



**BETTER
REGULATION
AIMED AT
VALORISING EMAS**

Summary

The BRAVE Project aims at supporting the full integration of EMAS (and of other voluntary certification schemes) in the EU and Member States environmental legislation as a leverage to facilitate its implementation by all the organizations (*“better regulation”*) and to remove, reduce and simplify the administrative costs and burdens for the EMAS registered organizations – as well as for companies adopting the EU Ecolabel or other forms of certification recognized according to Art. 45 of EC Regulation n. 1221/09 – as a way to encourage the adoption and dissemination of voluntary environmental certification (*“regulatory relief”*).

The Action 5 of the Project aims to test the *“better regulation”* and *“regulatory relief”* proposals assessing their feasibility and their cost-effective for both organizations and institutions. The deliverable 5.1 explained the methodology used for the selection of the simplification proposals to test during the Action 5 of the project at regional and national level. The aim of this deliverable is to describe the list of the simplification proposal selected by the evaluation criteria fixed in deliverable 5.1 and reporting about the stakeholders involved in the testing in field phase.

The responsible of the Action 5 is Ambiente Italia, that coordinates all the foreseen activities; all the project partners have contributed to the development the evaluation methodology, to the selection of five proposal for each involved region and every partner will be test the proposals involving Competent Authorities and other stakeholders.

Proposals selected

The aims of the testing in field are:

- Assess the feasibility of the BRAVE proposals (regulatory relief, better regulation);
- Regulatory and administrative feasibility: how the proposed measure will impact on the regulatory (changes in requirements, rules) and administrative (changes in procedures, control modalities documents);
- Technical, economic and organizational impact: which technical data are needed to implement the proposal, costs and efforts, saving and benefits for the Competent Authorities and private companies.

An example could be the reduction control testing. Each partner, in accordance with Competent Authorities and private companies, will does the following actions:

- Assessment of the exiting procedures and documents used in control modalities; the assessment involve the cost of procedure too;
- Simulation new procedures and documents at some private companies;
- Technical, economic and organizational assessment about the new control modalities impacts, possible drafting of new guidelines, needs to adapt of the information and reporting tools between Competent Authorities and private companies, communications and training activities.

The partners have selected 35 proposal after the application of selection methodology described in the deliverable 5.1 (5 of each Region). The total of the simplification proposal examined in all RWG and RCB were 85. Not all the simplification proposals were chosen with the common assessment methodology. Some partners decided to implement some simplification procedures because of strategic for the BRAVE project (i.e. very important test also for a national simplification proposal) or for specific local situation (i.e. testing to companies in a relevant economic sector).

A brief list of proposals selected for each Region are in Annex 1. Some processing of regional choices are presented in the pages below (fig 1 – 5). The partners have selected 23 proposals on regulatory relief and 12 on better regulation category. The most regulatory relief type of measures are reduced inspections, reduction of financial guarantee for waste management and mixed simplification measures for specific activities. The most better regulation type of measures concern funding support for specific activities or business sector (i.e. procedures to reward EMAS organizations in allocating funding). Regional regulation is the legal source choices by the partners to implement the simplification measures because of it is an administrative document and it guarantees a faster approval. The number of Competent Authorities and stakeholders involved in testing are presented in Fig 5.

