IMPEL COMPARISON PROGRAMME "DOING THE RIGHT THINGS"

COMPENDIUM

EUROPEAN UNION NETWORK FOR THE IMPLEMENTATION AND ENFORCEMENT OF ENVRONMENTAL LAW (IMPEL)

September 2006
110643 / CE6 / 1D7 / 000513

Contents

CHAPTER 1 General introduction

1.1 ABOUT THIS DOCUMENT

Background document

This compendium is a separate annex to the IMPEL Comparison Project report on "doing the right things". The compendium contains background and country specific information on prioritisation of environmental inspections. Information provided is a result of a questionnaire, which was completed by 24 European countries in the framework of this project. The questionnaire formed an important input for the organisation of a workshop on this subject: prioritising environmental inspections. Further information, including results of the overall project and its conclusions and recommendations, are presented in the main project report.

Status of this document

This document is primary a background document for the above mentioned workshop, and is based on the answers given by various workshop participants. The document aims to get insight into the way countries and organisations deal with priority setting in the enforcement of environmental legislation. Consequently, this document has no legal status.
Moreover, many countries participated on national level, but some countries participated on regional level within their country (e.g. Austria, Germany, and Italy).

1.2 BACKGROUND OF THE PROJECT

At the plenary IMPEL meeting at Cardiff (30 November - 2 December 2005), the Terms of Reference for the IMPEL project "Comparison Programme, doing the right things" got final approval (despite the financial remarks given with regard to the working programme of IMPEL for 2006).

This project is about prioritising environmental inspections. Inspecting authorities constantly have to choose between options. This happens both on an organisational, as on an individual level. Presumably, most of the authorities work with a kind of prioritising model. By comparing these different models new ideas and a better understanding can be developed. And for those inspecting authorities in Member States that are searching for a suitable method to prioritise, it could bring them useful information or possibly the start of a solution.

1.3 PROJECT AIMS

The aims of this IMPEL Comparison project are to:

- explore and analyse similarities and differences in the approach of prioritising environmental inspections by inspecting authorities in IMPEL-Member States;
- acquire understanding in the way inspecting authorities in IMPEL Member States deal with "options" in their inspection plans and programmes;
- promote the availability of practical information on the environmental situation and the effectiveness of the policymaking process to the policy-makers; and

- encourage the exchange of experiences.

The project may serve as an important contribution to the further implementation of the Recommendation of the European Parliament and of the Council of 4 April 2004, providing for minimum criteria for environmental inspections in the Member States (2001/331/EC), where the issue of establishing, executing and monitoring of inspection plans and programmes is concerned (further referred to as RMCEI).

The VROM Inspectorate of The Netherlands has taken the initiative to organise this project. Central activity within this project was a three day workshop on 26, 27 and 28 April 2006 in The Netherlands, in which information on above issues has been exchanged.

1.4 IMPORTANT STARTING POINT: MINIMUM CRITERIA FOR INSPECTIONS

An important starting point of the project is the abovementioned Recommendation providing for minimum criteria for environmental inspections, further referred to as RMCEI. When talking about *environmental inspections* in the project and in this questionnaire we mean inspections covering the areas as described in the RMCEI. According to article II-1a of the RMCEI, the recommendation applies to *"...environmental inspections of all industrial installations and other enterprises and facilities, whose air emissions and/or water discharges and/or waste disposal or recovery activities are subject to authorisation, permit and licensing requirements under Community law, without prejudice to specific inspection provisions in existing Community legislation."*

Following the RMCEI, in the project and in this questionnaire the term *environmental inspections* is understood to be covering a wide range of inspecting activities, including different ways of compliance checking, compliance assistance and promotion and monitoring of environmental impact and performance of controlled installations and of the effectiveness of environmental inspections.

1.5 INSPECTION PLANS AND –PROGRAMMES; WORKING DEFINITIONS

The key theme of the project and this questionnaire, is prioritising environmental inspections *as defined above*. Usually this priority setting is laid down in inspection plans and inspection programmes. The terms *inspection plan* and *inspection programme* are often used with a different meaning. This leads to confusion. For the purpose of the project and this questionnaire inspection plan and inspection programme refer to two different levels of prioritising of inspections: on a strategic level and on operational level.

We use therefore the following working definitions:

Inspection plan: a strategic planning document, describing how environmental inspections are prioritised (principles, criteria) and the priorities themselves.

The RMCEI highlights the following important *(strategic oriented)* elements as part of an inspection plan (article IV):

- An inspection plan should as a minimum define the geographical area which it covers, the applicable time period, provisions on its revision, and give a description of specific sites or types of controlled installations;
- An inspection plan should be produced on the basis of a) EC legal requirements, b) a register of controlled installations, c) a general assessment of major environmental issues and a general appraisal of the state of compliance by the controlled installations within EC legal requirements, and/or d) data from previous inspection activities;

- An inspection plan should be appropriate to the inspection tasks of the relevant authorities, and should take into account available information in relation to specific sites or controlled installations.

Inspection programme: an operational planning document describing on the basis of an inspection plan and the priorities laid down herein, when and how environmental inspections will be carried out. Usually this includes an (indicative) planning of staffing and other resources.

The RMCEI highlights as important *(operational oriented)* elements of an inspection programme (article V, 5-e) :

- A description of routine environmental inspections, taken into account environmental risks;
- The frequency of site visits for different types of specified controlled installations;
- An outline of the procedures for non-routine environmental inspections (e.g. accidents, incidents, etc.);
- The coordination between the different inspecting authorities, where relevant.

1.6 SET UP OF THIS DOCUMENT

Chapter 2 gives a brief description of the general tasks and competences of organisations participating in the IMPEL Comparison programme workshop, aiming to get insight in the national context in which priority setting in enforcement of environmental legislation is being done.

Chapter 3 gives an overview of the way participating countries / organisations deal with the issues on an inspection plan, as described above.

Chapter 4 gives an overview of the way participating countries / organisations deal in working out inspection programmes.

Chapter 5 gives an overview of the information needs on methods of priority setting, as indicated by participating countries / organisations.

Chapter 6 gives an overview of additional points indicated, were relevant.

Chapter 7 contains a general overview, in which a summarised and simplified overview of all information of countries is presented.

All above information has been taken into account in the organisation of the programme of the IMPEL Comparison programme workshop.

CHAPTER 2 Brief description of the inspecting authority

Aim of this part of this questionnaire is to get insight into the general tasks and responsibilities of the inspecting authorities, which will attend the workshop.

2.1 QUESTIONS

2.1.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Please describe your inspecting authority in general terms: what are its general tasks and competences, jurisdictions, number of staff people, working areas (kinds of environmental legislation to be controlled, environmental issues, health issues, etc.).

2.1.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

Describe the relation and responsibility between your inspecting authority and a (possible) superior authority – e.g. local inspectorate to regional or state authority / regional to state authority.

2.2 AUSTRIA

2.2.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Major tasks and technical competencies of the inspection place on behalf of the plant authority (legally responsible persons) are:

- technical co-ordination of the inspection:
  - providing a yearly program on suggestion of the plant authorities;
  - preparation of the local inspections (site visits);
  - providing the environmental inspection report on the publication;
  - date management;
- The schedule of inspections 2004 applies to the province of Styria;
- advisers (inspectors) and 1 female assistant (assistant) are members of the technical inspection office;
- The task is regarding all authorities in whole Styria, which are in correspondence of II 1 a) with the recommendation for the industrial installation and other of enterprises and of facilities.

2.2.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The task of the inspection place is to examine plants concerned on adherence to permission and writing a report to the responsible authority. This authority arranges, if necessary, measures for fault rectification.

The responsible authority is in each case the plant authority. The environmental supervisors and the examining specialized supervisors are experts of the office.

2.3 BELGIUM

2.3.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

The Brussels Institute for Management of Environment (BIME) was established by Royal Decree in 1989. Amongst other things, it has the following tasks:

- Giving advice to the Government concerning environmental matters
- Giving advice to the Government concerning the transposition of European legislation (on environmental matters)
- Control of air-, water- and soil-pollution, noise nuisance and elimination of all types of waste (except nuclear waste and transfer of waste)
- Use of energy.

Main tasks

It is responsible for permitting installations in the IA and IB classes, which include IPPC Annex 1 installations. It is also responsible for developing environmental strategy and for providing information to the public on environmental matters. The Class IA installations include those facilities that require an Environmental Impact Assessment under the 1985 EIA Directive. Class IB installations include those that require an Environmental Report

The Brussels Institute for the Management of the Environment plays a key role for inspections in the Brussels Capital Region. The Inspection Division is responsible for the control of air-, water- and soil pollution, noise nuisance and elimination of all types of waste (excepting nuclear waste and transit of waste). The Brussels Inspectorate have responsibility for inspection of all classes of installations (needing an environmental permit or a declaration to run an industrial activity) throughout the Region. The Division has five departments specifically associated with inspection, with staff numbers as follows:

- Administrative & Legal (14)
- Complaints and Thematic Inspection (11)
- Risk Prevention (13)
- Waste Water Levy and Economic Instruments (11)
- Soil pollution (12)

The BIME operates a system of integrated inspection in which one inspector is responsible for all environmental inspections on a site, although specialist colleagues may be brought in as necessary.

2.3.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Inspection Division is responsible for controlling all classified installations and all environmental legislation in the Brussels Region, a responsibility that it shares with local authorities : the Brussels Inspectorate throughout the Region and local authorities within their municipality.
The local authorities, of which there are 19 in the Brussels Region, are separately responsible for permitting installations in the Class II. These are installations that require neither Environmental Impact Assessment nor Environmental Report. They are also responsible issuing “Declarations” for Class III installations, which are the smaller installations. The BIME and Local Authorities each have responsibility for inspection of all classes of installation; the BIME throughout the Region and Local authorities within their municipality.

To organize all inspection activities, The inspectorate created a memorandum of understanding with local authorities.

2.4 BULGARIA

2.4.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

The Regional Inspectorate of Environment and Water (RIEW) Varna is one of the 15 RIEW in Bulgaria. The RIEW VARNA covers 2 of 28 Districts in the north-eastern part of Bulgaria with a total area of around 7500 sq. km. and 19 municipalities.

The mission and status of RIEW as described in Article 14 of Environmental Protection Act (State Gazette No 91/25.09.2002) is to ensure the conduct of the national environmental protection policy at regional level.

The total number of experts, working in the RIEW is 56, of which 41 are involved in inspections. All the experts are organized in 6 departments as follows:

- Financial department;
- Administrative, juristic and informational department;
- Preventive activities (IPPC, EIA);
- Waste management, protecting and sustainable use of water, soil and earth bowls;
- Air pollution, hazardous chemicals and risk management;
- Protected areas and biodiversity.

Main tasks

RIEW has regulative, informational and controlling functions, connected to:

- Pollution protection of air, water and soil;
- Environmental Impact Assessment;
- IPPC;
- Waste Management;
- Management of hazardous chemicals and GMO;
- Protecting National environmental Network and Biodiversity, sustainable use of biological resources;
- Protecting and environmental friendly use of earth bowls and mineral resources;
- Protecting and improving acoustic environment and avoiding negative impact from other physical factors;
- Providing environmental information;
- Organizing public hearings and attendance of the public in decision-taking processes.

2.4.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Regional Inspectorates are structures within the Ministry of Environment and Water and are represented by the directors or persons authorized thereby. Each year the Directors present to the Minister a plan for the next year and a report for all the activities during the previous year. Every week a report for the previous and short remarks for next weeks inspections and activities are sent to the coordinating department in the Ministry of Environment and waters. According to the Administrative Code all permissions or other documents issued by a RIEW Director is controlled by the Minister if complaints are submitted.

2.5 CYPRUS

2.5.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

The Department of Labour Inspection has the responsibility for the enforcement of the Atmospheric Pollution Control Law (basic law) and its regulations (Directives 75/439/EEC, 87/101/EEC, 87/217/EEC, 88/609/EEC, 90/656/EEC, 94/66/EC, 2000/76/EC, 94/67/EC, 89/369/EEC, 89/429/EEC, 94/63/EC, 99/13/EC, 2001/80/EC), the IPPC law (Directive 96/61/EC) and the Air Quality Law (Directive 96/62/EC) with its regulations.

The Department of Labour Inspection of the Ministry of Labour and Social Insurance consists of the following five Sections:

- The Safety and Health, Machinery and Chemical Substances Section;
- The Industrial Pollution Control Section;
- The Air Quality Section;
- The Radiation Protection Section;
- The Field Operations Section.

The Industrial Pollution Control Section has one senior officer and five inspectors. One inspector is a Chemist and all the rest are Chemical Engineers. The Department of Labour Inspection also has 4 district offices responsible for health and safety in the workplace. Some of the district inspectors have been trained to carry out environmental inspections and handle small scale environmental complaints thus helping the Industrial Pollution Control Section when needed.

Main tasks

The policy of the Department of Labour Inspection in the sectors of Industrial Pollution Control and Air Quality has, as main objective, the prevention, the reduction and the control of atmospheric pollution, which arises from industrial installations, so that the best possible protection of the health and welfare of the citizens and the protection of the environment of the Republic is safeguarded.

The achievement of this objective is materialised through the effective implementation of the legislation for the control of industrial pollution, on the basis of which an integrated system of prevention and control has been established that includes:

- The licensing of industrial installations;
- The systematic monitoring of their operation with on site inspections and stack emission measurements;
- The continuous monitoring and assessment of ambient air quality.

Inspections are based on the Recommendation on minimum criteria. Emission measurements are carried out by the Inspectors of the Department who have been trained in Germany, The Netherlands, the US and also in Cyprus by German, Dutch, Austrian and Greek experts.

The emission pollutants measured include particulate matter, SO_2, NOx, CO, CO_2, total hydrocarbons, dioxins, heavy metals and ammonia. Soon PM_{10} emissions will also be measured.

The maximum penalties for violations of the above laws are about 34000 Euro or 1 year imprisonment.

2.5.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Department of Labour Inspection (DLI) is the only inspecting authority in Cyprus regarding atmospheric pollution control. Due to the small size of the country the DLI is responsible for the enforcement of the relevant laws not only for the controlled installations specified in EC Directives but for all other, smaller installations since the local authorities do not have yet the resources and the expertise for this purpose.

2.6 CZECH REPUBLIC

2.6.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile and main tasks
The Czech Environmental Inspectorate (CEI) has the national and state competence concerning environmental issues both in technical protection (air pollution, water and waste management) and forest protection and natural protection. Its general task is checking operators to be in accordance with national legislation which is pursuant to EU Directives.
CEI has more than 600 employees.

2.6.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

CEI is subordinate to Ministry of Environment in Prague. The authorities at a regional and local level have independent and different competences regulated by legislation in the framework of their territorial competence.

2.7 DENMARK

2.7.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
The Environmental Department in the Municipal of Elsimore is an inspectorate at local government level, City of Ellsinore with 61.000 inhabitants. The Environmental Department operates under the City Council, and of course under the national legislation. The inspectorate has a staff of 10; eight inspectors, one secretary and one head of office. The inspector background in competences is chemists, engineers, biologists, and technicians.

Main tasks
The city environmental protection unit is responsible for licensing, inspecting and in case of non-compliance also enforcement under the act of environmental protection.
Subjects for inspection and enforcement:

- Inspection of some 200 to 250 sites annually, inspecting all potentially harmful emissions (air, wastewater, noise, waste, hazardous waste).
- Inspection of some 20 farms annually
- Licensing some 5 to 10 productions annually.
- Monitoring the quality of drinking water, for handling soil contamination (including monitoring in some cases), for handling groundwater contamination in some cases, and for licensing any kind of sewage water differing from standard household sewage water before discharge to the system.
- Inspection of waste handling at industrial sites, including hazardous waste.

Inspectors are authorized to have access to all sites for inspection, and if necessary to force our entry (the police have to assist if necessary). The city environmental protection unit is authorized to take steps

needed to enforce, and in worst case authorized to demand an activity (a whole factory if so) stopped and removed from the actual location.

2.7.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The city environmental protection unit is to a large extent cooperating with the County environmental protection unit, although responsibilities differ. Differences are covering other angles and inspecting different industrial sites. The potentially heavy polluters (the industrial sites) are normally under county jurisdiction. Except for waste and sewage water emissions, where the city environmental protection unit is responsible at all times, in all cases and at all installations.
Soil contamination and ground water contamination are normally areas the unit is working together with the county to a large extend.
From 1'st January 2007 the county level will be laid down, and most of their duties concerning environmental protection and nature will be transferred to city administration.

2.8 ESTONIA

2.8.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
The Environmental Inspectorate (EI) is the only environmental supervisory authority on state level in Estonia.
EI staff: 240, inspectors: 165. EI has 7 regional departments (doing the inspection) and the central staff (providing legal, methodical and material support for the regional departments). Estonian population: 1.4 million.

Main tasks
EI has to cover all environmental legislation fields: water, air, waste, chemicals, earth crust, GMOs, forestry, protected areas, fishery, the main to be mentioned. It has no competency in health matters.
EI is only a supervisory authority, it has no permitting tasks. At the same time it has some police and court rights: preliminary investigation of environmental crimes, punishment for administrative infringements. (Permitting is the responsibility of the MoE and its regional substructures, partially also of the local authorities.).

2.8.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

EI subordinates to the MoE. EI has a status of a `governmental organ´. Chief Director of EI reports to the chancellor and the minister of environment. EI has a statute certified by the Government.

2.9 FRANCE

2.9.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
The inspection authority has two levels:
- the national authority: the DPPR (directorate for pollution and risk prevention)
- the regional inspectorate: the 24 DRIRE (industry, research and environment) + the 100 DDSV (veterinary)

The DPPR, the 24 DRIRE and the 100 DDSV are all French government authorities.

Main tasks

The DPPR is responsible for the preparation of legislation and ordinances related to industrial pollution and risks and especially related to Seveso II and IPPC directives. It is also responsible for the management of environmental inspection.

The DRIRE and DDSV implement the environmental regulation following the DPPR guidelines and priorities : permitting, enforcement and advising the Préfet on appropriate penalties in relation to enforcement actions.

2.9.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The authority for signing and issuing all environmental permits, prepared by DRIRE and DDSV inspectors, lies with the local Préfet. He or she is a civil servant and is the formal local representative of Central Government. He or she also decides the appropriate penalties in relation to enforcement actions led by the DRIRE and DDSV inspectors.

2.10 GERMANY

2.10.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile and main tasks

Staatliches Umweltamt Itzehoe (StUA Iz): The authority works in the fields of immission control, water management and nature conservation

Departments and tasks:

- Administration and legal advice;
- Immission control (40 persons): competent authority for licensing and supervision of industrial installations, leading authority according to § 14 Environmental Assessment Act, competent supervising authority according to the accident regulation (Seveso II Directive);
- Supervision of waste production in installations needing a licence for establishment and operation under the Federal Immission Control Act;
- Supervision of the air quality in Schleswig-Holstein (12 persons): operation of a monitoring network;
- Water management (40 persons) with monitoring tasks for surface water and ground water, supervision of discharges in big rivers (= rivers of first order) and fixing the sewage charge, fixing the charge for the use of surface water, licensing, permits and plan approval procedures acc. to the water right for development of water bodies, waste water facilities and facilities at water bodies; incentive measures in the field of water supply, waste water disposal and ecological development of water bodies;
- Nature conservation (11 persons): cooperation in the establishment of the European Network "NATURA 2000", advisory service and financial aid for nature conservational measures.

2.10.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Federal Republic of Germany consists of 16 federal states (Länder) with separate government and legislation. The competence and responsibility for the protection of the environment is placed to the Länder. The administration and organisation differs between the Länder. The state authority for environment (StUA Itzehoe) is one of 3 state authorities for 3 districts in the Land Schleswig-Holstein. The superior authority is the Ministry for Agriculture, Environment and Rural Areas of the Land) Schleswig-Holstein.

