



European Union Network for the Implementation
and Enforcement of Environmental Law

Report on National Peer Review Initiative Phase 3 Project (NPRI 3)

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Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 7th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu



<p>Title of the report:</p> <p>National Peer Review Initiative Phase 3 (NPRI 3) Project</p> <p>Improvement of the scheme(s) for National Peer Review Initiatives (NPRI) and the support to Countries willing to implement the Technique – Third Phase.</p>	<p>Number report:</p> <p>2021/08-1</p>
<p>Project Manager/Authors:</p> <p>Giuseppe Sgorbati (IT)</p> <p>Pieter-Jan van Zanten (NL)</p> <p>Fabio Carella (IT)</p>	<p>Report adopted at IMPEL General Assembly Meeting:</p> <p>28-29 June 2022, Paris (France)</p> <hr/> <p>Total number of pages: 66</p> <p>Report: 24</p> <p>Annexes: 42</p>
<p>Executive Summary</p> <p>The National Peer Review Initiative (NPRI) project is born with the aim to extend the beneficiaries of peer reviews, already implemented by IMPEL through IRI's, inside Countries and Networks of Organizations, enabling them in carrying out peer reviews autonomously on matters deemed important at National or Network level.</p> <p>In this perspective, in phase one of the project the foundations for the development of NPRI were set, developing a thorough study on relevant peer review experiences, at national and international level, investigating IMPEL Members' needs, drafting a Methodology, as guideline to organize and perform autonomous Peer Reviews (PR) at National Network level, with the aim of building capacity in conducting PR's.</p> <p>The second phase was focussed on the improvement of the Methodology, and in getting into deep in some topics to increase the ease of PR implementation and its effectiveness. Also first activities in supporting Countries that are willing to implement NPRI were undertaken.</p> <p>The third phase of the Project was aimed at supporting Countries in the perspective of developing their own NPRI methodology, <i>ex novo</i> or improving the pre-existing National schemes. Two Countries, Portugal and Romania, were accompanied in developing their own schemes, applied on topic of great relevance at National Level; furthermore, the already existing Dutch and Italian NPRI schemes were subjected to proposals for their improvement, as consequence of NPRI Project outcomes.</p>	



All the three phases of the Project saw action to spread the concept and its usefulness through seminars and focussed meetings.

The pandemic situation in Europe hit all the three phases of the project, forcing a reduction of the original programs, mainly in term of the elimination of travels and *in person* meeting elimination. The consequence of these constraints were mitigated by the use of teleconferencing systems.

Also, difficulties at IMPEL Members due to the pandemic crisis represented a drag in the project development and in the manifestation of interest in embracing the NPRI methodology by new countries.

A general delay of the original multi-annual NPRI plan and its partial contents modification are consequences of this situation. The *lesson learnt* and the actual state of advancement of the project will be considered in further phases of the NPRI development

Disclaimer

This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the European Commission.



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1. Introduction: a guidance to this report

1.1. The evolution of the NPRI Phase III project

The activities made in the third phase of the NPRI project find their roots in the ToR approved by IMPEL General Assembly held on 02 – 03 December 2020 in Berlin and partly held online (see annex 1). At that time the perspectives on the evolution of the pandemic were unclear, as well as the perspectives regarding the funding of the projects, due to the evolutionary phase of the vision of the European Commission's grant in favor of IMPEL. By consequence, the original ToR was modified more than once, following the perspectives as posed by the contingent situation. The official kickoff of the IMPEL 2021's project was on 01 April, while the effectiveness of the consultancy assignment foreseen in the ToR was on 04 November. Also, the content of the consultancy contract were modified in comparison with previous expectations, due to the limited period.

1.2. An overview of the NPRI Phase III activities

The work done was focused, by consequence, on the Countries willing to implement the outcomes of the NPRI project, and on supporting them in their initiatives (chapter 2 of this report) Furthermore, the focus was on the Countries that are already implementing a NPRI scheme, and checking with them how the project experience was useful to improve the internal PR scheme in its use and discussing further possible improvements (chapter 3 of this report).

The activities developed in the NPRI project in general and in its phase III in particular, were also shared with the IMPEL broader audience through a specific NPRI seminar (chapter 4 of this report).

1.3. The Project Team

The Project Team is composed by 37 members, belonging to 12 Countries¹. The Project Team has been coordinated by Fabio Carella (IT), Pieter-Jan van Zanten (NL), Giuseppe Sgorbati (IT)

Member	Country
Martine Blondeel	Belgium
Anu Lillunen	Finland
Jaakko Heinolainen	Finland
Kari Pirkanniemi	Finland
Angeliki Bosdogianni	Greece
Pelagia Manara	Greece
Sonia Eleftheriadou	Greece
Sean Scott	Ireland

¹ Information from file *IMPEL members per project-folder v.7.02.2022*, Basecamp; slight differences in actual participation in the activities may be in place



Member	Country
Adele Lo Monaco	Italy
Alfredo Pini	Italy
Bruno Barbera	Italy
Fabio Carella	Italy
Giuseppe Sgorbati	Italy
Marigo Raffaella	Italy
Raffaella Melzani	Italy
Silvia Brini	Italy
Danguolė Kazlauskienė	Lithuania
Rūta Remeikytė	Lithuania
Arian van Weerden	Netherlands
Marc du Maine	Netherlands
Pieter-Jan van Zanten	Netherlands
Raffaella Marigo	Netherlands
Willem Jan van der Ark	Netherlands
Ana Lima	Portugal
Ana Malo	Portugal
Anabela Rebelo	Portugal
Isabel Marrana	Portugal
Major Emanuel Carapinha	Portugal
Michal Kortis	Slovak Republic
Concepcion Marcuello	Spain
Elvira Susana Bocos	Spain
María Jesús Mallada Viana	Spain
Myriam Fernandez	Spain
Raul Emilio Vega Otero	Spain
Tugba Ceren Istek	Turkey
Sarah Hetherington	United Kingdom

The Project Team has been supported by Chris Djikens, Consultant (04 November – 31 December 2022)



2. Support to Countries / Organization willing to implement a NPRI scheme *ex novo*

2.1. Romania - Romanian National Environmental Guard (RNEG)

The willingness of the Romanian National Environmental Guard (RNEG) to develop NPRI has been manifested in June 2021.

The manifestation of interest was also completed with the scoping of the initiative.

The Romanian National Environmental Guard (RNEG) strives to perform implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way. Currently the RNEG is facing challenges in this regard and specifically with a coordinated and harmonized execution of inspections. The RNEG envisages that its stakeholders, such as customs, police, public prosecutors and judges who have roles and responsibilities in this matter encounter similar challenges. A framework including guidance in performing inspections on this topic is currently lacking. A NPRI will help the involved authorities to identify opportunities for improving harmonization and to develop guidance material.

The characteristic of the NPRI development in Romania is, by consequence, the parallelism of the development of the methodology with the development of aims, scoping and identification of the National Authorities to be involved in the NPRI execution

2.1.1. Aims and scoping for the development of the first NPRI experience in Romania

Based on a specifically drafted discussion document², through conference calls^{3,4} with representatives of the Romanian RNEG, the following aims of a NPRI could be distinguished:

- To gain insight into how responsible authorities, and in particular the (regional organizations of the) RNEG, carry out border controls with regard to the import and export of waste.
- Whether there are opportunities for the organizations involved, based on the insights gained, to carry out inspections and related activities in a more harmonized manner.
- To develop, adjust and or revise frameworks and guidelines as a result of peer review activities that allows the RNEG to implement effective measures in the control and discouragement of international traffic of waste, managed either by businesses or criminal organizations.
- To provide guidance in performing inspections regarding waste transfer at the border crossing points, respectively when performing inspections regarding waste traceability.

² Discussion document on the implementation of a NPRI in Romania 26 July 2021 (ann. 2)

³ Draft Agenda Conference call Romanian National Environmental Guard (RNEG) and NPRI Project Management Team 12 September 2021 (ann. 3)

⁴ Minutes conference call Romanian National Environmental Guard (RNEG) and the NPRI Project Management Team on 4 October 2021 (ann. 4)



- To achieve an effective and harmonized performance of inspections at national level by the RNEG in coordination and cooperation with relevant partners by using an agreed framework and guideline for cross-border waste control consisting of a set of uniform and standard operating procedures

2.1.2. NPRI Project Team support

As a result of different calls with the RNEG and to shape the NPRI related to the aims as identified, assistance was provided from the NPRI team which included in summary the elements and guiding questions of the following approach:

Topic	Relevant Questions
Responsibilities and governance	<ul style="list-style-type: none"> - Who is the ultimate coordinating and responsible ministry and who are the involved (and responsible) organizations? - Which organizations are now involved in supervising compliance with regulations regarding the import and export of waste? - Are there regional offices of and how are they connected with and governed by the national body?
Framework	<ul style="list-style-type: none"> - What is the complete package of (international) laws and regulations that is subject of compliance monitoring (related to the subject of the NPRI)? - Which are the current guidelines, standing operating procedures and inspection regimes?



Topic	Relevant Questions
Cooperation with stakeholders within Romania	<ul style="list-style-type: none"> - Which other (responsible) organizations than the RNEG are involved in inspections (customs, police, others)? - Is there cooperation between these organizations, and if yes, is this formalized through formal and recorded agreements? - Is there cooperation with the judiciary (public prosecutors, judges)? - Is there a clear (and coordinated) sanctions policy? - Do the supervising authorities have resources (financial, experts, equipment, sampling facilities, trainings etc.) to carry out the work adequately - Is there education and training in the field of inspections and in particular waste? - Are data concerning inspections (including compliances and non-compliances) collected and analyzed?
Procedures and implementation	<ul style="list-style-type: none"> - Do inspection protocols exist and if so, by whom are they used? - Is there a harmonized approach based on agreed protocols?
Cross border cooperation	<ul style="list-style-type: none"> - Is there cooperation with relevant stakeholders across the border on import and export of waste? - If yes, is there any formal agreement with these stakeholders?
Problems and challenges	<ul style="list-style-type: none"> - What problems and challenges are experienced with (border) controls about the import and export of waste? - What solutions are seen to improve the situation and on how to overcome identified obstacles? - How can these solutions be realized?

2.1.3. Steps in Romanian NPRI implementation

In addition, the elements of a plan on setting up the NPRI were discussed with the NERG, considering the steps as included in the *'National Peer Review Initiative (NPRI) Methodology*



and *Guidance*' and its annexes. As discussed with the Romanian representatives, the methodology can be used in a flexible way to shape the NPRI to their specific needs.