Fig 1 – Selected proposals for category

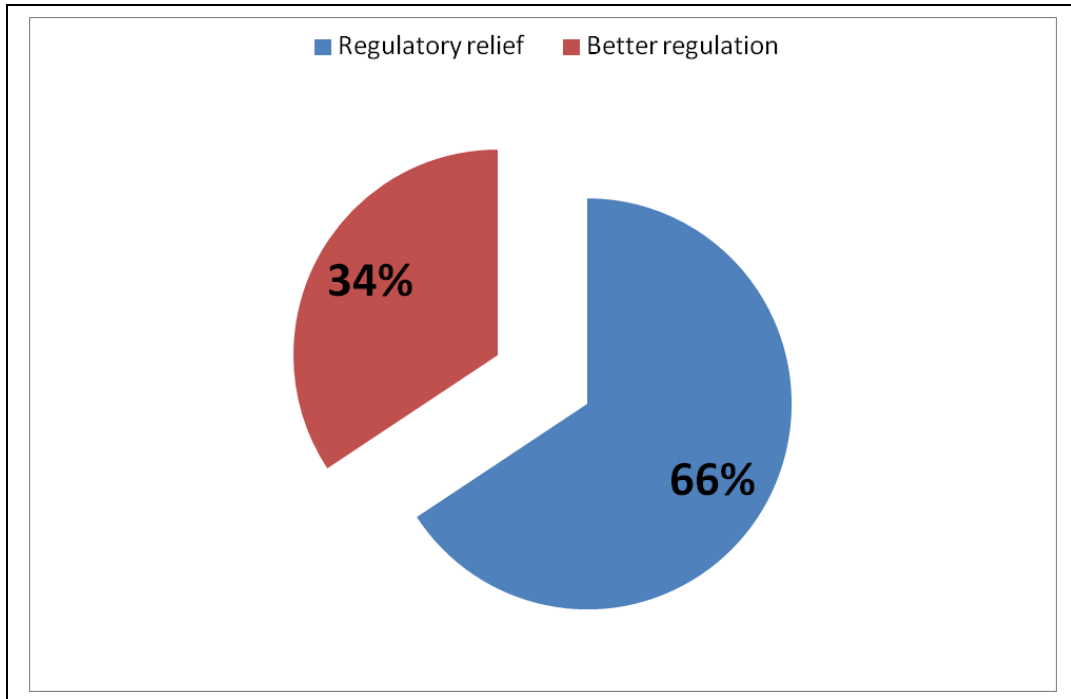


Fig 2 – Number of selected proposals for type of measure (regulatory relief)

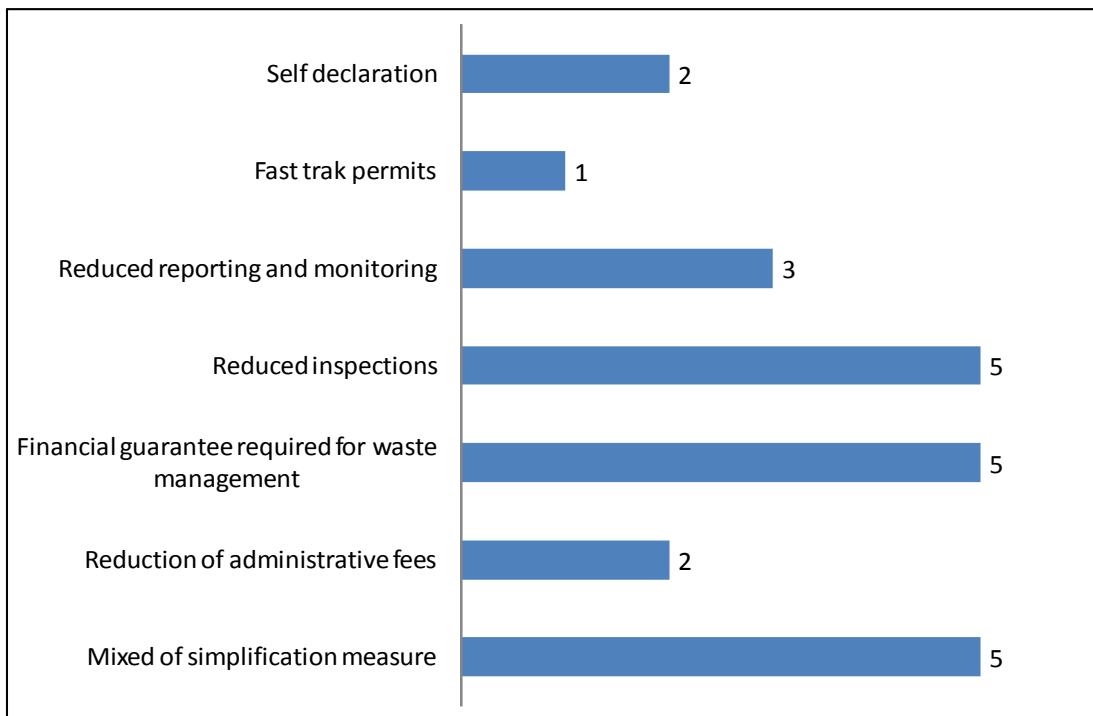


Fig 3 - Number of selected proposals for type of measure (better regulation)

