

## Questionnaire Responses

### A: Common regulatory frameworks - already completed

#### Czech Republic

#### Czech Environmental Inspectorate (CEI)

#### The System of Integrated Inspections

The Integrated Inspections started in 2004 as pilot controls. Since 2004, the system has been in progress. CEI has its own internal methodologies and directives. These methodologies are going to be amended. In the amendment, there are evaluated experiences since 2004. The basic system will remain but some details are developed. Documents describing the system are at CEI intranet, accessible only for employees of CEI. There's no public link.

The System was it put in place to ameliorate the effectiveness of inspections, to reduce the effort in administration, and to achieve an economical effect for CEI as well as for operators.

The system is defined by the CEI Rules of Regulation, approved by the Ministry of Environment. It does not cover any European Directive nor does it cover any national/regional legislation/regulation. It is only an internal system for inspections. No other countries, stakeholders or organisations are involved in the implementation of the system. It is only an internal system of CEI.

The system was established to ensure that information is shared between CEI and permitting authorities at different administrative levels and to fortify effectiveness. The objectives are:

1. Effectiveness of inspections – cost savings (one inspection instead of many).
2. Minimizing duplicity of inspections at installations with IPPC permit.
3. Motions to Regional Offices for casual revisions of permits – The permitting authorities will be informed about results of inspections. Then, they could make revisions of permits.
4. The inspection is carried out as teamwork. All conditions of the integrated permit and other duties of environmental legislation are checked within the scope of the single inspection.
5. One inspections = one administrative procedure about fine.

The system of integrated inspections was set up in 2004. It has been developed during the years. One of the results of development was the creation of the Department for Integrated Issues in the framework in CEI. Basis of their work are integrated inspections, their implementation, coordination and administrative procedure about fine.

The first pilot integrated inspections started in 2004. In 2007 IPPC departments were created at CEI, which are concerned with integrated issues. The change of internal rules at CEI until 2010 has strengthened the signification of integrated inspections, the methodological development and the preparation of CEI to the amendment of the IPPC Directive. Experiences were processed into the internal documentation of CEI.

The common element is the common inspection of an installation by different authorities guided by CEI. The legislation was not amended to achieve this. The Rules of CEI has been amended only.

Benefit of this common regulatory framework is the partial reduction of a large number of inspections in particular installations. This has been achieved by merging some inspections into one. CEI carries out the inspection of installations according to an annual plan of inspections. Inspections are planned according to the 2001 Recommendation for minimum

criteria for environmental inspections.

The investments were minimal. The system was implemented by changing of the Rules of CEI. Inspectors, who work in this department, have multiple experiences. They are leaders of inspection teams. The methodology has been prepared. The whole system is developed and modified on the basis of experiences and analysis.

Barriers or hurdles: There is a little unwillingness inside CEI to change established procedures. Many people don't want to change anything. Performing integrated inspections make it necessary to cooperate and coordinate the whole inspection group. There are experts of environmental legislation and IPPC in the group.

There is an ongoing increase of the number of integrated inspections every year. More inspectors carry out integrated inspections. More information is gathered about operation of installations with IPPC permits cross the CEI. There is a management of combination of administrative procedures but no management of several administrative procedures about fines.

2007: 277 integrated inspections

2008: 474 integrated inspections

2009: 626 integrated inspections

During integrated inspections specifications of IPPC permits and other duties of environmental legislation are checked. The inspectors have got better information about the activities of IPPC installation than before. One integrated inspection = one administrative procedure about fine. The success lies in the implementation and consolidation of the whole system in practice. The consolidation at a European level could be done by the amendment of the IPPC Directive containing enforcements of inspections and of environment protection.

Other lessons that can be learned: Optimising the inspections, improving the effectiveness of inspections and an integrated access. It is necessary to have a sufficient number of training people and learn to understand of context.

## **Germany, North Rhine Westphalia (NRW): District Governments of NRW**

### **Integrated Seveso Inspections**

Integrated Seveso Inspections are carried out by the Immission Control Units of the five District Governments of NRW. The activity started with the legal validity of the Major Accident Ordinance (Stoerfall Verordnung = German law adapting the Seveso II Directive) in 2000, there is no defined end of the activity. At that time the occupational health and safety authorities and the environmental authorities were responsible for Seveso inspections. In 2007 both activities and the responsible staff were united in the Immission Control Units of the five District Governments of NRW. The activity was put into place to reduce the administrative burdens and to make the inspections more effective.

