



ToR for Financial Provision

Preface:

Due to the evolving constraints of the COVID-19 pandemic the face-to-face events and/or milestones set in this ToR might need to be revised and changed. For further information, please contact the Project Manager(s) or send an email to the [IMPEL Secretariat](#).

ToR Reference No.: 2020/23	Author(s): Kim Bradley
Version: 2	Date: 12/12/2019
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry and air	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting tools and approaches	<input checked="" type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other, (please describe):	<input type="checkbox"/>
Capacity building	<input checked="" type="checkbox"/>
1.3 Full name of work (enough to fully describe what the work area is)	
Financial Provision: Protecting the Environment and the Public Purse – Capacity Building.	
1.4 Abbreviated name of work or project	
Financial Provision: Protecting the Environment and the Public Purse.	



2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

- Landfill and Mining Waste Directives.
- Environmental Liability Directive and SEVESO.
- Industrial Emissions Directive and related domestic legislation.

This is a broad issue which cuts across many legislative drivers and sectors.

2.2 Link to IMPEL MASP priority work areas

1. Assist members to implement new legislation.
2. Build capacity in member organisations through the IMPEL Review Initiatives.
3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission.
4. Other, (please specify):

2.3 Why is this work needed? (background, motivations, aims, etc.)

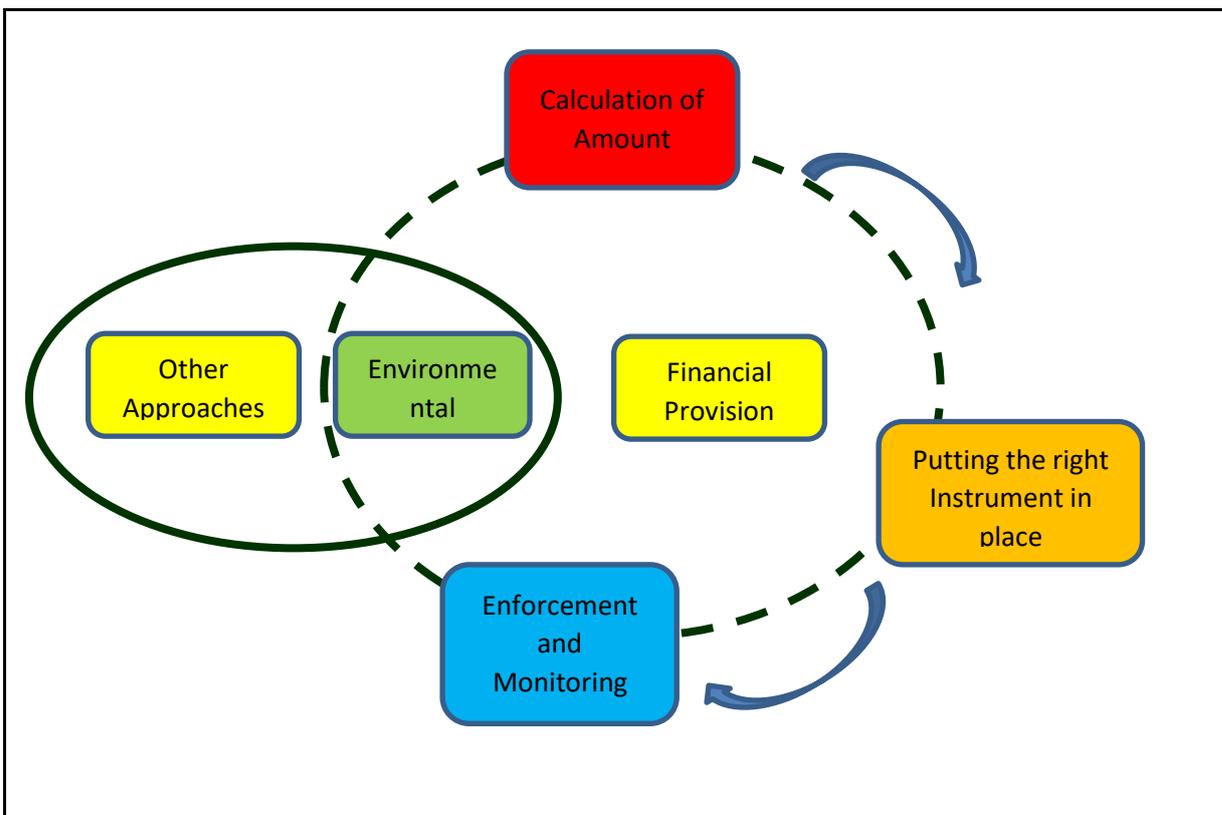
The impact of direct environmental incidents as well as business insolvency resulting in risk to the environment must be protected against.

In cases where there is either an environmental incident which results in actual/potential harm to the environment or where a company becomes insolvent and can no longer meet its obligations, suitable financial provision can mitigate or prevent an impact on both the environment and/or the public purse.

IMPEL delivered a project from 2016 to 2018 to develop a practical guide in support of good regulatory process in financial provision that would better equip regulators and others to make informed decisions about financial provision.

This practical guide has received international acclaim and been described as the Gold Standard in this area of environmental work. It has facilitated a step change in the international conversation and actions to address the issue of the abandoned liabilities.

The aim now is to produce an online tool (similar to the [Doing the Right Things tool](#)) based on the practical guide. This will improve accessibility and allow capacity building in the cross cutting regulatory challenge of financial provision.



2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

The aim of the project is to build capacity in regulators in particular to generate a better understanding of the availability and suitability of financial tools resulting in improved:

- Protection of the environment.
- Protection of the public purse.
- Implementation of polluter pays principle.
- Investment in pollution prevention.

