



European Union Network for
the Implementation and Enforcement
of Environmental Law

IMPEL newsletter

Issue #5 – April 2015

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IMPEL study confirms that significant challenges remain in implementing EU environmental law

IMPEL has published research that examined some of the remaining challenges in implementing EU environmental law and how IMPEL could help to overcome them. The study includes an analysis of responses from environmental regulators across Europe on implementation challenges that they are facing. The project highlights a number of practical challenges that remain such as: hazardous waste; an integrated regulatory approach to the agriculture sector; permitting of installations to reflect Industrial Emissions Directive requirements (BAT Conclusions) and air quality standards; inspections and enforcement related to Birds and Habitats Directives and the Water Framework Directive. [Read more...](#)

Key achievements brochure

The '[Key Achievements' brochure](#) highlights some of IMPEL's main success stories over the last two years. It refers to the evaluation study carried out by IMPEL and how we have gone to implement the recommendations. Some other examples are the development of a country engagement programme, an Integrated Risk Assessment Method as part of the 'easyTools' project and inspection tools such as the 'Waste Watch' and a manual for the return of illegal shipments of waste. It ends with a brief outlook on some of the key challenges IMPEL will focus on going forward. John Seager, chair of IMPEL: *"Much progress has clearly been made and there are many achievements that are worthy of celebration. IMPEL's role in strengthening the implementation of environmental law in Europe is increasingly recognised and valued."* [Read more...](#)

IMPEL's work programme 2015

In 2015 IMPEL aims to carry out a variety of projects dealing with implementation challenges identified by the members. The [2015 Outlook paper](#) provides a brief overview of the activities of the five expert teams.

Recently adopted reports

Via written procedure, the following IMPEL project reports were adopted in April:

- IMPEL-TFS Best Practice meeting 2014 ([report](#))
- IMPEL Review Initiative (IRI) of the Malta Environment and Planning Authority ([report](#) and [at a glance document](#))
- Reinforcement Programme on inspection skills according to Landfill sites
- IMPEL TFS Conference 2014 ([report](#))
- Nature protection in permitting and inspection of industrial installations ([report](#))
- Critical success conditions for compliance assurance and improvement of environmental performance through company compliance and environmental management systems ([report](#) and [guidance document](#))
- End of Waste ([report](#))

- Tool to review the impact of new and existing legislation on TFS ([report](#))
- Definition of risk analysis criteria for the prioritization of environmental inspections of industrial installations in accordance with the Industrial Emissions Directive (IED) ([report](#))

Save the date: 7 and 8 October 2015 IMPEL Soils Conference

2015 has been declared by the United Nations as the “International Year of Soils (IYS)”, aiming at awareness raising initiatives on protection of this vital environmental compartment. In this context, IMPEL will organise a Soils Conference to share experiences and support the implementation of best practice on soil protection among practitioners at EU level. The conference will be held 7 and 8 October in Milan, Italy. [Read more...](#)

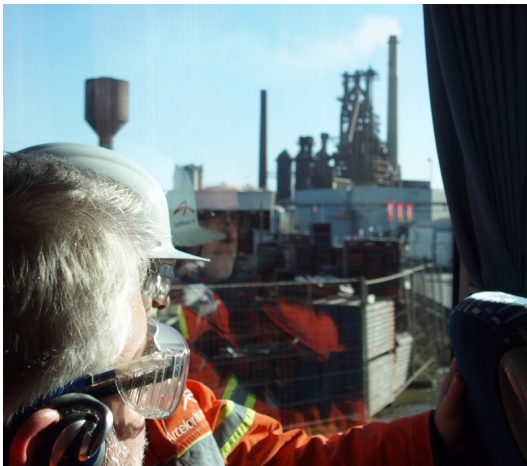


2015
International
Year of Soils

New IMPEL Expert Team on Cross-cutting Tools and Approaches agrees on future work

