



ENHANCE
Interreg Europe



Results on the regional analysis in Italy

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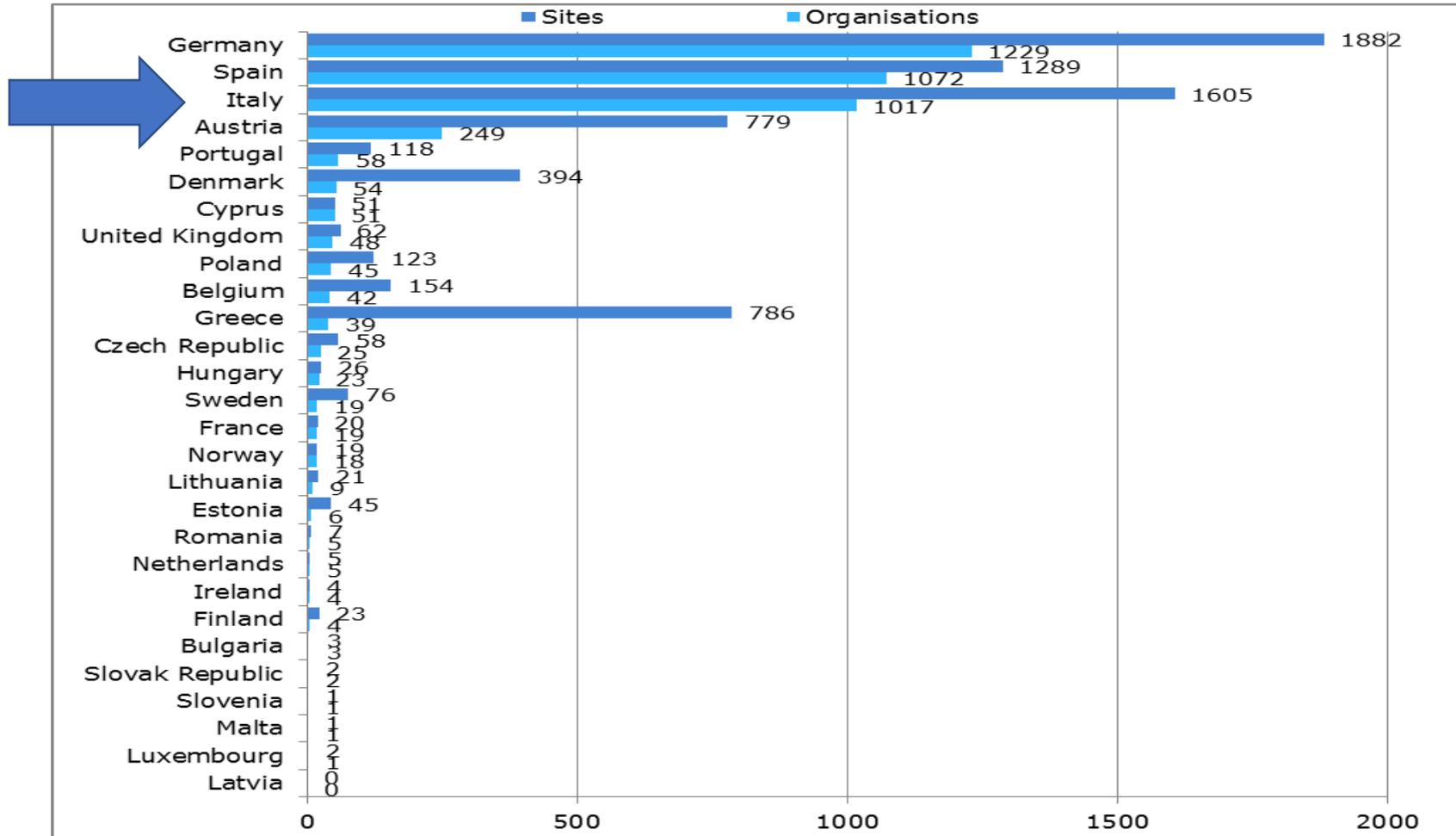


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Objectives of the presentation

- To present the first results of the project phase aimed to map the regulatory relief initiatives adopted in Italy
- To highlight the measures that can be considered best practices identified
- Initial indications on the exchange exercise

Italy: a fertile terrain for EMAS regulatory relief



Italy: a fertile terrain for EMAS regulatory relief (2)

BRAVE – **B**etter **R**egulation **A**imed at **V**alorising **E**MAS



BRAVE aims at introducing regulatory relief in European, Italian and Spanish (at national and regional level) legislation to valorise EMAS.



Duration: 38 months (01/10/2011 - 30/12/2014)

Partners: S.Anna (Lead Applicant), ARPA Lombardia, IEFE Bocconi, Confindustria Liguria e Confindustria Genova, Ambiente Italia, Andalusian Institute of Technology (IAT), Chamber of commerce of Valencia



Follow us on our LinkedIn Group: <http://www.linkedin.com/groups/Life-BRAVE-project>

Italy: a fertile terrain for EMAS regulatory relief (3)



LIFE B.R.A.V.E.R.