The following steps were advised:

Elements	Activity
Initiation	<ul style="list-style-type: none"> - Setting up a (multidisciplinary) RNEG NPRI project team. - Elaboration of a project assignment, approved by the responsible manager(s). - Defining the project assignment, scope, goals, desired outcome and methodology (such as questionnaire, round table discussions etc.) to be used.
Preparation	<ul style="list-style-type: none"> - Carrying out a stakeholder analysis with involvement of all relevant stakeholders. - Expanding (if needed) the project team with essential partners and stakeholders. - Communicating the project with all key stakeholders and asking for their cooperation and agreement. - Developing an Assessment Framework.
Execution	<ul style="list-style-type: none"> - Initial problem analysis and risk assessment by all organizations involved. - Making the problem concrete by means of a survey, workshops, strength-weakness analysis. - Analyzing existing national and international protocols and procedures and good practices. - Revision of existing protocols and procedures and/or developing new ones. - Testing the new or modified standards or operating procedures in practice. - Educating and training all stakeholders in the use of new or revised guidelines, standards or procedures.

2.1.4. Building the Multidisciplinary Team

The RNEG was provided with a proposal on organizing a multidisciplinary workshop on the theme '*performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way*'. The aim of the



proposal was to raise awareness on the need for harmonization in approaches. It was advised to involve stakeholders in this workshop who play or could play an important role in the described subject to fulfill an efficient and effective implementation of the legislation and regulations involved in the theme. The proposals formed an important basis for the RNEG to reach out to relevant stakeholders to gain their interest in participating in the NPRI.⁵

2.1.5. Continuation preparation NPRI Romania

A conference call was held between the NPRI project coordinator and the RNEG on 11 November 2021 to discuss the progress of the preparation of the NPRI. It was mentioned that the stakeholders at the national level agreed to be a part of the NPRI and are willing to make the necessary preparations. Reaching out to the police, prosecutors and customs was successful who subsequently committed to their involvement. Currently the RNEG puts effort in establishing a 'strategic secretariat' which will serve as a core group to lead the NPRI. Regarding the roles and responsibilities of the group, reference was made to the 'Methodology and Guidance NPRI'. RNEG mentioned that they will have an internal brainstorm session about a workshop with all stakeholders.⁶ The basis for that can be extracted from draft proposals for organizing a multi-stakeholder workshop'. The NPRI project coordinators can assist in preparing a workshop.

2.2. Portugal – Portuguese Environment Agency (APA)

2.2.1. Development of NPRI in Portugal

The development of a NPRI in Portugal represents also a *case study* in which the development of a NPRI "Nation- specific" methodology goes with the need to improve a specific process. In the Portuguese case, the particular area of interest for improvement is the Revision of permitting procedures in Water resources uses. The initiative was seen as an excellent means to achieve harmonization in the processes currently used by the different regions.

The envisaged roadmap to develop the NPRI can be sketched as follows:

Phase	Action	Content
1	Topic identification	Develop procedures for wastewater discharges and water abstraction

⁵ Draft proposal multi-stakeholder workshop within the framework of a National Peer Review Initiative (NPRI) of the Romanian National Environmental Guard (RNEG), 26 August 2021 (ann. 5)

⁶ Minutes conference call on NPRI Romania on 11 November 2021 (ann. 6)



Phase	Action	Content
2	Team building	Assemble two small teams (4 to 5 members) to work independently from their “origin”: “permitting experts”
3	Develop knowledge of the “playing field” and perimeter of the work area	<ul style="list-style-type: none"> • To find major needs: In which type of permits should the project focus • To establish “work limits” within the two main areas or decide to focus in only one water use type (discharge or abstraction)
4	Tune the review to the outcomes of the analysis made	<ul style="list-style-type: none"> • Define goals (in terms of type of procedures to be reviewed) • Reassemble team if needed
5	Assessment framework design	<ul style="list-style-type: none"> • Define an assessment framework focused on permit conditions: Aim of permit, water resources use impacts, conditions needs (protection of water bodies and its uses), monitoring and self-monitoring, following permit procedures and conditions validations • Define performance indicators (see the possibility to deliver an indicator supported by the IWA IMPEL Project, i.e., the water circularity index)
6	Assessment activities	<ul style="list-style-type: none"> • Legal compliance of current permits terms and, technical assessment (e.g. appraisal of impacts over waterbodies and/or RBMP Programmes of Measures) • Team: “Review” a sample of permits from the five RBDD and qualify “performance” according to the previous point • Perform “virtual site visits” to RBDD to discuss review outcomes with departments



Phase	Action	Content
7	Follow-up	<ul style="list-style-type: none"> • Deliver “virtual training sessions” on how to write permits based on “new procedures” • Search the possibility to engage in trainings within National IMPEL network (e.g. Madeira and Azores Environmental authorities, national inspection authority and Police bodies)
6	Check-up Review	<ul style="list-style-type: none"> • After 1 year develop a “permit review process” to check the application of procedures. E.g. Perform a cross-review between the five RBDD

2.2.2. The implementation of the Project

The agency started initiatives for the implementation of an NPRI in these sectors early in 2021. However, a few important obstacles to overcome were faced. Among other things, the situation around Covid-19 has significantly influenced the setting of priorities by organizations and another challenge concerns raising awareness among the target groups about the importance of harmonizing permitting processes and the role that an NPRI can play in achieving this.

Based on discussions with the Portuguese coordinator of the NPRI, suggestions were made by means of a discussion memorandum on how the barriers could be overcome⁷. It concerns the following topics:

- To intensify the involvement of the top management and other key stakeholders, by informing them on the problems and challenges regarding the subject of harmonization of the permitting processes, as well as how a NPRI can support the alignment which is identified as important. Current evident risks and future risks as consequences of non- or poor harmonization of the permitting process could be explained and highlighted. Risks as:
 - Ecological risks. in case of permits, including requirements and conditions, are not in compliance with the Portuguese environmental policies and legislation. This can lead to ecological damage on the shorter and longer term.

⁷ Minutes conference call on NPRI – 12 November 2021 (ann. 7)



- Poor level playing field and economic risks. If operators are treated differently by authorities, it can affect their position in their economic and competitive environment. Regional differences in content and quality of permits can lead to unfair competition. As an example, if operators encounter different requirements on investments in taking measures, this can lead to an unbalanced level-playing field, and it will affect the credibility of the authorities involved and the government more in general. It also will negatively influence and demotivate the willingness of operators to take own initiatives for improvement of their internal measures.
- Complicating the work of the compliance monitoring organizations. If permitting (by the various authorities) does not follow same procedures, not having comparable conditions and standards, this will negatively impact the inspectorate and surveillance organizations. It may impact their way of working and complicate a fair treatment of the operators. It will require extra energy and time of the inspectorate to manage these differences, which does not support the effectiveness and efficiency of their work.
- Holding an informal meeting with the management and other key stakeholders, such as the Inspectorate, policy department, regions, public prosecutors and probably others, could be a good opportunity to obtain understanding of the problems and challenges regarding the subject and to create a sense of urgency. Such a meeting will give an opportunity to discuss ways on how to overcome the challenges and finding solutions. The outcome of the meeting could result in a next step to further design the NPRI and its implementation. To provide guidance to the NPRI, it was advised to establish a core group composed by representatives of the key organizations.

2.2.3. Expected evolution of the Project

The pandemic issue still represent a question with no clear and steady answer all around Europe, and this still means that the Public Systems are not yet able to fully return to their normal activities, including initiatives not directly related to everyday challenges. Nevertheless, the NPRI Initiative will be developed in Portugal, as much as possible, also following the above advices. The NPRI Project Team is willing to support the Portuguese EPA. Among the forms of support that could be delivered also initiatives in contact with Portuguese Stakeholders could be foreseen, to bring in the discussion all the acquired experience in the NPRI field and to signify the interest on Portugal experience at EU level.



3. Support to Countries / Organization already implementing a NPRI scheme

3.1. Italy – National System for Environmental Protection (SNPA)

3.1.1. The NPRI roots in Italy

The first experimental experience in NPRI in Italy dates back to the year 2015⁸.

Drawing inspiration from the IRI⁹ Italian Environment Protection System designed a specific PR protocol and performed a PR regarding the IED Implementation.

The main characteristics of the Italian PR activities were:

- the peer review activity was prepared through a survey on the “state of the art” of IED permitting and inspection activities in Italy. The survey was performed with the use of a specific questionnaire (150 questions subdivided in 16 sections) with the aim of analyzing two main areas of interest *programmatic-organizational* and *technical-procedural*.
- the answers were analyzed through the use of a SWOT methodology
- the results of the analysis were used to determine the scope of the initiative and its assessment framework; the answers to the questionnaire represented also the background for analysis and comparison of the single Agency on hosting a peer review.
- The procedures to perform PRs were designed on the basis of the IRI experiences, adapted to the Italian context

The outcomes of the activities may be framed into three specific areas:

- Peer Reviews specific outcomes: the advantages coming from PR performance were directly observed, as well as its limits, mainly in the implementation of an Opportunity for Development singled out by a PR;
- Used Methodology: the test of the methodology was in general positive, and based on an analysis of performed activities, the importance of sharing experiences in the implementation of a PR and training were highlighted;
- PR plans and programs importance discover: after the firsts experiences, it was concluded that, beside the usefulness of the practice for the single visited Agency, a big value of the activity is the possibility to organize Network Peer Reviews by the Agencies in the Italian Environmental Protection System, through specific strategic plans and operational programs and to draw conclusions which are useful not only for the single Agency that is hosting a PR, but, in general, as well for the whole network where the Agency belongs to.

⁸ These experience are thoroughly described in the Annex VII to the Report Peer Review Approaches Preliminary Studies, one of the deliverables of the NPRI Project 2019_21

⁹ An IRI was performed at ARPA Lombardia (IT), Como Department in 2012



3.1.2. The Italian NPRI Evolution – Development and Perspectives

The opportunity of the homogenization of activities performed by the local components of SNPA was strongly felt, and a specific law, aimed at strengthening the nature of the network of the SNPA, was issued in 2016¹⁰. The law foresees some implementation decrees that specifies, among many, the instruments to be used to foster homogenization in the Network. Based on the outcomes of these PR experiments, the Council of the National System for Environment Protection (SNPA) decided to systematize the use of PRs through a specific Decree.

The decree has been outlined in December 2020¹¹., and its approval by the is, at present, pending.

The part of the draft decree, relevant to NPRI, written in cooperation with the IMPEL Project Team Members, says:

*“In order to promote **the homogeneity of behaviour in the System** and to contribute to the gradual achievement of the quality objectives dictated by the Law 132/2016, the Board of the SNPA systematically implements **peer reviews informed by methods approved and adopted at national and/or international level**. These activities, carried out by the System, are intended to improve the levels of efficiency at the national level through the identification of opportunities for development for its individual parts or for the System as a whole, the exchange of best practices, the integration of knowledge, the identification of common paths, using the best experiences and skills disseminated in the Agencies and in ISPRA”.*

Furthermore, a specific attachment to the draft decree depict the **governance**, the Methodology, the **planning** at National level and the **actions to be taken after a PR** by **different** subject in the framework of the envisaged NPRI system:

¹⁰ Law 132/2016 Establishment of the national network system for environmental protection and regulation of the High Institute for Environmental Protection and Research.