The district of the StUA Itzehoe covers 6 counties. The responsibilities are licensing and supervision of the large industrial plants as defined in the IPPC directive and the Federal Immission Control Act , except of landfilling. The StUA is responsible for the enforcement and supervision of environmental

directives including Seveso II directive. The StUA is also responsible for all kind of industrial plants and commercial facilities and installations concerning air pollution, noise, odours and neighbour complaints and has to issue expertises and statements for these fields in building permission procedures of the counties.
Soil contamination and groundwater contamination are normally areas where the StUA is working together with the competent county authorities.

2.11 GREECE

2.11.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
Recognising the need to enforce existing environmental inspectorate mechanisms in Greece, a well organized Competent Authority, named "Hellenic Environmental Inspectorate", has been established, in the Ministry for the Environment, by the article 9 of the Law 2947/2001 for the "Olympic Hospitality Subjects, Works of Olympic Infrastructures and other Provisions".
Hellenic Environmental Inspectorate is not completely staffed yet (currently employs 32 Inspectors, instead of 78).

Main tasks
Generally, the Hellenic Environmental Inspectorate (HEI):

- Performs inspections to all categories of infrastructure works and activities (of the public or private sector) aiming at monitoring the implementation of the environmental legislation (enforcement), and the compliance to the environmental conditions (requirements) setting by the environmental permits (compliance);
- Proposes administrative sanction (penalties) in any case of violation of the environmental legislation and conditions;
- Reports – annually – to the European Commission, following the point VIII of the 331/2001/EC Recommendation ("minimum criteria for environmental inspections");
- Represents the country at European and International level on subjects of compliance and enforcement of environmental legislation;
- Carries out studies relative to its objective.

2.11.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Hellenic Environmental Inspectorate is under the status of a "Special Authority" subordinated directly to the Minister for the Environment Physical Planning & Public Works.

2.12 HUNGARY

2.12.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

The overwhelming majority of environmental issues belong under the supervision of the Ministry for Environment and Water (MfEW) (environment protection, nature conservation, water management, built environment). The Ministry of Interior controls the implementation of the Seveso Directive, and the municipalities (the notary) also have some competence, but only in case of small activities or local importance. In the field of agricultural environment protection there is a co-operation with the Ministry for Agriculture, and in case of health issues with the Ministry for Health.

The environmental authority tasks (permitting, inspection and enforcement) are carried out by a system of inspectorates, containing 12 regional inspectorates for environment, nature and water, and the National Inspectorate for Environment, Nature and Water. Altogether approximately 1500 persons

work at the authority, approximately 20% is involved directly in inspection, 30% involved indirectly (lawyers, administration, etc.) The regional inspectorates' area of competence differs from the country's administrative divisions (i.e. the 19 counties), it is defined by water catchments areas.

The inspectorates are first instance authorities responsible for permitting, inspection, enforcement, monitoring and reporting in the fields for which they are competent, including media-specific tasks in the fields of waste management, water quality, air quality and noise and vibration control. In addition, they are responsible for environmental impact assessment (which is used as a permit tool), IPPC regulation and environmental auditing. They are further charged with:

- identifying and registering pollution sites, appraising clean-up tasks, especially in connection with business closures;
- participating or cooperating in those related fields where the lead authority is another body;
- participating in state of the environment monitoring, collection and of appraisal of related information; making available information on the state of the environment;
- data collection, - processing and - reporting at regional level;
- participation in environmental education, training and information;
- reviewing and advising on local self-government draft environment plans and helping them in the execution of their environmental obligations – amongst other tasks.

The inspectorates execute their tasks (which are set out in legislation) in accordance with the principles laid down in their Rules of Structure and Operation and on the basis of an annual work programme approved by the MfEW. Rules of Structure and Operation set out principles of internal organisation, in which the personnel as a whole is responsible for all aspects of environmental management, but where specialists in different media or techniques nevertheless each concentrate on specific issues. The programme sets out in general terms the expected breakdown of management tasks, including schedules of inspection and monitoring activity.

The inspectorates each have their own accredited laboratory. 70 % of the laboratories' activities consist of monitoring (sampling and analysis): they operate the air immission monitoring (containing 60 automatic and 200 manual sampling stations – the data measured are available on the internet: http://www.kvvm.hu/olm/), and monitor the quality of surface water with sampling at defined places, and also a smaller part of the groundwater monitoring network belong to them. In the rest of their capacity they act on unusual incidents, accidents and perform authority sampling and measurements. They can also test samples sent in for analysis, from under self-monitoring regimes.

The tasks of the inspectorates are the same at each region, but the structure of the organisation is not alike. In case of inspections and enforcement, in most cases (8) there is no separated inspection and enforcement department, but the departments responsible for permitting (usually set up by environmental media, and also in a few cases there are separate permitting department for complex issues like IPPC) do the inspections as well, sometimes together with the staff of the laboratory.
In 2 cases there are separate inspection departments, but they carry out inspections together with the permitting department. In 2 cases there are individual inspection departments.
The fact that the inspectorates have the tasks of permitting as well as inspection and enforcement, is considered as a strength in respect to strengthening authority and potentially easing coordination and information flow. However, where different departments perform these tasks, inspectors are normally not involved in permitting (with some exemptions) therefore having little insight in and influence on the permits.

2.12.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The National Inspectorate is the second instance authority, where the operators of installations or the public can turn to with appeals, if they do not agree with the regional authorities. In addition, in special cases the National Inspectorate is first instance authority concerning tasks for the whole territory of the country (waste transports, CO_2 emission trading, strategic EIAs, etc.) and it has tasks in coordination and control of the activities of the regional authorities. In public administration and legal cases the inspectorates are under the supervision of the National Inspectorate.
The National Inspectorate for Environment, Nature and Water employs 90 persons and is separate from the MfEW. The MfEW also it has tasks in coordination and control of the activities of the inspectorates, they provide mostly professional direction.

2.13 ITALY

2.13.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile and main tasks
Regional Agency for Environmental Protection – ARPAT, of Tuscany Region in Italy.

The participant has the responsibility to coordinate a group of 4 people, is involved in the control of enterprises under the "Seveso" legislation and collaborates with colleagues involved about the control of enterprises under IPPC legislation.

2.13.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The participant has the responsibility to coordinate the inspecting activity for 5 provinces of Tuscany Region relating to Seveso legislation, under the decision of Tuscany Region Government, and collaborates for the control relating to IPPC legislation under the decision of Province of Florence District Government.

2.14 LATVIA

2.14.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
Inspection on implementation of environment law in Latvia is carried out by inspectors of State Environmental Service (SES). SES is associated with all institutions which manage supervisory, and controls eight Regional environmental boards, the Marine environmental board and the central structure of SES.
SES currently employs approximately 200 Inspection Staff.

Main tasks
In Latvia SES inspection performs its tasks according to the legislation of the Republic of Latvia corresponding with EC Legal Requirements.
The main task of the inspectors of the SES are control and supervision of the implementation of legislation framework in the area of environment protection and natural resources use in:

- The territory of Latvia, continental shelf,
- Economic zones of the Baltic Sea and the Riga Gulf,
- Territorial waters and inland waters.

It also supervises and guides environmental inspection activities of Regional Environmental Boards, the Marine Environmental Board and other specially protected nature territories.

2.14.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

State Environmental Service (SES) is an institution under the supervision of the Ministry of the Environmental.
The State Environmental Service is associated with all institutions which manage supervisory, and controls eight Regional environmental boards, the Marine environmental board and the central structure of SES.

2.15 LITHUANIA

2.15.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
The main permitting and inspecting authority in Lithuania is Regional Environmental Protection Department (REPD). Permits are granted by Environmental impact assessment and normative unit. Inspections are performed by district or city agencies of this department. Each REPD has laboratory unit, which under cooperation with city / district agencies develops its own annual inspection plan.

177 environmental inspectors of 8 REPD conduct inspections of industrial installations.
The Lithuanian environmental inspector at the moment is involved in 28 fields of activity: water, air, game protection, wastes management, protection of rare species of animals and plants, fees, taxes, etc.

Main tasks
The general task in the field of inspection is to organize and to perform inspections of industrial installations and other objects listed in the lists of controlled objects. These lists are developed by city / district agencies. This work is stated (regulated) by order of Environmental Minister. State Environmental Protection Inspectorate (SEPIL) rules all inspection activity of all 8 REPD.
All industrial installations, listed in the RMCEI as also other subjects to whom environmental laws are applied, are in the scope of inspection. Only environmental issues are inspected; the cooperation between other controlling authorities is encouraged.

2.15.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The list of controlled objects for each city / district agency, are adopted by the Director of REPD. These agencies are directly responsible to the REPD. REPD with regard to the subject of inspection is responsible to SEPIL.

2.16 THE NETHERLANDS

2.16.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile and main tasks
The main objective for the ministry of environment, spatial planning and housing is the contribution to a safe, healthy and sustainable environment. The general scope is set on 250 tasks which are divided into primary and second-line tasks. Compliance enforcement is focused on changing the behaviour of the regulated so he or she will comply according to the requirements in the legislation.
At the moment there are approximately 570 employees working in 5 regional offices and 1 head office.

2.16.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The Inspectorate is an independent organisation which forms a part of the Ministry of Environment, spatial planning and housing. The ministry has the formal and final responsibility.

2.17 NORWAY

2.17.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Environmental inspection (pollution control) in Norway is carried out by the Norwegian Pollution Control Authority (SFT) and the 18 County Governor's environmental offices (FMVA). This is pollution control and product control concerning environmental aspects.
Aspects like health, labour conditions, general safety, food and drinking water quality, etc. are not included. SFT as a national authority on environmental control has 3 sections doing inspection work (30 persons) organized in a separate department. Other departments in SFT make permits / licenses, develop regulations and guidelines, and do monitoring; all on a national level.
SFT has about 250 employees and about 30 persons are doing inspections as their main activity.
Norway uses approximately 40- 45 man-labour years (human resources, full-time equivalents) on compliance monitoring activities (22 at SFT and 22 at the County Governors offices). Approximately 50% of the available compliance monitoring resources in Norway is directed towards small enterprises with no discharge permits, 30% is used on enterprises with discharge permits and the rest is used on training / building qualifications and administration.

2.17.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

SFT is responsible on a national level for planning, coordinating and reporting on all inspectorate activities to the Ministry of the Environment. SFT give instructions and cooperate with the environmental offices in the counties, which again are responsible for the local communities in environmental issues.

2.18 POLAND

2.18.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile
The Chief Inspector for Environmental Protection, who heads the Inspection for Environmental Protection, has the status of a central government administration body and is appointed and dismissed by the Prime Minister. The duties of the Inspection are carried out by the Chief Inspector for Environmental Protection, supported by the Chief Inspectorate for Environmental Protection (ChIEP), and by Voivods supported by Voivodship Inspectors for Environmental Protection who head Voivodship Inspectorates for Environmental Protection (VIEP), which are part of the comprehensive voivodship-level administration system.

Number of staff people
Inspection for Environment Protection: Chief Inspectorate for Environmental Protection (ChIEP) and Voivodship Inspectorates for Environmental Protection (VIEP) employ 716 inspectors, who are responsible for inspecting operators using the environment.
Apart from inspectors, the Inspection for Environmental Protection employs 1740 people (voivodship inspectors for environmental protection and their deputies; directors; heads of sections; managers and staff of laboratories; monitoring staff; and service staff). They are involved, among other things, in the environmental monitoring, the prevention of serious incidents and accidents, the preparation of cross-section reports, compilations and other information, as well as the training of own staff and staff of self-government authorities on the implementation of the environmental legislation.

Jurisdiction
There are 16 VIEP, which cover all of Poland.

The system of appeal:
VIEP → ChIEP → Voivodship Administrative Court → Supreme Court of Administration.

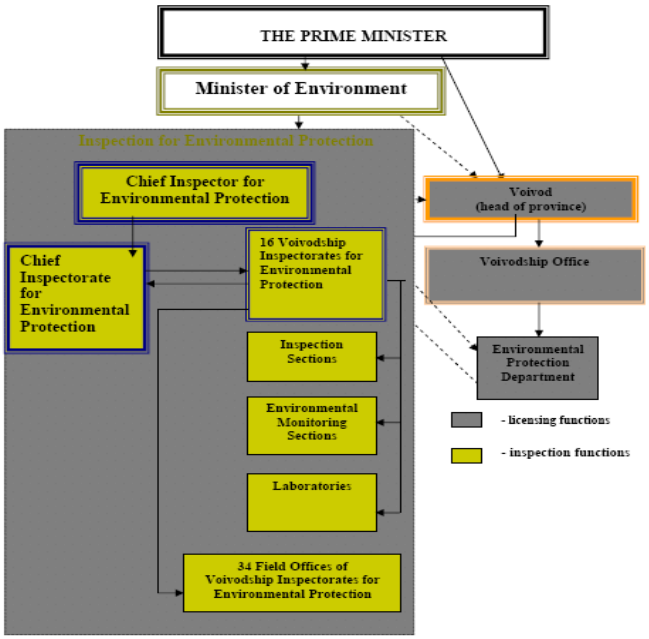
Main tasks

The basic tasks of the Inspection for Environmental Protection include control of compliance with environmental legislation, assessment of the quality of the environment within the framework of the State Environmental Monitoring System, and major accident prevention.

Main tasks of the Inspection for Environmental Protection (among others):

- Auditing compliance with regulations on environmental protection and on rational use of natural resources;
- Auditing compliance with decisions regulating the use of the environment;
- Auditing the operation of facilities designed to protect the environment against pollution;
- Participating in investment project siting procedures;
- Participating in commissioning of facilities or installations which may adversely affect the condition of the environment;
- Taking decisions to halt activities which violate the requirements of environmental protection or the conditions of using the environment;
- Co-operating in the field of environmental protection with other inspection bodies, the police and the judicial system, state and governmental administrations, local governments, civil defence bodies and social organisations;
- Organising and co-ordinating the State Environmental Monitoring system, monitoring and assessment of the quality and condition of the environment and of changes occurring in the environment;
- Developing and implementing analytical and research methods as well as inspection and measurement methods;
- Initiating activities aimed at preventing environmental hazards and accidents as well as eliminating their effects and restoring the quality of the environment;
- Preventing illegal transboundary movement of wastes;
- Market surveillance.

2.18.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES



2.19 PORTUGAL

2.19.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

The Inspectorate General for the Environment is a national inspectorate and belongs to the Ministry of Environment. The main aim is to check and promote the compliance of industrial installations within requirements stated in laws, regulations, ordinances, directives, prohibitions, permits, etc. The non-compliance has a formal action through the use of administrative sanctions and the operator can be prosecuted in the courts.

Staff directly involved with inspection activities: 42

Administrative Staff: 28

Main tasks

Working areas:

- To inspect the environmental legislation concerning waste water, wastes, air emissions, noise, consumption of water, data sheets about dangerous substances, labelling of dangerous substances, implementation of the best available technologies (BAT), environmental permits (IPPC), Seveso II upper and lower tier establishments (notifications of dangerous substances, safety report, safety management system, internal emergency plan, external emergency plan, risk analysis), etc.
- To write site visit environmental reports and to write site visit Seveso II reports. These reports are maintained in a readily accessible database (ORACLE) and they are communicated to the operator of the controlled installation. These reports are exchanged between environmental licensing entities.

2.19.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

There isn't a superior authority.

2.20 SLOVAKIA

2.20.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile and main tasks

SIE is a specialized supervisory authority responsible for:

- Providing for the state supervision and imposing fines;
- Introducing corrective measures on the matters concerning environment protection;
- Carrying out the municipal administration in the field of integrated pollution prevention and control.

2.20.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

SIE headquarters provide methodological support to the first-level decision-making of regional inspectorates, coordinate SIE work nationwide and internationally, provide methodological and professional support to regional inspectorates and represent the appellate authority to the appealed first-level decisions of regional inspectorates.

2.21 SLOVENIA

2.21.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

Inspectorate of the Republic of Slovenia for Environment and Spatial planning (IRSEP) includes 3 inspection departments (Inspection for Environment and Natura protection, Building Inspection and Housing Inspection). Each Inspection is managed by its own manager, IRSEP is managed by Chief Inspector.

Inspection for Environment and Nature protection employs 545 persons, situated in 8 local units. Within the Environmental Inspection there are special groups on specific topics like environment, genetic modified organisms (GMO), nature protection, SEVESO and water management. In each local unit there are inspectors, which are specialised on environment, water and nature protection. Due to local circumstances experts on SEVESO or GMO support the local units.

Main tasks

The Environmental Inspection (EI) is competent to carry out inspections based on the following legislation:

- Environmental Protection Act (EPA);
- Nature Protection Act;
- Water protection Act;
- Genetic modified organisms Act.

In case the operator fails to meet the permit conditions, the inspector can act on many ways, such as:

- Write a letter of warning;
- Issue orders with specific deadlines for the operator to meet the requirements;
- Order installation to stop the production for a defined period or as long as the malfunction is dismissed;
- Order extra monitoring;
- Punishment of operator up to 1.5 Mio. SIT if not performing upon EPA demands;
- Proposal to permitting authority to withdraw a permit (environmental consent).

Inspecting procedure must be followed as it is said in Law about inspection.

The Environmental Inspectorate does not take samples for analysis. These are done by authorized (certified) laboratories or environmental experts. The operator is obliged to self-monitor the relevant parameters according to permit or legislation. Annually the operators report the outcomes to the Agency for Environment. This annual report is not directly sent to the Inspectorate. They can require it from the operators.

2.21.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

At the moment inspections are carried out only at state level in Slovenia. Here IRSEP plays a main role, local authority should have their own inspectorates, but they do not. That means IRSEP does not have superior authority except for the Minister.

2.22 SPAIN

2.22.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

Inspecting authority
Basque Government; Environment and Soil Planning Department; Autonomous Community of the Basque Country, north of Spain. (3 counties: Araba, Bizkaia and Gipuzkoa).

Jurisdictions
Basque Country

Main competences
In 2001, competences on air emissions and air quality, water planning and wastewater, waste and soil pollution came under the authority of Environment and Soil Planning Department. Before they were in different departments with their own resources for inspection.
In 2003, an environmental integrated approach (air, water, waste, soil, noise) for inspection was initiated, coexisting with the vectorial approach. An Environmental Inspection and Control Plan (2003-2007) and approved by the Basque Government in 2004.
The Plan is implemented through annual programmes that are approved by the Environmental Board of the Basque Country, includes all the administrations with competences on the environment. Together with the programmes annual reports of the activities are produced.
In the period 2006-2007, the integration of both inspection approaches is planned to consolidate the integrated approach.

Number of staff people
5 technical staff and contracts of consultants for about 500.000 euro per year for:
- Environmental audits of environmental compliance;
- Sampling and analysis of air emissions, water, soils and waste.

The reorganisation of the inspection will consist mainly in the coordination of the inspection by the central office of the Department and the implementation of the plan by the county offices of the Department. It will increase the resources in about 30 people, with a previous period of training and qualification during 2006 and 2007.

Main tasks
The environmental integrated approach is used in the inspections. The legislation in the following areas is included: activities permits, IPPC permits, Environmental Impact Assessments, air emissions, water use permits, wastewaters, waste, polluted soils, noise / vibrations, etc. In the inspections other aspects are not included like Seveso, fire, public health, etc.

The general task is the inspection of European, Spanish and Basque environmental legislation compliance by the industrial operators of the Basque Country. The Basque Country is a heavily industrialised area. There are about 2.1 million people. The number of IPPC installations is about 320 and there are about 20.000 industrial sites affected by environmental legislation.

2.22.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

Inspections in Spain are conducted by the Autonomous Communities, Regions, and local authorities. The Spanish Ministry of Environment develops the basic environmental legislation, but their inspection activities are limited mainly to the wastewater discharges. In the case of the Basque Government, the

Ministry has delegated the management of the authorisation and inspection of wastewater to the Basque Government.

2.23 SWEDEN

2.23.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

Profile

The County Administrative Board of Västra Götaland (CAB) is a regional authority and has about 600 employees.

The environmental permitting and inspection is regulated by the Environmental Code which is covering IPPC and other directives as VOC, waste, landfill, EIA etc. The permit request according to the Environmental Code is covering much more installations than the "controlled installations" according to RMCEI. The Environmental Licensing Delegation (ELD) at the CAB gives permits to approximately 900 plants (installations). The CAB carry out environmental inspection and enforcement (operative inspection) at approximately 350 plants (installations). The CAB is responsible for Seveso inspection at about 25 Seveso installations (higher threshold).