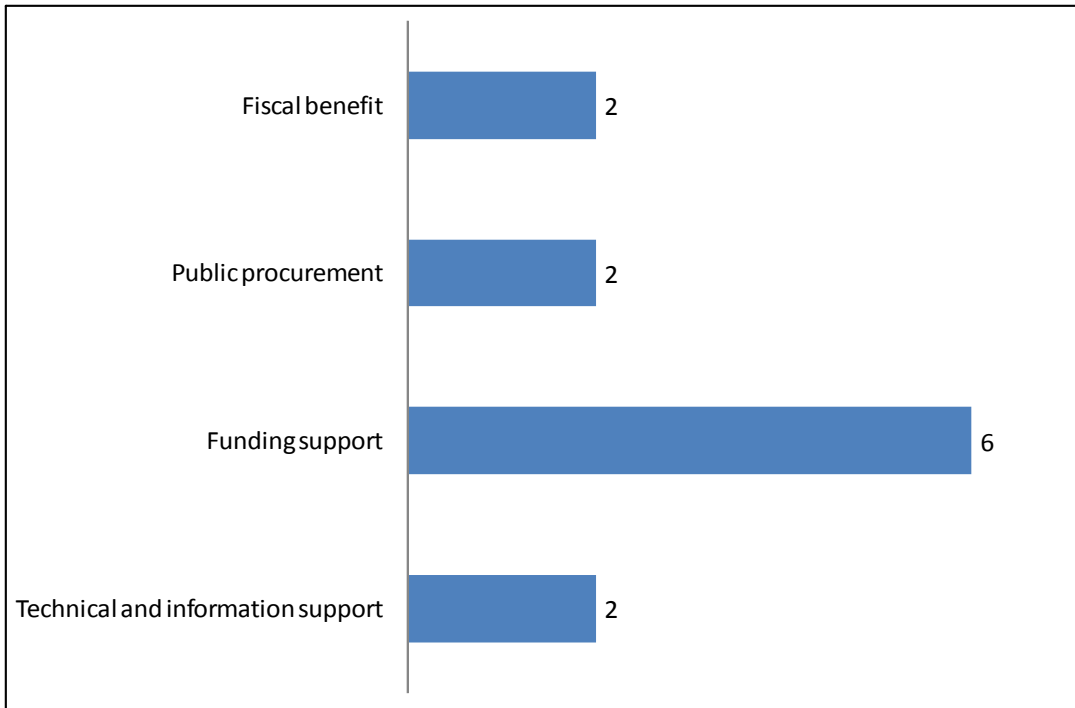
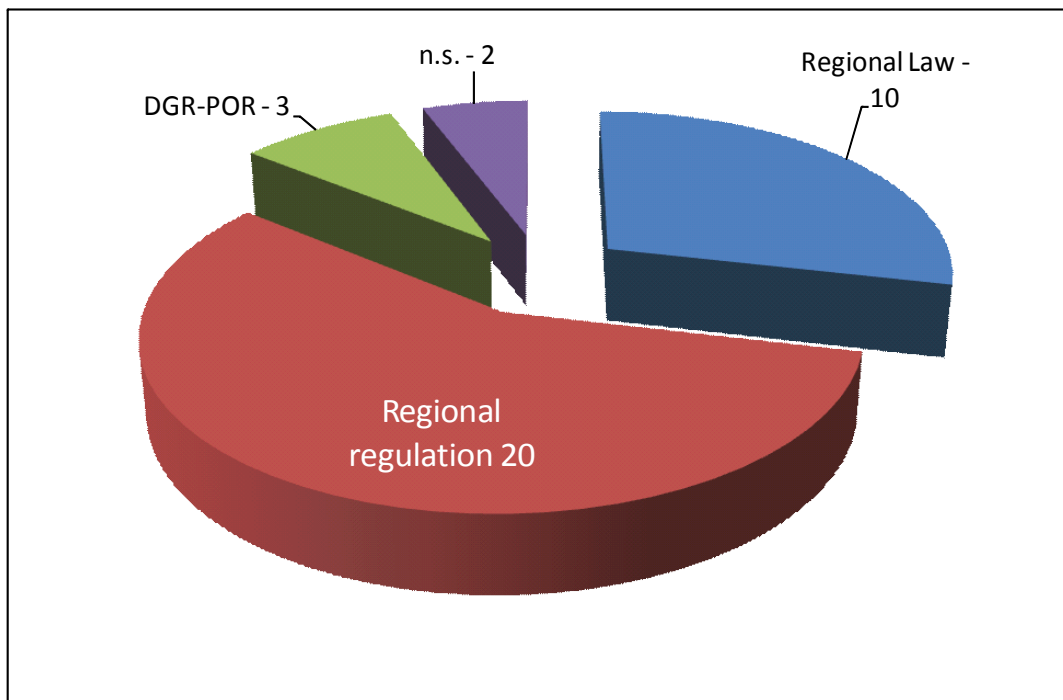