Boosting Regulatory Advantages Vis à vis Emas Registration

PROJECT LOCATION:

Italy, Cyprus, Czech Republic, Slovenia, Spain

BUDGET INFO: Total amount: 1,720,075 Euro, % EC Co-funding: 59.72%

DURATION: Start: 01/10/2016 - End: 30/09/2019

PROJECT'S IMPLEMENTORS:

Coordinating Beneficiary: Università Commerciale «Luigi Bocconi»

Associated Beneficiaries: ENVIROS - ENVITECH - Instituto Andaluz de Tecnología (IAT) - Ministry of the Environment of the Czech Republic - Scientific Research Centre Bistra Ptuj - Scuola Superiore di Studi Universitari e di Perfezionamento Sant'Anna.



Results of the mapping phase

Key objectives:

- to identify the regulatory reliefs already adopted in Italy
- Assess the regulatory reliefs in order to identify the best practices



In Italy we have identified a total of **89** regulatory relief

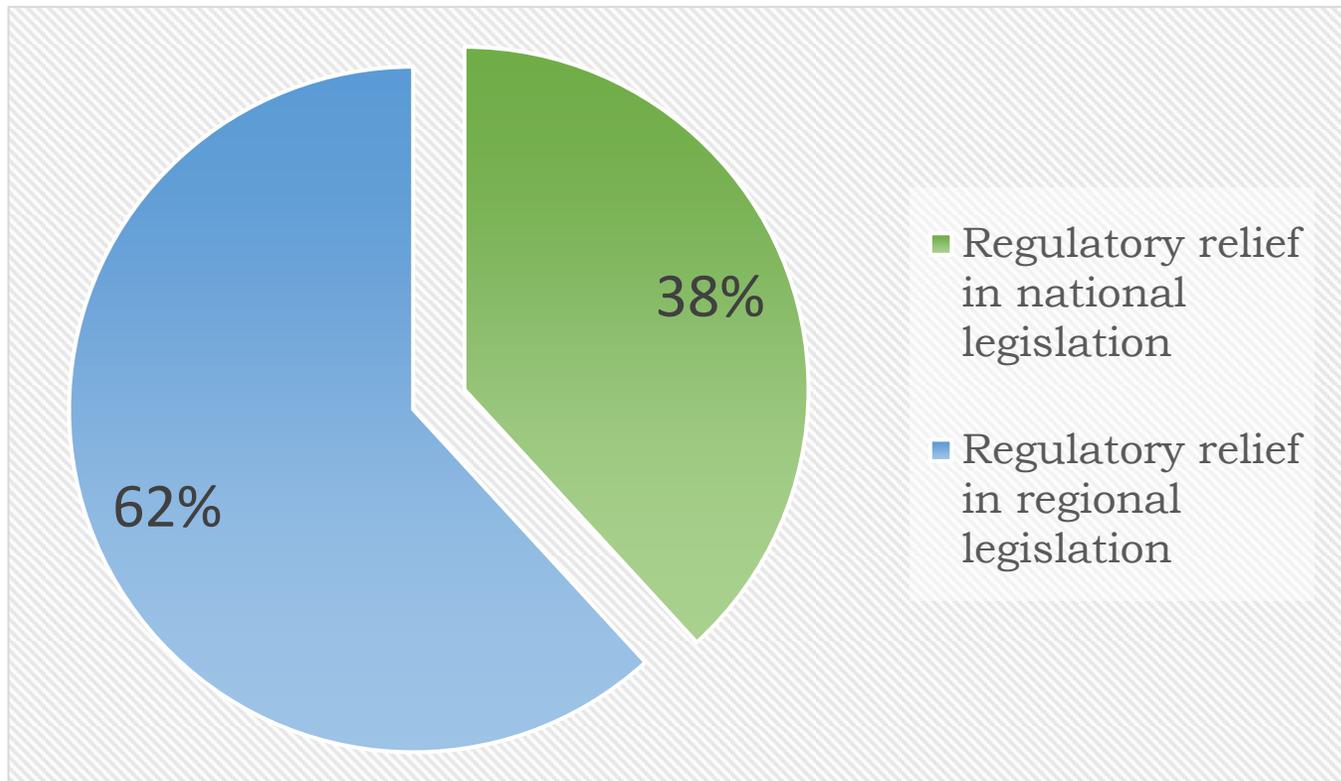
Results of the mapping phase: number of regulatory relief identified in Italy

Italy: number of identified measures per type of regulatory relief

1. Fast-track permits/simplification in the application	17	7. Modification in the scope of a permit	2
2. Extension of validity of permits	3	8. Green Public Procurement	5
3. Reduced reporting and monitoring requirements	11	9. Tax breaks	6
4. Reduced inspections frequencies	6	10. Reduction of administrative fees	12
5. Self declaration in the procedure of renewal of a permit	1	11. Reduction of financial guarantees	19
6. Self-declaration in the procedure of issuing of a new permit	1	12. Credit access and Funding support	7

Results of the mapping phase: number of regulatory relief identified in Italy

Total of **89** regulatory relief: regional distribution



Region	Regulatory relief
Liguria Region	9
Lombardia Region	3
Tuscany Region	5
Abruzzo Region	2
Campania Region	2
Basilicata region	1
Emilia Romagna Region	17
Piemonte Region	5
Veneto Region	3
Umbria region	4
Friuli, Marche, Puglia, Sicily	5

Assessment of regulatory relief: identification of best practices

We have assessed the 89 regulatory relief measures identifying 10 good practices.