Main tasks

The general tasks are spatial planning, nature conservation, environmental protection, agricultural section, social welfare, commercial traffic and driving licenses and legal questions.

The Environmental Protection Section deals with air and water pollution, waste, noise, health-issues and Seveso-legislation among other things. The CAB is a licensing authority and an inspection / supervising authority having responsibilities concerning operative inspection and enforcement as well as supervision (guiding, evaluating, advising, coordinating local operative inspection authorities).

2.23.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

The County Administrative Board is a regional inspecting authority. In the County there are 49 local inspection authorities whom the CAB supports with knowledge (supervise by guiding, evaluation, advice, coordination).

The central environmental authority in Sweden, the Swedish Environmental Protection Agency (SEPA), is responsible for supervision concerning most environmental directives. The Swedish Rescue Services Agency is the authority on supervision concerning the Seveso II directive. Both these authorities have guiding, evaluating, advising and coordination roles. They do not do operative inspections.

The Environmental Code states a request on the authorities to cooperate.

2.24 TURKEY

2.24.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

In Turkey the competent authority which is responsible for all environmental issues is the Ministry of Environment and Forestry. Under the "environment" title, Ministry has three main service units: Directorate General for Environmental Management, Directorate General for EIA and Planning, Directorate General for Nature Protection and Natural Parks. Under the Directorate General for Environmental Management there is an Inspection Department, which was established in 2001, among the permitting departments. Since this Inspection Department is responsible for the integrated

environmental inspections, the permitting departments are responsible for follow-up permit compliance checking related to their responsibility areas (air, waste etc.). Also the inspectors working in permitting departments participate in the integrated inspections under the coordination and leading of inspectors of Inspection Department.

An important point to be underlined is that, in Turkey although there is not an integrated environmental permitting system yet and present permits are media based (water, air, waste etc.); there is an integrated inspection system.
One of the strongest points of Turkish environmental compliance system is that the Ministry has a Provincial Directorate in each province (total number is 81). These Provincial Directorates also execute media based inspections (water, air etc.) as well as the unplanned inspections (complaints, incidents etc.) in their responsibility area.

To the integrated inspections implemented by the inspection department, also an inspector from the related province participates among the ministerial inspectors; and usually he/she acts as an observing inspector. After the inspection the reports are prepared by the Inspection Department of the Ministry, these are sent to the related Provincial Directorate. Although the negative and positive results of inspections are included in the reports, there is not a proposal for appropriate penalties or fines. After the report arrives to the related Provincial Directorate, the appropriate penalty of fine for any infringement is decided by Provincial Officers and the last decision or approval for implementing this enforcement action belongs to Governor.
In the case of objections, the jurisdictions are under the responsibility of public persecutors.

Total number of staff working for Ministry of Environment and Forestry is about 7000. Approximately 2.500 of this staff work at the central level and the rest at the local level (Provincial Directorates). Total number of the people working for environmental issues at both central and local level is about 2000.

Number of inspectors in the inspection department is 7. These people act as the “head inspectors” in the integrated inspections and the number of all inspectors (the ones working in environmental permitting departments) in the Directorate General for Environmental Management is about 200.

Since our environmental permitting system is still media based, the related environmental legislation also includes separate regulations for separate medias. For integrated inspections all these are combined in the Inspection Regulation (issued in 2001) and integrated inspections are carried out in accordance with this Regulation.

The environmental issues considered in these inspections are briefly the industrial pollution issues. In other words in these inspections the installations are checked for their permits, discharges, emissions, waste etc.

In Turkey the health issues are not under the responsibility of Ministry of Environment and Forestry. If the heath of workers is in question the competent authority is Ministry of Labor and Social Security, but if public health is considered the competent authority is Ministry of Health.

2.24.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

Since the only competent authority in Turkey which is responsible for environmental inspections is the Ministry of Environment and Forestry, we cannot tell about a superior authority. However as has been described in question 1.1; the Provincial Offices are one of the implementers of inspections other than the integrated ones. Also as has been described, the last enforcement decision for any infringement

determined in integrated inspections belong to Governors. As a consequence of this, there is a close relationship between the Ministry and Provincial Directorates (thus the Governors) on inspection issues.
Also at this point it should be noted that, recently a new draft Environmental Act has been prepared. According to this draft the enforcement authority of governors will completely be transferred to Ministry of Environment of Forestry. However if the Ministry prefers, it may transfer its environmental enforcement authority partially to related authorities such as governor, municipality, coastal security etc.

2.25 UNITED KINGDOM

2.25.1 Q 1.1.: DESCRIPTION IN GENERAL TERMS, TASKS AND COMPETENCES

The Scottish Environment Protection Agency (SEPA) is an integrated environmental Regulatory Body, responsible for the implementation and regulation of all relevant EU, UK and domestic (Devolved) environmental Regulation.
This includes:

- Controlling discharges to water groundwater and tidal waters to a 3 mile limit. As of 1April 2006 this will include implementation of the Water Framework Directive (2000/60/EC)
- Controlling releases to air and ensuring good air quality via regulation of smaller industrial plants and liaison with Local Council authorities.
- Regulating major industrial plants via implementation of all aspects of the European Directive (EC/96/61) on Integrated Pollution Prevention and Control via the Pollution Prevention and Control (Scotland) Regulations 2000.
- Regulation of waste management and control and implementation of a national waste strategy for Scotland
- Regulating and monitoring the use of Radioactive substances at non nuclear industrial sites and regulating disposal of nuclear waste from nuclear licensed premises
- Maintenance of a flood warning system for Scotland
- Controlling , with the Health and Safety Executive the risk of Major Accidents at Industrial sites via the implementation of Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances
- Regulation under the Producer Responsibility Obligations (Packaging Waste) Regulations 1997
- Regulation under the EU Emissions Trading Scheme

2.25.2 Q.1.2.: RELATIONSHIPS WITH SUPERIOR AUTHORITIES

SEPA is the integrated environmental protection agency responsible for protecting and improving Scotland's environment and as such undertakes all inspection and monitoring activity in relation to those sites or activities prescribed by law for control.

SEPA is partly funded by the Scottish Executive (http://www.scotland.gov.uk/Home) and partly funded by monies recovered from regulatory activity via charging schemes. All such charging schemes must be approved by the Scottish Executive. SEPA has a major role in advising the Scottish Executive on the development of new policies for protecting Scotland's environment.

CHAPTER 3 Prioritising in inspection plans

The answers on the questions below should give insight into the focus and content of inspection plan, issued by the authority who will be attending the workshop.

3.1 QUESTIONS

3.1.1 Q 2.1 A.: EXISTENCE OF AN INSPECTION PLAN

Do you have an inspection plan?
If not, how are priorities in inspections set in daily practice?

3.1.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

- If yes, what is its scope, focus and timeframe?
- What geographical area, what installations, what EC legal requirements are covered?
- Too what extent does the inspection plan cover re-active activities (different ways of compliance checking), pro-active activities (like compliance assistance and promotion) and monitoring (monitoring of environmental impact and performance of controlled installations, monitoring of the effectiveness of environmental inspections)?
- Does the inspection plan contain a long term planning?

3.1.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

How are priorities set in the inspection plan? Which methodology is used? What criteria are taken into account? Criteria may include environmental impact and risks of installations, the state of the local environment, the level of performance and compliance of installations, complaints of citizens or other companies?

3.1.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

Is the inspection plan drafted by your own organisation? Is there cooperation with other authorities during the development of the plan and in its execution? Who and which organisation takes the final decision about the inspection plan?
(please relate your answer given also to the answer of question 2.1).

3.1.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Does the inspection plan contain elements of public reporting and awareness building? Which ways of reporting are used (by public available via the web, or other channels?) Is this reporting voluntary, or legally required? What's its frequency?

3.1.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

How is the inspection plan used as "management tool" (e.g. as steering model for human capacity, financial recourses, exchange of knowledge, use of data tools, etc.)?

3.1.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

What criteria are used in measuring the efficiency / effectiveness of the plan Is it evaluated regularly, focussing on improvement of the effectiveness of the priority method(s) used?

3.1.8 Q.2.1.H.: REVISIONS

Does the plan contain provisions on its revision? How does the plan anticipate on new or changing legislation?

3.2 AUSTRIA

3.2.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes.

3.2.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

- Range of application (scope) is according to the defaults of the recommended examination activities (on basis of the national laws!) for environmental relevant plants, valid 5 years (until 2009)
- The plan applies to the province of Styria and the responsible plant authorities; since all environmental relevant European Union defaults are converted and / or become into national right, thereby all European Union-relevant defaults in the sense of the recommendation are fulfilled
- The inspections covers the defaults of the recommendation
- The schedule of inspections is valid for 5 years
- The plants which can be examined are specified in yearly programs

3.2.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The priorities correspond to the defaults of the national laws related to the respective types of system; from it the intended inspection intervals from 1 year to maximally 5 years related to the fundamental risks of the respective plant.

3.2.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The present valid "first" schedule of inspections 2004 was issued by the plan authority responsible for the "legal co-ordination of environmental inspections".

3.2.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

A publication of the results of the inspections will be for seen in the Internet. Thus is to be corresponded also to the defaults of the environmental information law. This is not a "voluntary" or "operating activity of the factories" it has to be done by the authorities.
However no single report was published in the province of Styria at the moment. Only aggregated information about the accomplished inspections.

3.2.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

Not in the classical sense, however during the mechanism of the technical inspection office it was considered that no more staff was needed. This change of organization could be managed by more efficient and on priorities which are based administrative procedures and operational sequence in the technical and environmental expert range.

3.2.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

An evaluation takes place regarding the fulfilment of the yearly programs. An evaluation of the schedule of inspections is foreseeable before expiration of the validity of the present inspection plan in the year 2009.

3.2.8 Q.2.1.H.: REVISIONS

If necessary an adjustment of the plan is to be accepted in the year 2009.
A consideration of legal developments is guaranteed due to the activities of the authorities on basis of the valid national laws in each case.

3.3 BELGIUM

3.3.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, we have an inspection plan.

3.3.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

Within the framework of a high-level, Regional Government 5-year environmental strategy and other strategies for specific, high priority issues such as waste, surface water pollution, noise and air pollution, the BIME is preparing a 5-year inspection strategy for all classes of installation in the Brussels Region.

The table below summarizes the principal environmental legislation for the Brussels Capital Region.

Water	Law of 26 March 1971 on the protection of surface water against pollution. Royal Decree of 3 August 1976 regulating the evacuation of wastewater in the surface water, the public sewer system and in artificial pipes for rainwater. Decree of 23rd March 1994 concerning urban wastewater treatment (modified by the Decree of 8 October 1998).
Soil	Law of 26 March 1971 on the protection of groundwater. Decree of 21 January 1999 fixing conditions of exploitation for petrol stations.
Waste	Ordinance of 7 March 1991 concerning the prevention and treatment of waste (modified by the Ordinance of 18 May 2000). Ordinance of 24 January 1997 approving the collaboration between the different Regions to prevent and treat package waste. Decree of 19 September 1991 regulating the elimination of dangerous waste. Decree of 25 April 2002 fixing an indicative list of dangerous waste. Decree of 30 January 1997 concerning the waste register Decree of 18 April 2002 on the landfill of waste.
Air	Ordinance of 25 March 1999 concerning the evaluation and improvement of the air quality.
Noise	Ordinance of 17 July 1997 concerning the fight against noise nuisance in an urban environment.
Permit	Ordinance of 5 June 1997 on environmental permits, modified by the Ordinance of 6 December 2001.
Inspection	Ordinance of 25 March 1999 on tracing, finding, prosecuting and punishing of infringements in environmental matters, modified by the Ordinance of 28 June 2001.

Preventive inspections represent about 80% Dialogue is a very important key element of our inspection strategy. We try to convince the owner of the installation of the necessity of a good environmental approach, so we try to change his behaviour. Compliance assistance and promotion is the basis for our inspection work because we have in most cases to handle with SME's.
Reactive inspection s (20%) occurs by complaints, incidents or accidents. Mostly we do not integrated unannounced on site inspection. Bigger enterprises are also monitored by auto control.

3.3.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The Regional Government produces a high-level, 5-year environmental strategy. This is implemented in part by BIME through its legal duty to produce a range of environmental plans including those for waste management, surface water quality, noise, air pollution. , and it is guided by a 2-yearly report on the state of the environment in the Brussels Region, produced by the BIME. The Regional Government reviews performance of the BIME by way of its Annual Work Programme and Activity Report.

External experts in risk assessment and priority setting support this work. In future, this strategy will guide the development of detailed work plans and identification of associated resource requirements.

Planned inspections are based upon the environmental risk or impact of an installation, and based on the conditions and the activities of the environmental permits. So the database environmental permits on the one hand and the database of all the industrial installations settled in Brussels are the main elements to make our inspection plan. Installations, products, construction or demolition sites are all elements that are controlled.

Unplanned or non-routine inspections are generally associated with responding to public complaints. A relatively small proportion of the BIME's time on this activity is attributable to site incidents or emergencies. BIME encourages complainants to make complaints initially to local authorities, but the BIME is invited to deal with those that cannot be handled effectively by these authorities. About 20% of inspection time is spent on the administration of complaints. The time for this activity is programmed formally into work plans on the basis of previous experience, and the system is carefully administered by creation of complaint files that are closed only upon satisfactory resolution of the complaint.

3.3.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

As we mentioned above, BIME and local authorities are both responsible for inspection. That's why the "memorandums of understanding" have been created. It's a kind of contract with the municipalities that aims to define clearly who inspects what, and the possibility of cooperation between both levels of inspection. The aim is also to reach to a broader and global plan of inspection for the whole Region.
The inspection plan is drafted by our own organisation.

3.3.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The BIME Annual Work Plans are already available to the public, as is an Annual Report containing a report of activities. It is a publication that is available to the public, political authorities as a document, but is also available through our website. It is voluntary. Like we produce an activity report we make also available on the same way our inspection plan for the next year.

3.3.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The Management Board conducts every 4 months reviews. These reviews address progress against thematic strategic plans and milestones in Annual Work Programmes. In support of this, Heads of Divisions review also their divisional progress 3 or 4 times per year with the different heads of department.

Every head of department produce monthly a document that describes the evolution of the work plan of his department. This document is available on the intranet.

In addition, we use a wide range of performance assessment techniques which included:

- Monthly joint meetings between the Heads of Inspection and Permitting Divisions.
- Tracking of permit applications against legal time-limits utilising an electronic permit administration system.
- Assessment of the quality of documents and decisions by the management chain.
- Review of the performance of site inspections and inspectors by line managers.
- Audit of the quality of IPPC permits and site inspections by third party experts, normally EMAS verifiers accredited by Belcert, the Belgian accreditation body.
- Assessment of the level of achievement of environmental objectives set in the BIME thematic strategies.

Finally, complaint statistics are analyzed in order to plan the deployment of effort to best effect.

3.3.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

We use various kinds of methods, such as self-evaluation, and external evaluations and audits. In 2002 we had also the IMPEL Review Initiative in our Region. In these evaluations and audits the inspections carried out, the results of the inspections, as well as the working processes of the Inspection and Authorization divisions and their interrelationships have been focused on.

3.3.8 Q.2.1.H.: REVISIONS

The inspection plan is flexible. That means that if during the year new priorities have to be tackled, that we can re-discuss our program with our minister and adapt our program. Normally we define also sectorial actions that are not yet defined in the beginning of the year (about 5% of our workload) what gives us the opportunity to include still some new actions in function of the actuality.

3.4 BULGARIA

3.4.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

RIEW has a yearly plan of inspections, approved by the Minister.
Each Department within the RIEW coordinates with other departments their weekly schedule and presents it to the Director. Normally weekly plans do follow the yearly one. Almost 50% of inspections are according to signals and complaints in written or by telephone, which inspections do have higher priority than planned inspections.

3.4.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The geographical area is the territory that RIEW is responsible of (7500 sq.km.).
The majority of the installations inspected are installations with IPPC permits, water usage and / or discharge permits, waste treatment permits, installations within the scope of the Seveso Directive or installations that are causing environmental concerns.
The ANNUAL PLAN contains different tables for installations and companies with permissions or environmental equipment.
The first table includes the companies which have all necessary permissions according to the environmental law – and the frequency of inspections is written in the permissions.
The next table includes operators which are missing one or several permissions and should take all the measures to gain one. They are also controlled administrative (whether they started the procedure or not) and on spot for any possible pollution.

Other tables are dedicated to protected areas and biodiversity, municipality control for landfills and pollutions, and earth bowels.

The goal is to have more "from desk" inspections, the operators to report more often and to do self monitoring for the compliance.
The inspections on spot are more connected with (water and air) emission analyses and on-spot-check of waste management – separate collecting of hazardous waste, marked areas for storing and other requirements as per permission or regulation.

3.4.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The plan that is presented to the Minister does not include priorities but all the inspections that should be held during the year. The priorities are set every year in the RIEW and discussed between departments' leaders.
The most popular prioritizing method is the risk of installation and their environmental impact.
Second level of priority is the number of complaints and written signals for breaching environmental rules.

3.4.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The Plan is issued by the Director of RIEW and approved by the Minister.
The RIEW cooperates with the district governors (2 Districts) who are responsible for the protection of the population from accidents, natural disaster and catastrophes and organize joint inspections of potential risk sources including all state organisation (RIEW, health, labour, Fire-fighting authorities etc)

3.4.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Reporting of the implementation of the inspection plan is legally required and made on annual basis.
The way of publishing should be chosen by the RIEW – most preferably as booklet, CD and web.
There is no obligation to present the actual plan to the public.

3.4.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The plan should be the ground for making budget and human resources appraisal, also for providing technical equipment.
The long term programme budget is based on the inspection plans for the budget period, but currently the link between the inspection plan and the annual budget is indirect.

3.4.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The criterion for efficiency is how many companies comply to the environmental legislation (as documents needed and actions taken).

3.4.8 Q.2.1.H.: REVISIONS

No revision of the plan is foreseen since it has the necessary flexibility to perform unplanned inspections. The changed circumstances are reflected in the new ANNUAL plan for the next year. The new and/or changed legislation are presented to the RIEWs on the regular meetings with the MoEW and guidelines on their implementation and enforcement are given.

3.5 CYPRUS

3.5.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, we have an inspection plan.

3.5.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The objective of our inspection plan is to ensure that controlled installations operate according to the conditions specified in their permits so that emissions are kept as low as possible.
The inspection plan for 2006 focuses mainly on VOC emissions (Directive 99/13/EC) and will cover all Cyprus. The aim is to quantify emissions from controlled installations and propose measures so that the provisions of Directive 99/13/EC are satisfied. The inspection plan for 2006, also focuses on controlling emissions from IPPC installations and installations operating near residential areas.

In addition the inspection plan for 2006 is targeted at limiting emissions from large combustion plans and incineration plants so that the provisions of Directives 2001/80/EC and 2000/76/EC respectively are satisfied.

The 2006 inspection plan also gives emphasis on employing self monitoring by industrial installations.

Another target of the inspection plan is the control of emissions of PM10. We intend to carry out measurements of PM10 emissions from stationary sources.

The Industrial Pollution Control Section in cooperation with the Air Quality Section makes long-term plans for the reduction of the levels of certain pollutants. One example is the level of VOCs emitted from petrol stations. In addition to the requirements of Directive 94/63/EC on the storage and distribution of petrol, this year's plan includes a study of the possibility of implementation of Stage II vapour recovery (collecting vapours generated during vehicle refuelling).

3.5.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Priorities are set according to EC legal requirements, environmental impact of installations, complaints of citizens and also the state of local environment.

3.5.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan regarding atmospheric pollution control is drafted and executed by our department because there are no other authorities in Cyprus with similar responsibilities.

