

European Union	
Sector	Environmental Liability Directive
Liability	Unforeseen
References	<p>Extensive information is available on environmental insurance and other forms of financial provision in the context of studies under the Environmental Liability Directive. The European Commission in particular has conducted a number of studies which are available on its website.</p> <p>http://ec.europa.eu/environment/legal/liability/</p> <p>This report, by Marsh, on environmental insurance is also available, and details average limits of indemnity sought by mid-sized companies from 2011 to 2015.</p> <p>https://www.marsh.com/content/dam/marsh/Documents/PDF/UK-en/EMEA%20Environmental%20Market%20Update.pdf</p> <p>The European Commission study ‘Improving financial security in the context of the Environmental Liability Directive’, 2020, considers the availability of and demand of financial security to cover ELD liabilities.</p> <p>The study delivers a comprehensive update of the current situation of financial security for ELD liabilities in all Member States, examines the situation in the US as a benchmark, investigates the conditions for making financial security for ELD liabilities more effective and even across the EU, and includes recommendations to improve the situation at EU and Member State level.</p> <p>The study is available on the European Commission’s Environmental Liability home page at http://ec.europa.eu/environment/legal/liability/</p>
Sector	Extractive Waste Directive
Liability	Obligations under a permit including after-closure and rehabilitation
References	<p>EU Guidelines on Financial Guarantees for Mining Waste Facilities</p> <p>https://ec.europa.eu/environment/topics/waste-and-recycling/mining-waste_en</p> <p>Guidelines on Financial Guarantees and Inspections for Mining Waste Facilities, 2007, Montex</p> <p>https://ec.europa.eu/environment/pdf/waste/mining/EU_Final_Report_30.04.08.pdf</p>
Sector	Transfrontier shipment of waste regulation

Liability	Repatriation of waste
References	<p>A compilation of methods used in EU Member States to calculate the amount of financial provision was published in 2016. The calculation methods are formulas based mainly on the tonnage of waste shipped by the cost per tonne for 90 days' storage, transport and treatment. Other factors that may be incorporated include: distance, number of active shipments, administration and contingency. Some rates to be used in the calculations are specified or given as guidance; minimums are also set and one State specifies an absolute amount as a starting point.</p> <p>https://ec.europa.eu/environment/system/files/2020-12/calculation-financial-guarantee.pdf</p>
Sector	Geological storage of carbon dioxide
Liability	Obligations under a permit
References	<p>Guidance on financial security and financial mechanism</p> <p>https://ec.europa.eu/clima/sites/clima/files/lowcarbon/ccs/implementation/docs/gd4_en.pdf</p>