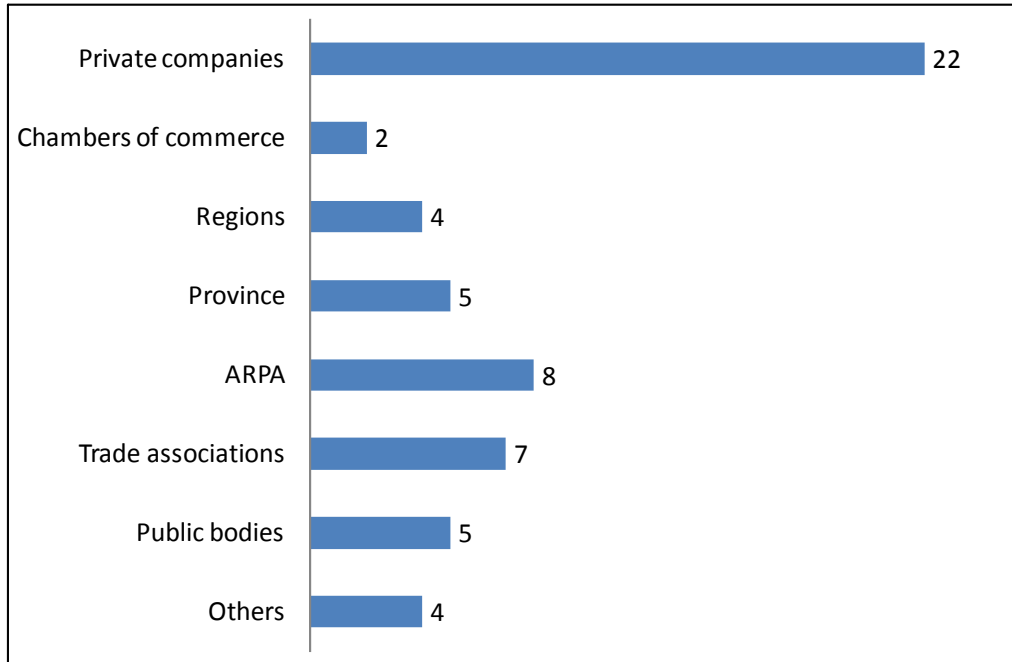
Fig 4 – Number of selected proposals for type of legal source



Note:

- DGR-POR is the introduction in the 2014-2020 plan for specific measure applicable to the EU structural funds to co-finance environmental investments by ISO 14001 and EMAS organizations
- n.s. (not specified) it concerns 2 measures: the first is presumption of compliance with the Italian model ex Legislative Decree 231/2001 (national law), the second are building instruments to support, training and recognition for the adoption of EMAS in public administrations in Valencia Community.

Fig 5 – Number and type of Competent Authorities and stakeholders involved



Annex 1

List of the simplification proposals for each Region in testing phase

PILOT AREA: VALENCIA REGION

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Building instruments to support, training and recognition for the adoption of EMAS in public administrations and increase the value of this Regulation as organizations as a means to increase efficiency in use of resources, reduce CO2 emissions, etc..
Proposal n.2	Reduction Financial guarantees required by the Administration for certain activities such as waste management, landfill, etc.. to those companies with EMAS registration
Proposal n.3	Indicate the necessity Collaborating Entities in the Field of Environmental Quality (ECMCA) have third party certification accredited environmental management
Proposal n.4	EMAS registration can allow flexibility in obtaining certain permits and subsequent regulatory control, by presenting the environmental statement with the appropriate data in each case, or any other element of environmental management system that is considered appropriate
Proposal n.5	On renewal of authorizations or environmental assessments to be made, considering the EMAS as a guarantee of compliance with legal requirements