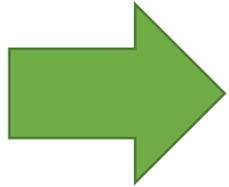
The final assessment of the 10 good practices through the stakeholders involvement process is still on-going and we foresee to conclude it by the end of June.

Phase 1: mapping EMAS regulatory relief and promotional measures

Phase 2: assessment of measures and identification of best practices

Assessment of regulatory relief: identification of best practices

BEST PRACTICE 1 EXAMPLE



Legislative Decree 3 April 2006, n.152
(Environmental code): reduction of financial
guarantees to provide when obtaining the permit to
manage a plant operating in the waste sector.

BEST PRACTICE on financial guarantees, HOW IT WORKS

Financial guarantee in waste sector serves **to demonstrate** that **the companies will have the financial resources** to properly close the facility or unit **when its operational life is over**, or provide the **appropriate emergency response in the case of an accidental release**. This is to provide the competent authorities with guaranteed money to take action if the company encounters problems or accidents during operations. **Italian Decree** 152/2006 “Norme in materia ambientale” (art. 208) **requests a financial guarantee** for companies managing a waste treatment plant.

BEST PRACTICE on financial guarantees, HOW IT WORKS

The financial guarantees must have a maximum calculated on the basis of the maximum storage / storage / waste treatment (expressed in Kg), multiplied by the reference values and parameters set out in the annual acts adopted by regional authorities. There are two major approaches for the guarantee:

- bank guarantee
- insurance guarantee

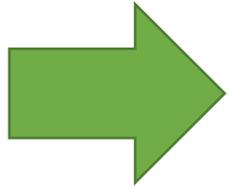
BEST PRACTICE 1 description

The article 208 of Decree 152/2006 introduced a reduction of the amount to be financially guaranteed for EMAS and ISO 14001 companies managing waste treatment plants. **The article allows a reduction of the amount to be guaranteed of 50% for EMAS companies and of 40% for ISO 14001 certified.**

The reduction awards the company's "above average" commitment to environmental management. Companies adopting an environmental management system, as EMAS or ISO 14001, improve their management capabilities of environmental impacts risk. The reduction of financial guarantee represents therefore a recognition or reward for companies' commitment.

Assessment of regulatory relief: identification of best practices

BEST PRACTICE 2 EXAMPLE



Legislative Decree 3 April 2006, n.152
Regulation on environmental topics art.29-
octies comma 8 and 9

BEST PRACTICE 2 description

The article art.29-octies comma 8 and 9 implement the permitting process foreseen by the **Industrial Emissions Directive (IED)**. The **IED is the most important EU Directive in the field of industrial environmental permits**. It covers more that **55,000 plants** in EU.

The Directive does not establish the **duration of the IED permit**, so the Member States have flexibility to establish the duration.

The Italian regulatory relief expand the ordinary duration of the permit for EMAS and ISO14001:

- Ordinary permit duration: **10 years**
- Permit duration in case of ISO14001 certification: **12 years**
- Permit duration in case of EMAS registration: **16 years**

Looking forward: how to exchange, spread, replicate the best practices?

In our view we can adopt 3 different approaches

1. «Top-down»
2. «Peer to peer»
3. «Bottom-up»



Let's see the example of Italian best practice 1 (financial guarantees)

“Top – Down” approach

According to this approach a regulatory relief included in an upper legislative level is applied (exchanged) in a legislation regulated by a public authority of a lower level.

Example for best practice 1 (financial guarantees)

The EMAS regulatory relief of the reduction of the financial guarantees established in the **Italian National decree 152/06 has been translated by Regional Government of Tuscany in the Regional Law n. 35/2015** that regulated the permitting process on **mining sector**. The amount to be guaranteed by EMAS companies operating in the **mining sector is reduced of 15%**.

“Peer to Peer” approach

A regulatory relief included in a certain legislative level is applied (exchanged) in a legislation regulated by another public authority of the same legislative level

Example for best practice 1 (financial guarantees)

An example could be the transposition of the same regulatory relief **from** the legislation of a **Member State to** the legislation of **another Member State**.

If the financial guarantees for companies of waste sector have been reduced in Italy **what about to adopt the same relief in Spain, Austria, Czech Republic, Estonia (partners of Enhance)?**

“Bottom-up” approach

According to this approach a regulatory relief included in a lower legislative level is applied (exchanged) in a legislation regulated by a public authority of an upper level.

Example for best practice 1 (financial guarantees)

Waste Directive (2008/98/EC) is currently under revision.

The Italian best practice on the reduction of financial guarantees to obtain waste permits by EMAS registered organisations can be spread **including an invitation to that practice in the articles 23-25 «Permits and registration» of Waste Directive.**

Thank you!



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