accreditati

Verificatori

IT-V-0001 CERTIQUALITY srl

		N. Accreditamento	
CERTIQUALITY srl		IT-V-0001	
		Data Accreditamento	
		18 febbraio 1998	
Indirizzo		CAP	Città
Via Gaetano Giardino, 4		20123 Milano (MI)	
Telefono		Fax	
028069171		0286465295	
Contatto			
Claudia Gistri			
Codici NACE			
1.1 1.2 1.5 5 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26			
27 28.1 28.4 28.5 29.5 31 34.3 36.1 37 40 41 45 51 52 55 60 63.1			
63.2 63.4 65 66 67 70 72 73 74 75.1 80 90 91 92			

Conclusions

- The national Accreditation Systems guarantees credibility of third party verification and validation in EMAS;
- The Forum of Accreditation Bodies (FAB) ensures harmonization within the EU and reports to the Commission on the consistency of national accreditation system with the EMAS regulation;
- National Competent Bodies are responsible for registration and their activities and structure guarantees the public concerning organizations in the EMAS Register;
- The National and local enforcement authorities report any breach to the relevant environmental legislation and contribute to the credibility of EMAS;
- The EU Commission will monitor the efficiency of the implementation measures within the member states and can be always enquired by stakeholders on EMAS issues and concerns