¹¹ Decision of the SNPA Council, 21 December 2020 – Document written under the supervision of the Ministry for the Environment.



- **Governance**, acted by two main bodies:

Subject	Role
SNPA Board (21 DG's of the REPA's + ISPRA)	It determines: <ul style="list-style-type: none"> • A NPRI multiannual program, on the basis of the recognized needs in Essential level implementation (themes and scoping), including the REPA's that will host the PR's It institutes: <ul style="list-style-type: none"> • NPRI Secretariat
NPRI Secretariat	<ul style="list-style-type: none"> • to draft a specific Manual (to be approved by SNPA Board) • to manage the NPRI plan and program approved by the SNPA Board

- **Methodology**: main indications to be provided by the Manual drafted by the NPRI Secretariat

- Composition and selection of the «visiting team»
- Scheme for a standard PR execution (on the basis of NPRI project)
- Roles and responsibilities of the hosting REPA
- Reporting and communication of the results
- Follow-up execution
- AO relevant Business

- **Actions to be taken after a PR**

A specific focus has been set on the management, at Local and National level, of the outcome of the single PR, as well as on the general outcomes of a NPRI program, able to emerge systematic issues in the National System.



Subject	Action
<p>SNPA Board (22 DGs of the REPAs +ISPRA)</p>	<ul style="list-style-type: none"> • To examine the PR program outcomes: <ul style="list-style-type: none"> - <i>each one of the PRs</i> - <i>the whole outcomes of the programs.</i> • To approve: <ul style="list-style-type: none"> - the request of REPA's for support in follow-up of PR activities - if the examination of the sum of the results of the program highlights these opportunity: <ul style="list-style-type: none"> ○ Modification of System rules under its powers ○ Proposal at the Central Competent Administrative level of initiatives deemed important for the System efficiency and effectiveness
<p>The General Director of a Regional EPA or ISPRA hosting a PR</p>	<ul style="list-style-type: none"> • To ask the SNPA Board for support in PR Follow-up, when deemed useful • to put in place the <i>Opportunities for Development</i> highlighted in the PR deemed important and affordable if these actions under his power • to propose to the Competent Authorities to which the Structure belongs the implementation of the actions, at organizational or operational level that are deemed important and are under the power of these Authorities • to propose to the Competent Authorities the modification of administrative rules that the PR pointed out as «improvable»

As it can be seen, the general structure of Italian NPRI foreseen in the draft decree is largely inspired by the contents of the IMPEL NPRI Methodology.



3.1.3. The Implementation of the scheme: topics and scoping

At the same time of the development of the contents of the above described draft Decree, the SNPA decided to implement a new NPRI program, with the aim to review and improve the REPA's activities regarding End of Wastes (Directives 2008/98/CE and (UE) 2018/851)¹².

SNPA structures are involved both in preliminary contribution during the permitting phase and in the subsequent inspection phase, with some differences in the tasks attributed to the REPA by the Competent Administration in different Regions/Provinces. For this reason, the topic of End of Waste is deemed as particularly suitable for a peer review initiative within the SNPA.

The NPRI project under development aims to address the End of Waste topic with particular attention to the enhancement of biomass and soil material, in order to effectively pursue the recovery principles in the perspective of the European Green New Deal and in accordance with the European Legislation.

The organization and execution of this Peer Review Cycle will be performed implementing the principles of the relevant draft Decree and will represent, at the same time, a test for the new methodological scheme.

3.2. The Netherlands – Regional Environment Protection Agencies (REPAs)

3.2.1. The NPRI roots in the Netherlands

Six REPAs started in 2016 a pilot to test each other on the implementation of the quality criteria by carrying out a 'collegiate Peer Review.' This collegiate Peer Review was conceived as an instrument in which colleagues test each other, exchange knowledge and learn from each other. The collegiate assessment was imagined as a possible supplement to the internal quality system, not as an audit nor a visit from an inspection or a certification body.

The 2016's pilot PR, later extended as normal methodology to the 29 Netherlands REPAs, was based on the establishment of two teams of three REPAs, Two REPA's visited the other Environment Service and conducted interviews. The REPA's worked with two themes, a fixed theme and a theme to be chosen. In consultation with the REPA's involved, the fixed theme was guaranteeing critical mass within the organization. The second theme was a free to be chosen theme. This can be a deepening of the first theme, or other topics that a REPA needs or would like to share or to be assessed. The PR, normally lasting one day, was rounded off with a presentation of the findings and experiences and a reflection of the REPA that was assessed. A report was drawn up and sent to the service.

¹² SNPA Council Decision, 12 July 2021 (ann. 8)



3.2.2. The Collegiate Peer Review: recent activities and evolution

In 2021 the Dutch association of Regional Environmental Protection Agencies (REPA) carried out some 21 reviews. Amongst them there were 9 in depth reviews and 12 basic reviews. Every review was carried out in a cluster of 3 agencies, as provided by the general scheme set up in 2016. In 3 visitation rounds, every agency was one time the host and two times the guest, the process was carried out. Using a prepared list of topics and questions that could also be used to report the work was done in a structured way. Every cluster of 3 visits end with a plenary meeting with the attendants and the board of all three agencies were conclusions, best practices and opportunities for development were shared and discussed. After this last meeting the individual agencies worked on implementing the results in their processes and day to day business.

The process is now coming to a close. In March 2022 the final report will be presented to the ministry of Environment. At the same time, the REPA's will start with the development of an even more ambitious scheme of review and auditing which will be developed over 2022 and should be operational in 2023. This new scheme will take into account the outcomes of the IMPEL NPRI Project.

The five years' experience in performing National Peer Reviews is deemed essential for the both, the improvement and promotion of REPAs' work and to show their operational excellence.



4. The dissemination of the results of the project Organization already implementing a NPRI scheme

4.1. NPRI Seminar held on 20 December 2021

One of the deliverables foreseen by the ToR was a Seminar, to be held, *in person*, back to back with other relevant project activities. Instead, because of the ongoing pandemic situation, a online seminar was held on Monday 20th December 2021, as III phase of the NPRI project.

The seminar has been attended by 23 participants from 11 Countries.

The Seminar was aimed at discussing “showcases” describing what Countries that newly decided to implement their own National PR scheme and Countries already using PRs are doing, and how NPRI project was useful for them.

Annex 9 contains :

- Meeting Agenda
- Presentations on Dutch, Italian, Portugal and Romanian experiences
- Press release on the Seminar outcomes

4.2. Other dissemination initiatives in IMPEL

Tacking into consideration the cross-cutting nature of the project, NPRI concepts were also shared in IMPEL community also with presentations that took place during Expert Team Meetings and the IMPEL General Assembly:

- Industry and Air ET – 04 April 2021
- X-Cutting ET – 28 April 2021
- Water and Land ET – 07 October 2021
- IMPEL General Assembly Lisbon – 29/30 June 2021
- IMPEL General Assembly Ljubljana – 7/8 December 2021

The presentations delivered can be find in the relevant Basecamp pages.



5. Annexes

List of annexes:

<u>Annex 1: NPRI Phase III ToR</u>	Error! Bookmark not defined.
<u>Annex 2: Discussion document on the implementation of a NPRI in Romania 26 July 2021</u>	Error! Bookmark not defined.
<u>Annex 3: Draft Agenda Conference call Romanian National Environmental Guard (RNEG) and NPRI Project Management Team 12 September 2021</u>	Error! Bookmark not defined.
<u>Annex 4: Minutes Conference Call NPRI Project Management Team – RNEG 04 October 2021</u>	Error! Bookmark not defined.
<u>Annex 5: Draft proposal conference call and workshop NPRI Romania 26 August 2021</u>	Error! Bookmark not defined.
<u>Annex 6: Minutes Conference Call NPRI Project Management Team – RNEG 11 November 2021</u>	Error! Bookmark not defined.
<u>Annex 7: Minutes Conference Call NPRI Project Management Team – APA Portugal 12 November 2021</u>	Error! Bookmark not defined.
<u>Annex 8: Decision of SNPA (IT) Council on performing a PR on End of Waste Activities</u>	Error! Bookmark not defined.
<u>Annex 9: Documents of NPRI Phase III closing seminar held on 20 December 2021</u>	Error! Bookmark not defined.
<u>9.1. Agenda</u>	Error! Bookmark not defined.
<u>9.2. Introduction</u>	Error! Bookmark not defined.
<u>9.3. The Netherlands Report</u>	Error! Bookmark not defined.
<u>9.4. Italy Report</u>	Error! Bookmark not defined.
<u>9.5. Romania Report</u>	Error! Bookmark not defined.
<u>9.6. Portugal Report</u>	Error! Bookmark not defined.



Annex 1: NPRI Phase III ToR

ToR Reference No.: 2021/08 WP1	Author(s): Giuseppe Sgorbati / Pieter-Jan van Zanten / Fabio Carella
Version: as for IMPEL WP 11/03/2021	Date: 25/10/2020
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry and air	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input checked="" type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting tools and approaches	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input checked="" type="checkbox"/>
Peer reviews (e.g. IRI)	<input checked="" type="checkbox"/>
Conference	<input checked="" type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other, (please describe): Click or tap here to enter text.	
1.3 Full name of work (enough to fully describe what the work area is)	
Improvement of the scheme(s) for National Peer Review Initiatives (NPRI) and the support to Countries willing to implement the Technique – Third Phase.	



1.4 Abbreviated name of work or project

National Peer Review Initiative (NPRI), Phase 3

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

Please fill in the following format:

- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU actions to improve environmental compliance and governance (18.1.2018 COM(2018) 10 final) - Action 1 "Improve deployment of environmental compliance assurance expertise across the EU by means of peer reviews, joint enforcement actions, compliance assurance visits and use of the TAIXE-EIR Peer2Peer tool".

2.2 Link to IMPEL MASP priority work areas

- | | |
|---|-------------------------------------|
| 1. Assist members to implement new legislation. | <input checked="" type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives. | <input type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission. | <input checked="" type="checkbox"/> |
| 4. Other, (please specify): | <input type="checkbox"/> |

[Click or tap here to enter text.](#)

2.3 Why is this work needed? (background, motivations, aims, etc.)

NPRI project is born with the aim to extend the beneficiaries of peer reviews, already implemented by IMPEL through IRI, inside Countries and Networks of Organizations, enabling them in carrying out peer reviews autonomously on matters deemed important at National or Network level.

The assumption made was that the implementation of EU environmental acquis in each one of the Countries may be improved through a continuous dialog and confrontation among the members of the network that, in support to local authorities (provinces, regions and municipalities) or decentralized offices of a national authority, share the responsibility of environmental protection in the portion of territory assigned to them.