PILOT AREA: ANDALUSIA

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Expansion of eligible expenses to cover the EMS's maintenance
Proposal n.2	Reduce the frequency of monitoring and reporting's activities in EMAS registered organizations
Proposal n.3	Simplify environmental information's procedure in EMAS registered organizations
Proposal n.4	Expand simplification measures to the activities included in the annex II of the Law 7/2007
Proposal n.5	Establish a simplified permitting procedure for the IPPC permits in EMAS registered organizations <i>This proposal includes proposals 4 and 5 related to the environmental permitting procedure (granting and renewal of IPPC permits)</i>

PILOT AREA: *BASILICATA*

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Introduction in the 2014-2020 plan of specific economic measures applicable to the EU structural funds (ERDF, ESF, EAFRD, EFF) to co-finance environmental investments envisioned by the improvement programs for ISO 14001 and/or EMAS certified environment management systems.
Proposal n.2	Reduction of financial guarantees for EMAS registered or ISO 14001 organizations from the sector of waste landfill and other waste treatment.
Proposal n.3	Public tender for the granting of loans for programs on environmental education and training for increasing the number of registered EMAS school organizations.
Proposal n.4	A new regional DGR for the reduction of inspections to companies with an environmental management system certificate ISO 14001 and/or EMAS registered.
Proposal n.5	Simplifications on authorizations of enterprises with an EMAS or ISO 14001 EMS belonging to supply chains, reducing administrative burdens, time to obtain the authorizations and simplification of the technical and administrative documentation.

PILOT AREA: *FRIULI VENEZIA GIULIA*

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Simplifications of the procedure relating to environmental controls and inspections for organizations with an ISO 14001 or EMAS certified EMS.
Proposal n.2	Reduction of costs of preliminary authorization charges and costs of routine checks for companies with an environmental management system certified ISO 14001 or EMAS with an Integrated Environmental Authorization.
Proposal n.3	Rewarding conditions and incentives for EMAS registered municipalities relating to their functions in terms of air pollution, noise pollution, light pollution containment and energy saving.
Proposal n.4	Incentives to certified organizations (ISO 14001, EMAS) or those with Ecolabel products of supplies to the public bodies (Green public procurement)
Proposal n.5	Introduction in the 2014-2020 plan of specific economic measures applicable to the EU structural funds (ERDF, ESF, EAFRD, EFF) to co-finance environmental investments envisioned by the improvement programs for ISO 14001 and/or EMAS certified environment management systems.

PILOT AREA: LIGURIA

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Reduce inspection through new rules and operational proposals
Proposal n.2	Implementation of simplification via regulation to reduce the procedural times for approval of rain water management projects
Proposal n.3	Reduction of financial guarantees required for waste management activities.
Proposal n.4	Introduction of reward criteria for the adoption of ISO14001 and/or EMAS certified management system in the wording of "green" procurement documents for the purchase of goods and services by the Public Administration
Proposal n.5	Introduction in the 2014-2020 plan of specific economic measures applicable to the EU structural funds to co-finance environmental investments envisioned by the improvement programs for ISO 14001 and/or EMAS certified environment management systems

PILOT AREA: *LOMBARDIA*

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Reduced inspections by means of the modification of Operative Instructions deriving from ARPA Guideline on inspections planning
Proposal n.2	Reduction of financial guarantees for the building of plants and for running waste disposal and recovery
Proposal n.3	Reduction of taxation of productive activities
Proposal n.4	Valorization of the registration/certification when applying for the renewal of the IEA in case of substantial and non-substantial modifications
Proposal n.5	Presumption of compliance with the Italian organizational model ex. Legislative decree 231/2001

PILOT AREA: *TOSCANA*

Summary of the selected proposals	
Proposals	Name and description of the proposal
Proposal n.1	Extension of IRAP (tax) rate reduction for EMAS registered and ISO14001 certified companies at least for next 3 year
Proposal n.2	Reduction of financial guarantees for EMAS registered and ISO14001 certified companies operating in the waste treatment sector.
Proposal n.3	Homogenizing the frequency of checks for IPPC companies in the Tuscany Provinces and reduction of IPPC inspection frequency for EMAS registered and ISO14001 certified companies.
Proposal n.4	Reduction of IPPC administrative fees for EMAS registered and ISO14001 certified companies
Proposal n.5	Introduction of several regulatory reliefs for EMAS registered and ISO14001 certified companies operating in the mining sector(i.e. reduction of financial guarantees, extension of permit duration)