2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)

This project builds on the outputs of the Financial Provision – Protecting the Environment and the Public Purse project (2016 to 2018). This project will take the previous output (report) and make it available as a web-based tool. It is envisaged that it will function in a similar way to the “Doing the Right Things for Permitting” tool, will be “branded” similarly to that tool, and links may be established between the two tools.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

1. Organise content.
2. Supply content to web developer.



3. Agree output and format with web developer.
4. Identify “host” website.
5. Web developer produces dashboard and uploads content.
6. Web developer trains IMPEL project team and IMPEL, if desired, on uploading new content.
7. Project team review and testing.
8. Publication of tool (as appropriate) on the IMPEL Website or another webpage.

Note: Step 1 has been completed.

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

Output:

- An online tool of the practical guide capable of being hosted on the IMPEL web platform.

Outcome:

- Regulatory capacity building for better decision making.

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

Milestones:

- Organize Content: Complete.
- Supply content to web developer: July 2020.
- Agree output and format with web developer: July 2020.
- Identify host website: July 2020.
- Developer produces dashboard and uploads content: July to August 2020.
- Developer trains project team/IMPEL: September 2020.
- Project team review and testing: September 2020.
- Publication of tool on IMPEL webpage: October to December 2020.

3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

This is a low risk project.

There will be a risk that EPAs and others may accept mechanisms for financial provision based on the information provided, and the financial provision subsequently proves to be defective or inaccessible. The risk has been managed by giving careful consideration to the advice given and the context in which it is presented.

There is a low risk associated with failure to deliver in time. This has been managed by the format and content (activity 1 of 3.1) having been completed ahead of submission of this TOR and by obtaining a detailed quote from IMPEL’s web developer.



There is also a risk that the tool will not be updated. This is to be managed by ensuring that the contract with the web developer allows for at least 2 members of the project team to be trained by the web developer to upload content.

Similarly, to the DTRT tool, there will be an ongoing annual hosting/maintenance cost.

4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)

Co-led by:

- Kim Bradley, SEPA, Scotland.
- Denise O-Riordan, EPA, Ireland.

4.2 Project team (who will take part: name, organisation and country)

- Isaac Sanchez, Ministry of the Ecological Transition, Spain.
- Francesco Andreotti, ISPRA, Italy.

We expect participants from other IMPEL organisations.

4.3 Other IMPEL participants (name, organisation and country)

We aim to offer IMPEL members the opportunity to test the portal/tool prior to going live.

4.4 Other non-IMPEL participants (name, organisation and country)

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 2020 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	14 744 EUR			
How much money is to be co-financed?				
Total budget	14 744 EUR			

6. Detailed other costs of the work for year 2020

6.1 Are you using a consultant?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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6.2 What are the total costs for the consultant?	12 185 EUR + 21% VAT = 14 744 EUR.
6.3 Who is paying for the consultant?	IMPEL.
6.4 What will the consultant do?	Deliver online practical guide dashboard hosted on IMPEL website.
6.5 Are there any additional costs (NOT included in point 5)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If your answer is 'Yes', please describe:
6.6 What are the additional costs for?	N/a.
6.7 Who is paying for the additional costs?	N/a.
6.8 Are you seeking other funding sources?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If your answer is 'Yes', please describe:
6.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If your answer is 'Yes', please describe:

7. Communication and follow-up (checklist)

	What		By when
7.1 Indicate which communication materials will be developed throughout the project and when? <i>(all to be sent to the Communications Officer at the IMPEL Secretariat)</i>	TOR ^{✓*}	<input checked="" type="checkbox"/>	September 2019
	Interim report ^{✓*}	<input type="checkbox"/>	
	Project report ^{✓*}	<input type="checkbox"/>	
	Progress report(s) [✓]	<input checked="" type="checkbox"/>	As Secretariat requires
	Press releases	<input checked="" type="checkbox"/>	December 2020
	News items for the website ^{✓*}	<input checked="" type="checkbox"/>	December 2020
	News items for the e-newsletter	<input checked="" type="checkbox"/>	June, December 2020
	Project abstract ^{✓*}	<input checked="" type="checkbox"/>	September 2020
	IMPEL at a Glance [✓]	<input type="checkbox"/>	
	Other, (give details):		



		<input type="checkbox"/>	
7.2 Milestones / Scheduled meetings (for the website diary).	See Basecamp.		
7.3 Images for the IMPEL image bank.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
7.4 Indicate which materials will be translated and into which languages.	English only.		
7.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required.	Yes, IMPEL hosting will be required.		
7.6 Identify which groups/institutions will be targeted and how.	Regulators, European Commission, Financial provision sector through IMPEL member contacts, NGO's, industry and the European Commission's ELD GEG and stakeholder forum.		
7.7 Identify parallel developments / events by other organisations, where the project can be promoted.	IMPEL member websites, ELD Stakeholder Workshop, European Commission ELD multi-annual rolling work programme (MARWP) financial provision project, ENEDE Conference 2019, World Energy Council, European Commission guidance on TFS and Mining Waste.		

✓) Templates are available and should be used. *) Obligatory

8. Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?

The European Commission has provided positive feedback on the outputs of the three previous year's projects and its support for this proposed project. The European Commission ELD Stakeholder Conference voted the results of this work the most valued out of the 5 MARWP workstreams. The practical guide has been well received across the European and American continents and has been described as the international gold standard on financial provision.

In case of doubts or questions please contact the [IMPEL Secretariat](#).

Draft and final versions need to be sent to the [IMPEL Secretariat](#) in Word format, not in PDF.

Thank you.