During its first meeting held between 10 and 12 March, the newly established IMPEL Expert Team on Cross-cutting Tools and Approaches agreed upon its future priority areas of work. They include further work on environmental inspection optimisation, complementary intervention approaches and the use of technology to support regulatory and enforcement agencies. IMPEL will also continue with its long term programme of carrying out peer reviews as part of the IMPEL Review Initiative. [Read more...](#)

Working on the differences between industrial regulations



Environmental regulation agencies across Europe are working on the implementation of the Industrial Emission Directive (IED). It is sometimes difficult to understand all requirements in the directive. At the same time many industries are multinationals, operating across Europe. These industries are expected to work under similar conditions, which at present, is not always the case. The new IMPEL project: 'Supporting IED Implementation', works on developing a more general understanding of the Directive.

Horst Büther (Köln, Germany), project leader of the project, sees an important gap. *'Permitters and inspectors in Europe have to work together to understand the different ways of regulating industry. These differences in regulatory activities are not a problem as such, but it should not lead to big differences in the impact of industries on the environment. This project is about reducing the gap'*. An interesting question is whether this will lead to a shared understanding of the required level. Is there a level playing field across Europe? This project starts with three smaller questions on the shared understanding. These are: (1) what are the main dilemmas of publication of inspection results; (2) what to do with a bankrupt company; and (3) how to define levels of non-compliance exactly? The discussion of the questions leads to an overview of the differences, a best-practice approach and a work programme for better implementation of the regulation. It is good that experienced regulators come together to share their expertise, and see different approaches in visits of the regulators of other work places. The first activity of the project was a meeting in Bremen. There, Horst saw an increased attention from public and politicians. *'Our project was reported on by local news in Bremen with supportive comments by the Senator for Environment. We got many good reactions on the broadcast news. It showed that industry do have rights and obligations in all European countries. It also showed that the public have the right to know what is happening. And that's what we are working for: similar approach to industry in Europe and improved public information'*. This project will run for more than one year.

IMPEL talks about illegal water abstraction at the EU Working Group on Agriculture

On the 4th and 5th of March 2015, IMPEL representatives took part in a meeting of the Agriculture Working Group, organised by the European Commission. The meeting was held within the framework of the Common Implementation Strategy (CIS) for the Water Framework Directive and was attended by approximately 40 Member States experts on

policy issues related to agriculture and water resources. [Read more...](#)

Interview with...



Ms Patricia Weenink works as deputy head for the permitting and inspection unit at the Province of Overijssel in the Netherlands. Since 2002 she is involved in the IMPEL Network and is she project leader for the IMPEL Review Initiative (IRI). We asked her about this IMPEL key activity.

1. Can you explain what an IRI entails?

An IRI is a voluntary peer review where environmental authorities of IMPEL member countries help each other to improve the implementation of EU environmental law. By having an IRI, the host gets free advice for further improvement of their work and best practices are exchanged around the European community.

2. What are the benefits for the organisations involved? Not only for the host country, but also for the organisations and the members that are part of the review team.

The reviewed organisation gets free advice on improving their environmental permitting and inspection work. The IRI works fast (1 week) and offers professional support afterwards to help implement the recommendations. Participating member countries get the opportunity to exchange good practices and have open discussions with peers from different European countries. And of course, having an IRI helps you work in line with EU environmental regulations!

3. What is expected from the organisation undergoing the IRI in terms of human resources, time, information and other resources?

To prepare for an IRI it is important a dedicated projectleader is appointed by the host agency. Together with a so-called IMPEL-IRI ambassador they will draft the Terms of reference for the project. After the General Assembly has adopted the project, the projectleader and ambassador will start putting together the IRI team. A teamleader and rapporteur will be appointed and further participants will be invited. Together they will describe the accent for the IRI: will it focus on permitting? Or on inspection? Or both? Is it important to look at Seveso? Or does the host prefer to look at waste management? All these things will be discussed together and will lead to the best possible team of participants. Teamleader and rapporteur will then meet with the projectleader and management of the host, in a pre-meeting where the planning will be formalised. Finally the review will take place. In the aspect of human resources, the projectleader will spend somewhere between 10 – 15 working days on the project. Colleagues that are involved (for discussions or presentations) and management will need 1 – 2 days for preparation and presentation. As for costs, on the side of the host you should take into account expenses for

catering and possibly translation as the IRI's are conducted in English. IMPEL covers the costs for flights and accommodation for the review team members.