Until now there is no direct link to other countries or German States. In many countries or States the occupational health and safety authorities or the civil protection authorities are responsible for Seveso inspections while environmental authorities join in or perform additional inspections. In NRW the Ministries of Environment, Labour Protection and Internal Affairs signed a common agreement with the District Governments to shift the responsibility to the Immission Control Units of the five District Governments. The objectives were to streamline the inspections, make them more effective, and reduce the administrative burdens for the operators and the authorities by concentrating the responsibilities for all Seveso enforcement activities into one unit of one authority.

The responsibilities for all Seveso enforcement activities are concentrated in the Immission

Control Units of the five District Governments. There are no longer responsibilities at the occupational health and safety units or the environmental authorities of the NRW counties (Kreise) and big cities. Verifying of safety reports, planning and performing of inspections and enforcement actions are all done by the environmental units accompanied by own occupational health and safety staff. The common element of this activity is that responsibilities of three different authorities – environmental, and occupational health and safety authorities on the State level, and environmental authorities on the local level – were united into one authority. No legislation had to be changed to achieve this. Only the competencies of the involved authorities had to be adjusted.

There were no investments and no extra costs to change the administrative structure. The benefit is the more streamlined and more effective enforcement of the Seveso Directive. There were no hurdles to implement the new structure and bring it into action but new administrative interfaces had to be designed. There are no longer any responsibilities of local environmental authorities for Seveso establishments but the occupational health and safety authorities are furthermore responsible for the facilities beside Seveso enforcement questions. As an example, they are responsible for work accidents outside the Seveso regime.

The new common organisation is very successful. What was done before (in Cologne district) by 4 occupational health and safety inspectors and their superiors is now done by 2 occupational health and safety inspectors. Nobody from local environmental authorities has to deal with the complex questions of Seveso enforcement. There are no changes necessary at the level of European law to implement the new structure. The lesson learnt is that it is sometimes better to adapt the structure of the responsible authorities to the structure of the environmental and safety law than the other way round.

#### **Turkey: Provincial Directorates of the MoEF**

##### **Combined environmental inspections**

The aim of combined environmental inspections is reducing the number of inspections by combining different inspection regimes and increasing the number of combined environmental inspections

There are single media based inspections (such as only air and only water) and combined environmental inspections according to a By-Law on Environmental Inspection. In the Turkish Ministry of Environment a start has been made to combine inspections in order to decrease the number of inspections. There are 81 provinces in Turkey and MoEF has Provincial Directorates at each of the provinces. At the end of 2009 65 provincial directorates and more than 650 inspectors have been trained on “combined environmental inspections and EU Minimum Criteria for Environmental Inspections” by the MoEF. In 2010 there will be nearly 1000 certified trained inspectors and all Provincial Directorates of MoEF will be doing these combined inspections.

In 2009 1068 combined inspections were carried out. In the ministry most of inspectors are divided into sections like air, wastewater and waste as their responsibility field and regarding their departments. At the provincial level, inspectors usually are responsible for different types of legislations, so they may be responsible for 2 or 3 environmental fields of inspection. Combined inspections usually take one day to carry out, but it of course depends on the complexity of the facility. Huge facilities like petro-chemical industries may take 3 or 4 days.