3.5.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Apart from the obligations arising from Directive 2004/4/EC the inspection plan does not contain elements of public reporting and awareness building yet because of shortage of staff.
The main mechanism at the moment for public reporting and awareness is through the procedure for issuing or renewing permits for controlled installations. The technical committee, responsible for deciding on issuing a permit, during the examination of each application invites at the relevant meeting the representatives of the local authorities and the public that may be affected by the installation under examination.

3.5.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plan is used to document and prove to the authorities the needs for human and financial resources.

3.5.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The effectiveness of the plan is estimated by comparing annual ambient air quality measurements to see whether any improvements have been achieved.
The effectiveness of the plan is also estimated by assessing the trends of the national emissions of the main air pollutants. The national emissions are calculated in the framework of the implementation of the NEC Directive (2001/81/EC) and of the obligations arising from the Convention of Long Range Transboundary Air Pollution.

3.5.8 Q.2.1.H.: REVISIONS

New or changing legislation is taken into consideration when examining the needs for human and financial resources.
Also new themes are incorporated into the plan based on the currently discussed environmental issues at the European Commission level. Examples include the issues of small furnaces and the reduction of VOCs emitted from vehicle refuelling at filling stations, both included in the Thematic Strategy in Air Pollution, which was adopted by the Commission in September 2005.

3.6 CZECH REPUBLIC

3.6.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, we have the both the Strategic Plan and The Annual Plan of checking sites.

3.6.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The Strategic Plan (contain a long term planning) is in competence of Directorate (published by the professional department) of CEI in Prague. But the Annual Plan of checking sites is created by the individual Inspectorates (there are 10 Inspectorates, apart from Directorate, in the Czech Republic) in accordance with the territorial competence. The Annual Plan consists of the tasks concerning both a national scale and the needs of the region. These plans specify the frequency of routine inspections and effectively divide the inspection work among inspectors. The inspectors from the technical departments (air pollution, water and waste management) work together on some tasks. Inspections cover all state legislation, transposing EC Directives – see
http://europa.eu.int/comm/environment/impel/pdf/countries/czech.pdf.
The results of inspections are monitored. The protocols from the checking are collected in written and electronic documents. Effectiveness of checking is evaluated by directors of Inspectorates who submit it to the Directorate in Prague. The criteria of the evaluation depends on particular situation (it can be the number and amount of fines which were imposed by inspectors or amount plants which does not fulfil the valid emission limits for pollutants). The summery of this is set out in the annual report which is published on web site CEI – http://www.cizp.cz/.

3.6.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The plants have to operate on the basis of valid permits. The Annual Plan joins the requirement of individual inspectors and the tasks at a national and regional level. The criteria are: e.g. size of plants, risks of installations, complaints of citizens or other companies.

3.6.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is drafted and approved by the own organisation. Inspectorates can also co-operate with the Regional Authorities during preparation and execution of the Plan.

3.6.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The inspection plan is not available for public and its reporting is voluntary.

3.6.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The management tool (e.g. as steering model for human capacity, financial recourses, exchange of knowledge, use of data tools, etc.) is generally used in The Strategy Plan.

3.6.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The Plan is evaluated regularly by a quarter of a year. The annual report on the activities which is published on web site (see above) contains evaluation of inspection plans as well. The amount of checking sites, the amount of imposing fines, the amount of complains and the amount of decisions which were issued on measures to improve faulty condition pose the main role. As for the Strategic Plan evaluation concerning the effectiveness of plans is provided by Directorate for internal purpose. No special methods are not used therein.

3.6.8 Q.2.1.H.: REVISIONS

Plans are created in accordance with the valid national legislation and its content is related to current or otherwise serious problems. If the legislation change the plan can be changed.

3.7 DENMARK

3.7.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes we do, made by the inspectorate and decided by the City Council. It describes priorities in a four year period, lining up in general how to prioritize in daily practice.

3.7.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The timeframe is four years, the geographical area covered is the municipality. And the scope is environmental management in general, environmental protection in general (as authority licensing, inspecting and enforcing industrial installations), protection of soil and groundwater, protection and management of some lakes and watercourses, quality of drinking water, licensing emission of sewage water, pest control, noise control and to some degree also the environmental impact from energy production and traffic. We are unfortunately more re-active than pro-active, since we are working as an inspection team under the EU and national legislation. But at industrial installations we are offering some compliance assistance in several cases. In most cases the industry id responsible for (self)monitoring at the installations, and we choose as authority in some cases to monitor at the same installations.
The overall plan is renewed every four years normally, in some cases more often.

3.7.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The more potentially emitting (polluting) the more efforts spent by us. The higher level of proved compliance – the less inspection from us. We always deal with complaints from citizens or other companies, normally leading to at least one inspection at the site the complaint is about.

3.7.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is made by us at the inspectorate, but the latest one was made after a couple of public meetings. We invited a group of interested citizens asking them to tell us their priorities in terms of environmental protection and inspection at industrial installations.
The final decision is made by the City Council.

3.7.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Once a year we have to report the work done to Danish Environmental Protection Agency (DEPA), the federal authority. And we must publish the report for every one interested to se the report. We advertise in local newspapers, the report is available at public libraries, at City offices and at our City website. It is only very few people ever asking to se the report.

3.7.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

It sets the activities for the inspectorate, and we have to do the inspection programme in compliance with the plan. But it does not go into details like financial recourses, exchange of knowledge and use of tools.

3.7.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

For every activity covered in the plan, there is a set of "criteria of success". We are expected to monitor the efficiency compared to the success criteria.

3.7.8 Q.2.1.H.: REVISIONS

The legislation is changing to rapidly to be covered in the plan, so we run a quality management system as well.

3.8 ESTONIA

3.8.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, a kind of (see 2.1.b). The current plan was set up in the beginning of 2006; earlier planning principles have differed from the present ones.

3.8.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The plan covers the whole country (Inspectorate) and sets minimal inspection frequency for different categories of enterprises / installations, roughly as follows:

- 1 inspection per 1 (in some cases 2) year: IPPC enterprises, enterprises with high radiation risk, enterprises with hazardous waste handling license, major enterprises having mineral resources extraction permit, major oil / chemicals / fertilizers terminals, others;
- 1 inspection per 3 years: enterprises with more than one permit, enterprises with medium radiation risk, others;
- 1 inspection per 5 years: enterprises with one environmental permit, enterprises with low radiation risk, others.

The plan does not cover different ways of compliance checking, as these are determined by the (Environmental Supervision) Law.

Proactive activities are also not a subject of the plan as mainly being a responsibility of another authorities (another substructures of the MoE).

The plan does not cover monitoring of environmental impact and performance of controlled enterprises, as well as monitoring of the effectiveness of the inspections. Principles and methodology of such a monitoring are under development.

3.8.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Prioritization principles were set by working groups led by the administration of EI. The main criteria for prioritization has been the environmental impact and risk of enterprises / installations. Additionally the level of performance (incl. compliance) and complaints have been a criteria.

The plan includes principles for setting up the yearly workplans (inspection programmes).

In order to develop more efficient criteria for prioritisation, a project for assessment of compliance behaviour and risk levels of breaking different legal regulations has been started in 2005 by EI. Assessment is based on expert knowledge. The project was inspired from the Compliance Strategy of the VROM-Inspectorate in the Netherlands. We hope to get first outcomes from the project in March 2006.

3.8.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

Inspection plan was drafted by the Inspectorate with some support from the MoE in priority setting process. There was no considerable cooperation with other authorities in development of the plan. Final decision about the plan was taken by the Chief Director of the Inspectorate. Cooperation with other authorities in executing the plan is inevitable.

3.8.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The plan does not contain publication aspects and is not published so far.
Publication is voluntary.

3.8.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The plan will be used as a tool for management of human and financial resources.

3.8.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Criteria for measuring the efficiency / effectiveness of the plan are under elaboration.

3.8.8 Q.2.1.H.: REVISIONS

The plan will be revised once a year.

3.9 FRANCE

3.9.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes

3.9.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

Warning: the following answers do not apply to the DDSV inspectorate; inspection plans and programs of the 3400 IPPC installations controlled by DDSV inspectors (essentially cattle and poultry farms, slaughterhouses, quartering) are not yet set up.
The 2004 – 2007 modernisation programme of the DRIRE inspectorate defines 5 objectives to reach: pollution and risk reduction, transparency, quick reaction to complaints, shorter permitting process and long term inspection plan.
About this inspection plan:

- It focuses on installations in France that are subject to permitting
- It defines 3 categories : A (2000 installations), B (8000 installations) and C (23000 installations)
- A installations must be inspected at least once a year

- B installations must be inspected every three years
- In the next ten years, every C installation must be inspected at least once
- Each year 10% of the installations with a permit have to be inspected unexpected.

The inspection plan itself covers only on-site inspections by the inspectorate.
However, the 2004 – 2007 modernisation programme promotes different actions to help enforcing the environmental law and protecting the environment:

- on-site inspection by the inspectorate (see above)
- self-monitoring by the operator
- controls by third-party private companies
- environmental impact analysis
- information of the operators on the up-to-date legal requirement

However inspectors are not supposed to provide technical assistance to the operators.

3.9.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

A installations are the most dangerous ones or the ones with the biggest pollutant emissions. The criteria for A installations are set by national guidelines prepared by the DPPR..
B installations are basically installations under European directives (5000 plants controlled by DRIRE inspectors, essentially Seveso and IPPC installations) and that are not A installations (national criteria). Smaller installations with important local issues (impact, complaints, accidents…) are also B installations (local criteria).

3.9.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The modernisation programme and its inspection plan were drafted by the DPPR and the DRIRE. It was approved by the minister herself. During the plan execution, there is cooperation between the DRIRE and:

- the worker health and safety authority
- the water quality authority

3.9.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The modernisation programme and its inspection plan are public documents. Moreover voluntary reporting to the public is done on a regularly basis by the inspectorate:

- press release after inspection campaigns
- pollutant emissions on the web or on paper documents

The inspectorate is thinking about publishing inspections reports on the web.

3.9.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

Inspection is an important part of the inspectorate activity. During the financial negotiations, it is one of the five indicators that is discussed between the DRIRE and the DPPR.

3.9.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Indicators about the quantity and the quality of the inspections are collected annually in order to follow up the inspection plan.

3.9.8 Q.2.1.H.: REVISIONS

The modernisation programme is a three-year programme. In 2007 the inspection plan, which is a part of it, will be revised. New criteria, installation categories or frequencies may be defined by the authority.

3.10 GERMANY

3.10.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, an inspection plan exists in Schleswig-Holstein for industrial plants which need a licence acc. to the Federal Immission Control Act (Bundes-Immissionsschutzgesetz). The state ministry has implemented it by decree from 4.9.2002.

3.10.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC,

By this plan the minimum criteria for environmental inspection according to the recommendations in articles IV - VII (RMCEI) is implemented. The plan shall be a base and support for the inspectors´ planning of inspection and monitoring tasks. The aim is to protect sites and to ensure the natural resources of life.
A special time frame is not applied. It is continuous and unlimited.
It covers the geographical area of the Bundesland Schleswig-Holstein, all IPPC installations and relevant industrial plants concerning emissions and risks. It covers all EC legal requirements concerning immission control and waste management for these installations as there are directives on incineration and co-incineration of waste, Seveso II and VOC.
The plan is based on § 52 Immmission Control Act (BImSchG) for inspection and monitoring. The inspection plan covers re-active activities like subsequent orders (§ 17 BImSchG and 29 a BImSchG) in case of deficient prevention, relevant changing of available technology for the reduction of emissions, optimizing security and in case of new legislations.
The plan also covers pro-active activities like compliance assistance and promotion. So the inspector should give advice for the running of the installations according to the law in an appropriate and reasonable way.
The plan contains the instruments of the authority and the operator's duty of documentation concerning monitoring of environmental impact and also the kind of data needed for an efficient performance of the installations.
Yes, the inspection plan contains a long term planning because the inspections are to be executed regularly and cyclically.

3.10.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The inspection plan contents a ranking of inspections: 1. routine inspections 2. special inspections as directed actions (e.g. based on new directives as VOC) 3. non-routine inspections as result of incidents and accidents.
The inspection plan sets the priority to convince the operator to fulfil his duties voluntarily without legal pressure and to achieve a trusty cooperation between operator and supervising authorities concerning compliance of installations to the law.
As criteria the environmental impact and risks of installations, the state of the local environment, the level of performance and compliance of installations, complaints of citizens or other companies as well are taken in account.

3.10.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is drafted and finally decided by the Ministry of Agriculture, Environment and Rural Areas. The development of the plan was made by the department for air pollution in cooperation with the department for waste production. The coordination with the department for waste water management is planned.

3.10.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

At present the plan does not contain elements of public reporting.
The information of the public as laid down in the European directive 2003/4/EG is transferred into German law. In Schleswig-Holstein a special regulation for the information of the public exists in a draft. The obligation for the information of the public as laid down in the European directive 2003/35/EG is not yet implemented in Schleswig-Holstein. A routine information via the web is not yet available because of missing definitions concerning concrete contents, level of information and missing tools (hard and software).

3.10.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plan is used as management tool for the exchange of knowledge and the use of data tools. It is not primarily used as steering model for human capacity or financial resources. But the number, content and the quality of the required inspections according to the inspection plan demand a sufficient equipment of human capacity and financial resources.

3.10.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Twice a year the electronic documentation of the inspections is evaluated by the Ministry for Agriculture, Environment and Rural Areas of Schleswig-Holstein.

3.10.8 Q.2.1.H.: REVISIONS

The plan has to be revised in case of special necessities based on latest findings concerning the application of the plan or in case of changing regulations.

3.11 GREECE

3.11.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

There is an inspection plan totally prepared- on a year basis- by internal procedures of the Inspectorate.

3.11.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The Hellenic Environmental Inspectorate aims to play a major role in the field of environmental protection, through controls and inspections of all activities and projects in the country, both during construction and normal operation, and evaluation of the compliance with the environmental permit conditions and the EU and national environmental legislation, as well as through the use of all necessary instruments to enforce environmental legislation in case of non-compliance.

Basic requirements regarding the strategic inspection plan include:

- promoting the compliance of controlled installations with relevant environmental requirements set out in Community legislation as transposed into National Legislation or applied in the national legal order and monitoring the impact of controlled installations on the environment to determine whether further inspection or enforcement action is required to secure compliance with EC legal requirements.
- to create proper partnerships and achieve social consent in an absolutely necessary climate of trust and reliability.

Inspections are extended to all over Greece and generally involve:

- Checks of documents
- Inspections at site
- Sampling and analyses if it is necessary

- Legal proceeding and administrative sanctions in case of infractions

3.11.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The inspection plan is prepared taking into consideration Inspectorate's pre-decided to be checked cases (of great environmental importance or impact) and a number of public complaints regarding relevant environmental issues, which are evaluated as valuable. In all cases issues that are taken into account, during the preparation phase of the inspection plan, basically include:

- matters of environmental impact and risks
- the state of the local environment (sensitive areas are considered as areas of priority)
- previous levels of environmental performance and compliance
- IPPC installations

3.11.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is exclusively drafted by Hellenic Environmental Inspectorate, taking into consideration input from local and regional environmental authorities.

3.11.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

There is under-construction a system that will include a web-based public reporting and awareness procedure.
Furthermore the annual report which Hellenic Environmental Inspectorate issues and submit to the European Commission, following the point VIII of the 331/2001/EC Recommendation ("minimum criteria for environmental inspections"), is available and accessible to the public.

3.11.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

In principle, the inspection plan is being adjusted to the capability of the Inspectorate, taking into account all relevant management principles (optimum allocation of human capacity and financial recourses usage etc.)

3.11.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The efficiency/effectiveness of the plan is generally measured via any environmental improvement achieved in all inspected cases. In particular, the environmental performance of installations – activities that were part of the inspection plan into the future is being considered as an index of its effectiveness. This issue is an on-going activity of our authority.

3.11.8 Q.2.1.H.: REVISIONS

All new or changing legislation is adopted in a prompt inspection plan revision.

3.12 HUNGARY

3.12.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

There are not two levels of planning of inspections in Hungary – the strategic and operational level is covered in one document. The inspectorates prepare a yearly work plan which is accepted by the Ministry. These plans are made according to an inner, ministerial order. Inspections are undertaken according to these annual work plans, which give – amongst other things – the number of routine inspections and the companies to be inspected. The preparation of the plan is the responsibility of the director of the inspectorate.

3.12.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The plan covers one year's activity, and the whole area of competence of the inspectorate. It also covers the range of all controlled installations belonging under the supervision of the inspectorate, and covers also all the EC legal requirements (harmonised into the Hungarian legal system), which are in the competence of the inspectorate.
The plan provides room enough for non-routine, non-planned (re-active) inspections, which are usually carried out in case of complaints, environmental remediation works and accidents having harmful environmental impacts — these should be inspected at once.
Pro-active activities are not in use, because the legislation is quite rigid on the field of enforcement (see point 4.)
Monitoring of environmental impact and performance of controlled installations takes up a great part of the plan, the laboratories check the emissions of the installations, sometimes the equipments as well.

3.12.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

There is no prioritisation system in use pursuant to RCMEI.
In most cases legislation sets different intervals for routine inspections by different authorities or for different purposes, or it may alternatively say the responsible authority is free to decide on an appropriate frequency. In the former case, non-routine „surprise" inspections are also possible. (In practice the rare use of unannounced inspections may decrease the possibility to get a true picture of the company compliance.)

In case of some media legislation prescribes the control in detail, e.g. in case of surface water, the methods of inspections, the places where samples shall be taken, and the frequency of taking samples at all of the installations emitting into surface water. It contains limit values as well. It is similar in the legislation on air protection, it sets out the frequency of the inspections, also mentioning, when it should be combined with authority sampling and measurements. In the field of air pollution abatement, inspections are carried out partly by inspecting the compulsory annual reports of the operators.
The self-monitoring of installation plays more and more significant role.

In case of waste, the National Waste Management Plan (accepted by the Parliament in 2002), it also should be taken into consideration when planning.
The newest of these legal prescriptions (since January 2006) is that all IPPC installations shall be inspected once a year each year.
Besides the legal considerations, the list of polluting activities on the area of the inspectorate, the special guidance from the ministry (e.g. inspection programmes aimed at a certain activity), the capacity of staff available is also always taken into consideration.

Environmental impact and risks of installations, the state of the local environment, the level of performance and compliance of installations, complaints of public, the experiences of inspections carried out the previous year are also considered.

The data of environmental monitoring carried out by the inspectorates' laboratories are also available for those who do the planning of inspections. Part of the monitoring stations are positioned in the neighbourhood of large polluters, and these stations are automatic, operating continuously, so if there is an extreme value among the data, it is probably caused by the closest polluter (or the traffic), so in these cases non-routine inspections can be carried out. Routine inspections can be planned for those areas where the data show that the quality of the local environment is not good enough.

3.12.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The plan is prepared by the regional inspectorate itself, and approved by the Ministry.
It is possible and there were already few occasions of carrying out inspections together with other authorities also having competence on the site, e.g. workers' health and safety, chemical safety, animal health authorities etc.

3.12.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Summary reports are made available for the public on the inspection programmes aimed at a certain activity

3.12.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plan is not used as steering model for human capacity rather the capacity of staff available is taken into consideration when planning.
All the data available at the inspectorate concerning the installations (data of reports or authority sampling and measurements made) are available for the experts who plan and carry out the inspections (even if they do it without the representatives of the laboratory), so it is used for exchange of knowledge –inside the organisation.

3.12.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The inspectorates prepare yearly report on their activities, it contains information –among others- on the quantity of inspections carried out, the actions taken, the amount of fines imposed. This report is sent to the Ministry for formal approval.

3.12.8 Q.2.1.H.: REVISIONS

The plan is prepared each year so it does not cause a problem to follow the changes in legislation. After the enormous work to harmonise all the EC legislation with the existing Hungarian ones we do not expect frequent and sudden changes in the legislation, the annual revision seems to be adequate.

3.13 ITALY

3.13.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

We have an inspection plan for control of "Seveso" legislation .There are not priorities in inspection set in daily practice. We are beginning now to organize the control of "IPPC" legislation, in fact the Italian law was done on February 2005.

