



BETTER REGULATION AIMED AT VALORISING EMAS

ACTION 5: TESTING IN FIELD

Deliverable 5.4

Update version of report that contains the simplification proposals revised on the basis of the results of this action



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 5.4 consists on the list of tested simplifications proposals and the changes that have been introduced on the measures (simplification proposals revised) as a result of the testing in field activities developed in this Action 5.

The responsible of the Action 5 is Ambiente Italia, that has coordinated all the foreseen activities; all the project partners have contributed to the development of the Action’s activities involving Competent Authorities and other stakeholders.

REVISED SIMPLIFICATION PROPOSALS

ANDALUSIA		Changes and reason
n.1	Expansion of eligible expenses to cover the Environmental Management System maintenance	None
n.2	Reduce the frequency of monitoring activities in EMAS registered organizations	None
n.3	Simplify environmental information’s procedure in EMAS registered organizations	None
n.4	Expand simplification measures to the activities included in the annex II of the Law 7/2007	None
n.5	Establish a simplified permitting procedure for the IPPC permits in EMAS registered organizations	Changes on the law: <ul style="list-style-type: none"> ▪ Directive 2010/75/EU on industrial emissions. (European Level) ▪ Law 5/2013, June 11, by which the Law 16/2002, July 1, on Integrated Pollution Prevention and Control, is modified. (National Level) ▪ Royal Decree 815/2013 of October 18,

		<p>which approves the Regulation on industrial emissions and development of the Law 16/2002, of July 1, on integrated pollution prevention and control. (Regional Level).</p> <p>So, it is deleted the obligation to renew the IEA after eight years.</p> <p>Now with the new law, the IEA will be reviewed within four years after the publication of the conclusions relating to Best Available Techniques (BAT).</p> <p><u>Now:</u> Establishing a simplified permitting procedure (revision and update) for the IPPC permits in EMAS registered organizations.</p> <p><u>Before:</u> Establish a simplified renewal procedure for the IPPC permits in EMAS registered organizations.</p>
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BASILICATA		Changes and reason
n.1	Reduction of financial guarantees for EMAS registered or ISO 14001 organizations from the sector of waste landfill and other waste treatment.	The measure should point to the demand a higher discount for organizations that already have high costs in financial guarantees in order to use the savings in maintaining certification and a line of regional financing "dedicated" (together with discounts) for those who have lower costs but cannot balance the savings made by the registration/maintenance of ISO or EMAS.
n.2	Public tender for the granting of loans for programs on environmental education and training for increasing the number of registered EMAS school organizations.	For the implementation of the proposal a special agreement should be signed between the Regional government and the participating educational institutions (organized in the REDUS network) for allocating appropriate funds.
n.3	A new regional DGR for the reduction of inspections to companies with an environmental management system certificate ISO 14001 and/or EMAS registered.	None
n.4	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.	The measure text will be change because it's seems not interesting for industrial supply chains.
n.5	A new regional DGR for the reduction of costs incurred to achieve and renew Integrated Environmental Authorization reserved to companies with an environmental management system certificate ISO 14001 and/or EMAS registered.	None

FRIULI VENEZIA GIULIA		Changes and reason
n.1	Simplifications of the procedure relating to environmental controls and inspections for organizations with an ISO 14001 or EMAS certified EMS.	None
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.	It's necessary a change on the regional administrative fees for companies with an Integrated Environmental Authorization.
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.	None
n.4	Incentives to certified organizations (ISO 14001, EMAS) or those with Ecolabel products of supplies to the public bodies (Green public procurement)	None
n.5	IRAP tax rate reduction for EMAS registered and ISO14001 certified companies	None

LIGURIA		Changes and reason
n.1	Reduce inspections through new rules and operational proposals for EMAS registered and ISO14001 certified companies	None
n.2	Implementation of simplification via regulation to reduce the procedural times for the approval of the rain water management for EMAS registered and ISO14001 certified companies	None
n.3	Increase the % of the reduction of guarantees, approved with Delib.G.R. 3-8-2012 n. 1014, concerning landfills and waste treatment plants EMAS registered and ISO14001 certified .	The procedures that it's useful to reach our target it is to reach the agreement between the four provinces willing to approve four regulations in order to admit the regulatory relief of the reduction for landfills and waste treatment plants EMAS registered and ISO 14001 certified.
n.4	Introduction of reward criteria for the adoption of ISO14001 and/or EMAS certified management systems in the wording of "green" procurement documents for the purchase of goods and services by the Public Administration	None
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	None