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<b>Turkey</b>
* What is the name of the common regulatory framework?
<i>Answer:</i> Reducing the number of inspections by combining different inspection regimes and increasing the number of combined environmental inspections
* Who is the main contact for this?
<i>Answer:</i> Ministry of Environment and Forestry
* When did (or will) it start and when is it planned to finish?
<i>Answer:</i> It was started at 2006, will finish at 2011
If available, please provide a link to relevant information or documents.
<i>Answer:</i> Not available at the moment.
* Why is the common regulatory framework being put in place? <small>Error! Bookmark not defined.?</small>
<i>Answer:</i> In order to reduce the number of inspections and decrease the amount of time spent for one site, decrease the amount of budget used for site inspections (use this amount on some other areas, trainings, developing IT, technical equipments etc.)
* What European Directives does it cover?
<i>Answer:</i> There is not any European Directive that it covers.
* What national/regional legislation/regulation does it cover?
<i>Answer:</i> National Environmental Law and By-Law on Environmental Inspection.
Does it involve any joint working between Member States? If so which countries and why?
<i>Answer:</i> This project is one of the stage of the project named “Developing Capacity in Implementation and Enforcement of Environmental legislation in TURKEY” to implement the environmental acquis. This project of course includes exchange information and experience of IMPEL Member States through IMPEL standards, including the EC’s Minimum Criteria for Inspections and joint trainings and on-site inspections were organized through ECENA Network.
Which stakeholders/organisations are involved in its implementation?
<i>Answer:</i> Ministry of Environment and Forestry and its 81 Provincial Directorates.
* What are its objectives? <small>Error! Bookmark not defined.?</small>
<i>Answer:</i> To reduce the number of inspections, decrease the amount of time and budget used for inspections, comply with the requirements of the RMCEI.
Please describe the common regulatory framework including:

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- \* 1. An overview
- 2. A brief description of any stages in its implementation
- \* 3. A brief description of the *common* element<sup>Error! Bookmark not defined.</sup>
- 4. A brief description of whether existing legislation is or has been amended or replaced and how is or was this done (e.g. part of pre-planned legislative change or as a free standing action/activity)?

*Answer:*

In TURKEY, there is a combined\* environmental inspection system since 2002.

\*\*Existing environmental permitting system is media based. Media based inspections are implemented in accordance with the related By-Laws on Permitting (air, water, waste etc.)

Combined environmental inspections are implemented in accordance with the By -Law on Environmental Inspections. The overall objective is to reduce the number of inspections by combining different inspection regimes and increase the number of combined environmental inspections.

Through an implementation project the necessary capacity within the Ministry is established to enable to prepare permitting, inspection and enforcement procedures in TURKEY that are in accordance with IMPEL standards, including the EC's Minimum Criteria for Inspections.

To increase the number of combined inspections and get prepared for introduction of "integrated" approach, the implementation is being transferred to provinces through trainings on RMCEI and "combined environmental inspections".

64 Provincial Directorates and about 750 inspectors have been trained for combined inspections so far.

*\*Since Integrated Pollution Prevention and Control (IPPC) Directive is not being implemented yet, the inspections are called as "combined" rather than being "integrated".*

*\*\* By-Law on "combined environmental permitting" is prepared and come into force at the end of 2010. It aims to combine seperate media based permits under one permit, simplify the environmental permitting procedure for the industry (reduction of bureaucracy)*

What do you think the costs<sup>Error! Bookmark not defined.</sup> and benefits<sup>Error! Bookmark not defined.</sup> of the common regulatory framework will be?

*Answer: cost → investment and resources for implementation (low – it needs time), impacts of change, perception of a reduction in environmental protection (no-actually it has positive effects)*

*benefit → improved environmental protection, monetary savings, reduced administrative burdens, improved compliance, ease of compliance, more effective and targeted use of resources,*

Are big investments needed to implement it and by whom?

*Answer:* Not much. The Ministry should employ staff for the central body and for the Provincial Directorates.

\* Are there any potential barriers or hurdles to implementation?

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<i>Answer:</i> No.
* Could changes at a European level help implementation? If so what and by whom?
<i>Answer:</i> Of course. The piece of legislation in EU Environmental Law, like RMCEI, may help in terms of implementation.
* Are there any other lessons that can be learned so far?
<i>Answer:</i> Exchange of information and experience during trainings help us to develop best practices.

