



OPINION OF THE HIGH LEVEL GROUP

Subject: Administrative burden reduction; priority area *Environment*

I. Background

- (1) The High Level Group (HLG) was set up to advise the Commission with regard to the Action Programme for Reducing Administrative Burdens in the EU, and in particular to provide advice on administrative burden reduction measures.¹ The HLG has appointed Mr. Hontelez, Mr. Ludewig and Mr. Pesonen as its reporting members for the priority area “Environment”.
- (2) Environment is one of the 13 priority areas in scope of the Action Programme which covers more than 40 pieces of legislation in these areas.² For the priority area environment, the Action Programme originally covered the following 5 pieces of legislation:
 - Ø Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003 amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (SEVESO),
 - Ø Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste,
 - Ø Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (IPPC),
 - Ø Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE), and
 - Ø Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles.
- (3) In the context of the Action Programme for Reducing Administrative Burdens, the Commission hired a Consortium³ to help mapping and measuring information

¹ Cf. Commission Decision C(2007)4063.

² Cf. Communication from the Commission COM(2007)23 final, 2.3.

³ Capgemini, Deloitte, Rambøll management; assigned by the Commission to measure administrative burden based on certain EU legislation and to identify measures to reduce this burden.

obligations in the 13 priority areas. According to the preliminary figures presented by the Consortium, the total administrative costs for the five acts in scope within the priority area amount to approximately €727 million. 85 % of these costs or €622 million, have been classified as administrative burdens. 8 % of the total administrative costs or €58 million stem from national obligations going beyond EU requirements (often referred to as "gold-plating"). The findings in this field represent only 0,6 % of the total administrative burden the Consortium has found for the 13 fields of EU acquis investigated.

- (4) About a third of the administrative costs can be attributed to Council Directive 96/61/EC concerning integrated pollution prevention and control - IPPC (€ 270 million), and in particular to the obligation for businesses with certain installations to submit information to public authorities about the results of the monitoring of releases (€220 million). The consortium considers these costs entirely as an administrative burden, and they include €21 million resulting from IOs not directly obliged by the Directive.

The administrative costs stemming from the other four pieces of legislation in scope are assessed as follows:

- Directive 2002/96/EC on waste electrical and electronic equipment (WEEE): € 186 million, of which 62 % or €116 million are classified as administrative burdens, €19 million of the costs are considered as resulting from IOs not directly obliged by the Directive;
 - Regulation (EC) N° 1013/2006 on shipments of waste: € 125 million., of which 99.8 % are classified as administrative burdens. Less than €3 million is considered as resulting from IOs not directly obliged by the Regulation;
 - Directive 2000/53/EC on end-of life vehicles: €94 million, of which 95 % or €89 million are classified as administrative burdens. €15 million of the costs are considered as resulting from IOs not directly obliged by the Directive;
 - Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (SEVESO): €52 million, of which 41 % or €21 million are classified as administrative burdens. A very small portion, some €0,21 million, is not directly emerging from the Directive obligations;
- (5) For the Shipment of Waste Regulation, as well as the IPPC and WEEE directives, reduction proposals were either adopted or presented by the Commission recently, resulting in possible yearly savings for European businesses and public authorities of approximately, together, €317 million.
- (6) In addition, with its Third Strategic Review of Better Regulation in the European Union⁴ the Commission announced an extension of the Action Programme to include a further 30 legislative acts. Two legislative acts out of the 30 relate to the environmental sector:

⁴ Cf. Commission Communication COM(2009) 16.

- Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer, and
- Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market.

GENERAL COMMENTS

- (7) Since 1971, the European Union has developed an extensive set of environmental legislation and policies. It has committed itself to “*a high level of protection and improvement of the quality of the environment*” (Art. 2 EC Treaty). For many Member States the EU environmental acquis has become a crucial source of national legislation. However, environmental policies have remained a shared responsibility, which means first of all that the Treaty allows for national and even regional and local governments to go beyond what the EU has agreed and also continue to act in areas the EU has no common policy. This also means that the environmental administrative burdens business is confronted with can only partially be related to the EU acquis. Also, EU legislation in the environmental field, in a unified market, can also be a more efficient alternative to individual, non-related approaches. This is why multinational businesses often argue for harmonization of requirements to lower their overall costs and create a level playing field.
- (8) The EU has agreed on a better regulation exercise with the dual objective to achieve set objectives in a more efficient way while removing unnecessary administrative burdens, which includes reviews and recasts of existing environmental legislations. The HLG welcomes that in the environmental field the better regulation agenda is implemented systematically, with considerable reductions already foreseen. Better regulation is seen by all sides as a way to make environmental policy that, whilst ambitious, is simple, effective and supportive to economic development and employment creation. A Commission estimate presented to the HLG in March 2009 shows that, despite the fact that recently new pieces of legislation have been adopted and others are still in the pipeline, the systematic approach of reviews and recasts of existing legislation is likely to lead to a total reduction of around €300 million/year of administrative burdens [See attached Annex 1 of the memo presented to the HLG on the 6th of March by DG Environment]. The HLG underlines however, that these figures are a mixture of reductions for business directly and for public administrations.
- (9) In addition, in March 2008 the Commission presented three Fast Track proposals in response to business requests, that would, if implemented, bring:
- 5 million Euro/year savings on reporting requirements on Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in **non-road mobile machinery**. A revised draft comitology measure is expected to be submitted to the competent committee for adoption before summer 2009.
 - a one off 400 million Euro savings by not requiring **relabelling of batteries** that were lawfully brought on the market before the 26th September 2008 but had not reached the end consumer by that date (amendment to Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and repealing

