

In depth description of the 5 good practices selected dealing with regulatory reliefs, incentives or other simplification measures

PARTNER: MINISTRY OF TERRITORY AND SUSTAINABILITY
CATALONIA

Good practice selected: Reduced reporting and monitoring requirements

N. assigned in the mapping phase	2, 31,34
Promoting institution(s)	Catalonia Region
Type of measure	Exemption of periodic monitoring of activities for EMAS registered organizations
Background	<i>Exemption of periodic control activities for EMAS registered organizations.</i>
Detailed description of the measure	<i>A) Exemption of periodic control for EMAS registered organizations (except for specific emission controls if established differently by law). The periodic control can be replaced by the verification carried out by the EMAS verifier. For this purpose, the verifier uses a special document defined by the administration that collects all the relevant information extracted from the management system and he/she validates it. The document itself provides evidence of compliance in relation to the environmental</i>

	<p><i>license/permit. This procedure is applied within the renewal of EMAS. This must be submitted together with the updating of the renewal of EMAS registration to the competent authority.</i></p> <p><i>B) All EMAS registered organizations carrying out an activity included in any Annex of the Ordinance, are exempted from periodic controls. These organizations must provide evidence of their EMAS registration and renewals (article70).</i></p> <p><i>C) C) Organizations are subject to periodic environmental controls in order to guarantee the permanent compliance of legal requirements - specifically those set in the environmental license. EMAS registered organizations are allowed to substitute this control with the EMAS renewal verification. A specific document (Annex II) must be used by the verifier to provide compliance to the environmental license. The company must submit this document to the municipal competent authority taking into account the frequency defined by the law.</i></p>
<p>Legislative reference</p>	<p>- Law 20/2009 of 4th December, on Prevention and environmental control of activities (LPCAA), DOGC No. 5524 of 11th December (art. 71.3) (Annex I.1 modified by Royal Legislative Decree 1/2016 of 16th December, approving the revised text of the Law on Prevention and Control Integrated Pollution), amended by Law 3/2015 of 11th March, on fiscal, financial and administrative measures (that incorporates the precepts of the Directive 2010/75/EU of 24th November on industrial emissions) (article 80).</p> <p>- Municipal Ordinance of activities and integral intervention of the environmental administration of Barcelona.</p>

	- Basic Ordinance for municipal environmental intervention, safety and public health. Barcelona Provincial Council
Level of Application (regional, national, etc.)	Regional
Score obtained in the first level assessment	10
Score obtained in the second level assessment	7,14
Final Score	17,14

Legal feasibility

Description

It does not require a high legislative effort to adopt it since there's a legal reference within the EMAS Regulation (art. 38) and also because it encourages self-control systems which are then validated by a 3rd party. Technically it's not an "exemption" but a "non-duplication" as the EMAS organization will use the EMAS verification process in order to provide evidence of compliance.

Economic feasibility

Description

A priori, the costs required to adapt the measure should not be high, except from the time and human resources dedicated to involved other competent authorities and obtain their consensus. On the contrary, it should also be taken into account the time savings for the competent authority as they can avoid to carry out controls to EMAS registered organizations benefitting from the regulatory relief and dedicate their resources to check other organizations.

Technical feasibility

Description

The technical feasibility of the implementation of this regulatory relief will depend on the level of acceptance by the different enforcement authorities. It's necessary to develop a consensus among all involved authorities. One of the main barriers could be the lack of knowledge and information - in certain public administrations - about EMAS and its implementation; this could lead to a lack of confidence on the proposed regulatory relief.

Achieved results

Description

The measure has been well received by organizations with EMAS registration and can contribute to increasing the number of EMAS registrations in the future, especially in certain sectors of activity.

Environmental benefit

Description

The scope of the measure is important and very interesting due to the impact it may have on strategic sectors in the region and is in line with the Catalan ECAT 2020 and RISC3CAT strategies as regional innovation strategies towards a more intelligent, sustainable and integrative economic model. The regulatory relief involves sectors listed in the high complexity and special complexity category of the IAF reference document.