<b>Poland: Chief Inspectorate for Environmental Protection in Poland</b>
<b>Integrated Inspections</b>
<p>The integrated inspections started in 1992 and are still in progress. In 2010 the Chief Inspectorate for Environmental Protection in Poland is responsible for inspections in the area of 34 EU Directives and Regulations. The action/activity was put in place to inspect the industry in all environmental aspects.</p> <p>At the moment there is different information in each region on the website (in Polish language). There is ongoing work on the Polish-Norwegian Project PL0100 “Improving the efficiency of Polish Environmental inspection, based on Norwegian experiences “. One part of the Project is the implementation of a modern inspection data processing system; the other part is the development of a public information dissemination system including inspection activity. In 2011 it should be in place in all regional inspectorates.</p> <p>The legal basis for the inspection system is the IPPC Directive and the Polish Environmental Protection Act of 27 April 2001 (integrated permits and IPPC Directive) as well as the Inspection for Environmental Protection Act of 20 July 1991</p> <p>Joint working between Member States to evolve the system:</p> <ol style="list-style-type: none"> <li>1. Poland has received help from DANCEE [Danish Cooperation for Environment in Eastern Europe, Ministry of Environment] in implementation IPPC Directive – project J.No. M 128/031-0012. The Project had been conducted from December 2000 to July 2003; guidelines for administration and industry were published in 2004. This project was very helpful to Polish administration and industry in implementation IPPC Directive</li> <li>2. Poland has received help also from the Netherlands (DCMR) and Sweden (Swedish EPA) in implementation IPPC Directive – project PL2003/IB/EN01.</li> </ol> <p>The following stakeholders/organisations were involved in implementing the integrated inspection system: the Polish Ministry of Environment, Inspection for Environmental Protection, industry, governmental and self-governmental administration on regional and provincial level.</p> <p>The objectives of the integrated inspection system are:</p> <ol style="list-style-type: none"> <li>1. To improve compliance with environmental law in Poland and to improve enforcement (since 1992)</li> <li>2. To implement and enforce IPPC Directive (since 2004)</li> </ol> <p>Since 2004 there are integrated permits in Poland according to IPPC Directive – it was a new</p>

environmental legislation in Poland in 2001 according to accession process to join EU Since 1992 integrated inspections in the area of environmental protection are conducted. These inspections and enforcement actions are performed on the regional level (in 16 regions). In the Polish register are about 65 500 enterprises, each year about 25 % of them are inspected. Integrated inspections are conducted in about 20% of companies, the rest 80% concern the most important issues and the most difficult problems only.

There are no data about the costs but the benefit is improved environmental protection. Some enterprises had to change the technologies and to adopt the BAT; companies had to reduce their energy and water use per capita, what was of benefit to the environment and saved money for the industry. High costs of new technologies are barriers for some enterprises but that was expected.

Poland is quite successful in integrated inspections. In addition there is a general overview on all inspected EU Directives and Regulations, for example almost 99 % of IPPC installations under operation have an integrated permit. There still work to be done on the rest 1%.

The sustainable development is the best way both for industry and for administration. Common understanding of the problem, awareness of industry and cooperation with administration is the best way to make a progress.

## **Romania: National Environmental Guard (NEG)**

### **Integrated IPPC Inspections**

IPPC inspections are performed in Romania since 2003. The inspections were put in place to implement and enforce the measures necessary to ensure the compliance what IPPC Directive. The information about the IPPC inspections carried out annually by our inspection authority is provided by annual reports. The IPPC permits are available on the National Environmental Protection Agencies web sites. Unfortunately, these reports are not available in English.

The legal basis for the inspection system is the IPPC Directive and other directives that cover certain industries under the IPPC regime (e.g. LCP, Waste disposal) and the Romanian integrated pollution and control Act of November 10<sup>th</sup> 2005 as well as the environmental protection Act of December 22<sup>nd</sup> 2005.

Joint working between Member States to evolve the system:

1. The Romanian authorities involved in applying and enforcement of IPPC Directives (Environmental Protection Agency and National Environmental Guard) have received technical support form Federal Ministry for Environment, Nature Protection and Nuclear Security from Germany and Czech Environmental Ministry within the Twining Project RO/2006/IB/EN/04 "Implementation and enforcement of the environmental acquis focused on IPPC" for the Region South/West Oltenia. The project has been conducted from November 2005 to November 2007.

2. Also, National Environmental Guard received support to strengthen its capacity on inspection and control within the Twining Project RO2006/IB/EN/10 performed with Agency for Environmental Protection of Veneto Region, Italy. The project has been conducted form March 2009 to November 2009.