Directive 91/157/EEC). This proposal has been adopted and implemented in the meantime.

- a non quantified saving on administrative burden due to harmonization of **definitions of Volatile Organic Compounds** that exist in two Directives and a Decision. This action was also implemented in the meantime by Commission Decision.

- (10) The HLG finds the figures found by the Consortium (para 3 above) to be considerably lower than what it expects to be the public perception. Even the Commission, two years ago expected the environmental share of the EU administrative burden to be 4 to 5%, and “goldplating” has been a major complaint by business in the past. The HLG recognizes that this perception, also within business, is partly due to the confusion with compliance costs in the public debate. It is also not sure that the four Environmental Directives and the Regulation chosen represent as much as 80% of the total administrative burden in this particular area. Nevertheless, figures presented by the Consortium give an indication on the administrative costs related to specific legislative acts. The overall picture is of lots of specific information obligations, each of which is limited in nature and in the number of businesses affected. This means costs are low, but the specificity means that they are relatively visible and so are more subject to comment. Nevertheless, the HLG calls upon the Commission to make efforts to inform the public as precisely as possible of the real administrative costs of environmental EU policies.
- (11) The HLG takes note of the extension of the action programme by a further 2 legislative acts regarding environment. Although, the extension of the programme is generally welcomed the HLG questions the selection of the legislative acts integrated into the action programme. This relates especially to the Biocide Directive (98/8/EC) where a major revision is announced before July and proposals to reduce administrative burdens of more than € 140 Million are drafted already. The HLG reminds the Commission that the major aim of the measurements is to identify angles for the reduction of administrative burdens. As reduction measures have been identified already in a considerable amount for this directive, this aim of the burden measurement is unlikely to be achieved.
- (12) The HLG also points that in the measurements the Consortium has not taken into account that in the environmental field (in the spirit of “the polluter pays”) at least part of the administrative costs made by public authorities are passed on to business through, for example, fees for permits etc. This is not required by EU legislation and differs from country to country. While not questioning the legitimacy of this passing on, the HLG calls upon the Commission to clarify the dimension of this additional burden. This passing on also means that in this field at least it does not make sense to shift administrative burdens from business to authorities.
- (13) The HLG notes the relatively high percentage of environmental suggestions made by business and government institutions in the on- and offline suggestions, which were not always limited to administrative burdens, but also to compliance costs. Besides the five pieces of legislation targeted by the first Action Programme on Reducing the Administrative Burden, others have been the subject of business/government proposals. In several cases, the Commission has in the meantime taken action which (potentially) lead to reductions, in some other cases the suggestions go beyond the

administrative burdens, so beyond the mandate of the HLG. In specific cases the HLG has given recommendations already, an overview is given below.

- (14) The HLG is planning to organize dialogue with stakeholders (business, environmental organizations, regulatory authorities, inspectors, trade-unions, etc) in summer to get feedback on this first advice and to collect and discuss possible further steps to identify and remove unnecessary administrative burdens in the environmental field, leading to a second advice. In this context the HLG will also deal with the remaining online and offline proposals.

WITH REGARDS TO THE CONSORTIUM RECOMMENDATIONS:

- (15) The Consortium has made six suggestions on how to reduce the administrative burdens of the four directives and one regulation. Together they would reduce the administrative burdens with around €104million/year, which is more than 17 % of the total burden measured. However, three of the proposals relate to Directives that are currently under review, and for each the Commission recently has presented more dramatic reductions of administrative burden.