A National network could encounter many challenges in term of homogeneity, such as different behaviours, interpretations, time of responses, technical approaches in the implementation of the European and National Environmental Laws. This situation constitutes potentially a problem at National level, because it generates differences in citizens' services



in the environmental field, but may constitute a strong drag as well in the implementation of the EU environmental laws, at least at the level of homogeneity and harmonisation.

NPRI has been conceived as a multiannual project, with the ambition to promote, with a step by step approach, peer reviews as a structural instrument for continuous improvement in Environmental Networks, and foster Networks that decide to implement this instrument, to achieve this result

In particular, NPRI phase one:

- a. Set the basis for the development of a National Peer review initiative through study and evaluations on IMPEL member's needs (a survey);
- b. Studied extensively the experiences already in place at national, international and worldwide operating Organizations
- c. Developed and drafted a Methodology, as a first guideline addressed to Countries or Network of Organizations.

The first phase of the project was followed by a Project Team that, initially, was composed by Officers from 6 countries, expanded to 8 during the Project execution. The Project Team of the second phase of the project further expanded to 12 Countries. A Seminar held at the beginning of the second phase of the project shared results obtained in the first phase and has been attended by 38 Officers from 16 Countries.

In the 2nd phase of the project, the NPRI Project Team planned to deliver support to Organizations in the development of customized NPRI schemes based on specific country needs.

The NPRI Project Team provides expertise and advice to help the start-up of the initiative. The objective of the NPRI second phase is to support the organization by advices on the "infrastructure" that is needed to perform NPRI, to help the development of scoping and assessment framework, to assist countries in drafting specific, customized manuals, and to advise on the basis of the needs expressed by Networks / Countries. Also, taking advantage of experiences developed in the meantime, the project team will further improve the methodology.

The growing interest around the project is a good premise for the planning of further phases of the project.

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

The aim of this project is to develop a systematic approach for a NPRI, based on flexibility and specific country needs.

The desired outcome is the increase of the capability, at State level, to understand the degree of homogeneity and harmonisation of the performance of the bodies competent in



environmental matters: inspection, permitting, planning, to share good practices and to foster all the processes in order to contribute to a better and homogeneous and harmonised implementation of environmental legislation.

The project is aimed to set the basis for a better understanding of the common needs within a network (e.g.: training, common rules and documents, type of instruments and technical support) and to determine mutual help that could be delivered within or by the National Network to achieve these results.

The project also aims, through the application of the NPRI methodology, to enhance performance on implementation of environmental legislation and its provisions and environmental protection.

The Project represent clearly the willingness of IMPEL to support its Members in all the phases that has an impact of the implementation of the EU environmental acquis. The proposed approach is based on synergy and on the best use of the available resources through an affordable optimization process, deeply based on what is actually at hand reach inside the Organizations themselves.

2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)

See the above paragraph 2.3 that links the phase three of the NPRI project to the previous phase one and two.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

The NPRI Project, third phase, will be developed along the following axis:

- 1) To Follow-up with Countries and Networks that already decided to implement NPRI in phase two of the project. Beside the type of the help already delivered in phase two, assistance will be provided in the execution of peer reviews;
- 2) Support to other Countries and Networks that plan to implement NPRI, as already done in phase two of the project;
- 3) Training of Project Team members, by setting a team of experts in NPRI with the scope to apply assistance to other countries that want to implement the NPRI scheme or to expand it to other areas.
- 4) Training of Officers in Countries that implement NPRI to continuously improve their skillset in the management of the technique;
- 5) The project will provide input to a further improvement of the NPRI methodology and related reference text and modules.



The present pandemic situation makes the possibility to travel and, by consequence, to have in person meetings unpredictable. However, due to the type of activity to develop, in person meetings are the best choice.

Anyway, a meeting during 2021 is tentatively scheduled, such as back to back with the general Assembly if the situation will allow again travels and meetings.

In person meeting will be, by consequence, substituted by teleconferences. Also training (see above points 3 and 4) will be made through teleconferences).

These uncertainties lead to an explicit proposal and suggestion to keep the budget flexible. As soon as the outlined situation improves, the budget should be able to be adapted to the desired form of the project. This will benefit the effectiveness and quality of the project.

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

The outcomes of the project activities are already described in point 2.4 in the basis of the needs described in point 2.3. Also the development of a IMPEL Team of Experts able to foster NPRI development in other IMPEL member Organisations and Countries and the development on national Team of Peer Reviews Experts are important outcomes of the project .

The project will deliver also, as outputs, the following products:

1. An updated version of the NPRI Methodology document based on the new/different experiences gathered in phase 2 and 3 of the project;
2. Training materials, to support activities regarding above point 3.1 item 3) and item 4);
3. Documents and reports describing the activities carried out in Countries/Network in NPRI (what has been done and the *lessons learnt*).

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

a) Normal situation activity plan

The following proposal is put forward on the basis of the logical path of the project already conceived.

The NPRI Project, III phase, should be developed along the following axis:

1. Providing support to (other) Countries and Networks that plan to implement NPRI, as already done in phase two of the project



The plan foresees that two Countries will plan to implement NPRI and that IMPEL will support them in this activity.

Types of support through:

- a. Preliminary Teleconferences
- b. Country visit(s) to discuss the program
- c. Follow-up teleconferences

2. To follow-up with Countries and Networks that already decided to implement NPRI in phase two of the project. Beside the type of the help already delivered in phase two, assistance will be provided in the execution of peer reviews

Types of support through:

- a. Preliminary Teleconferences
- b. Country visit(s) to take part in (at least) a section of the NPRI
- c. Follow-up teleconferences

3. To provide training of Project Team members in the implementation of NPRI, by setting up a team of experts in NPRI with the scope to apply assistance to other countries that want to implement the NPRI scheme or to expand it to other areas.

Training approach:

- a. Use of manuals
- b. Teleconferences and or E-Learning

4. Training of Officers in Countries that implement NPRI to continuously improve their skillset in the management of the technique

Training approach through:

- a. Use of manuals
- b. Teleconferences and or E-Learning

5. Further improvement of the NPRI methodology and related reference text and modules.
6. Furthermore, the use and benefits of the NPRI scheme will be promoted through the following ways, as well as through participation in the High Level ECA Forum of the European Commission.

Ways:

- a. Project meeting(s)
- b. Teleconferences
- c. Final seminar

The above activities should be carried out through:

- 1 or more Project team meeting(s)
- 4 or more Country visits
- 2 or more training session BtB with Country Visits
- 1 seminar

b) Contingent situation activity plan

Considering the given limitations and restrictions, in consideration of:

- COVID-19 pandemic tackling initiatives
- financial limits announced by the Board,



the Project Team proposal is accordingly reshaped from the point of view of number and type of the initiatives to be held, in instruments and financial provisions for its execution, with the awareness of the lower quality and effectiveness conferred by the implementation of the project under the above mentioned premises.

The below proposal, by consequence, is to be intended as largely flexible and adaptable to the actual situations that will take place, the availability of resources and evolution of the limitations. It will be privileged, if possible, the use of in person meetings, subdividing the related resource total amount, as described in the following paragraphs, in a variable number of events, without prejudice to the assigned budget.

A scheme that depicts a possible framework for the reduced execution of the project, that will take place if no variations of limitation will happen, is described here below:

April 2021: Kick-off meeting (Tele- video conferencing)

- **April 2020 - December 2020:** Contacts and talks with Countries/Organizations developing their own NPRI scheme and contacts and talks with countries interested in developing a NPRI Scheme (Teleconferencing)
- **June 2021:** Project team meeting to define follow-up of the activities and to sketch the contents of the related ToR for the following years to be presents (in person meeting)
- **September 2021:** definition of the programs for training (above par. 3.1, points 3 and 4)
- **October – November 2021:** training sessions or Seminar, as programmed (see above line).
- **October 2021:** project team meeting to discuss state of advancement and perspectives, to discuss state of advancement and perspectives for new editions of the project.
- **December 2021:** Project team meeting to be held back to back with the IMPEL General Assembly, to *minimize risks and cost, optimizing all arrangements and exploiting opportunities given by the presence of the main actors involved due to GA attendance*

*In case of doubts or questions please contact the
[IMPEL Secretariat.](#)*

*Draft and final versions need to be sent to the
[IMPEL Secretariat in Word format, not in PDF.](#)*

Thank you.



Annex 2: Discussion document on the implementation of a NPRI in Romania 26 July 2021

Introduction

The NPRI team received from the Romanian National Environmental Guard (RNEG) a 'letter of Expression of Interest' for carrying out a national NPRI. The RNEG requests the IMPEL NPRI Project Team to provide expertise, technical and legal support in implementing the NPRI.

Subject

The RNEG strives to perform implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way. Currently the RNEG is facing challenges in this regard and specifically with a coordinated and harmonized execution of these inspections. It is envisaged that RNEG's stakeholders, such as customs, police, public prosecutors and judges who have roles and responsibilities in this matter encounter similar challenges. A framework including guidance in performing inspections on this topic is currently lacking. The RNEG mentions that performing adequate inspections on import and export of waste is not only a challenge for Romanian organizations, but authorities throughout Europe encounter similar problems. In principle these concern all activities and actions that are required to manage the traceability of waste, from its generation to its final disposal, but also the execution of inspections.

Aim of the Romanian NPRI

The RNEG of Romania aims through performing a NPRI:

- To gain insight into how responsible authorities, and in particular the (regional organizations of the) RNEG, carry out border controls with regard to the import and export of waste.
- Whether there are opportunities for the organizations involved, based on the insights gained, to carry out inspections and related activities in a more harmonized manner.
- To develop, adjust and or revise frameworks and guidelines as a result of peer review activities that allows the RNEG to implement effective measures in the control and discouragement of international traffic of waste, managed either by businesses or criminal organizations.
- To provide guidance in performing inspections regarding waste transfer at the border crossing points, respectively when performing inspections regarding waste traceability.
- To achieve an effective and harmonized performance of inspections at national level by the RNEG in coordination and cooperation with relevant partners by using an agreed framework and guideline for cross-border waste control consisting of a set of uniform and standard operating procedures.

Formal and legal framework



It is important to have a concrete picture of the legislation and regulations, guidelines, operating procedures, inspection regimes and good practices that apply to the import and export of waste and the obligations that supervisory authorities have in this context. This also applies to the tasks and responsibilities that other stakeholders have in this context. This complete picture forms an important basis for drawing up an assessment framework for the NPRI. In principle, these are the following:

- The inspections in the field of import and export of waste are carried out within the framework of ‘*the REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 June 2006 on shipments of waste.*’
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes.
- National laws and regulations on waste.
- Formalized (inspection) procedures and guidelines
- Formal agreements between relevant stakeholders in the Romanian compliance and enforcement chain.

Approach

In order shaping and scoping the NPRI, it is important to gain a more thorough insight into key subjects. For example: the placing of the responsibilities for supervision and compliance monitoring, the organizations in Romania that are involved in inspections, their procedures and if and how they cooperate. Also, which problems, challenges and wishes are currently encountered by the RNEG and others.