The following stakeholders/organisations were involved in implementing the IPPC inspections:

1. Romanian Ministry of Environment and Forests
2. Environmental Protection Agencies (from national, regional and county level)
3. National Environmental Guard (national, regional and county commissariats)
4. The Ministry of Industries
5. Water Management Authority

The objectives are:

1. to ensure the compliance with environmental law in Romania (since 1996)
2. to implement and enforce IPPC Directive (since 2003)

Since 2005, Environmental Protection Agencies from regional levels has issued integrated permits for installations and activities which fall under the IPPC Directive. Because most of IPPC facilities did not meet the emission limits values established by law the permits issued include measures leading to compliance in a certain period. Since 2004, the National Environmental Guard= NEG is conducting integrated inspections in the area of environmental protection for checking compliance with integrated permits issued by EPA.

Annually, inspections plans are developed covering all IPPC facilities in Romania. The frequency and time period for each IPPC facility is established according to a risk assessment methodology put in place two years ago. The common elements of site visits performed are facility/site inspections, check of self-monitoring data, enforcement actions (like: impose fines, installation close down, integrated permit suspension), and report writing after each site visit.

No data are available about costs. The main benefit is improving the stage of environment neighbourhood IPPC facilities. Many IPPC facilities from Romania have had to update their technologies and to adopt the BAT. To adopt the BAT technologies is high costly. Lack of financial resources is a significant barrier for implementing the measure needed to ensure the compliance with IPPC Directive. These barriers arise all the time since 2003 and now are enhanced by economic crises but almost all of IPPC facilities from Romania obtained integrated permits.

Annually the National Environmental Guard assesses the results of integrated inspections performed, calculating the number of facilities controlled, the number of facilities that are not complying with integrated permits, which are the non-compliances, the number and amount of fine issued, etc. Annual reports are public available but they are not translated into English.

Mainly the strategic investors who bring new technologies contributed to its success of the process as well as the knowledge gained during different projects such as twining projects conducted together with Federal Ministry for Environment, Nature Protection and Nuclear Security from Germany, Czech Environmental Ministry and Agency for Environmental Protection of Veneto Region, Italy.

The following changes at a European level can help at the implementation of the inspection system:

- IPPC Recast proposal (because it brings together several directives and so implementation becomes easier)
- IED Directive proposal.

These changes are important because they could help to get a more effective and uniform implementation of EU Directives in Member States. The exchange of experience between competent authorities across the EU is important for effective implementation and enforcement of the IPPC Directive.



## Scotland: Scottish Environmental Protection Agency (SEPA)

### Integrated advice, regulatory activity and consultation via Scotland's Environmental and Rural Services (SEARS)

The activity started in summer 2007 and is on-going.

[www.sears.scotland.gov.uk](http://www.sears.scotland.gov.uk)

[http://www.sears.scotland.gov.uk/pdf/SEARS\\_Annual\\_Review\\_2008-09.pdf](http://www.sears.scotland.gov.uk/pdf/SEARS_Annual_Review_2008-09.pdf)

SEARS was instigated by the then Environment Minister, Michael Russell MSP, to provide more joined up services for rural land managers. It forms part of the Scottish Government's simplification programme aimed at realigning public services to achieve more effective service delivery.

It is a Scotland based initiative and it covers the Water Framework Directive and Groundwater Directives, and did not require legislative change at the European level. The Scottish national environmental regulation that it covers includes:

- The Water Environment (Controlled Activities) (Scotland) Regulations (CAR) including:
  - Groundwater licenses
  - CAR engineering regime
- The Water Environment (Diffuse Pollution) (Scotland) Regulations 2008
- Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003
- The Water Environment (Oil Storage) (Scotland) Regulations 2006

The organisations and stakeholders involved in the implementation of SEARS are as follows:

#### Organisations

- Scottish Environment Protection Agency (SEPA);
- Scottish Government Rural Payments and Inspections Directorate (RPID);
- Forestry Commission Scotland (FCS);
- Scottish Natural Heritage (SNH);
- Animal Health Agency (AH);
- Deer Commission Scotland (DCS);
- Crofters Commission (CC);
- Cairngorm National Park Authority (CNPA);
- Loch Lomond and Trossachs National Park Authority (LLTNPA).