3.13.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The plan inspection for "Seveso" legislation covers all establishments under that law and is a long term planning.

3.13.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

We use a "Risk-index" on the bases of quantity of dangerous chemicals, geographical area, and other information specifically collected.

3.13.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

In order to monitoring the Safety System of the establishments under "Seveso" directive we collaborate with local Department of Superior Institute for Work Safety and Fire Fighter.

3.13.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The reporting is required but does not contain elements for public.

3.13.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

n.a.

3.13.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

n.a.

3.13.8 Q.2.1.H.: REVISIONS

n.a.

3.14 LATVIA

3.14.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

The national strategy of environmental protection defines the National Environmental Policy Plan 2004 - 2008 for the Latvia accepted by Cabinet of Ministers in 03.02.2004. Implementation of the Policy Plan determines the Environmental Action Plan. SES does not have individuals an inspection plan (strategic planning).

3.14.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The inspection plan (strategic planning) contains a long term planning on five years.
Strategic plan should at least include all the crucial activities within a year, but can also include more long-term action and objectives.

3.14.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The strategy should be of the kind it ensures the operation of inspectorate, by observing the following:

- Proportionality – sanctions are proportional / adequate to the violation of law and amount of risk caused to the environment;
- Consequence – identical action in similar situations which create similar results;
- Transparency – it helps operators to understand what is provided by legislation;
- Strictness – strict approach in defining the restrictions of flexibility when applying sanctions;
- Honesty – public approves fair action which lies on the basis for enhancement of environment.

3.14.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

SES drafted the inspection plan in own organisation. There is cooperation with eight Regional environmental boards, Marine environmental board and central structure of SES. The Ministry of Environmental takes the final decision about the inspection plan.

3.14.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The inspection plan contains elements of public reporting. We are used public available via the web ways of reporting. This reporting is voluntary.

3.14.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

n.a.

3.14.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

n.a.

3.14.8 Q.2.1.H.: REVISIONS

n.a.

3.15 LITHUANIA

3.15.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Local city / district agencies have an inspection plans. They also are adopted by REPD. And each inspector has an own inspection plan.

3.15.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

District / city territory is covered by such a plan. The attention firstly is paid to the installations, listed in RMCEI (discharges, emissions to the air, etc) also to the other important installations. 15 EU Directives, requesting permitting and inspection are covered.
Such a plan is developed for the year.
Re-active activities are covered if on the end of the year inspector finds the violation, then he includes this installation to the next-year inspection plan. It happens seldom. Compliance assistance and promotion play very small part of inspectors work. Monitoring of environmental impact is conducted mainly by y Environmental impact assessment and normatives unit of REPD. Performance of controlled installations is performed by city / district agencies. Monitoring of the effectiveness of environmental inspections is controlled firstly by the staff of REPD, secondly by SEPIL. Results of inspection and enforcement activities is collected, analysed, published and available to public by internet of SEPIL. Mainly the plans are annual. Some departments develop such plans for 3 months, SEPIL encourages them to make longer and longer plans. Here is a process of experience.

3.15.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

SEPIL encourages to use IMPEL recommendation “Planning of inspections and reporting”. On the end of each year Ministry of Environment provides the priorities to the next year, and these priorities are taken to consideration.
Your listed criteria are also relevant, we teach inspectors to turn heads back to the past year and to watch, where the problems have occurred.

3.15.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The plan is drafted by own local city / district agency. In some complicated cases the cooperation is foreseen. Such the plans are approved by director of REPD.

3.15.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

SEPIL provides own annual plan to the public via the web. This plan is more similar to the “programme of strengthening of inspection and enforcement capacities”. Details, such “what and when will be inspected” are not provided to public.

3.15.6 Q.2.1.F.: INSPECTION PLAN AS “MANAGEMENT TOOL”

Inspection plan is also management tool for all having recourses of agency.

3.15.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Executing (in percents) is the main criteria of efficiency of the plan. Each 3 months such executing is analysed.

3.15.8 Q.2.1.H.: REVISIONS

Revision of the plan has legal provision (order by Chief Inspector of SEPIL). If the new legislation is actual to the appropriate region, it is taken to account.

3.16 NETHERLANDS

3.16.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

The strategic plan is the so called *Dutch Compliance Strategy ,*in which the ministry makes the behaviour (and the manipulation of the behaviour) of the regulatee the focus point in her compliance strategy. Knowledge of compliance behaviour is essential to do the right things and to do the things right. The main objective for the ministry is the contribution to a safe, healthy and sustainable environment.

3.16.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The strategy is written for a longer period, it is not a fixed number of years. Some parts of the strategy are yearly reconsidered. The most important reconsideration is the prioritizing of the legislation task. Every year experts take into account what new legislation should be prioritized, what legislation is withdrawn. The most important role should be the changing of the behaviour of the regulatee due to the work of the inspections.
The scope is set on 250 tasks of environmental, housing and spatial planning legislation, in which the Inspectorate has a task to enforce compliance. Compliance enforcement is focused on changing the behaviour of the regulatee so he or she will comply according tot the requirements in the legislation. Every year the priorities are reconsidered and adjusted according to the latest action of compliance.
Geographic area : the Netherlands , very divers sorts of installations, tasks (local governments as well as Fireworks Decree (fireworks for consumers and trading)).
For the international legislation there is a specific arrangement in which all legislation is mentioned (EVOA, REACH) etc

Re-active:

- criminal prosecution
- Administrative measures
- Warning

Pro-active

- Policy interventions
- Policy development (new regulation, cost reduction programmes etc.)
- Communication
- Prevention
- Compliance assistance
- Deterrence
- Enforcement; administrative, criminal and civil.
- Feedback to the minister and parliament (annual report of the Inspectorate).

Some legislations tasks have developed a four-year long-time program. Since this year real long-time planning for all the prior tasks is being developed.

3.16.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Experts have identified of all the sets of environmental legislation confined to firms, citizens and other governmental actors (provinces, municipalities). In the Netherlands there are about 250 sets of legislation the Inspectorate has to observe. Some 70% of these regulations concern environmental regulations. The next step: per set of environmental legislation all the regulatees were identified. On

this regulatee-level the present state of risks and compliance behaviour were identified and classified in risk and compliance indicators. The heights of the risk and compliance indicators were all estimated and are based on expert knowledge (inspectorate and policy makers).
The compliance indicator is a measure for non-compliance. The compliance indicators will be used to calculate the compliance efforts the ministry (and therefore also the Inspectorate) has to make on a yearly base.
Criteria's are risk-rate and non-compliance rate. Risk indicators are set per regulatee on the effects on: public health, safety, sustainability and social factors.

3.16.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

Yes the plan has been drafted by the inspectorate together with the policy makers. The final decision is made by the minister. There has been no direct cooperation during the development with other authorities.

3.16.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

A regulatee has certain reasons to respond positive or negative on regulation. The responses to regulation are summarised in the so-called *Table of eleven*, a broadly accepted and used list of reasons for non-compliance In the Netherlands.
The base of this table is formed by a combination of social, psychological en criminal theories found in literature on compliance behaviour and on practical experience within the field of the maintenance of law and order. The dimensions of the table of eleven can be seen as behavioural scientific parameters, which can influence the compliance behaviour.
Table of 11:

Aspects of spontaneous compliance:
1. knowledge of the regulation
2. cost / benefit ratio
3. degree of acceptance of the regulation
4. loyalty and obedience of the regulatee
5. informal monitoring

Aspects of monitoring:
1. informal report probability
2. monitoring probability
3. detection probability
4. selectivity of the inspector

Aspects of sanctions:
1. chance of sanctions
2. severity of sanctions

Furthermore there is a communication strategy in which in global terms is written what kind of communication on different subjects should be used and who is responsible for it. In the plans which are made per project or per task these aspects are treated.
Reporting on the web of the ministry is done, but there is no strategy for it and it is not yet used for all the work done by the inspectorate.

3.16.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The plan and the programme are used in all ways mentioned as a management tool.

3.16.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

From the plan and program the following compliance and enforcement indicators are monitored and use tot manage compliance:

Inputs:
- # compliance promotion officers (policymakers).
- # compliance enforcement officers.
- investments in training, IT, sampling etc. (€).
- # days planned for compliance: promotion and enforcement.

Outputs:
- # compliance promotion campaigns.
- # of inspections.
- # of prosecutions.
- # and height of penalties.
- # days realised for compliance: promotion and enforcement.

Intermediate outcomes:
- Compliance rates.
- Risk rates.

Final Outcome:
- Ambient load of pollutants in air and water by a PRTR system.
- Environmental effects monitoring in the yearly *State of the Environment* and *State of Natur*e reports of the State Institute for Public Health and The Environment.

All indicators are tools the expert can use tot give his or her impression on the state of compliance and enforcement of Dutch environmental legislation and thereby develop a base for decision making for compliance management.

3.16.8 Q.2.1.H.: REVISIONS

As mentioned before the new lists of prioritized task is made every year and is the basis on which the operational planning of our work is yearly made. Every year new legislation is taken into account on the way we prioritized old and new legislation tasks

3.17 NORWAY

3.17.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes

3.17.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The scope of the plans is to give a framework for detailed planning. This framework does not have a particular timeframe, but is adjusted or changed when needed upon reviews. The Norwegian inspection plans are national and consists of a system of prioritizing based on a national register of installations and procedures for planning agreed upon by all the national inspection authorities which again are based on risk, environmental impact, size of installation, location, etc. These things does not change from one year to another, but other criteria like new priorities, changes in regulations and experiences from earlier inspections lead to adjustments or changes in the inspection plans every year.

Focusing on reactions like fines for not following up of non-compliances and reporting to the police and prosecuting authorities for the serious cases have shown to be of great importance for the improvements in certain branches.

Additionally to this system concerning single installations, inspection plans include control actions or projects concerning industrial / commercial branches (ex. shipyards, plating industry) or environmental aspects (ex. hazardous substances like Hg or PCB) or chemicals in products (ex. plastics, textiles, isolation material) Priorities are here based on last years experience, risk assessments and suggestions from the regional authorities. This system is an important part of the pro-active awareness that can lead to less accidents and non-compliances.

The general regulation in Norway imply that industry, communities and others are obliged to have a system of "self-control" which are active in use and can be documented. This gives the different companies a responsibility for awareness and to follow up environmental aspects and is necessary to keep up with a certain standard without increasing inspection recourses dramatically.
Inspection plans are national and even with a annual timeframe initially they are often continued due to the results of first year. Parts of the inspection plans are based on long term planning.

Due to annual reporting on the results of inspections different trends are seen in different types of businesses which again are included in the inspection plans. After some years these results give indications on how the inspections work, the effectiveness of the inspections, but the experience show that quantifying effectiveness is difficult.

3.17.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Parts of the inspection plans are based on the national register of installations and procedures which describes frequency, how comprehensive inspections will be, etc. Experiences from earlier inspections are important. Additional to this "running system" the most important criteria are environmental risk assessments of the type of installation, location and changes in the regulations in EU or nationally (see above).

3.17.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

SFT makes the inspection plans, but get suggestions from the counties. There is also a dialogue between the other national inspection authorities during the process. The ministry is not involved in development of inspection plans.

3.17.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Developing the plans does not involve the public or the industries, but changes in the way the inspections are prioritized and done are subject to hearings among involved parties (industry, local authority, organisations). SFT also work actively with media to get publicity about the plans several times during the year because that has shown to be important for the awareness in the companies.
SFT make an annual report which is published and presented on the web.
According to licenses and the general regulation on "self control" the different installations, companies, etc have to report annually according to certain criteria. These data are free and accessible upon request, but only partly on the web.

3.17.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plans are not used as a management tool during the year except for allocating personal recourses when needed and that the expectations in the procedures are followed up. But as backing and in developing the plans management aspects are vital. That includes of course personal and financial

recourses, development and use of databases, decisions on priorities according to environmental risk and most important involvement at the very top level of the organization.

3.17.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Measuring of effectiveness of inspections is difficult, but we see that due to reporting and follow up over a few years, trends are coming up which are very useful for developing the plans themselves but also in developing the inspection policy in longer terms. Good examples are off-shore buisnss and hazardous waste companies. These trends are at the moment the best we have to measure effectiveness of inspection activities.

3.17.8 Q.2.1.H.: REVISIONS

The inspection plans have annually input on changes in priorities and in regulations, both EU regulation, but especially national regulations including changes in licenses. Examples on changes in priorities are those due to new knowledge on chemical substances and on local environmental conditions as results of monitoring programs.

3.18 POLAND

3.18.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, plans are worked out quarterly and yearly.

3.18.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

Inspection plan is prepared for a region (voivodship) and covers the most important environmental issues (SEVESO II and IPPC Directives including). The plan of the inspection takes into account in the first instance installations which discharged large loads of impurities to the environment or use the environment in considerable size.
Long-term plans covered one year's period.
The yearly plan includes only main inspection goals to be achieved and the total number of inspection planned.

3.18.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Rules of preparing of plans of the inspection one described in „The Instruction of carrying out of the inspection and taking post supervisory actions by environmental protection service."

THE PLANNING OF INSPECTION ACTIVITIES OF VOIVODSHIP INSPECTORATE FOR ENVIRONMENTAL PROTECTION (VIEP)

VIEP one year's plan of inspections activities covers : planed inspections (complex inspections and of problems), in this inspections of products. It takes place across the settlement of the plan one year's of the inspection of definite subjects with the Environmental Protection Inspection Act and with separate regulations, situated on the territory of the voivodeship. The one year's plan of inspection (the delimitation of the number of subjects to be subject of the inspection) VIEP prepares basing on lists of subjects which should be found in the yearly up-to-date register of subjects. The one year's VEPI plan of inspection activities should be the agreed-upon document with the voivode and confirmed by the Voivodeship Inspector of the Environmental Protection. At the elaboration of this plan one ought to make allowance for the assurance of the suitable reserve of the time on passing of unplanned inspections. Successively one ought to aim to the enlargement of the number of problem-inspections , to the place of complex inspections.

Bases of the creation of the one year's plan of inspection activities

The one year's VIEP plan of inspection activities should be worked out in particularly with the regard of following documents and problems:

document, accepted by Chief Inspector for Environmental Protection ChIEP)(which marks general directions of the activity of Inspection for Environmental Protection (IEP),

the document, determining yearly ChIEP guidelines denominative basic directions of activities of supervisory inspections in the given year,

documents determining plans and programs created on the ground regulations about the environmental protection,

basic ecological problems in the voivodeship and the state of the warnings of requirements of the environmental protection by controlled subjects, in this particularly:

a) the occurrence of areas on which have exceeded standards of the quality of the environment,
b) the occurrence of areas about the large natural value which should be protected,
c) the occurrence of the definite kind of subjects whose the activity essential affects the environment,
d) the monitoring results,
e) the results of accessible analyses of the influence on the state of the environment of the issue of impurities of caused with the activity of subjects using the environment,
f) the settlement of previous VIEP inspections
g) the settlement of the inspection of other organs of the public administration and organs of the inspection, in this: Supreme Control Chamber, State Work Inspection, the State- Health-Inspection ,
h) the voivode, municipal organs and ecological organizations propositions,
i) the occurrence of definite ecological problems resulting from complaints and conclusions from the collection of the intervention,
j) enacted by the council of the voivodeship the voivodeship program of the environmental protection, in this of the plan of the waste disposal and reports from these documents, prepared what 2 years by the management of the voivodeship ; this program qualifies the realization of the rule of the balanced development and environmental protections and determines guidelines to spatial plans
k) the list of controlled subjects, from the period of last 5 years,
l) the large risk of accident (the inspection at least once a year) and about enlarged risk of accident (the inspection at least once on two years)- according to art. of 31 article of section 1 of IEP Act - basing on register of these plants.(in connection with article 29 point 4 of IEP Act),
m) the review of the station of the disassembly of vehicles (the inspection at least the yearly),
n) the information submitted to organs of the administration of the environmental protection by subjects using the environment, among other things: environmental impact reports of installation on the environment, ecological reviews and other data concerning uses from the environment,
o) guidelines to plans of the inspection of products introduced to the trade turnover

The one year's plan of inspection activities should be delivered to ChIEP termly to 15 December of the year previous.

The one year's plan of inspection activities within the range the supervision of the market one ought to deliver to ChIEP termly to 30 October of the year previous, basing on guidelines which are yearly worked out by ChIEP.

The order of the conduct in the process of the creation of the one year's plan of inspection activities of VIEP

The order of the conduct in the process of the creation of the one-year's plan of inspection activities of VIEP is following:

1. Settlement of the list of aims, which gets out of needs, seriate according to the hierarchy of the importance,
2. Verifying above-mentioned letters of aims, on the ground analyses of executive possibilities of VIEP and the delimitation of the final list of aims basic and of reserve,
3. The settlement of the number of subjects provided for to the inspection and the number of reserve- (in the case if appeared the possibility to carry out additional inspections or was impossible to carry out of the inspection of the subject – the Act about the freedom of the economic activity),
4. the settlement of the kind of products, which will be covered by inspection within the range the supervision of the market.

The planning of complex inspections

The planning of complex inspections is recommended first of all in following cases:

1. first inspection of the subject,
2. techniques or installations were changed, what caused the qualification of new terms of use from the environment (the new permit for introducing substances into environment or energy or new permit),
3. from the date of the previous inspection it elapsed 5 years.

The planning of problem-inspections

The planning of problem-inspections is recommended in particularly in following cases:

1. change of the subject, instead the range of the use of exploited installations by the present subject is same, as the previous subject and did not were build the new installations,
2. the change of some terms of use from the environment definite in issued permits and administrative decisions,
3. the following inspection of the subject,
4. the inspection investigating chosen problems.

The reserve of the time on unplanned inspections

For the purpose of the assurance of the possibility of the exercise of unplanned inspections, one foresees the definite reserve of the time in the one-year's plan of activities of supervisory inspections. It recommends, so that planned joint time on unplanned inspections do not exceed 30% the joint time intended on the supervisory VIEP activity. The settlement of the suitable proportion depends from occurrent in the Voivodeship of the tendency, the concerning number of unplanned inspections and the time, which on these inspections was spared in previous years.

It demands emphases that the planed VIEP activity is basic and because the time intended on unplanned supervisory activities which will be undertaken among other things as result of the intervention or for other premises, should not exceed the recommended proportion.

Elements of the frame- one year's plan of inspection activities

In the one year's plan of supervisory activities one ought to place following elements:

1. list of aims of the inspection along with their reason and the partition on nationwide and voivodeship,
2. the list of controlled products within the range realizations of requirements of principle,
3. the total number of the inspections,
4. the number of complex inspections ,
5. the number of problem-inspections ,
6. the number of the inspection within the range the supervision of the market,
7. the number of the inspection in each terms, with the specification ditto (fixing the number of the inspection one takes root that one inspection embraces activities led in the definite subject from which one prepares the separate official protocol from the inspection),the proportional participation

of the time reserved on unplanned inspections during to intended in the given year on the realization of all inspections.

The quarterly plan of inspection activities of VIEP

The kind of the document

The quarterly plan of activities of supervisory inspections determines the document of the Voivodeship Inspector for Environmental Protection marking provided for in the given term to the inspection subjects and aims of the inspection, which should be realized. This document is prepared for all VIEP with the partition on each representation and confirmed by the Voivodeship Inspector. During the quarter there are possible changes of the plan of activities of supervisory inspections.
The quarterly plan of activities of supervisory inspections worked out is into such manner, that in the period of the year became realized total number of the inspection foreseen in the one year's plan of supervisory VIEP.

Elements of the quarterly plan of supervisory activities

The quarterly plan of activities of supervisory inspections should contain following elements:

1. number of the inspection,
2. the list of inspected subjects by names: the name and the address and the mark of the character of the inspection e.g.: the complex inspection , the problem-(e.g. the inspection consequential from the supervisory over voivodeship cycle or the voivodeship cycle , the inspection of the realization by products of principle requirements) ,
3. the indication which from aims appointed in the one year's plan of inspection activities , have to be realized during the inspection of the given subject,
4. the indication, which percentage of the time intended on all inspections (planed and unplanned) is reserved on unplanned inspections.