More in general the following subjects (not limited) and related questions can be identified:

1. Responsibilities and governance
 - Who is the ultimate coordinating and responsible ministry and who are the involved (and responsible) organizations?
 - Which organizations are now involved in supervising compliance with regulations regarding the import and export of waste?
 - Are there regional offices of and how are they connected with and governed by the national body?
2. Framework
 - What is the complete package of (international) laws and regulations that is subject of compliance monitoring (related to the subject of the NPRI)?
 - Which are the current guidelines, standing operating procedures and inspection regimes?
3. Cooperation with stakeholders within Romania
 - Which other (responsible) organizations than the RNEG are involved in inspections (customs, police, others)?
 - Is there cooperation between these organizations, and if yes, is this formalized through formal and recorded agreements?
 - Is there cooperation with the judiciary (public prosecutors, judges)?
 - Is there a clear (and coordinated) sanctions policy?



- Do the supervising authorities have resources (financial, experts, equipment, sampling facilities, trainings etc.) to carry out the work adequately
 - Is there education and training in the field of inspections and in particular waste?
 - Are data concerning inspections (including compliances and non-compliances) collected and analyzed?
4. Procedures and implementation
- Do inspection protocols exist and if so, by whom are they used?
 - Is there a harmonized approach based on agreed protocols?
5. Cross border cooperation
- Is there cooperation with relevant stakeholders across the border on import and export of waste?
 - If yes, is there any formal agreement with these stakeholders?
6. Problems and challenges
- What problems and challenges are experienced with (border) controls about the import and export of waste?
 - What solutions are seen to improve the situation and on how to overcome identified obstacles?
 - How can these solutions be realized?

Elements of a plan on setting up and executing a NPRI

The following approach and steps to be taken could be considered?

Initiation

- Setting up a (multidisciplinary) RNEG NPRI project team.
- Elaboration of a project assignment, approved by the responsible manager(s).
- Defining the project assignment, scope, goals, desired outcome and methodology (such as questionnaire, round table discussions etc.) to be used.
-

Preparation

- Carrying out a stakeholder analysis with involvement of all relevant stakeholders.
- Expanding (if needed) the project team with essential partners and stakeholders.
- Communicating the project with all key stakeholders and asking for their cooperation and agreement.
- Developing an Assessment Framework.

Execution

- Initial problem analysis and risk assessment by all organizations involved.
- Making the problem concrete by means of a survey, workshops, strength-weakness analysis.
- Analyzing existing national and international protocols and procedures and good practices.
- Revision of existing protocols and procedures and/or developing new ones.
- Testing the new or modified standards or operating procedures in practice.
- Educating and training all stakeholders in the use of new or revised guidelines, standards or procedures.



Proposal

- To discuss this outline for a NPRI in Romania by the IMPEL NPRI Project Team.
- To use this outline (after revision and adjustments) as a basis for a meeting with representatives of the RNEG and further planning and execution of the NPRI.



Annex 3: Draft Agenda Conference call Romanian National Environmental Guard (RNEG) and NPRI Project Management Team 12 September 2021

Participants:

RNEG:

Octavian Popescu
Monica Crisan

NPRI Project Management Team

Giuseppe Sgorbati
Fabio Carella
Pieter Jan van Zanten
Raffaella Melzani

(draft) AGENDA

1. Introduction participants
2. Exploring the theme '*performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way*' as subject of a NPRI as proposed by RNEG;
 - Introduction by RNEG
 - Discussion by all participants aiming at joint understanding
3. Scoping of the Romanian NPRI;
 - Discussing the focus area(s) of the NPRI
4. Multi-stakeholder analysis
 - Discussion about stakeholders who play or could/should play a role in the Romanian NPRI, their connection with and relevance to the subject of the NPRI;
5. Multi-stakeholder workshop
 - To discuss an outline of a (multi-stakeholder) workshop aiming at setting the scene for the NPRI
 - Timing of the workshop
 - Organizational arrangements
6. Next steps.



Annex 4: Minutes Conference Call NPRI Project Management Team – RNEG 04 October 2021

Minutes conference call Romanian National Environmental Guard (RNEG) and the NPRI Project Management Team on 4 October 2021

Participants:

RNEG

Octavian Popescu
Monica Crisan

NPRI Project Management Team

Giuseppe Sgorbati
Pieter Jan van Zanten
Fabio Carella
Raffaella Melzani

The participants discussed the proposal of the RENG to implement a NPRI on the topic of *‘performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way’*.

After a fruitful discussion about the context and scope of the NPRI, the participants discussed the following:

- Commissars of the RENG are challenged to carry out inspections in a harmonized way. In particular the identification of ‘waste and non-waste’ is challenging.
- One of the outputs of the NPRI will be guidance that helps the responsible authorities to conduct in a harmonized way the inspections, relation actions and follow-up where needed.
- A guideline is an important deliverable; however, it was agreed that the process on understanding the challenge of all involved and their contributions to solutions is of utmost importance to achieve a robust and sustainable situation regarding border controls.
- A stakeholder analysis is essential for identifying the organisations who are playing an important role in the compliance and enforcement chain related to the selected topic of the NPRI. Answering the questions as included in the discussion document will provide an important basis for such an analysis.
- A ‘multi-stakeholder workshop’ is seen as very important. The participants agreed that such a workshop should be held ‘in person’ to ensure a good interaction between the stakeholders, to achieve understanding of the interrelations and dependencies between all involved and to promote cooperation amongst them. As soon as travelling is allowed again, such an in-person workshop should be organized - preferably in January 2022. A proposal for organizing a multi-stakeholder workshop has been shared with all participants in advance of the call.



- To write an initial document that reflects the aim, context and scope of the NPRI. The purpose of the document is to inform other stakeholders about the NPRI, to briefly explain the importance of their involvement and to invite them to be part of a project team.



Annex 5: Draft proposal conference call and workshop NPRI Romania 26 August 2021

Draft proposal

This document contains proposals for possible topics to be discussed during a conference call with the Romanian colleagues, as well as an outline of a workshop to be organized with the participation of relevant stakeholders involved in the subject of the NPRI. The purpose of this memorandum is to start a discussion and to further specify the structure and implementation of the NPRI in Romania.

Content conference call project managers with Octavian and Monica

- Further exploration of the theme *'performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way'* as subject of a NPRI as proposed by RNEG, aiming at gaining a better understanding of the topic;
- To discuss the outcome of the exploration as an impetus for scoping the subject;
- Discussion about the stakeholders who play or could/should play a role in the relevant theme and the NPRI;
- Discussion about the main points of a workshop to be organized aiming at setting the scene for the NPRI and consequently a workplan for conducting the NPRI.

The conference call with Octavian and Monica will result in notes and minutes and will partly form the basis for and contribute to the further design and implementation of the NPRI.

Workshop

Proposal to organise a multidisciplinary workshop on the theme *'performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way'*. It is proposed to involve stakeholders in this workshop who play or could play an important role in the described subject to fulfill an efficient and effective implementation of the legislation and regulations involved in the theme.

The aim of the workshop is to:

- To explore the theme of the NPRI in more detail
- To contribute to a good understanding of the subject and its relevance by all stakeholders involved
- To introduce the stakeholders involved in the theme (who does what, responsibilities, which goals are pursued, working methods, etc.)
- Getting to know each other better
- Explain the basic principles and purpose of a NPRI
- Scoping of the subject within the framework of a NPRI



- Discuss a formation of a multidisciplinary project team
- Explore an Assessment Framework to be drawn up for the NPRI related to the specific theme
- Discuss a draft work program
- Discuss and reaching agreement on the implementation of the NPRI (scope, participants, project organisation, Assessment Framework, duration etc.).
- Drawing up a roadmap for the implementation

Working method workshop

- Introduction by host and explanation of the reason of the workshop
- Explanation of the theme/subject and its importance
- Presentation on the interdependence of stakeholders involved in an efficient and effective implementation of relevant laws and regulations related to the theme concerned, as well as a discussion on the mutual dependance, the importance of cooperation and a joint approach where possible
- Presentations
- Discussion and brainstorming
- Breakout sessions where necessary



Annex 6: Minutes Conference Call NPRI Project Management Team – RNEG 11 November 2021

Participants:

- Monica Crisan – RNEG
- Giuseppe Sgorbati – NPRI project leader
- Chris Dijkens - Consultant

Objective call

The conference call was organized to discuss the progress on the implementation of a NPRI in Romania by the Romanian National Environmental Guard (RNEG).

Monica reported that:

- After the conference call that was held on 5 October 2021 between Monica Crisan, Octavian Popescu, Giuseppe Sgorbati, Fabio Carella, Pieter-Jan van Zanten en Chris Dijkens, she had further internal consultation with Octavian on next steps. She mentioned that meetings took place between Octavian and the National Public Prosecutor, as well as with the Head of the National Police, which organization also has responsibilities in cross-border activities, such as criminal investigations regarding illegal transport and border crossings with waste. The outcome of these contacts has been very fruitful. Both authorities expressed their willingness to participate in the NPRI, understanding and valuing their role as stakeholder in the compliance and enforcement chain. They agreed to promote the participation of their operational organisations in the NPRI.
- She is working on answering the 6 questions that are included in the discussion document on how to set up a NPRI in Romania. Answers on these questions and consolidating the information will lead to the basis of the NPRI which will focus on the theme *'performing implementation of border controls at border crossing points related to the import and export of waste in a more coordinated and harmonized way'*. She aimed to have that information available within a few weeks.
- She will reach out to the internal regional departments of the RNEG to explain the NPRI and to involve them.
- She will reach out to the (national) customs organization to discuss with them their potential involvement in the NPRI. During the call it was concluded that the customs organization, however focused on economical subjects, can have an important role in alerting suspicious transports and in that sense could cooperate with other stakeholders, in particular the Police.
- Effort will be put in establishing a 'strategic secretariat' which will serve as a core group to lead the NPRI. It was asked which are the roles and responsibilities of the participating organisations and their representatives in that group. This should be clear upfront because such clarity would be requested by the participating organisations. After a brief discussion during the call, reference was made to the information on this topic in the Manual/methodology NPRI and the content of a TOR in which roles and responsibilities



are described. Giuseppe and Chris offered to assist in drafting the roles and responsibilities and adjust them to the specific organizations..

- There will be more internal brainstorming about a multi-stakeholder workshop, to be organized in preferably January. Chris offered to assist in designing a programme for the workshop. It was further discussed that it is preferable to have it as an 'in-person' workshop. This is still the aim. In case Covid-19 will give limitations to travel to Romania, then a combination of 'in-person' and online could be considered.
-

It can be concluded that great work has been done so far on the implementation of a NPRI in Romania.