#### Stakeholders

- The National Farmers Union of Scotland (NFUS);
- Confederation of Forest Industries (Confor);
- Scottish Crofting Foundation (SCF);
- Scottish Countryside Alliance (SCA);
- Scottish Tenant Farmers Association (STFA);
- Scottish Rural Property and Business Association (SRPBA).

The objectives of SEARS overall are as follows:

#### Objectives for business:

- Users should see SEARS's partners delivering better joined-up services reflecting the current priorities of Scottish Government, to reduce duplication, bureaucracy and overlap across the public sector in pursuit of greater efficiency, effectiveness and speed of delivery;
- Through training and empowering across the SEARS partners business should notice

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an improved customer experience by staff providing efficient, effective and coordinated services, primarily aimed at reducing the number of separate planned inspections and visits to rural land managers;

- To have access to single point of contact through the provision of a 24/7 contact centre and web portal for access to information/forms/advice and guidance;
- To engage business customers in the project through research, focus groups and stakeholder engagement events aimed at gaining a better understanding of customer needs and issues;

Objectives for regulatory bodies:

- By training and awareness raising to change the culture of staff across the family to remove complexity from the customer and provide a more responsive service;
- To improve the customer experience by providing more efficient, effective and coordinated delivery of services;
- To train staff in partner organisations to deliver a range of advice and services during visits and wherever possible to resolve any issues during the visits;
- To save and make more efficient use of staff resources;
- To drive environmental improvement;
- To resolve data sharing issues;

Objectives for the environment:

- To achieve an equivalent or improved level of compliance with a range of existing and new regulatory regimes through assessment by trained officers in partner organisations during planned visits or inspections for other purposes.

Examples for SEARS:

Example 1

*“Integrated advice, regulatory activity and consultation on CAR (Controlled Activities Regulations), diffuse pollution, and engineering activities: (SGRPID, SEPA, SNH & FCS)*

*Land managers throughout Scotland are subject to working within the new diffuse pollution and engineering regulations. SEPA lead on these new regulations and are responsible for establishing a programme of awareness raising and compliance assessment.*

*Introducing the integrated service, SGRPID, SNH and FCS have worked with SEPA to streamline the inspection process, thereby reducing the need for SEPA to plan and resource a national visit and inspection programme. All partners involved have combined SEPA’s compliance assessment inspection into a proportion of their planned inspection programme.” [1]*

Example 2:

*“Integrated regulatory activity (SSAFO): (SEPA & SGRPID) Farmers are subject to visits from SGRPID and SEPA in relation to the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil [Scotland] Regulations) as these Regulations fall within good farming practice. Prior to SEARS, SGRPID carried out approximately 700 good farming practice inspections, while at the same time, SEPA carried out randomly selected inspections on around 300 farms annually.*

*With the introduction of this integrated service, SGRPID and SEPA have developed a farm assessment form that will enable SGRPID to deliver a quicker version of SEPA’s inspection and still assess the farm’s compliance with the regulations. SGRPID have combined SEPA’s inspection requirement into their planned inspections for Good Farming Practice.” [1]*

No amendments or replacements were required to legislation. This is a common

administrative process for environmental inspections.

**COSTS:**

*“Each SEARS organisation absorbs expenses for initiatives and/or additional running costs below a threshold (£100,000 per annum for the larger partners)” [1]*

**BENEFITS:**

**Example 1:**

*“In the financial year 2008/09, this has saved the rural land user nearly 900 SEPA inspections. Our partner organisations have raised the awareness of these regulations, improved the environment and assessed national compliance at the same time.” [1]*

**Example 2:**

*“In the financial year 2008/09, this saved the rural land user approximately 300 SEPA SSAFO inspections. SGRPID have been able to resolve minor non compliances and pollution events without involving SEPA in the process, significantly streamlining the process for the rural sector.” [1]*

There have been 4979 fewer inspections or visits to land managers from SEARS launch (June 2008) to end March 2010. Combining inspections has reduced CO2 emissions of SEARS’s partners by around 26 tonnes to end March 2010. More advice has been delivered on good environmental practice through combined visits and knowledge transfer. SEARS aims to continue to reduce the number of separate inspections and visits delivering a total of at least 7,000 fewer from launch to end March 2011. SEARS was therefore very successful in reducing burden on land managers and increasing advice provision on good environmental practice.

