

OUTLOOK 2015

- An overview of IMPEL projects -

Introduction

Collaborating across Europe to achieve a better environment

Sharing best practice and promoting the coherent implementation and enforcement of environmental law across the European Union (EU) and beyond is central to the protection of the environment and sustainable resource use.

IMPEL, the EU network for the Implementation and Enforcement of Environmental Law, brings together regulators from European member states, candidate and potential candidate countries. Together they work to overcome some of the challenges they share in implementing environmental legislation and develop common tools to improve compliance and consistency.

In 2014 IMPEL developed a new strategic future for its network and activities. This led among other things, to the establishment of the following five expert teams to work thematically on specific projects:

1. Industry and air
2. Waste and Transfrontier shipment of waste
3. Water and Land
4. Nature protection
5. Cross cutting issues

This paper provides a brief overview of the projects to be carried under the umbrella of the IMPEL network by each expert team. More detailed information on the individual projects is available on the IMPEL website: www.impel.eu

Expert team: Industry and air

Supporting Industrial Emissions Directive (IED) implementation (2015/01)

This project aims at better implementing the IED with special regard to permitting, participation of the public, and increasing the efficiency and effectiveness of environmental inspections and surveillance. It will start as an IMPEL project running for 2 years to achieve a common understanding of the goals and to develop a work programme. Within these two years a Life+ application shall be prepared and launched. The members of the project core team will consist of members of the Industry Expert Team. In a second step, new tools to support permitting and inspection will be developed. A third step will be the application of the tools by the national member authorities which will be supported and checked by performing country visits.

Lead country - Germany

Lessons Learnt from Accidents (2015/02)

The objective of this project is to share experiences on accidents (explosions, fires, pollution...) concerning both technical aspects and applicable regulations. It will reinforce the exchange of experience between Member State inspection bodies.

In 2015, a 2-day seminar will be organised for 300 participants with the largest possible number of Member States represented, during which around 15 industrial accidents will be presented. A report in French and English will be delivered to participants including a detailed analysis of each accident and reviews of known accidents related to specific topics.

Lead country – France

Onshore oil & gas regulation (2015/03)

The project aims to:

- Identify common approaches and legislative interpretations across Member States on the implementation of EU Directives for the onshore oil and gas industry Identify good practise (BAT) in the industry, across the different regulatory regimes.
- Identify any gaps in the regulatory process.
- Share experiences of implementation, compliance, enforcement and monitoring of different aspects of the industry (e.g. waste, flaring, groundwater, water usage)

Lead country – England

Expert team: Waste and TFS

Waste inspection planning (2015/04)

The objectives are:

- to develop a guideline for an Inspection Plan (IP);
- to create a platform for the exchange of best practices and experiences regarding IPs (using IMPEL-TFS Basecamp).

As a result, Member States should be able to draft comparable inspection plans by using the same or equivalent IP elements, e.g. concerning risk assessment. This is important for creating a level playing field since there are currently huge differences in the implementation of the Waste Shipment Regulation while illegal trafficking within Europe and port hopping constitute serious challenges (see IMPEL-TFS Enforcement Actions III Final report).

Lead County – Germany

Enforcement Actions 2015 (2015/05)

The Enforcement Actions project was set up for the following reasons:

- Competent authorities expressed the need for a formalised project framework in order to integrate enforcement inspections in their own countries;
- International cooperation is essential to tackle international environmental problems; and
- The network of enforcers in the field needs to be maintained and extended to cover all Member States to ensure an effective inspection regime.

Previous projects showed the need for cross-border collaboration at an operational level in order to implement and enforce the WSR effectively. Participation has been increasing since the first Seaport project and needs to be maintained through the formalised structure that this project offers.

Exchanges would also be open to participants of other IMPEL-TFS projects.

Lead country – Scotland (UK)

IMPEL TFS conference 2015 (2015/06)

The aims of this annual conference are:

- Exchange of best practices and experiences on an improved implementation of the Waste Shipment Regulation
- Promotion of IMPEL work to a broader audience
- Improved collaboration between the involved law enforcement agencies
- Collect ideas for future work of the TFS cluster

Lead country – TFS Steering committee

NCP Best Practice meeting (2015/07)

The enforcement activities are based on the EC Regulation (on the supervision and control of shipments of waste within, into and out of the European Community.. Article 50 requires Member States to enforce regulation and to check shipments and to cooperate bilaterally or multilaterally with one another in order to facilitate the prevention and detection of illegal shipments. According to the Regulation member states shall cooperate bilaterally and multilaterally in one another to facilitate the prevention and detection of illegal shipments. The aims of this project are to:

- exchange information, working methods, case studies and experiences
- inform participants on new developments
- strengthen the network of NCP's involved in the enforcement of the WSR 1013/2006 improve enforcement activities of the Waste Shipment Regulation and stimulate consistent
- application of its provisions

Lead country – The Netherlands

Landfill project (2015/08)

Improving implementation of EU law is high priority objective of both the Commission and IMPEL. Recent reports on implementation of EU waste legislation have shown that “implementation and enforcement of EU waste law remain poor particularly regarding the waste framework directive, the landfill directive and the waste shipment regulation”. The aims of this project are:

- Identification of good inspection practices, developing guidance
- Cooperation (and helping each other) between IMPEL Member Countries to work towards a consistent regulatory and enforcement regime,
- Feedback to policy makers on the (effectiveness of) the various approaches and practices in the field of permitting and inspection of landfill sites in IMPEL Member countries

Lead country – The Netherlands

TFS Prosecutors (2015/09)

This project aims to strengthen/continue the network of prosecutors in the European Union involved in the prosecution of environmental crime with a special focus on the WSR 1013/2006 through:

- The implementation and use of a database on the IMPEL website containing case law, prosecution information such as the level of fines, working methods, prosecution approach, interpretation and practical experiences. This database for the exchange of non-operational information will be primarily accessible for prosecutors and for legal units of inspectorates.
- The organisation of a workshop for prosecutors in 2015.
- Strengthening ties with IMPEL, the BASEL secretariat and Eurojust. The European Network of Prosecutors for the Environment ENPE must especially be mentioned. A close collaboration between the TFS prosecutors' project and ENPE is envisaged.

Lead country – the Netherlands

Expert team: Water and Land

IMPEL Soil Conference (2015/10)

2015 has been declared by the United Nations as the “international year of soils”. Also in 2015, Milan will host “EXPO 2015”, a non-commercial Universal Exhibition, held every four years in selected countries. Within this framework IMPEL could have an important role in promoting the of sharing experiences of practitioners at EU level and in a practical way, holding its own conference, to be designed in cooperation with Italian Authorities and focussed on IMPEL’s present and future activities. This project will aim to grow and strengthen relationships among IMPEL’s members on the themes of land, soil and water protection. It will also make links with other organisations at an international level. It will contribute to the debate on the relationship between agriculture and environment at international and world level. It will stimulate and provide a focus for activities on this topic within IMPEL and provide a forum to exchange experience and to foster development of IMPEL activities in this area.

Lead country - Italy

Water over abstraction & illegal abstraction detection and assessment (2015/11)

The aim of the work is to improve the capability of IMPEL members to monitor water over-abstraction, both legal and illegal, through cost-effective Earth Observation and GIS methods. This can increase the IMPEL Members’ efficiency in the use of inspective resource on field for tackling illegal abstraction of water; the increase of capabilities in interpreting water use for agriculture, civil and industrial use can be useful to foster Member States in implementation of WFD and achievement of the targets set in Roadmap for a resource efficient Europe.

Through the development of this project, IMPEL members will acquire a better knowledge about EO methods and the opportunities provided by the Copernicus programme, also in fields other than water use in agriculture, as in land management, illegal landfills tackling, etc. (to be developed with further projects). The outcomes of this project would be very useful in the context of the evolution of the Copernicus Land monitoring service. The potential interest of Copernicus for environmental inspection is already mentioned in the Copernicus Work Programme so the needs might be further accommodated if appropriate.

Lead country - Italy

Good practice in tackling nitrate pollution from farms and farmsteads (2015/12)

The Commission has highlighted nitrate pollution from agriculture as a crucial area for IMPEL to work on due to poor levels of compliance with the Water Framework Directive and the Nitrates Directive. This project will provide practical examples of good practice for controlling various measures for tackling diffuse nitrate pollution.

Lead country – Denmark

Expert team: Nature protection

Green expert team follow up IRI in Romania (2015/13)

In 2014, the first 'green' IRI was executed in Romania. Best practice and opportunities for development were identified. During the course of the IRI, the Romanian National Environmental Guard (NEG) pointed out that certain results of the IRI were cogent in their analysis and that further work should be carried out to help them implement the results. The NEG therefore requested an exchange of knowledge and expertise focusing on, for example, the organisation of environmental and nature protection agencies (for example should they be separated or merged?)