3.18.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

1) The inspection plan is prepared by Voivodship Inspector for Environmental Protection.
2) Cooperation with other organs: In the plan one takes into account suggestions of the voivode and in due measure possibilities of municipal organs.
3) The final decision about the plan of the inspection.

The ultimate decision about the plan of the inspection undertakes The Voivodeship Inspector of Environmental Protection: The voivode using supervisory authorizations is in power to change this plan.

3.18.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

No, informing of the society is a duty consequential from the Act about the Inspection of Environmental Protection, The Law of the environmental protection, The Law about the access to the public information.
The access is by the internet on sides of the Bulletin of the Information Public of the Chief Inspectorate for Environmental Protection and Voivodeship Inspectorates for Environmental Protection. On those sides are published the running information and elaborations and the one year's information on the realization of aims by Inspection for Environmental Protection. For the information on the environment the citizen has the right to turn personally or in writing. Is the realization of the Instruction of Directive 90/313/EECs from the day 7 June 1990 about the free access to the information on the environment, and the Convention about the access to the information, the participation of the society in the treat the decision and the access to the justice in matters about environment, signed in Aarhus 25 June 1998 (the Convention of Aarhus).

3.18.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

Inspections one charges the person having suitable occupational training and the experience. Basing on the plan of the inspection one plans among other things budget expenditure (usually admitted resources from the budget are not sufficient to the leadership inspection activities of consequential from put duties). Data concerning results of inspections and measurement of the state of the environment are worked out in databases and gathered in registers.

3.18.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Criteria: improvements of the state of the environment, the quantity of realized post supervisory arrangements , the quantity of put tickets , the quantity of put punishments , the quantity of penalties postponed the quantity of realized proecological investments.

3.18.8 Q.2.1.H.: REVISIONS

The plan does not contain the reservation concerning the correction. If happens well-founded need it is possible the correction to the plan with informing about this of superiors.

3.19 PORTUGAL

3.19.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

The Inspectorate General for the Environment has an inspection plan.

3.19.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The inspection plan is a national plan and covers a year. The inspection plan is elaborated in the last three months of the year.

Scope: Routine Inspections (IPPC plants, Seveso II upper and lower tier establishments, EMAS and ISO14001 plants), Reactive Inspections (complaints, accidents, fires, pollution incidents) , Specific Inspection Campaigns (municipal waste water treatment plants, industrial parks, rivers basins, landfills, specific industrial sectors like electroplating industry, management of oils) , Monitoring Inspections (industrial waste water discharges, air emissions from fixed sources, noise), Assessing self monitoring data requested by postal notification (laundries, foundries, PCB), Administrative inspections (natural parks).

EC legal requirements covered: Integrated Pollution Prevention Control (96/61/EC), Limitation of emissions of volatile organic compounds due to use of organic solvents in certain activities and installations (99/13/EC), Pollution caused by certain dangerous substances discharged into the aquatic environment (76/464/EEC), Landfill of waste (99/31/EC), Urban waste water treatment plant (91/271/EEC), Control of major accident hazards involving dangerous substances (96/82/EC), etc.

Different ways of compliance checking: site visits, postal notifications about self monitoring data, monitoring the industrial waste water discharges and air emissions by an external certified laboratory (the choice is made by Environmental Inspectorate).

Pro-active activities: site visit reports without penalties.

Monitoring of environmental impact and performance of controlled installations: that might lead to enforcement action or further inspection.

Monitoring of the effectiveness of environmental inspections: the implementation of the corrective measures by operators; next environmental inspection the compliance of operators within requirements stated in laws, regulations, ordinances, directives, prohibitions, permits, etc.

3.19.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

The inspection plan identify the industrial sectors to inspect yearly and the type of specific inspection campaigns. The choice of industrial sectors and the specific inspection campaigns covers the priorities defined in the Inspectorate General for the Environment. As priorities is the new legislation which is included in the specific inspection campaigns and the complaints which are included in the choice of industrial sectors to inspect.
Criteria:

- risks of emissions and discharges from controlled installations;
- complaints;
- the previous environmental performance of the operator;
- self monitoring data;
- any previous prosecutions, orders or administrative fines;
- complexity of facilities;
- areas where there is a high density of installations and/or emissions;
- areas where there is residual pollution from so called "burdens of the past";
- residential areas, recreation areas, etc;
- protection areas with interaction to water protection areas, nature reserves, etc.

3.19.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is drafted by the Inspectorate General for the Environment.
To elaborate the inspection plan the Inspectorate request contributions about industrial plants to inspect from the entities responsible for environmental licensing.
The inspection plan is approved by the Minister of Environment.

3.19.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The Inspectorate publish a public report yearly and this report is also available by the Inspectorate's site. This report includes the annual inspection plan (next year) and the analysis of results from the last year. The inspection plan is noticed in the beginning of the year and covers the industrial sectors to inspect, the kind of specific inspection campaigns and postal notifications.
This reporting is voluntary.

3.19.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plan is a management tool to elaborate the annual report covering all activities of the Inspectorate such as human resources, financial resources, analysis of results, etc.

3.19.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The plan is evaluated regularly to reach the results defined in the beginning of the year. As quantitative results there is the number of inspections carried out.

3.19.8 Q.2.1.H.: REVISIONS

The plan doesn't contain provisions on its revision.

3.20 SLOVAKIA

3.20.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes

3.20.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The SIE headquarters prepare yearly an inspection plan. This plan is approved by the Ministry of the Environment. All aspects mentioned above are covered by an inspection plan except long term planning and effectiveness of environmental inspections.

3.20.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Criteria like environmental impact and risk of installations, the state of the local environment, the level of performance and compliance of installations, complaints of citizens and other companies are set in the inspection plan.

3.20.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The inspection plan is drafted by SIE headquarters but we cooperate with other authorities during the development of the plan and its execution. Ministry of the Environment takes the final decision about the inspection plan.

3.20.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Yes. Different ways are used, but more frequent is reporting via media or press releases. This reporting is voluntary or legally required. It depends on a subject of reporting and an origin of the raised problem.

3.20.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The inspection plan is used as "management tool" for preparation of inspection programmes by regional inspectorates.

3.20.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The inspection plan is evaluated yearly from the point of view of fulfilling its targets. We do not have criteria for measuring the efficiency / effectiveness of the plan.

3.20.8 Q.2.1.H.: REVISIONS

If it is necessary the plan could be revised.

3.21 SLOVENIA

3.21.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

IRSEP annually prepares his inspection plan. Each Inspection prepares its own plan.

3.21.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

Inspection plan is done annually, each dislocated unit prepares its own plan which must fit in IRSEP plan and includes their own s Plan is done on basis of Handbook for implementation of EU legislation –chapter 22-environment and includes air quality, waste management, water quality, water management, nature protection, industrial pollution, GMO and chemicals. Plan covers all installations which are compulsory providing monitoring of their emissions and reporting on them. Plan is based on

three priorities and in high priority are IPPC, SEVESO and VOC installations. Besides this activities plan contains also activities called actions which are focused on specific topics. Action has a time limit.

Annual plan covers pro-active activities and re-active activities. Activities are monitored weekly. Inspection plan at this moment does not contain long term planning.

3.21.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Priorities set in inspection plan are based on:

- environmental impact and risk of installations
- level of performance of installations
- complaints of citizens or others

Setting priorities we also consider reporting obligations of the ministry .
In this year we just started with the project Prioritisation of Inspection Resources.

3.21.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

Inspection plan is prepared by ourselves and is confirmed by the Minister.

3.21.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Annual reports are public available on a request. Reporting is voluntary. IRSEP prepares annual reports for the Minister.

3.21.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

Inspection plan is also used as management tool special in the field of human capacity, exchange of knowledge.

3.21.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Efficiency (quality data) of the plan is monitored weekly and evaluated monthly.

3.21.8 Q.2.1.H.: REVISIONS

It is set in a plan that in special occasions (significant changing in legislation, on special request of the ministry) plan can change.

3.22 SPAIN

3.22.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

The Environmental Inspection and Control Plan for 2003-2007 was approved by the Basque Government in 2004.
This plan was a compromise of the Basque Environmental Strategy for the Sustainable Development approved by the Government in 2002.

3.22.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

Scope: Protection of the environment of the Basque Country by enforcing the environmental law in order to preserve a sustainable development.
Focus: The plan intends to switch from using indicators as number of penalties to environmental improvements and the environmental risk reduction.
Timeframe: The first plan is for 2003-2007
Geographical area: Basque Country, north of Spain
Installations: All the industrial installations affected by the environmental legislation. The first plan is mainly focused, but not exclusively, on the IPPC installations.

Legal requirements covered: IPPC permits, EIA, air emissions, wastewaters, waste, polluted soils, noise / vibrations.

Inspection plan covers:

- Pro-active activities. The first part of the inspection procedure includes an environmental law compliance assessment. Apart from this task, there is a Public Society of the Department that deals with the promotion of compliance.
- Routine inspections.
- Re-active activities as a response to incidents, accidents, emergencies, complaints, etc.
- Monitoring compliance by accredited entities.

3.22.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Criteria used to select the installations included in the plan:

- Pollution potential, mainly IPPC and Seveso installations. Between 2004 and 2006, an exhaustive collection of information on the environmental aspects and a compliance assessment are in the process of being completed for all the IPPC activities.
- Assessment of environmental problems that can be detected by the monitoring networks of the quality of the air, water and soil.
- Protection of areas with environmental interest like proximity to residential areas, natural reserves, drinking water reservoirs, etc.
- New environmental law or laws with low degree of compliance
- Emergency lines, complaints, etc.
- Random inspections.

3.22.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The Plan is drafted by our organisation, the Environment and Soil Planning Department of the Basque Government.

The Plan was revised and approved by 2 forums of participation of the Department. The first is the Environment Board that includes all the Departments of the Basque Government with relationships with the environment (e.g. industry, health, transport, etc.) and the county and local administrations. The second forum is the Environment Council and besides the previous members includes others like university and NGOs.

Local administration gives the activity authorisation, which includes all the environment measurements, and therefore is the other administration with significant competences for inspection.

All the activities of the Inspection Plan are communicated to the local administration where the installation is located. The degree of cooperation depends on the local administration; some of them get more involved than others.

In the case of IPPC sites, the procedure is the following. The operator sends to the Environment Department the project with a report from the Council on soil planning adequacy. The Environment Department produces the Integrated Environmental Permit. The Council gives the activity licence including the conditions of the Integrated Environmental Permit. The operators apply for verification of compliance with the permit. This verification is conducted by the Environment Department, The Council with this report and additional information gives the permit to start the activity.

The Inspection Plan is approved by the regional government.

3.22.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

The plan is publicly available via the web.

In the plan, one the important principles is transparency and the respect of the citizens to the right to the environmental information.
We are working on designing a communication procedure within the plan. The first part deals mainly with the information to the sites included in the inspection programmes, other administrations and the public prosecutor about the plan and procedures. This first is currently done via letters and meetings and we are in the process to switch to the exchange of information via web.
The second part on information to the public on the results is not done yet. We are now producing the first final reports for the following sectors: chemistry, paper, waste managers, foundries, steelworks, use of dissolvent, mineral industry and 2 geographical areas. These reports together with the annual reports are supposed to be the main base of the information to the public via web.

3.22.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The Plan sets the basic principles of the inspection to conduct in the Basque Country. The first and most important is to try to switch from the typical indicators as number fines to others more related with the environmental benefits, like reduction in the environmental risk of the sites.
Some of the other basic principles are:

- Qualification / training of the inspectors to assure their technical competence. A procedure has been developed and takes into account the degrees to access to the position, the specific training (basic and specialised) and the experience. The procedure is under revision because of the reorganisation of the resources during 2006 and 2007.
- Management of the information. The Department is an advanced stage of the development of an Information Management System to manage all the environmental information and the electronic exchange of information of the different stakeholders with the administration. This system, know as IKS-L03, will be in the future the tool to manage all the information of the Inspection Plan, together with all the rest of the information of the Department, and the electronic exchange of information.
- Presently a specific database is being developed to screen the environmental risk of the industrial sites according to the results of the inspection. Two years ago, an information exchange agreement with the Environment Agency of UK was signed. This agreement was mainly focused on the review and adaptation of the UKOPRA approach. This tool will help in the prioritisation of the inspection according to the environmental risk of the sites. The tool will be finally integrated in the Environmental Information Management System.
- Together with the Inspection Plan, a report on the human resources needs for the implementation was produced. From the beginning, it was clear that the present resources were insufficient. It was stated that a reorganisation and progressive provision of human resources was needed. This is in progress and hopefully the first step will finish in 2007.
- Our approach relies on the contract of consultants for the first exhaustive collection of information, compliance assessment and risk assessment. In the annual programmes, the activities included in the inspection are estimated. Taking into account this information and the inspection procedure to follow, the entities are contracted. The main limitation in this area are the capacity of the resources of the Department to manage the entities within a quality assurance system rather than the financial resources.

3.22.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

The inspection procedure can be summarised as follows:

1. Selection of the industrial activities according to the criteria stated above.
2. Communication and introductory meetings with the sites and the councils
3. Review of all the information in the Department on the sites selected

4. Environmental assessment of the sites. A visit to the site is conducted to contrast the situation according to the papers and the one in the field. This is done by accredited consultants.
    a. Basic information report. It contains all the detailed information on processes, products, energy, air emissions, wastewater, soils, waste, noise, environmental management, permits, etc.
    b. Conclusions report. It summarised the present situation of the different environmental aspects and at the end there are the list of:
        i. Deviations from legislation or permit conditions, classified according to their environmental risk.
        ii. Opportunities to improve.
    c. Risk assessment classification of the site considering the following attributes: location, complexity of the process, emissions to water, air and soil, waste, environmental management and compliance assessment.
    d. Inspection plan for the site, detailing the most relevant environmental aspects.
5. The Conclusions report is sent to the sites with a requirement to present in 2 months an action plan.
6. Follow-up phase I. The contracted entities visit the site with the following aims:
    a. Update the information
    b. Check the implementation of the action plan for each of the deviations.
7. Follow-up phase 2. The activities are classified according to the risk and the intensiveness of the follow-up depends on the risk. Inspectors from the Department check the implementation plan and proceeds according to the results into a revision of the risk classification of the site, a warning note, a requirement or a proposal for penalty.

Therefore there are two levels of prioritisation:

1. Selection of the activities to be included in the programmes. The criteria have already be stated above. Basically the aims for 2007, is to have an exhaustive picture of the IPPC sites and those in the main areas with environmental problems or interest.
2. Frequency and intensiveness of the administrative intervention. This is fixed considering the environmental risk classification of the site according to the data obtained in the first step of diagnosis.

As mentioned before, to manage all the information we have a tool in the final stage of development. We will start next march the Follow-up phase 2 for about half of the IPPC sites and we will try this tool and adjust it.

In order to assess efficiency and effectiveness, we are planning to introduce in the tool of the inputs to the inspection (human resources, financial resources and so on) and the benefits (environmental risk reduction, reduction in emissions, investments to correct deviations, etc.).

3.22.8 Q.2.1.H.: REVISIONS

The Plan was approved in 2004 and the next revision will be in 2007. Nevertheless every year in the annual programmes changes and consideration on new legislation are included.

3.23 SWEDEN

3.23.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes, we have a plan.

Inspection planning is a legally stated request under the Environmental Code. Every environmental inspection and enforcement authority has a duty to plan and carry out inspections. The Swedish “Seveso” legislation state a duty concerning Seveso inspection programmes.

3.23.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The scope is "Environmental Hazardous Activities" defined by the Environmental Code and its ordinances. (More than "controlled activities" according to the RMCEI are covered). It focus on how often every plant should be visited and the most important things to control. It's a one-year plan, but we will develop it to a three-year plan.
The geographical area is the County of Västra Götaland. A long and broad list of different sectors are covered. More than the IPPC list. To give you some illustration for example we deal with farms, pulp and papers, refineries and municipal treatment plants. Every EC legal requirements are covered.
The plan cover re-active, pro-active and monitoring activities.
It's a one year plan, but we are going to have a plan that covers three years.

3.23.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

We use a differentiated inspection methodology. We plan the inspections with reference to National Environmental Objectives which are set by the Swedish Parliament. Plants that have large emissions, big environmental impact, risk of installations and lots of complaints from inhabitants are given priority. We compare all the plants in our county. If the level of performance is bad, they are also given priority.

We have together with other counties developed a methodology on how to give inspection priorities using parameters and criteria. I am offering to give a presentation of this method during the workshop.

3.23.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The plan is only drafted by our own organisation for the Environmental Hazardous Activities. The deputy governor of our county takes the final decision. For Seveso-plants the plan is drafted by us and by the fire department (rescue services) and the department of working health (occupational safety and health).

3.23.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

No, the plan does not contain that specially mentioned as we in Sweden have a legally binding principle of public access to official documents. In accordance to this legislation every paper the plants sends to us is official and public available as well as every paper we send to them. The papers often write about our supervision as they have got material from us.

The CAB produces a County State of the Environment Report every 4 years being qualitative and focusing on outcomes. The CAB also publishes an annual report of statistics of its regulatory activities, including data on inspections, fees, and injunctions etc which is submitted to Government for collation of national statistics. The CAB also submits a lot of other reports to SEPA, to the Environmental Objectives Council, to the Enforcements and Regulation Council for national overviews, follow ups and evaluation. These are of course also public available.
Annually we electronically report emission data from all installations / plants under permit requests.

3.23.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

In our model for inspection/enforcement and supervision we have some principles. If the plant has high emissions and a low level of performance they should be treated in one way. If the plant has small emissions and a high level of performance, the treatment is a bit different.

3.23.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

Number of inspections, number of injunctions, number of legal proceedings that have started etc. The plan is evaluated once a year and we focus on improvements.

3.23.8 Q.2.1.H.: REVISIONS

We revise the plan continuously (that is as soon as needed). In addition it is always revised annually. We often know changing legislation some time before it come into force so most of the time it's is already in the plan.

3.24 TURKEY

3.24.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

No, since the integrated inspection system in Turkey is very new and we are still in the establishment period, we do not have an inspection plan yet.
In daily practice the priorities of inspections are set by concerning many issues. One of these is the comments coming from Provincial Directorates. The Inspection Department writes to Provinces before preparing the annual inspection programme and their comments are taken into consideration for deciding the installations to be inspected. Similarly the comments of the permitting departments of the Ministry are also important for preparation of inspection programme.
Another point that is important for programme is to make a balanced distribution among the industrial sectors. Also the industrial density of the geographical area and also the level of environmental impact of the installation / sector are important factors for priority setting

3.24.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

No inspection plan.

3.24.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

No inspection plan.

3.24.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

No inspection plan.

3.24.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

No inspection plan.

3.24.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

No inspection plan.

3.24.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

No inspection plan.

3.24.8 Q.2.1.H.: REVISIONS

No inspection plan.

3.25 UNITED KINGDOM

3.25.1 Q 2.1.A.: EXISTENCE OF AN INSPECTION PLAN

Yes – although this is not a single plan but falls from a number of relevant documents as outlined below The Inspection plan is developed from several key documents. SEPA's outcomes are high level statements of objectives for protecting and improving Scotland and are included in SEPA's Corporate Plan which also includes SEPA's outcomes and overall targets:

Corporate Plan
(http://www.sepa.org.uk/pdf/publications/corporateplan/2005corporate_plan.pdf)
SEPA's principles for regulation explain how SEPA's duties are to be carried out including all aspects of Regulation and highlight how SEPA's regulatory activities are linked both to it's main aim and to its outcome statements.

Principles for Regulation
(http://stir-ser-net01/effective_regulation/COR005_Inners_PDFVer2.pdf
There are a number of general methodologies for determining baseline inspection frequency which have been adopted nationally in order to provide a consistent framework. The methodologies are grouped together in the Risk Assessment manual:
(http://www.sepa.org.uk/guidance/envriskmanual/index.htm)
This identifies how SEPA inspectors should prioritise inspection and regulatory activity dependent on the specific regulatory regime and media being assessed. The methodologies are all undertaken on the basis of risk assessment and those sites which present a higher environmental or operational risk are targeted for additional inspection, assessment or monitoring activity on the basis of the Polluter Pays principle.