*“Each SEARS organisation absorbs expenses for initiatives and/or additional running costs below a threshold (£100,000 per annum for the larger partners)” [1]*

There were very few barriers to success. Inevitably when cultures from different organisations are brought together there are differences that need to be overcome, but there was a refreshing willingness to make SEARS a success. The political will was certainly there but also the benefits became clearer as the project advanced. Many staff involved had to fit SEARS work within already full workloads which was a huge challenge.

**Contributions to the success of SEARS:**

1. A memorandum of agreement (MoA) set the framework for the partnership and defined and agreed high level organisational commitment.
2. The project structure, management and support provided by the ‘buddies’ to the work streams.
3. A sense of common purpose:

*“The SEARS partners are all Scottish public bodies responsible to the Scottish Parliament through Scottish Ministers. The principle that costs and benefits should be assessed for the public purse as a whole reinforces this sense of common purpose.” [1]*

4. Stakeholder engagement throughout the development process:

*“At the outset in the summer of 2007 when the proposal was in the design phase, valuable input was secured from the National Farmers Union (Scotland), the Scottish Rural Property and Business Association and ConFor (the Confederation of Forest Industries) on behalf of the rural land management community. In addition, a series of events were held with the groups above and other stakeholder groups such as the Scottish Crofting Foundation, the Association of Deer Management, the Scottish*

*Tenant Farmers Association and the Scottish Countryside Alliance.” [1]*

5. The drive, enthusiasm and communication skills of the project Chairman.
6. Culture change and committed and enthusiastic staff:

*“Farmers’ leaders at the Royal Highland Show confided that during the development of SEARS they had noticed a ‘dramatic culture change’ in the bodies involved.”*  
Extract from Scottish Farmer, 28 June 2008

One of the key findings of a lessons learnt exercise at the end of phase 1 of SEARS was the use of task and finish groups rather than full blown membership of work streams to help reduce staff input. This implementation of this arrangement has worked well in phase 2.

[1]: Extract from Scotland’s Environmental and Rural Services ANNUAL REVIEW 2008–09

## **B: Common regulatory frameworks - in progress or planned**

### **Czech Republic: Czech Environmental Inspectorate (CEI)**

#### **The System of Integrated Inspections**

The Integrated Inspections started in 2004 as pilot controls. Since 2004, the system has been in progress. CEI has its own internal methodologies and directives. These methodologies are going to be amended. In the amendment, there are evaluated experiences since 2004. The basic system will remain but some details are developed.

The rules of CEI were amended. In 2007 the Integrated Department was re-constituted with regional sections. Every regional department has several sections. Separate environmental components are integrated. As a result of this integration integrated IPPC, EIA, E-PRTR inspections etc. will be performed.

The objectives are:

1. One integrated inspection in a factory with IPPC permit.
2. Eventually one combined administrative procedure about fine.
3. Analysis of integrated inspections, therefore better formation of plans for inspections
4. Effectiveness (financial, time and workforce savings)

### **Greece: Hellenic Environmental Inspectorate**

#### **Joint inspections at installations / facilities by environmental inspectors (Hellenic Environmental Inspectorate) and Health Inspectors (Ministry of Health)**

The joint inspections at installations / facilities by environmental inspectors (Hellenic Environmental Inspectorate) and Health Inspectors (Ministry of Health) started in 2006 and are ongoing. Since there are impacts on both environment and public health, joint inspections activities focus on the simultaneous evaluation of both impacts.

The inspection system covers mainly the relevant environmental and public health pieces of European and national/regional legislations.

It does not involve any joint working between Member States. On a national level the Hellenic Environmental Inspectorate (Ministry of Environment) and the Health Inspectorate

(Ministry of Health) are involved.