Annex 7: Minutes Conference Call NPRI Project Management Team – APA Portugal 12 November 2021

Participants:

- Anabela Rebelo - Apambiente Portugal
- Giuseppe Sgorbati - NPRI project manager
- Fabio Carella - NPRI project manager
- Raffaella Melzani
- Chris Dijkens – Consultant

Objective of the call

The conference call was organized to discuss progress and developments on the implementation of a NPRI in Portugal about a National Peer Review Initiative for the Portuguese Environment Agency to be applied in the water resources uses permitting process, namely wastewaters discharges and water abstraction.

Content of the call

Anabela mentioned that due to various reasons, the initiative on conducting a NPRI in Portugal could not have much progress till now. On the one hand, at this time of the year the agencies are busy with carrying out many priorities and there is not really time available for additional activities. On the other hand there is also a matter of a lack of awareness of the importance and urgency of the reason of the subject and how a NPRI could help. Anabela however mentioned that she will proceed with the promotion of the NPRI in 2022 and will put effort in a successful implementation of a NPRI.

During the meeting it was discussed what could be done to support creating awareness on the subject of the NPRI. The involvement of senior management and decision-makers is essential for a successful implementation. If there is no back-up from the management, then next steps will be very difficult. It was identified that awareness raising at this level is of utmost importance. Some potential routes to achieve this, as well as connected next steps, were explored through discussion. The following steps could be considered in this regard:

- To draft a document for the top management and other key stakeholders, in which the problems and challenges regarding the subject of the NPRI are discussed. In particular if current risks and future risks as consequence of non- or poor harmonization of the permitting process will not be reviewed and evaluated. Risks are evident, such as:



- Ecological risks (in case permits, including requirements and conditions, do not fully comply with the Portuguese environmental policies and legislation). This can lead to ecological damage on the shorter and longer term.
- Poor level playing field and economic risks. If operators are treated differently by authorities, it can affect their position in their economic and competitive environment. Regional differences in content and quality of permits can lead to unfair competition. If one operator needs to invest in high end equipment and others are treated at a lower level, than this can have an economic impact on the operators. It also will negatively influence and demotivate the willingness of operators to take own initiatives for improvement of their internal measures.
- Complicating the work of the compliance monitoring organisations. If permitting (by the various authorities) does not follow same procedures, not having comparable conditions and conditions, this will have a negative impact on the inspectorate. It will impact their way of working and it will complicate a fair treatment of the operators. It will require extra energy and time of the inspectorate to manage these differences, which does not support the effectiveness and efficiency of their work.
- To organize an informal meeting with the management to discuss the issue (based on the discussion document as described). It could be considered to involve in an informal meeting as well key stakeholders, such as the Inspectorate, the public prosecutor and probably others. In such a meeting it is crucial to obtain understanding of the problems and challenges, as well as to discuss a road map on how to overcome these and to find solutions. In fact, this is a moment of awareness raising and gaining understanding of the sense of urgency. In organizing such an informal meeting, the Inspectorate could be a valuable coalition partner.
- If the challenge to improve the permitting system is recognized and if there is willingness to use the opportunity of a NPRI to review the current situation and to find ways for further improvement, it could be considered to organize a conference or seminar with the involvement of all players, the regional authorities included. Also, a training module on permitting processes could be considered (perhaps as an outcome of the conference).
- The establishment of a core group could be very helpful in this regard. Participants could be representatives of the key organizations (such as the organizations that took part in the informal meeting).

The NPRI project management team offered all help to support Anabela and her organization to bring a NPRI in Portugal to a next level.



Annex 8: Decision of SNPA (IT) Council on performing a PR on End of Waste Activities



Project proposal to be developed in the context of the Italian National System for Environmental Protection (SNPA)

“Peer Review on End of Waste biomass and composite soil material”

Permitting and inspection of urban and special waste recovery plants for EoW biomass production (under Legislative Decree 152/2006, articles 29 sexies, 208 and 216)

1. Introduction and framework of the project

The Italian Law 132/2016 established the National System for Environmental Protection (SNPA), composed of 21 Regional/Provincial Agencies for environmental protection and ISPRA - the national Institute for Environmental Protection and Research.

This Law defines the functions attributed to the System and, among these, expressly identifies the role of the SNPA as technical and scientific support to the Competent Authorities in permitting procedures, in addition to the inspection tasks.

The same Act introduces the concept of LEPTAs, defined as the "essential levels of environmental technical performance" which represent the minimum homogeneous level that the System must guarantee everywhere. The LEPTAs must be established by Prime Ministerial Decree and will be periodically updated in order to constantly raise them towards the highest international standards.

This Decree (whose adoption process is currently underway) also provides that: "In order to promote the homogeneity of behaviour in the System and to contribute to the gradual achievement of the quality objectives dictated by the Law 132/2016, the Board of the SNPA systematically implements **peer reviews informed by methods approved and adopted at national and/or international level**. These activities, carried out by the System, are intended to improve the levels of efficiency at the national level through the identification of development opportunities for its individual parts or for the System as a whole, the exchange of best practices, the integration of knowledge, the identification of common paths, using the best experiences and skills disseminated in the Agencies and in ISPRA".

A specific Annex to the Decree contains the principles for carrying out the activities of peer-to-peer comparisons and reviews in the SNPA.

2. Contents of the project

The issue of permitting and inspection practices related to End of Waste assumes great importance in terms of commitment of the SNPA both in preliminary contribution during the permitting phase and in the subsequent inspection phase, also considering the different operational declinations within the SNPA, due to the different involvement required by the Competent Authorities in different Regions/Provinces.

For this reason, the topic of End of Waste is particularly suitable for a peer review initiative within the SNPA.



The proposed project aims to address the End of Waste topic with particular attention to the enhancement of biomass and soil material, in order to effectively pursue the recovery principles in the perspective of the Green New Deal and in accordance with the European Legislation.

In this scope, the peer review can be a very useful tool for improving the performance of the SNPA, highlighting the strengths and weaknesses on a topic that is so important both for citizens and for the production system.

➤ References:

- Art. 3 c. 1 lett. e) Law 132/2016
- Annex 6 to the Prime Ministerial Decree on “LEPTA” (see introduction)
- **IMPEL Project “National Peer Review Initiative (NPRI)”**

➤ Objectives:

- Uniform behaviour both in the permitting support phase and in the inspection phase for biomass/soil material recovery/treatment plants.
- Development of synergies and subsidiarity between the Agencies on the issue.

➤ Products:

The Peer Review will produce a final document containing useful elements to:

- increase internal knowledge through the exchange of experiences and information;
- promote a uniform response of the System by reviewing and adapting its internal procedures (both for inspection and in the preliminary phase);
- provide the Competent Authorities with uniform contributions throughout the national territory;
- guarantee uniformity of inspection on the national territory;
- contribute to the improvement and updating of the SNPA tools;
- disseminate good practices among the Agencies.

3. Execution

The Peer Review will be carried out taking as reference **the approach and methodology developed within the IMPEL NPRI Project**, as described in the document “*National Peer review Initiative (NPRI) Methodology and Guidance*” and Annexes.

The NPRI scheme represents an optimal tool for the purposes of the SNPA described above: first of all because, unlike other schemes, it focuses on national and regional networks (and equivalent organisations).

Furthermore, the NPRI scheme can be carried out independently managed at country level by a dedicated team. Hence, the whole review process, its related activities and potential outcomes can be managed by the country (or country institution itself), in this case by the SNPA.

It is also a flexible concept that allows to adapt and adjust the scheme to fit SNPA typical circumstances and needs.



Annex 9: Documents of NPRI Phase III closing seminar held on 20 December 2021

9.1. Agenda



NPRI: the actual implementation

New experiences and way forward

Monday, 20th March
December 2021 h. 09.30 -
12.30 CET



- | | |
|---------------|--|
| 09:30 - 09:50 | Brief introduction and recall of NPRI by Project Coordinators |
| 09:50 - 10:50 | Advancement in Countries already implementing NPRI <ul style="list-style-type: none">– The Netherlands– Italy Discussion |
| 10:50 - 11:00 | Short break |
| 11:00 - 12:00 | Advancement in Countries newly implementing NPRI <ul style="list-style-type: none">– Portugal– Romania Discussion |
| 12:00 - 12:10 | Short presentation of 2022 - 2024 NPRI Project proposed program |
| 12:10 - 12:25 | Discussion |
| 12:25 - 12:30 | Closing of the seminar |

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9.2. Introduction



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National Peer Review Initiative (NPRI) Project Online Seminar
20th December 2021

Introduction to the Seminar

NPRI: the actual implementation

New experiences and way forward

Project Coordinators
Pieter-Jan van Zanten
Fabio Carella
Giuseppe Sgorbati



European Union Network for the
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Background NPRI Project



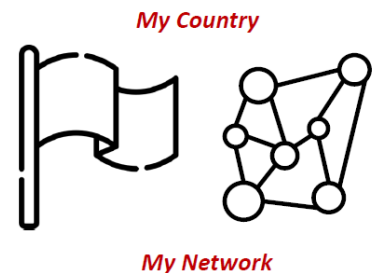
'Improve continuously – from good to better'

The needs at the base of National Peer Reviews concept

*"which are the common issues that my Colleagues in
my Country face everyday?"*

*"how do my Colleagues in my same Country tackle
my same issues?"*

*"Why we do not look for common solutions and we
do not help each other to tackle these common
issues?"*

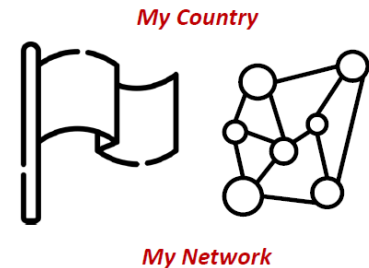


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Peer Reviews as tool to fix issues in networks:

- the homogeneity of the behaviour,
- interpretations, time of responses,
- technical approaches
- Et cetera....



Peer Review: a process that:

- is not an Audit and it is not aimed at checking if rules are fulfilled
- is mainly dialogical, and it is aimed at seeking and sharing among peers the way to improve their performances
- Can be used for a variety of themes and of scopes: is up to the National network to define the specific program deemed useful

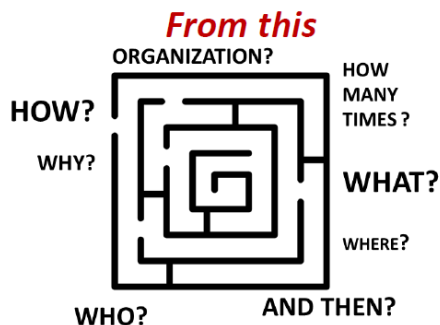
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Is Peer Review a complex tool?

It implies some attention on several topics, including the decisional processes regarding the argument and the scoping of the activity, the relationships between the participants, the definition of the opportunity of development and their implementation, the creation of a steady structure to manage an evolving PR's program.