The methodologies are published on the SEPA web site and copies of assessments are provided to the operators being assessed where these are site specific assessments based on performance and activity.

3.25.2 Q 2.1.B.: SCOPE, FOCUS, GEOGRAPHICAL AREA, ETC.

The inspection plan covers all regulatory activity under the following regimes for the whole of Scotland:

- Pollution Prevention and Control – Part A and Part B activities
- Waste Management Regulation
- Control of Major Accidents & Hazards (COMAH)
- Control of Pollution Act 1974 - point source assessments (To be replaced by domestic legislation implementing the Water Framework Directive)
- Radioactive Substances Act – Band C Non nuclear installations (Band B assessment protocol to be added in next 6-8 weeks based on PPC application)

Re-active Activity
Reactive inspections on licensed sites will be generally in response to an environmental incidents or complaint. Such instances are taken into account in the risk assessment for the site which is conducted at least annually. The officer will assess what additional work was required to be undertaken at the site in the last 12 months and factor this into the expected regulatory effort for the site in the coming year. Operators may be penalised by increased inspection frequency and regulatory monitoring following poor performance or justified complaints. In addition the system for PPC / Waste management legislation takes into account formal enforcement action initiated against the company in the last 12 months.

Pro Active
The Corporate plan which sets out the outcomes and targets makes specific reference to the advisory role which SEPA adopts in order to assist operators improve their environmental performance. This may in some circumstances be carried out by different staff to those undertaking the inspection activity at site. SEPA has defined a central advisory unit which provides advice on issues such as waste minimisation and habitat enhancement. SEPA officers will provide advice and promote environmental improvement during the course of normal inspection activity.

The inspection activity is considered over a 12 month period, however the SEPA outcomes included within the Corporate plan set out a framework for a 5 year action plan to improve Scotland's environment. Inspection and regulatory activity contributes directly to this outcome.

3.25.3 Q.2.1.C.: CRITERIA AND METHODOLOGY USED

Reference the Risk assessment methodologies referred to in Q 2.1a.

The methodology used depends on the Regulatory regime and environmental media being assessed. SEPA is currently sponsoring a research programme to assess options for development of a generic compliance methodology which may then form part of a programme of allocating regulatory effort on a consistent basis across regimes and media.

For controlled activities in Water (Currently regulated under the Control Of Pollution Act 1974, and to be replaced on 1 April 2006 by the Water Environment and Water Services Act and associated Regulations) The methodology is based on activity type, size, nature of receiving water, dilution, compliance history and record of complaints and uses a factor to reallocate inspections against a baseline specification for sampling and inspection.

The methodology for PPC sites and those sites regulated under the Waste Management Licensing regime is broadly similar. The methodology is composed of two parts:
Pollution Hazard Appraisal – which assesses the nature of the activities, the types and scale of materials held used and produced on site, potential pathways for pollutants to enter the environment and location of the site in relation to sensitive receptors.
Operator Performance Assessment: this looks at management issues, control of the site, maintenance, procedures, training staffing and event history.

These two assessments are combined to form the overall risk assessment and this dictates the number of inspections and associated regulatory effort which would be expected for that site. . Officers may deviate from this calculated inception frequency provided there is appropriate justification i.e. the site has recently been taken over by new management and effort is required to ensure maintenance of existing work practices etc. Effectively the risk assessment provides an open and transparent national framework for calculating regulatory effort.

3.25.4 Q.2.1.D.: (EVENTUAL) COOPERATION WITH OTHER AUTHORITIES

The plan is drafted and maintained by SEPA. Generally all inspections are undertaken by SEPA officers however there are a number of areas where partnership working with other agencies is required and these are specific

COMAH Inspections for example may be undertaken jointly with the Health and safety Executive. Whilst SEPA will generate and inspection programme for COMAH regulated sites based on perceived

environmental risk there is a joint 5 year inspection programme which is produced cumulatively between SEPA and the Health a& Safety Executive.

3.25.5 Q.2.1.E.: PUBLIC REPORTING/AWARENESS BUILDING

Yes.
The risk assessment methodologies are published on the SEPA website. All operators assessed under PPC / WML / COMAH must be given a copy of their risk assessments each year.
In addition, risk assessments for major industrial plants regulated under the Pollution Prevention and Control Regulations are published on SEPA's website each year both to inform stakeholders and encourage improved performance from those assessed.

3.25.6 Q.2.1.F.: INSPECTION PLAN AS "MANAGEMENT TOOL"

The corporate plan includes specific targets which SEPA aims to achieve and these are monitored and assessed. SEPA has limited resources and it is for his reason that inspection activity must be prioritised.

3.25.7 Q.2.1.G.: MEASURING ITS EFFICIENCY AND EFFECTIVENESS, INCL. EVALUATION

No answer given.

3.25.8 Q.2.1.H.: REVISIONS

SEPA utilises a new duties and emerging issues planning process in order to assess potential impacts on the organisation from new or developing legislation. This assessment process is used to estimate resourcing requirements which would then be discussed with the Scottish Executive.
The corporate plan is reviewed annually to ensure that it reflects the current legislative position.

CHAPTER 4 Prioritising in inspection programmes

4.1 QUESTIONS

4.1.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Do you have an inspection programme?

4.1.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

If so, is it prepared and laid down – totally or partly – by your own inspectorate, or by a superior authority – e.g. the State (National EPA)?

4.1.3 Q.2.2.C.: SCOPE AND TIME FRAME

If yes, what is its scope and time frame? What EU regulations and directives are covered?

4.1.4 Q.2.2.D.: CRITERIA USED

What criteria are used for planning frequencies and staffing and other resources for routine and non-routine environmental inspections? Criteria may include levels of environmental performance and compliance of controlled installations, environmental impact and risks of controlled installations, and occurrence of accidents and other incidents, complaints etc.

4.2 AUSTRIA

4.2.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes.

4.2.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The yearly environmental-inspection-program is prepared by our agency in agreement with the plant authorities.
The task is given to all authorities in the whole province of Styria, which is recommended in II 1 A) for the industrial installations and other enterprises and facilities.

4.2.3 Q.2.2.C.: SCOPE AND TIME FRAME

See identical answer to Pt. 2.1.b.

4.2.4 Q.2.2.D.: CRITERIA USED

The selection of the yearly program, for routine inspections, takes place (only) on basis of the denomination of the responsible plant authorities.
Same applies also to non - routine inspections.

The responsible plant authority decides on the necessity and / or priority for an environmental inspection with environmental relevant plants. However this (and / or the entire program) depends also on (reduced) the personnel capacities in particular the experts in other departments of the office.

4.3 BELGIUM

4.3.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

On basis of the five-year plan (mentioned above), The BIME produces an annual inspection work plan. Activities are prioritised against legal and environmental priorities. Detailed work plans are then developed down to the level of individual members of staff. (including milestones, budget)

4.3.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

By our own inspectorate

4.3.3 Q.2.2.C.: SCOPE AND TIME FRAME

(see answer 2.1.b for the EU regulations and directive covered)

The body of Environmental Law in the Brussels Capital Region consists of a number of laws that go back to the period when environmental legislation was the responsibility of the Federal Government, and which still apply. In addition, the Brussels Region has developed its own environmental legislation, including the Royal Decree that set up the BIME, according to new European Directives.
Even if there is still not an European Directive, we have also a soil protection act, that we are dealing with in our own inspectorate.
The legislation covers a wide range of fields such as water, soil, waste, air, Noise.
The scope is all industrial activities (SMEs), incineration plants, and also individuals.

4.3.4 Q.2.2.D.: CRITERIA USED

Control necessity and frequency is measured by means of scores assigned in accordance with :

- Complexity of the company :	Permit classes
	Significant risk
	Production of hazardous waste
	Surface area of the company
	Headcount
- Risk index :	Type of activity
	Location (surroundings)
- Emissions :	Air
	Soil
	Water
- Environmental management :	Certified environmental management system
	Warning, formal notice or prosecution report / 5 years
	Permit background

The scores are given a weighting percentage depending on the risk expected that can be estimated with the different characteristics. The Final sum provides an indication of the expected environmental impact, and so an indication of inspection necessity.

4.4 BULGARIA

4.4.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

For each type of inspections we have an inspection programme.
e.g. for IPPC Permits control
For packaging waste taxes.
For waste water treatment plants with emission control –sampling and analysis
For air emission control – instrumental measurement.

4.4.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

Totally by the regional inspectorate

4.4.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme covers the inspected installations, the art and scope of the inspections and the timeframes for its performance. It covers the vast majority of the EC environmental legislation, inter alia Directives 96/61/EC, 96/82/EC, 85/337/EEC, 2001/80/EEC, 94/63/EEC, 76/464/EEC, 92/43/EEC and many more.

4.4.4 Q.2.2.D.: CRITERIA USED

Usually the planning frequencies are preset in the inspection plan and are reviewed upon the results from the inspections and the necessity of follow-up inspections. The staffing, the duration and the frequencies depend on the complexity of the installations, on the risk they represent to the human life and health and the environment and on their precious record of compliance /previous accidents, spills, infringement procedures, complaints etc./.

4.5 CYPRUS

4.5.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes, we have an inspection programme.

4.5.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is totally prepared by our Department every December and covers the entire following year.

4.5.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme for the first half of 2006 focuses on the control of VOC emissions (Directives 99/13/EC and 94/63/EC). A series of measurements will be carried out to identify the levels of VOC emissions from solvent using processes and also inspections will be carried out at petrol stations to ensure the vapours are recovered during petrol delivery.
Another target for the same time period is to carry out dust emissions measurements at the biggest cement installation.
In the second half of 2006 the inspection programme targets installations that fall in the IPPC Directive including power plants and incinerators.

4.5.4 Q.2.2.D.: CRITERIA USED

Criteria for routine inspections:

1. Recently licensed installations must be inspected within 6 months
2. Environmental impact of controlled installations
3. Performance and compliance of controlled installations

4. Close proximity to residential areas

Criteria for non-routine inspections:

1. Needs for assessing the emissions of existing installations before permitting
2. Complaints

4.6 CZECH REPUBLIC

4.6.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes, we have inspection programme concerning the technical branches (for air pollution, water pollution and waste management).

4.6.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme for checking operators is prepared by our Directorate in Prague and then is adopted by individual inspectorates.

4.6.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme pose methods of the checking activities. It also includes the writing documents for issuing decisions in accordance with the national legislation. Training for inspectors (especially new ones) is provided by our Directorate in Prague.

4.6.4 Q.2.2.D.: CRITERIA USED

The crucial criteria for frequencies of inspections is both the real environmental impact and the occurrence of incidents of the sources. The prevention from accidents is solved in the binding operating rules which are previously submitted by operators to region authorities in order to approve.

4.7 DENMARK

4.7.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes, we do make inspection programmes every year.

4.7.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is made by the local government inspectorate, but must comply with an agreement between DEPA and The National Municipality Association on frequency of inspections in different types of industrial installations and farms.

4.7.3 Q.2.2.C.: SCOPE AND TIME FRAME

The scope is licensing, inspecting and enforcing at industrial installations, and it is renewed every year.

4.7.4 Q.2.2.D.: CRITERIA USED

The overall agreement, and the more potentially polluting, the more efforts done by us. And the more proved compliance, the less efforts done by us. Certified environmental management systems causes less efforts by us.

4.8 ESTONIA

4.8.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes

4.8.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

Prepared and laid down by the Inspectorate, with a support from the MoE in the preparation phase.

4.8.3 Q.2.2.C.: SCOPE AND TIME FRAME

Programme covers 1 year. Includes a list of installations (enterprises, activities) to be inspected, for every regional department. It is derived from the (strategic) inspection plan (see 2.1.b), additionally taking into account short-term priorities (becoming from changes in legislation, inevitable gaps in previous enforcement, non-compliance, complaints etc), and the capacity of an inspecting unit (department).
Programme is based on the demands of the country's legislation on presumption that the latter is harmonized with EU legislation.

4.8.4 Q.2.2.D.: CRITERIA USED

See 2.2.c.

4.9 FRANCE

4.9.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes

4.9.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme is prepared and laid down by each DRIRE on the basis of 1) the above mentioned inspection plan and 2) annual priorities set by the DPPR and approved by the Minister. The DPPR checks that the DRIRE programmes respect the national inspection plan and the annual priorities after reports prepared by the DRIRE.

4.9.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme is laid down each year. It is a list of inspection actions to be led during the year with the following information:

- name and address of the operator
- category of the installation (A, B, C)
- EU directive covered (Seveso II or IPPC essentially)
- date and theme of the last inspection
- theme of the inspection to lead
- nature of the inspection (light, heavy, announced, unexpected, 1 or 2 inspectors…)

This programme is completed by other control actions: e.g. controls by third-party laboratories paid by the operator and asked by the DRIRE.

4.9.4 Q.2.2.D.: CRITERIA USED

Frequencies are planned after the national plan and its criteria. Besides the following criteria are used to plan shorter frequencies than the frequencies in the national inspection plan or to plan supplementary controls:
1) Complexity, high environmental impact and high potential risks : oil plants, chemistry plants or installations subject to both Seveso II and IPPC directives may be inspected twice a year or more.
2) complaints and accidents lead systematically to non-planned inspections
3) if an inspection leads to issuing penalties by the Préfet, it will be followed by another inspection after the deadline that was given to the operator to comply with the regulation.

4.10 GERMANY

4.10.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes, the inspection plan contains the frame for an inspection programme.

4.10.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme is laid down in the inspection plan by the Ministry for Agriculture, Environment and Rural Areas of the Land Schleswig-Holstein. For plants covered by the Seveso II directive a detailed inspection programme exists as a tool from the Federal Ministry of Environment, Nature Conservation and Nuclear Safety (BMU Berlin).

4.10.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme makes arrangements for routine and cyclic inspections to prove the compliance of the installations with the German and European regulations which are relevant for these kinds of industrial installations. It also makes arrangements for non.-routine inspections. The time frame differs from 1 year for Seveso II installations to 2 years for IPPC-installations and 3 to 6 years for installations with less priority and risk (e.g. VOC).

4.10.4 Q.2.2.D.: CRITERIA USED

The frequencies depend on the environmental impact and risk of the controlled installations and are laid down in different categories for routine inspections. Occurrence of accidents and other incidents, complaints and knowledge of special problems and deeper knowledge of typical technologies are also criteria for shorter and non-routine inspection frequencies. As a result of the small human capacity it is possible to connect non-routine inspections with routine inspections. Normally non-routine inspections are made in cases of alteration of the plant, licensing procedures, changing of the law or neighbourhood complaints.

4.11 GREECE

4.11.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

There is an inspection programme precisely followed by the Inspectorate.

4.11.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is exclusively prepared by the Inspectorate, taking into consideration public complaints, special incidents / accidents, etc..

4.11.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection plan is being issued on a monthly basis with strict time limitations for the completion of the inspection procedure. The scope frame covers all environmental parameters and issues related to the development – operation of installations – activities.

4.11.4 Q.2.2.D.: CRITERIA USED

Used criteria basically are:

- environmental impact and risks of controlled installations
- environmental performance and compliance
- public complaints
- occurrence of accidents and other incidents
- state of the local environment

4.12 HUNGARY

4.12.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

There are no other documents for inspection and enforcement except the annual plan. The staff at the inspectorate is usually involved in permitting, inspection and enforcement as well. Permitting has its fixed deadlines, this is the most important activity, it takes up most of their time. The remaining time can be used for inspections, then they carry out inspection according to the annual plan. It takes up approximately 14% of their work. The re-active inspection is strong, it is always carried out in case of complaints or extreme pollution. It comes before the routine inspections.

4.12.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

Not applicable.

4.12.3 Q.2.2.C.: SCOPE AND TIME FRAME

Not applicable.

4.12.4 Q.2.2.D.: CRITERIA USED

See 2.1.c.

4.13 ITALY

4.13.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

We have an inspection programme for control of “Seveso” legislation.

4.13.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It’s laid down by my-self

4.13.3 Q.2.2.C.: SCOPE AND TIME FRAME

“Seveso” directive

4.13.4 Q.2.2.D.: CRITERIA USED

Risk

4.14 LATVIA

4.14.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

We have an inspection programme.

4.14.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The first, every Regional environmental boards, Marine environmental board and central structure of SES prepared and laid down the inspection programme.
The second, central structure of SES is drawing up a general conclusion and is sending finished the inspection plan all institutions which manager supervisory and control.
The inspection plan is totally.

4.14.3 Q.2.2.C.: SCOPE AND TIME FRAME

We have the Manual of environmental inspectors. There are describe legislation requirements, establish time frame.
For more sufficient planning and implementation of control in an enterprise, it is necessary to group those (companies) according to definite and characteristic features. Enterprises are characterised by size, potential and actual impact on the environment, type of activity, as well as by other factors in conformity with Law "On Pollution" and the Regulation No.294 of the Cabinet of Ministers "On Procedure of application of polluting activities of A, B or C categories and Issuing of Permits for implementation of polluting activities of A, B or C categories", of July 9, 2002.
After on the 5.May the 2005 Latvia are covered all EU legal regulations and directives in legislation of the Republic of Latvia.

4.14.4 Q.2.2.D.: CRITERIA USED

The manual is intended as a methodical aid for environment inspectors of Regional Environmental Boards (REB) and State Environmental Service (SES) who are involved in the control of polluting activities. The manual provides both practical, both legal advices for dealing with various situations. References with regards to legislation comply with the wording of the current laws and other regulatory acts being in force during production of this manual. Further updating of the present manual shall be one of the functions of the State Environmental Inspection. The change of documents in the result of updating shall be carried out by Regional Environmental Boards and the State Environmental Service.

Frequency of inspections is dependent upon several factors and it has to be solved on at least two levels – strategic and on REB level.

- The main guidelines and the frequency of inspections to be carried out in the enterprise of the relevant category are defined on the strategic level. For:
  - A category – 2-3 times a year,
  - B category – 1-2 times a year,
  - C category – once in 2-4 years.
- Planning is carried out on the basis of aforementioned strategic guidelines and frequency of inspection is determined on local REB level according to the following:
  - load of enterprise on the environment,
  - branches of industry,
  - size of an enterprise.

4.15 LITHUANIA

4.15.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Such annual "programmes" are developed by REPD.
SEPIL developed "Inspection manual" for inspectors, which is regularly updated.

4.15.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

See 2.2 a

4.15.3 Q.2.2.C.: SCOPE AND TIME FRAME

15 EU Directives are covered by developing such an annual "work programme for REPD".

4.15.4 Q.2.2.D.: CRITERIA USED

Each inspector developing own inspection plan firstly pays attention to recourses available, after – to your mentioned criteria.

4.16 NETHERLANDS

4.16.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes, out of the strategy plan every year the operational inspection programme is made, as well as the Inspectorate Budget.

4.16.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is prepared and laid down by our own inspectorate, the final decision is made by the head of the inspectorate. The inspector general signs a managerial contract with the permanent secretary of the ministry. During the development there is contact with other authorities to see what plans are suitable for working together.

4.16.3 Q.2.2.C.: SCOPE AND TIME FRAME

At this moment 1 year, 250 legislation tasks, EC directives (see annex 1) This year a four-years plan program is being developed.

4.16.4 Q.2.2.D.: CRITERIA USED

The tasks with the highest priorities: the planning is done in a way that the targets, set in the Inspectorates Budget, are achieved within 4 years time. The planning of the routine controls is based on experience. The prioritising and planning of non-routine inspections (problem oriented track) are depended on identifying and analysing problems that occur in society. In the planning a reservation in time is made. Therefore it is necessary to conduct a risk analysis, based on signals from members of the public and from the political arena and drawing on the expertise of the VROM Inspectorate.

- Political importance
- Risks for the environment
- Integrity of the (local) authorities
- Social disturbance
- Setting examples

4.17 NORWAY

4.17.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes.

4.17.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme is made by SFT with suggestions from regional authorities. The regional authorities make their own inspection programmes in addition to the national from SFT.