Its objectives are the simultaneous assessment of environmental and health impacts resulting from the operation of specific types of installations / activities. Regarding the number of inspectors in joint inspections, usually two inspectors participate (1 or 2 Environmental Inspector(s) and 1 Health Inspector). The joint inspections are being made together (at the same day or days) covering all inspected themes / aspects. As regard IPPC inspections, Hellenic Environmental Inspectorate performs integrated inspections on IPPC installations. In Greece there are about 360 IPPC installations and this type of installations are considered as of high priority for the annual inspection plan. Usually in IPPC installations 2 or 3 environmental inspectors participate: one for air emissions, one for waste water effluents, and one for solid wastes.

Benefits are resources savings (mainly in terms of manpower needed for the joint inspection compared to individual ones) as well as for the operators of the inspected facilities / installations.

No big investments were needed to implement it and there were no potential barriers or hurdles to implementation. The crucial parameter is the proper coordination.

Lessons that can be learned so far are exchange of knowledge among participating inspectors, as well as exchange of inspection practises and methodologies, and a holistic approach of impacts and results.

#### **Scotland: Scottish Environmental Protection Agency (SEPA)**

##### **Common risk assessment methodology to identify inspection requirements across regulatory regimes.**

It is a Scottish approach and it started in 2008 and will be finished in winter 2010; there are no documents available as yet. It is being put into place in order to focus SEPA's inspection resources upon those sites which pose the greatest risk and ensure a consistent and aligned approach across regulatory regimes.

The main European Directives it covers include:

- Waste Framework Directive
- Landfill Directive
- Waste Incineration Directive
- SED
- Large Combustion Plant Directive
- Water Framework Directive
- IPPC Directive
- Groundwater Directives
- COUNCIL DIRECTIVE 96/29/EURATOM of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation

Of note, it does not currently include SEVESO II as this is covered by a UK wide risk assessment tool spanning several agencies.

The approach covers the following Scottish legislation implemented by SEPA:

- Water Environment (Controlled Activities)
- Pollution Prevention and Control (Parts A and B) Regulations

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- Waste Management Licensing (including exemptions)
- Radioactive Substances Act 1993: The Hass (Scotland) Directions 2005

Key stakeholders will include the water industry, waste industry and power generation; there will be external consultation in autumn 2010.

The main objectives are:

1. To align risk assessment across regulatory regimes so there is a consistent approach.
2. To deliver the first step in holistic regulatory site management.
3. To develop a simple robust process that requires limited resource to calculate risk.

Currently SEPA's approach to monitoring sites differs substantially between regulatory regimes. The intention is to move towards a consistent approach across regimes using a consistent risk assessment methodology to determine the level of monitoring required. An approach is being developed whereby all activities regulated by SEPA can be fitted into a risk matrix which determines the level of compliance monitoring that should be undertaken by SEPA.

A matrix has been created which uses a combination of sector hazard, compliance record and site-specific risks to position any site relative to environmental risk. This provides a quick yet robust assessment of the risk a site poses. The matrix has been developed and is now being tested internally on a regime basis. The matrix will then be tested against individual sites to identify the amount of regulatory effort that needs to be spent.

The common element is the assignment of a consistent and aligned risk assessment methodology for activities/sites across regulatory regimes to determine the level of monitoring required. No amendments to legislation have been required. This is a common regulatory administrative process.

Costs:

1. Resource to develop, test and implement the approach (approximately 1 FTE for 1 year).

Benefits:

1. Effective targeting of inspection resources across regulatory regimes
2. Resources focused on areas of greatest environmental risk
3. Transparent, flexible, consistent and aligned approach
4. Allows us to reapportion effort from lower risk sites that historically received considerable amounts of regulatory effort to higher risk sites.

The investments needed are internal to SEPA and include the resource requirements to develop, test and implement approach. This is approximately 1 FTE for 1 year. Of note this investment covers 12,000 regulated activities in Scotland, very good value!

There may be the perception in Scotland that we are reducing our levels of environmental protection if we reduce levels of compliance monitoring. Having mandatory site visits for low risk activities in Directives (e.g. Solvent Emissions Directive) is not helpful as resource is being spent where there is limited benefit. There needs to be compromise in assigning risk across all regimes.