Nothing unaffordable, but sometimes the path toward NPRI may seem to be not so straightforward



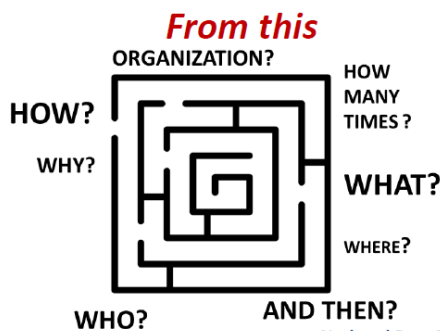
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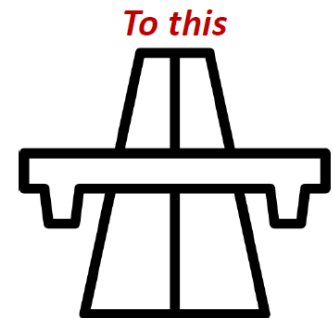
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It implies some attention on several topics, including the decisional processes regarding the argument and the scoping of the activity, the relationships between the participants, the definition of the opportunity of development and their implementation, the creation of a steady structure to manage an evolving PR's program.

Nothing unaffordable, but sometimes the path toward NPRI may seem to be not so straightforward



Scope of the NPRI Project is to straighten the road to achieve all the advantages of PR processes at National level, where IMPEL has the role of advisor that can supply backstopping in acquiring autonomy



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How to support Colleagues at developing the peer review scheme more apt to the specific network they belongs to?

The roadmap the NPRI project chose is based on:

- The study of relevant experiences in place
- The definition of a general scheme to be actualized on the basis of the User's need
- Advices on the governance structure
- Indications on the scoping and on the assessment framework development
- Advices on how to optimize the possibility of the implementation of the results (OfD) of the review
- Accompanying the Networks in the development and implementation of their own NPRI Scheme

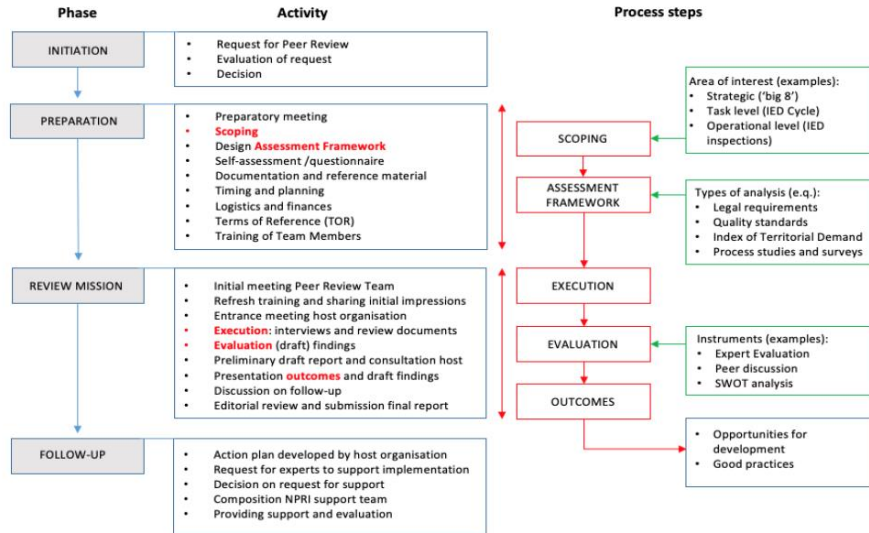
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First phase of the project (2019/21 May 2019 – June 2020) 1/2

The NPRI methodology:

Execution of Peer Reviews:
The Scheme and the topics explained



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Second phase of the project (June 2020 – December 2020)

Refining important topics already treated in the first phase

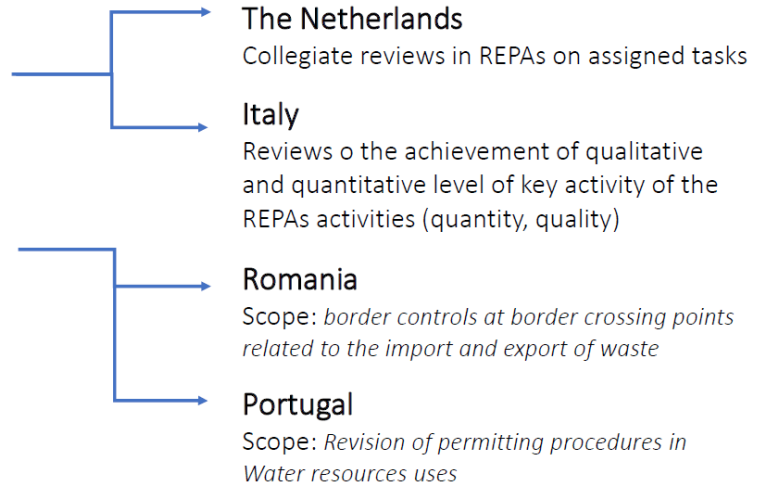
- Annex I Guidance on 'Implementation of a NPRI scheme through a National NPRI Network'
- Annex II Guidance on 'Request for a National Peer Review' (plus Appendix example Portugal))
- Annex III Guidance on Terms of Reference (ToR)
- Annex IV Guidance on 'Designing an assessment framework'
- Annex V Guidance on 'Writing a NPRI report'
- Annex VI Guidance on designing an 'End of Mission Agenda'
- Annex VII Outline NPRI Training

Stakeholders Analysis
Without a clear framework of where and how to deliver the Peer Review outcomes, its execution risks to be a pointless exercise



Today Seminar: activity of the III project phase(January - December 2021)

- Support in the improvement of their own NPRI scheme of Countries already implementing NPRI
- Support to Countries willing to implement NPRI scheme
- Improving NPRI manual and documents



Industry and Air Expert Team meeting 04 November 2021 - National Peer Review Initiative (NPRI) Project presentation



Environmental Compliance Assurance Initiative (ECA)

Environmental Compliance Assurance



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9.3. The Netherlands Report



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National Peer Review Initiative (NPRI) Project

Online Seminar

20 December 2021



European Union Network for the
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NPRI (2021)

- 20 of 29 of the Regional Environmental Protection Agencies (REPA's) participated
- Last year of two year cycle
- Focus on Plan/Programme of the REPA's
- Feedback sessions with the directors of the REPA's
- Finalizing a report of all the NPRI's held in the last two years



NPRI (ideas for 2022)

In line one with of the recommendations of a special commission which looked at the system and functioning of the Environmental Agencies in the Netherlands

- More formal (legally binding?), more transparent (all reports are public?), more professional (more skilled?) and obliged for all REPA's
- Municipalities and provinces (the shareholders) more committed in the approach
- Learn from other approaches in the Netherlands e.g. Institute for Safety
- We have to develop a new protocol for the our NPRI



9.4. Italy Report



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National Peer Review Initiative (NPRI) Project Online Seminar
20th December 2021

NPRI Developments in Italy

Implementation of concepts from IMPEL Project

Giuseppe, Fabio, Raffaella (IT)



European Union Network for the
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of Environmental Law

SNPA

21 Regional Agencies (REPAs)
+ National Institute for
Environment Protection
and Research (Tech. Coord.)



The definition of these *Levels* will be stated through a specific *Prime Minister Decree*. The levels are to be intended both quantitative and qualitative. Already released the first draft of this *Decree*

1. The Context



Stated on 2016, upon well recognized needs of homogenization of the behaviour of the 21 REPA's belonging to Italian Regions. The technical coordination of the system has been attributed to the National Institute ISPRA.

Main tasks of the Members of System

1. Technical support to the competent Authorities in:

- Permitting
- Inspections and controls

2. Independent activities such as:

- Quality of the environment monitoring (EU directives)
- Promotion of the Environmental Quality

The System covers quite all the environment protection areas

The key instrument to guarantee the delivery of the REPA's activities in all the Italian Regions, proportioned to the environmental risks in each one of them: *The Essential Levels of Environmental Performances (LEPTA)*



2. A value for money logic and... Peer Reviews!



The draft Decree (December 2020) contains also financial provisions: *the funding of each of the REPA's should be proportioned to the Essential Levels they have to deliver in their own Regions.*

Also the promotion of the correct implementation of the essential level and of **homogeneization** is foreseen:

"In order to promote *the homogeneity of behaviour* in the System and to contribute to the gradual achievement of the quality objectives dictated by the Law 132/2016, the Board of the SNPA systematically implements *peer reviews informed by methods approved and adopted at national and/or international level*. These activities, carried out by the System, are intended to *improve the levels of efficiency* at the national level through the *identification of opportunities for development* for its individual parts or for the System as a whole, the *exchange of best practices*, the *integration of knowledge*, the *identification of common paths*, using the *best experiences* and skills disseminated in the Agencies and in ISPRA".



At the base of the choice there are the first autonomously made positive experiences in PR carried out in 2017 upon SNPA Board decisions on manual and scoping



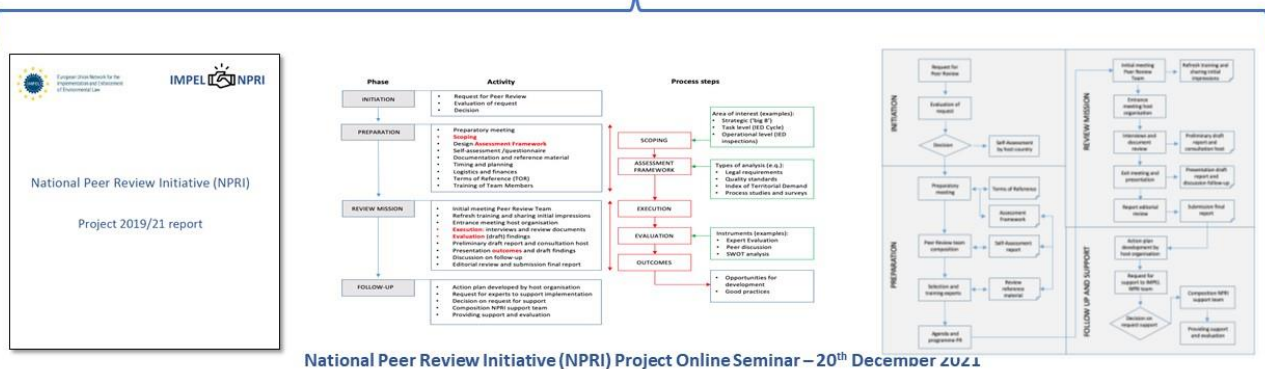
3. SNPA and NPRI - 1



The part regarding NPRI in Prime Minister Decree Draft (2020 - Attach no. 6) was proposed by the SNPA Board to the Environment Ministry, that approved it.

It consist in the guidelines for the development of a steady Italian National Peer Review program, to be held inside the REPA's community, in support to homogeneous Essential Level implementation all over the country.

That guidelines are largely inspired to the IMPEL NPRI Project (2019/21) outcomes.