4.17.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme is made each year and describes the activities for the inspection department including some for the regional authorities, and is the basis for the inspectors in planning their work

4.17.4 Q.2.2.D.: CRITERIA USED

The inspection programme is a detailed and operational plan including time budget based on the inspection plan and the criteria are described under inspection plans

4.18 POLAND

4.18.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Programs of the inspection are performed in compliance with recommendations of „The Instruction of carrying out of the inspection and taking post supervisory actions by environmental protection service."

4.18.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is prepared by the voivodship inspectorate.

4.18.3 Q.2.2.C.: SCOPE AND TIME FRAME

One to several days, the range from single problems to many problems. It embraces from one to a dozen or so of UE directives.

4.18.4 Q.2.2.D.: CRITERIA USED

For routine inspections:

- Risk of controlled installations
- Environmental impact
- Human resources

For non-routine inspections:

- Incidents
- Special programmes prepared by ChIEP
- Complaints
- New enterprises with significant environmental impact

4.19 PORTUGAL

4.19.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

The Inspectorate General for the Environment has an inspection programme.

4.19.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It's prepared by the inspectorate.

4.19.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme covers the name of industrial plants to inspect, the name of inspectors and the geographical area. The industrial plants are included in routine inspections, reactive inspections, specific inspection campaigns, monitoring inspections, postal notifications. There is also an inspection programme for administrative inspections. The inspection programme is elaborated each month and the inspections must be achieved until the end of the month.
EU regulations and directives – the same indicated previously.

4.19.4 Q.2.2.D.: CRITERIA USED

Criteria routine inspections:

- level of compliance with the issued of authorisations, permits or licenses;

- level of compliance when corrective actions are required to resolve non-compliance;
- the previous environmental performance of the operator;
- complexity of facilities.

Criteria non-routine inspections:

- requests from the cabinet of the minister of environment;
- complaints about industrial plants with great environmental impacts and risks;
- complaints about industrial plants located in residential areas, recreation areas, protection areas;
- accidents, fires, pollution incidents.

4.20 SLOVAKIA

4.20.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes

4.20.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme is totally prepared by regional inspectorates on the basis of the approved inspection plan.

4.20.3 Q.2.2.C.: SCOPE AND TIME FRAME

The scope is done by the inspection plan and the time frame is three month. All EU regulations and directives are covered.

4.20.4 Q.2.2.D.: CRITERIA USED

Criteria like levels of environmental performance and compliance of installations, environmental impact and risk of installations, occurrence of accidents or incidents, complaints etc. are used for planning frequencies for routine and non-routine environmental inspections.

4.21 SLOVENIA

4.21.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

We do not have detailed programme. On the annual plane basis we distribute partially planed work among all environmental inspectors. Every inspector is preparing his own programme but is not obliged to do it in a form of prescribed document called programme.
From time to time we prepare programme for targeted actions such as inspection of municipal waste landfills.

4.21.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

We do not have it.

4.21.3 Q.2.2.C.: SCOPE AND TIME FRAME

We do not have it.

4.21.4 Q.2.2.D.: CRITERIA USED

We do not have it.
At the time we running a project to classified installations according:

- environmental impact and risk of installations
- level of performance of installations
- complaints of citizens or others.

This will be a base for operational planning.

4.22 SPAIN

4.22.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

The plan is implemented by annual programmes

4.22.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is prepared and laid down by the Environment Department of the Basque Government, with the collaboration of local administration.

4.22.3 Q.2.2.C.: SCOPE AND TIME FRAME

The annual programmes set the aims for the year regarding with the resources, the qualification / training, quality assurance system, new legislation, communication, information management, changes in the inspection procedures and the sectors or activities to be inspected.

4.22.4 Q.2.2.D.: CRITERIA USED

Non-routine inspections. Most of the information for non-routine inspections comes from the emergency lines, complaints and applications by the local administration. The information is analyzed regarding the environmental risk and the need for urgent action. In the case that urgent action is required, top priority is assigned to that inspection. However most of the information is analyzed and registered for further inspection programming.
Routine-inspection. The inspection resources and the inspection frequency and type will be matched by the results of the risk assessment tool that has been developed, as mentioned above.

4.23 SWEDEN

4.23.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

It's the same thing as Inspection plan.

4.23.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

Just by our own inspectorate. (It is fulfilling legal requests stated by the Environmental Code).

4.23.3 Q.2.2.C.: SCOPE AND TIME FRAME

All regulations and directives that have been implemented in the national legislation.

4.23.4 Q.2.2.D.: CRITERIA USED

The same answer as in Q 2.1.c

4.24 TURKEY

4.24.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

Yes we have annual inspection programme for integrated inspections.

4.24.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

It is totally prepared by the Inspection Department of the Ministry and approved by the Minister of Environment and Forestry.

4.24.3 Q.2.2.C.: SCOPE AND TIME FRAME

The scope of the inspection programme is the industrial installations from all sectors and all over the country. These are prepared annually at the end of the previous year and includes the schedule of inspections that are carried out in two seasons of the year (autumn and spring).
Since Turkey is not a member country of EU not all the EU regulations or EU directives are covered. However the transposition studies are still continuing and in a short period most of these will be transposed at least as drafts.
The recent covered regulations (transposed) in the inspection programme among Turkish environmental legislation are as follows:

1. Environmental Inspection Regulation
2. Waste Oil Control Regulation
3. Excavation Soil, Construction Waste Control Regulation
4. Package and Package Waste Control Regulation
5. Waste Battery and Storage Battery Control Regulation
6. Industrial Air Pollution Control Regulation
7. Water Pollution Control Regulation
8. Soil Pollution Control Regulation
9. Environmental Noise Evaluation and Management Regulation
10. Medical Waste Control Regulation
11. Hazardous Chemicals Control Regulation
12. Hazardous Waste Control Regulation

4.24.4 Q.2.2.D.: CRITERIA USED

Routine (planned) inspections are carried out by the Inspection Department of the Ministry. Although there is not an inspection plan yet, there are some criteria that are used to be able to plan the frequencies of inspections, staffing and the other resources.
Since the integrated environmental inspection system is very new in Turkey, we do not have sufficient information concerning the performance and compliance of “controlled” installations. However the level of environmental impact or risk of the installations is a good criterion for us. Also the pollution or industrial density of the areas, the size/capacity of the installations is the other criteria that we use. Since the non-routine inspections are usually carried out by the Provincial Directorates they set their own criteria for inspections. Among the above criteria, they also take into consideration the serious complaints, observations of their own etc.

4.25 UNITED KINGDOM

4.25.1 Q.2.2.A.: EXISTENCE OF AN INSPECTION PROGRAMME

The inspection programme is developed from the documents forming the inspection plan. The inspection programme includes both inspection activity and environmental monitoring undertaken as part of SEPA’s duties or to demonstrate compliance with environmental licence conditions.

4.25.2 Q.2.2.B.: PREPARATION OF THE INSPECTION PROGRAMME

The inspection programme is created, maintained and carried out by SEPA, although in specific cases joint programmes with other agencies may be developed where the legislation requires. See reference 2.1.d above.

SEPA is currently assessing practical inspection arrangements for joint inspections with the Scottish Executive for the Agriculture sector in light of Common Agriculture Policy reforms.

4.25.3 Q.2.2.C.: SCOPE AND TIME FRAME

The inspection programme is produced on an annual basis over a calendar year and covers all activities listed in Q1.1.

4.25.4 Q.2.2.D.: CRITERIA USED

See question Q2.1.c
The criteria used depend on the nature of the regime and methodology used.
For Radioactive substances for example inspection frequency is based on the activity of the radionuclide used. For point source discharges to water a number of factors are assessed including location, size, dilution of receiving water and complaint history.
For PPC / WML two sets of attributes are assessed.

Pollution Hazard Appraisal
Presence and scale of Hazardous substance, frequency and nature of hazardous operations
Technologies for hazard prevention & minimisation, technologies for hazard abatement, location of the process and offensive characteristics associated with the process.

Operator Performance Assessment
Knowledge and implementation of Licence requirements, Management and training, Recording and use of information, Maintenance management, Process management, Incidents complaints and non-compliance events.

These form the basis of the inspection frequency. In addition SEPA have developed business planning indicators for various regulatory activity, e.g. a PPC inspection would be expected to take a total of 2 days including preparation and follow up work.

Environmental regulation is generally carried out using a number of geographical teams comprised of a range of expertise. Flexibility is included within the business planning process to allow for incident and complaint response. This planning is undertaken using historic information to inform the process.

CHAPTER 5 Information needs

5.1 AUSTRIA

1. a homogeneous development of the environmental inspections in the 9 Austrian provinces
2. same execution of the relevant European Union defaults (IPPC -, Seveso -, VOC RL, etc.) within in all European Union countries
3. Practical inclusion from EMAS and other management systems to the "actual" discharge of the official authorities competent for the examination of the plants.

5.2 BELGIUM

What we misses actually are well defined indicators of performance on the level of inspection.

5.3 BULGARIA

1. Equipment and software – inspection programme
2. Good practices in prioritizing inspections
3. Human and financial resources.

5.4 CYPRUS

1. Resources – need more staff
2. Contacts with similar organisations to obtain technical advice when needed
3. Good examples from similar organizations.

5.5 CZECH REPUBLIC

I suppose that good examples from similar organisations pose the best way how to introduce and use better systems concerning above mentioned.

5.6 DENMARK

Not much really, except maybe efficient sanctions.

5.7 ESTONIA

We lack good examples and qualified staff. Working out good inspection principles would sometimes take un-proportionally too much resources, in comparison with the existing ones for the main activity – inspection. It could be a problem for another smaller countries as well, I guess.

5.8 FRANCE

Needs:

- Criteria in matter of environment impact to define inspection frequencies (in France we only use today pollutant emissions level or activity criteria)
- Tools, indicators to evaluate the efficiency of an inspection plan (e.g.: less penalties from a year to another, less accidental pollution, less complaints…)

- Information released to the public after inspections: do you publish the name of the operators? failure in the security system leading to easy access to critical installations?…

5.9 GERMANY

A lack is not seen in further legal or formal authority but in the resources like qualified staff and budget and setting of priorities concerning the daily work for a proper and sufficient inspection. Practical tools like electronic information systems for inspection and monitoring are installed but not consequently used. A check list for standardized and comparable inspections exists as a draft and its use is tested at the moment.

5.10 GREECE

Due to the fact that HEI has two years of existence, its administrative development is not completed at the moment. Things that are to be done:

- Laboratories and measuring / analysis infrastructure (By now, this lack is being covered by the cooperation of other similar (of public sector) authorities)
- Legal frame improvements (inspections, penalties)

5.11 HUNGARY

- Lack of recourses (enough and qualified staff and budget):

The amount of the inspectorates' tasks has been growing much quicker than the number of inspectors in the past few years in Hungary, as a consequence of which the inspectorates are significantly overburdened, mainly with administrative and permitting tasks.
The inspectors have generally educations of university level and traditionally they are specialised by media (typically air, water or waste). A few are specialised in more than one field. The budget and number of the staff is limited, determinded by the central budget so it is not easily possible to employ staff having years of industrial experiences which would make carrying out inspections easier, with less staff but more efficiency.

- Lack of guidelines:

There are no guidelines, checklists are available for inspector on how to plan, carry out and evaluate inspections. Inspections may vary from simple walk-through, to inspection including sampling and auditing of documentation. Details of performing an inspection are given in legislation, but there are no national guidelines for inspections and enforcement.
The Ministry and the National Inspectorate is currently running a project with Dutch experts, the InfoMil, on making inspections more effective, the project covers the preparation of a manual on inspections as well.

5.12 ITALY

Good examples.

5.13 LITHUANIA

Good examples for priority setting.

5.14 NETHERLANDS

An adequate historical database with standard compliance information on the enormous number of target groups.

5.15 NORWAY

Experience and reporting show that we can document the status or situation in different industries and installations and there is a lot of information on different non-compliances. But there is little information on the consequences, the effects of the inspections. Ideas and systems for measuring or estimating the effectiveness of inspection activities are therefore wanted.

5.16 POLAND

Lack of staff and budget (concerning VIEP)

5.17 PORTUGAL

To improve the coordination between different Ministries and different Inspectorates through protocols to exchange information, knowledge, to create inspection teams, to do site visits together, in the environmental inspections.
To create a data base in the Ministry of Environment to access the self monitoring data from industrial plants.

5.18 SLOVENIA

- lack of classification system of installations an on that base a procedure to form a programme
- we need closer cooperation with Environmental Agency concerning monitoring database
- we need people with more planning experience

5.19 SPAIN

Information on guidelines, good examples and feasible quality parameters and indicators is limited. This is one of the reasons because I have found very interesting this project. We have already chosen a method but we have not implemented fully yet and foresee some difficult questions and problems.

Human resources are one of the main limitations for the full implementation of our Plan. We are presently working in a reorganisation of the resources and applying for additional resources. Another limitation is the big “turnover” of the inspectors. Human resources of the Basque Government are managed by a general office of the government and not of the Department. Some of the criteria of the qualification procedure of the Environmental Inspections meet conflicts with the criteria of the Human Resources Office of the Government for the provision and mobility of personnel.

5.20 SWEDEN

We ask for more and revised / updated guidelines and more recourses.

5.21 TURKEY

At this moment it is a fact for our system that we are at the very beginning. But it is very important to note that we are in a restructuring period due to transposition activities and a very important development is the new Environmental Act (as a draft, ready to be discussed and approved by the cabinet). Due to this reason it would be better to deal with the issues of this question one by one.
Our legal and formal authority for environment is the Ministry of Environment and Forestry at the moment. After the new Environmental Act is issued, the environmental inspection and enforcement authority of the Ministry will be redefined very clearly in the frame of EU criteria. Also with the new Act Ministry plans to have an Environmental Agency for the implementation work of permitting, monitoring and inspection. It is expected from this plan to bring together the well defined responsibilities, enlarged work capacity and resources.

Concerning the practical tools, the recent projects are quite useful. For example during the last capacity developing project completed by Inspection Department, many guidelines for training, inspections, monitoring etc. have been prepared by the related experts.
The good examples of the similar organisations are also examined within the EU projects of different departments of the Ministry.
At the moment the resources are very insufficient. It is expected to have better resources for environmental compliance work after the new restructuring.

5.22 UNITED KINGDOM

At present SEPA does not have a clear picture as to whether the prioritisation methods and indicators used are appropriate. SEPA has close working relationships with the Environment Agency in England but would greatly benefit from sharing experience with other member states as to how other organisations prioritise similar regulatory work.

SEPA currently has limited resource to assess whether or not the prioritisation exercise which is undertaken has been effective, i.e. to determine whether there is a relationship between regulatory effort and degree of compliance with an environmental licence / good environmental performance. For example is there a correlation that the best run sites are those which are inspected most frequently or does the prioritisation exercise in fact reflect environmental risk accurately.

CHAPTER 6 Additional points

6.1 AUSTRIA

Here I would like to mention that the organization takes place by 9 different environmental inspections in Austria. My contribution to the Workshop can only be the experiences of 2 years environmental inspections in the province of Styria - accordingly to the answers of this questionnaires. Due my task, as a "leading supervisor" of the province of Styria I only will be able to report on the examination activity on operational level.

Further information's about the developments in the other 8 provinces of Austria - on basis of my cooperation in the land working group (annual Austria-expert conference) – are only given without obligation.

6.2 BULGARIA

No component of environment or factor that impact on it is a priority but all of them in their common occasion.
No installation itself is environmental threat but the existence of cumulative impact.
Above all should be the human health and preserving clean environment for generations.
All inspection should be following that goal.

Very important in this connection is the cumulative impact and the decision of the authority.
How should be the commutation of environmental negative impact estimated as a method of prioritizing inspections. Is there good experience or guidance?

6.3 CYPRUS

Link of the work of environmental inspections through inspection plans and programs to the development of strategies for environmental protection. This is in relation to the fact that currently modelling is dominating the strategic decision making for pollution control.

6.4 CZECH REPUBLIC

I appreciate the opportunity to exchange any kinds of experience on these points and pass them to my colleagues in my country.

6.5 DENMARK

I believe you have covered everything I can think of!

6.6 GREECE

Our authority considers as crucial the development on a European basis, of a procedure for the calculation of the administrative sanctions (penalties) according to type the magnitude of violations, taking into account the already existing experience of Member States.

6.7 HUNGARY

- Legal specialities

The legislation describes in detail what steps an inspector must take when non-compliance is found. The response to a breach is therefore prescriptive rather than open to negotiation. The options are imposing a fine or an enforcement order to remediate, change a process, decrease of production or eventually to temporarily or permanently shut down an activity or installation. Both can sometimes be applied together. Fines may be aimed at the company as an administrative fine, or at the responsible person as a personal fine, or both. Corporate fines are by far the most widely used enforcement tool. Therefore there is very little room (virtually none) for inspectors to use informal responses to non-compliance such as written or oral warnings and hereby to promote the compliance of the operator. The level of fines is described in detail in the legislation e.g. by calculation formulas relative to how much a limit value has been exceeded. Further the level of fines vary between the specific legislation and may for some medias / non-compliances be very low and without preventive effect and for other non-compliances quite high.
All permit conditions and enforcement decisions can be appealed against. The initial step of the process is a review of the decision by the first instance authority. If it can see no reason to change its opinion and requirements, it forwards the papers to the National Inspectorate, which reviews the case. Decisions of the 2nd instance can also be appealed, to the Courts. The appeal process may impose very long delays (can be 2-5 years). In the meantime the activity can be continued. Only in case of emergency the activity can be stopped immediately. The rigidity of the enforcement system leads enterprises to use the appeal system more than necessary because informal dialog is not possible.

- Green Commando

Since May 2005, a closer co-operation between the Ministry of Interior and the Ministry for Environment and Water started, called „Green Commando". This is not a new organisation, but collaboration among those authorities who have a task in preventing pollution and accidents having harmful environmental impacts. The joint inspections are carried out by the experts of the catastrophe prevention authority, the environmental inspectorates, the police, the border-guards, the transport authority, the fire brigade, the health authority, the mining and technical safety authority and the customs office. The actions are coordinated by the National Catastrophe Prevention Directorate. Between June 2005 and April 2006 inspections are organized regionally, 7 times, for 1 week period. The inspections focus on hazardous materials, site and transport controls are carried out.

6.8 POLAND

It would be useful to compare length and content of reports in different countries.

6.9 SLOVENIA

Please, let me know some more, about presentation I should prepare. Perhaps it will be interesting to present you our project about classification of installations and our Environmental information system (EIS) which will both be a base for setting programme procedure. I would like to discuss it with participants of the workshop who have more experiences with planning then I have.

6.10 SPAIN

I think that this project is very interesting and would like to encourage all the people involved in organizing it to continue with it.

6.11 TURKEY

Another point to be considered may be the new pilot project of the Inspection Department. Although we wait for the new Environmental Act for most of the developments in our inspection system, we also try to handle with the problems with our recent resources or tools.
For example since the number of the inspectors at the central level is very limited, there should be another solution to increase the number of integrated inspections. Due to this, in the following months it is planned by the Inspection Department to plan trainings on integrated inspections in the Provincial Directorates. For this project, 5 provinces have been decided as pilot and after the trainings in these provinces are completed; it will be asked them to carry out integrated inspections by their own inspectors. (At the beginning the inspectors of the Ministry will be the observers). The pilot province number is planned to be 7 in 2007.
Also at the moment some guidelines for the provinces are prepared by the Ministry's Inspection Department.
After these pilot implementations, in the future it is planned to leave at least Class 2 (middle class installations, not IPPC) integrated inspections to local level. This is also a good preparation for the planned "agency" structure because also the agency is planned to be structured in two levels: central (responsible for IPPC installations), and local level (regional offices responsible for class 2 installations).

CHAPTER 7

General overview

Based on the outcomes and analyses of the completed questionnaires, a summarised and simplified comparison was made into one overview. This overview contains the information of all questions per country, or – in some cases – represents information from particular regions within these countries, e.g. like Austria, Germany and Italy.

It should be mentioned that the overview is summarised and simplified; detailed information is enclosed in a separate compendium with this report.

The overview has therefore no legal status.