Lead Country – Netherlands/ Romania

Nature protection in permitting & inspection (2015/14)

The focus will be on exchange of experience concerning the applicability of the EU Guidance Document "Wind energy developments and Natura 2000" and its evaluation. The project will also improve knowledge about the document and discussion of national approaches. If necessary, the evaluation may provide input for the Member States and the Commission.

The project will also consider other sector specific guidance documents concerning industrial installations that do not exist on EU level. A common understanding and sharing as well as spreading knowledge and sector specific guidance on several project types (relevant in many or all EU countries) should be developed. The results will be available for all interested parties.

Lead country – Germany

Timber Regulation (2015/15)

Deforestation is still one of the biggest threats for biodiversity and the conservation status of endangered species of flora and fauna. The EU made the first important step by highlighting the importance of this issue and developing the EU Timber Regulation. An inventory of good practices is important for countries helping each other with implementation of the EU Timber Regulation and execution of effective inspections.

The outcomes of this project will be:

- A case study on how domestic and intra-communautaire trade of timber is administrated within the EU Member States;
- An inventory which will assist competent authorities in dealing with the regulation;
- A general view on quantity and quality of the inspections;
- A presentation during Workshop of the IMPEL 'Green' Expert Management Team.

Lead country – Czech Republic/ Netherlands

Green IRI (2015/16)

This project will develop an IRI focussing on “green” issues, for example implementation of the Habitats Directive (Natura 2000) and the Birds Directive. The review will help identify good practices and to identify opportunities for improvement.

Lead country – The Netherlands

Follow up Eliminating Illegal Killing of Birds (2015/17)

The aim of this project is to establish a medium to share and exchange information and Intelligence on the illegal killing of birds. Another possible outcome is to use already existing tools, such as the EU TWIX mailing list and possibly others, to aid a better exchange of information and intelligence that will improve enforcement in this field.

Lead country – The Netherlands

Expert team: Cross cutting

Implement iDepend decision support tool (2015/18)

The Choosing Appropriate Interventions project (phases 1-3) has developed the principles for selecting the right interventions according to circumstances and identified and tested the iDepend tool for use by IMPEL practitioners. The aims of this follow up project are:

- IMPEL members use the iDepend tool to help choose the right interventions to improve compliance with environmental legislation.
- IMPEL members to share best practice and experience in choosing and using interventions.
- Agreed funding for licensing and technical support of ‘IMPEL iDepend’ from 2015.

Lead Country - England

Working together public & private supervisor assessing EMS /CMS (2015/19)

The vision of this project is to make public supervision more effective and efficient by using the internal controls of regulated companies. Furthermore, a more effective and efficient cooperation between involved parties (supervisors, companies and certification bodies) should be promoted, to ensure a better environmental performance, a reduced impact on the environment, and a more harmonized approach on international EMS/CMS supervision.

Lead Country – The Netherlands

Risk Criteria database (2015/20)

The aim of the project is to foster the use of risk analysis tool in all sectors of environmental inspections, as instrument to optimize the use of resources of Inspective Authorities, through:

- the continuous collection and sharing of experience about risk criteria and their use, for the generality of inspection tasks, through the creation of a web based tool accessible to inspection authorities to facilitate the choice of impact criteria to be used In risk analysis tool and,
- the extension of the use of risk analysis tools for the prioritization of inspections to tackle sources of environmental pollution different than IED and Seveso activities, through the adaption of existing tools, or the creation of new tools, the dissemination of the techniques.

The focus for this stage will be on agricultural risk indicators and parameters and developing a specific risk analysis tool for inspection programming in this field.

Lead country - Italy

Mini conference on the use of technology in regulation (2015/21)

All inspectorates are required to be as efficient and effective as possible whilst still offering existing or even expanded services. Recent IRI's have yielded information on various technological advances being made by regulatory agencies within Europe.

This mini conference intends to share the learning of not only what is out there but also the back story of the pitfalls/costs of development & teething issues that lead to the finished product.

Lead country – Scotland

IRI Programme (2015/22)

The IRI scheme is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. It was set up to implement the European Parliament and Council Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI).

Member states that host an IRI will benefit from an expert review of its systems and procedures with particular focus on conformity with the RMCEI. The participants in the review team will broaden and deepen their knowledge and understanding of environmental inspection procedures. Other Member States will benefit through the dissemination of the findings of the review through the IMPEL network.

Three IRI's are foreseen in 2015 and hosts will be identified by the end of March 2015.

Lead country - Various