LOMBARDY		Changes and reason
n.1	Inspections re-organization within ARPA Lombardia by modification of Operative Instructions deriving from ARPA Guideline on inspections planning	None
n.2	Financial guarantees reduction for waste disposal and recovery EMAS registered and ISO14001 certified plants and landfills	None
n.3	IRAP fee reduction for EMAS registered and ISO14001 certified organizations	Simplification proposal revised on the basis of the results of this action: <i>text of the proposal changed. EMAS registered organizations only can be beneficiaries of the measure since embedding ISO14001 certified organization as well would not be economically sustainable in the region balance sheet.</i> <i>Moreover multi-site EMAS registrations have been considered.</i>
n.4	Valorization of the registration/certification when applying for the renewal of the IEA in case of substantial modifications	Simplification proposal revised on the basis of the results of this action: <i>proposal become national since it resulted necessary to deal with national legislation related to IEA.</i>
n.5	Presumption of compliance of the EMS (EMAS registered and/or ISO 14001 certified) with the Italian Organizational Model ex. Legislative Decree 231/2001	None

TUSCANY		Changes and reason
n.1	Extension of IRAP (tax) rate reduction for EMAS registered and ISO14001 certified companies at least for next 3 year	The proposal is only focused on the EMAS organization. The proposal suggests to maintain the IRAP rate reduction only for EMAS organizations to reduce the regional costs and valorize greater EMAS than ISO14001.
n.2	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	None
n.3	Introduction of regulatory relief for EMAS organization in waste regulation of Municipality	None
n.4	Introduction of several regulatory reliefs for EMAS registered and ISO14001 certified companies operating in the mining sector. Measures for tax reduction.	SSSUP excluded the proposal concerning the financial guarantee reduction for research permit. The interviewed stakeholders demonstrated low interest for this proposal.

n.5	Introduction of several regulatory reliefs for EMAS registered and ISO14001 certified companies operating in the mining sector. Measures for the permit extension and to valorize the EMAS documents for institutional communication.	None
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VALENCIA COMMUNITY		Changes and reason
n.1	Reduction of Financial Guarantees required by the Administration for certain activities such as waste management, landfill, etc. to those companies with EMAS registration.	Study of extension to waste producers figure, instead of only to waste managers, as a conclusion of RCB and RWG meetings.
n.2	Indicate in the authorization procedures of waste management activities (solids and liquids) the need to prove an adequate environmental management (equivalent to EMAS / ISO 14001 requirements). Environmental management requirements would be spelled out by the Resolutions for Authorization.	None
n.3	EMAS registration may allow more flexibility in obtaining certain approvals and subsequent regulatory control, by submitting the Environmental Statement with the appropriate data in each case, or any other item of SGA that is considered appropriate.	<p>We can comment some changes on the legislative framework for IPPC of activities, in Spain at national level.</p> <p>REGIONAL LEVEL</p> <ul style="list-style-type: none"> ▪ Preliminary Draft Law, from Generalitat, prevention, quality and environmental control activities in Valencia <p>NATIONAL LEVEL</p> <ul style="list-style-type: none"> ▪ Law 5/2013, June11, by which the Law 16/2002, July 1, on Integrated Pollution Prevention and Control, is modified. (National Level) ▪ Royal Decree 815/2013 of October 18, which approves the Regulation on industrial emissions and development of the Law 16/2002, of July 1, on integrated pollution prevention and control. (National Level). <p>EUROPEAN LEVEL</p> <ul style="list-style-type: none"> ▪ Directive 2010/75/EU on industrial emissions. (European Level) <p>The main changes are that is planned that within four years from the publication of the findings of BAT regarding the principal activity of a facility, the conditions of the authorization shall be reviewed and, if necessary, adapted.</p> <p>Before, in the previous administrative regime, the integrated environmental authorization was granted for a maximum period of 8 years, unless expressly established by resolution a shorter period, being susceptible</p>

		of several extensions.
n.4	In control of integrated environmental authorizations or environmental assessments to be made, considering the availability of EMAS as a guarantee of fulfilment of applicable legal requirements	None
n.5	Establish the possibility of using the validated information within EMAS, for showing legal compliance related to certain specific environmental legislation such Packaging and Waste of Packaging Prevention Plans, especially for Monitoring Reports	During discussions in RCB and NWG it was decided to study only packaging prevention plans reports, due to complexity of Volatile Organic Compounds Balances, calendar, etc.