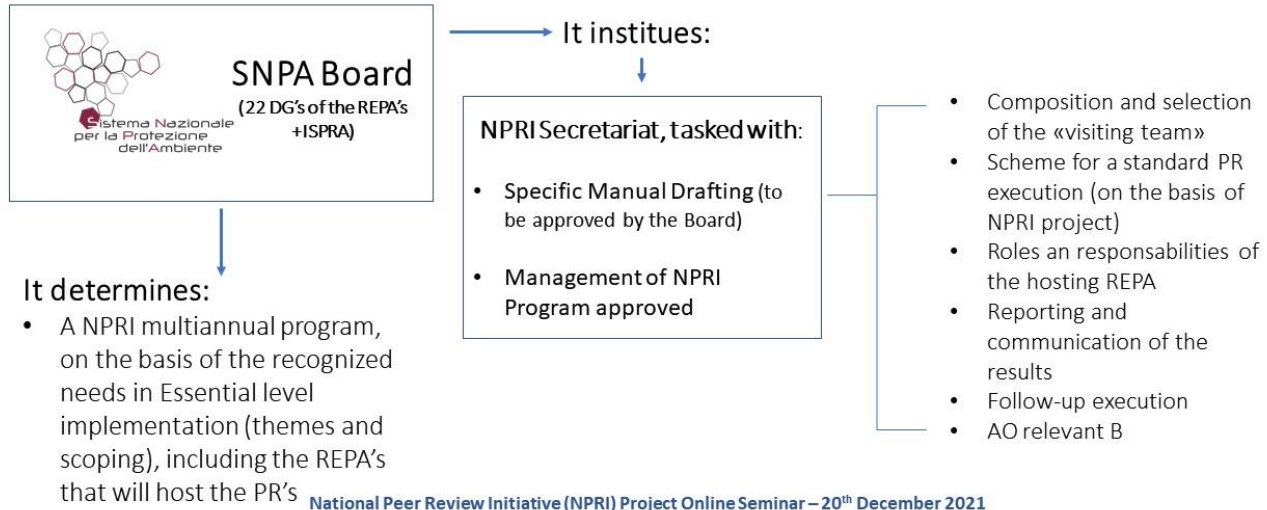




3. SNPA and NPRI - 2



The guidelines make a specific focus on the governance of the NPRI activities and on the way to identify topics and scopes for Peer Reviews:



3. SNPA and NPRI - 3



Results of the SNPA PR Program

e.g.: Best Practices, Opportunity for Development, proposals for technical rules amendments, legislative improvements,

Actions of the SNPA Board

- To examine the PR program outcomes:
 - each one of the PR's
 - the whole outcomes of the programs.
- To approve:
 - The request of REPA's for support in followup of PR activities
 - if the examination of the sum of the results of the program highlights these opportunity:
 - Modification of System rules under its powers
 - Proposal at the central Competent Administrative level of initiatives deemed important for the System efficiency and effectiveness

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3. SNPA and NPRI - 3



Results of the SNPA PR Program

e.g.: Best Practices, Opportunity for Development, proposals for technical rules amendments, legislative improvements,

Actions of the General Director of a REPA hosting a PR

- To ask the SNPA Board for support in PR Followup
- to put in place the *OfD* highlighted in the PR deemed important and affordable if these actions under his power
- to propose to the Regional Authorities the REPA belongs to the implementation of the actions that are deemed important that are under the power of these Authorities
- to propose to the Competent Authorities the modification of the local rules that the PR pointed out as «improvable»

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4. SNPA and NPRI: activities in progress



Peer Review program on End of Wastes REPA's Activities (Directives 2008/98/CE and (UE) 2018/851)

The issue of permitting and inspection practices related to End of Waste assumes great importance in terms of commitment of the SNPA both in preliminary contribution during the permitting phase and in the subsequent inspection phase, also considering the different operational declinations within the SNPA, due to the different involvement required by the Competent Authorities in different Regions/Provinces.

For this reason, the topic of End of Waste is deemed as particularly suitable for a peer review initiative within the SNPA.

The NPRI project under development aims to address the End of Waste topic with particular attention to the enhancement of biomass and soil material, in order to effectively pursue the recovery principles in the perspective of the European Green New Deal and in accordance with the European Legislation.

In this scope, the peer review can be a very useful tool for improving the performance of the SNPA, highlighting the strengths and weaknesses on a topic that is so important both for citizens and for the production system.

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9.5. Romania Report



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**National Peer Review Initiative (NPRI) Project Online Seminar
20th December 2021**

National Peer Review Initiative for Romanian National Environmental Guard

Monica Crisan
(Romania)



European Union Network for the
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of Environmental Law



Scoping / Area of interest

The aim of Romanian National Environmental Guard is to provide guidance in performing inspections regarding waste transfer at the border crossing points, respectively when performing inspections regarding waste traceability.

The scope of the Peer Review is to contribute to the development of a framework and guideline for **cross-border waste control** consisting in a set of uniform and standard operating procedures that are to be used by the Romanian National Environmental Guard at national level and also when communicating with its peer organizations involved in the **waste transport and traceability from source to destination**



NPRI support Team / stakeholders composition



NATIONAL ENVIRONMENTAL

GUARD

Represented by

Mr. Octavian Popescu

Mrs. Monica Crisan

Mr. Alin Salajan

Mr. Bogdan Sacaleanu

Mrs. Matilda Cucu

Mr. Liviu Matei



ROMANIAN BORDER POLICE

Represented by

Mr. Ghita Borsa



ROMANIAN CUSTOMS

Represented by

Tbc



PROSECUTOR'S OFFICE

Represented by

Teodor Niță

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Implementation Activities (Draft)

- Understanding stakeholders' responsibilities and procedures regarding Regulation (EC) No 1013/2006 on shipments of waste
- Review of current stakeholders' challenges (survey targeted on barriers & obstacles in inspections)
- Stakeholders current agreement review (SWOT analysis)
- Definition of the desired state (harmonized stakeholder's goals)
- Gap analysis (current state vs. desired state)
- Creating standard work procedures (for inspection)
- Establish collaboration with IMPEL Waste and TFS team
- Onsite common inspections (all stakeholders)
- Developing framework and guideline for **cross-border waste control**

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NPRI implementation benefits

- Harmonized standard operating procedures for inspection by creating optimal process interfaces between stakeholders
- Share of good practices for inspection among stakeholders
- Performance assessment for organizational operational efficiency
- Sustaining continuous improvement processes



9.6. Portugal Report



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National Peer Review Initiative (NPRI) Project Online Seminar
20th December 2021

National Peer Review Initiative: A way to empower people

Anabela Rebelo (Portugal)



European Union Network for the
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NARROW THE SCOPE

- **National organization**
- **5 River Basin District Administrations**
 - RBMP application
 - Water resources uses permitting
 - A single platform to deliver permit
 - Wastewater discharge permits
 - Several challenges
 - Water bodies status
 - Small country but with asymmetries from north to south
 - Different discharge patterns
 - Different considerations on issuing permits



- **Scope: Review discharge permitting**
Scientific/Technical process to harmonize procedures



REASONS FOR THIS OPTION OF NPRI

Linking between several pieces of legislation

EU & PT Legislation: Need of better comprehension on how to apply several requirements

Scientific-Technical assessment

Specific requirement to protect water bodies (from risk of deterioration): E.g., combined approach to deliver specific ELV; Risk assessment

Country level

Several asymmetries: different land use, different water availability, different levels of knowledge at regional level

IT National system

Same information system to deliver customized permits
Different technical specifications are often use for similar situations

New business areas


New water uses (e.g. H₂ production) where current specifications may not be applied

Compliance (EU legislation)

Different procedures can be applied to similar situations through the country, which may disrupt in certain situations the environmental compliance goals, and subsequently may jeopardize the effective purposes of permits



IMPORTANCE OF THE WORK

- **Court of Justice of the European Union**
 - **Case C-461/13:** Member States are required (unless a derogation provided for by the directive is granted) to refuse authorization for an individual project where it may cause a deterioration of the status of a body of surface water or where it jeopardises the attainment of good surface water status or of good ecological potential and good surface water chemical status by the date laid down by the directive
 - **Case C-535/18:** Article 4 of WFD must be interpreted as precluding a situation where it is only after a project has been approved that the competent authority carries out the checks to establish whether the requirements laid down in that framework have been met, including the requirement to prevent the deterioration in the status of bodies of water



PLANS FOR NPRI



NOT AUDITING OR ACCREDITATION PROCESS

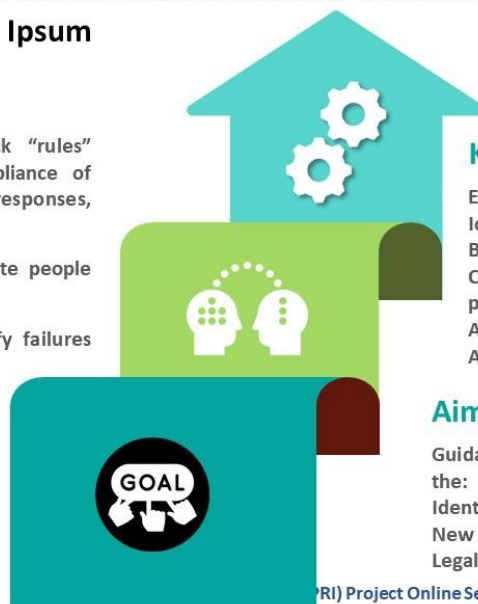
Lorem Ipsum

Not intended

Does not intend check “rules” compliance (e.g.: compliance of command chain, time responses, etc.)

Does not intend evaluate people performance

Does not intend identify failures or errors



Practices

Assessment of procedures to find best/most valuable practices
Identify unnecessary/not useful procedures
Promotes a continuous improvement
Identify where/when/what efforts are needed

Knowledge

Exchange knowledge
Identify differences to find ways to deal with it
Bring specific knowledge to discussion
Create a network to exchange knowledge to achieve best practices
Allows to identify lacks of specific knowledge
Allows to identify training needs

Aim of PT Example (final product)

Guidance document applicable to whole country, supported by the:
Identification of best practices already in place
New identified best practices to overcome gaps
Legal needs from European directives and national legislation





HOW TO OVERCOME INTERNAL CHALLENGES



FROM IMPEL NPRI TEAM



- **NPRI methodology and annexes**
 - Helps to define scope and procedures
 - Guides on the development of the framework assessment
 - Is a good and recognized base of work (IMPEL)
 - A guide to follow the roadmap





Important to define (or find) the adequate network to implement a NPRI

Understand where there are challenges, where the process may be useful to overcome certain difficulties: Identify “the problem”

Good scoping (clear definition of the aim of the NPRI: what is expected and what is out of the purpose)

Good communication with the network and work team: Ensure always flexibility and a non-judgement process (all knowledge is valid)

**Engage specific knowledge through working in network
Empower people to promote better environmental compliance**



European Union Network for the
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Thank you

apambiente.pt