4. Some countries are of the opinion that the IRIs are being performed for or on behalf of the European Commission and that the results of an IRI are being used to start an infringement procedure. What is your response to this fear?

Truly the IRI is a peer-review. Colleagues from other Member States come and try to help you where they can to further improve the implementation of EU environmental law. After all, we are all struggling with the same problems and some of our colleagues have sometimes found a solution that others can benefit from. After the IRI, the draft report is first sent to the host organisation for approval. Only after their approval (and only then!) is the report made finale and sent to the Cross-cutting Expert Team for information and to the General Assembly before putting it on the IMPEL website.

5. You can you give some concrete examples of organisations that have improved their procedures or ways of working because of the IRI?

Let me give you some feedback from countries that had an IRI. Ms Isabel Santana (Portugal) : " The major recommendations of the IRI were taken into account in our 2010 activity plan, which means that they will actually be implemented in the Inspectorate. In the beginning of March 2010, the OECD evaluated the performance of the Portuguese environmental policies (OECD Environmental Performance Review of Portugal) and IGAOT was one of the chosen authorities to contribute to that process. The IRI results helped us to show OECD how our Inspectorate is performing.

Mr Fabio Carella (Italy) "Our Agency, ARPA Lombardia, is widely respected in Italy but we wanted an IRI to test our procedures against others in Europe. We were very pleased with the outcome and, as a result of the recommendations in the report, we have adopted an IRAM-based risk assessment tool for IED inspections. We have also extended our environmental management systems as the IRI recommended. We found the whole IRI process very useful and found it a pleasure to work with the members of the IRI team who came to us. It also helped us in ARPA Lombardia to become more involved in the work of IMPEL. As I said at a review meeting after the IRI: 'IRI is the starting point, not the end.'" [More information on IRIs.](#)

Upcoming events

April

28-29: Workshop on the Implementation of the IED Directive, Mons, Belgium

29-30: Industry and Air Expert Team meeting, Mons, Belgium

May

13: IMPEL Review Initiative pre-meeting, Prague, Czech Republic

20-21: Enforcement Actions Best Practice meeting, Landshut, Germany

June

02-03: 11th Seminar on Lessons Learnt from Accidents, Lille, France

23: IMPEL Board meeting, location to be decided

[Check out our website diary for further details.](#)

New website Themis network

IMPEL's partner organisation and observer, the Themis Network is pleased to announce its new website: www.ThemisNetwork.eu. The website showcases the activities, outputs and achievements of the Themis Network in a user-friendly way. It has been designed to make information easy to find and read. The website is a living forum and is open to content produced by Themis Network members, partners and any other interested party. [Read more...](#)

News from the Secretariat

With several new member organisations and new National Coordinators it is often difficult for newcomers to know what opportunities are on offer in such a large network like IMPEL. But also who to talk to when you want to ask a question about implementation of an environmental law in another country. So, IMPEL's Secretariat conducted two 'Welcome to IMPEL' teleconference seminars, in March which ran through the basics of the network such as 'What is IMPEL?', 'What does IMPEL do' and 'What the aims of IMPEL?'. There were discussions on how to make contacts in other IMPEL member organisations as well as what the benefits of IMPEL are and how you and your organisation can access those benefits.

For further information, please contact the IMPEL Secretariat.

Michael Nicholson and Nancy Isarin

In case of any questions or requests for information please apply to the Secretariat. You can contact the Secretariat by:

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