The HLG advises on the proposals made in the following manner:

- a. **On the WEEE Directive** the Consortium proposes to integrate the information chain on WEEE reporting for the different parties that are involved. It suggests for that purpose to increase the use of eXtensible Business Reporting Language (XBRL) by producers of electric and electronic equipment, producer responsibility organizations and treatment facilities. This standardized format for the exchange of information between those different actors involved in the WEEE reporting could reduce administrative burden by €41 million/year. The Commission proposed a revision of the WEEE in 2008. If adopted, the new WEEE directive registration and reporting obligations for producers would be harmonized and national registers should be made interoperable. *The HLG welcomes this suggestion in principle, while pointing at the initial costs for business for moving to such a system. These initial costs would reduce the benefits the first year. The HLG notes the difference in estimation of the administrative burden between the Commission's estimate with its proposal for revision (€66 million /year) and the Consortium's estimate. It would like to have more clarity on the net benefits of such a system to business given that the Commission's proposal suggests single reporting by each company, rather than reporting in each Member State.*
- b. The Consortium proposes, in relation to the **Waste Shipment Regulation**, to establish national electronic databases for registrations of waste shipments. It points at the fact that four countries are already using a EUDIN eGov system (European Data Interchange for waste notification systems). If it was applied throughout the EU this system could save business almost €44 million/year in administrative burden. *The HLG calls upon the Commission to advise Member States that do not use this or a comparable interoperable system to consider implementing such a system as well.*
- c. With regards to the **End of Life Vehicles Directive**, the Consortium proposes to introduce online systems through which treatment facilities would issue vehicle destruction certificates for vehicle owners in Member States where this is not existing

yet. It estimates a reduction of administrative burden potential of €12 million/year. *The HLG supports this proposal and calls upon the Commission to stimulate Member States to follow this advice, while recognizing that it cannot be taken for granted that in all Member States all business actors are already computer and Internet literate. It invites the Commission to stimulate such a change in practice.*

- d. **On the IPPC Directive:** The Consortium observed that in a number of Member States, operators are required to apply, sometimes frequently, for completely new permits for installations when a review or update of the existing permit would be sufficient following the Directive. The Consortium proposes that those Member States should only require re-applications where strictly necessary and rather allow the updating of (parts of) existing permits. The savings are estimated to be €4 million/year. *The HLG calls upon the Commission to advise Member States that re-applications shall only be required where objective circumstances justify a re-application.*
- e. **On the “Seveso” Directive:** The Consortium proposes to make it easier for operators to send or update a notification of presence of dangerous substances in their establishment by using national websites. Those websites would include standard forms pre-filled with previously submitted information and automatically forward the completed online notification to relevant national authorities. As this is affecting a small group of industries only, the savings are moderate, some €1,5 million/year. *The HLG calls upon the Commission to promote this practice, which could also simplify the implementation of the public information requirements for both the companies and the public authorities concerned, to the Member States.*
- f. **Concerning both the IPPC and “Seveso” directives:** The Consortium estimates that around half of the installations that fall under the Seveso Directive also fall under the IPPC directive. Coordination or integration of inspections, based on the frequency requirements set by the Seveso Directive would reduce the administrative burden related to the preparation, presence of inspectors and follow up. In addition, it could facilitate the sharing of information between IPPC and Seveso inspectors to minimise duplications. This is estimated to save businesses €1.5 million/year. *The HLG calls upon the Commission to promote this practice to the Member States.*

OTHER ACTIONS TO TAKE TO REDUCE THE ADMINISTRATIVE BURDEN OF EU ENVIRONMENTAL LEGISLATION

- (16) The HLG recognizes the fundamental right of Member States to go in their environmental ambitions beyond agreed EU legislation as well as the reality of different legal and administrative systems. However, it considers the 8% additional administrative burden due to national obligations going beyond EU requirements, as substantial. This is particularly the case since the measurement exercise was focused on areas where EU legislation is dominant. The Consortium also identified wide ranges in the costs of meeting a given information obligation in different Member States. This can also point at inefficiency in collecting information or inefficiency in the administrative practices of businesses and competent authorities. It is in particular questionable why the same information obligation should take twice as long to comply with in the least efficient country as in the most efficient country. *The HLG therefore*

calls upon the Commission to ask Member States to investigate to what extent these additional obligations are creating an unnecessary administrative burden and can be reduced or removed without affecting the effectiveness of national implementation of the legislation concerned. It calls for initiatives in particular where the Standard Cost Model shows considerable differences between countries in time spent on information obligations to work with. The HLG invites the European Commission to work with, for example, The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) and the Network of Heads of Environmental Protection Agencies, to bring to the fore best practices in order to improve practices on other countries.

(17) Business and industry as well as public authorities have made a number of suggestions for the reduction of the administrative burden through the on-line and off-line consultations opened by the Commission. The HLG has already reacted to several of them in September 2008 and January 2009:

- a. Harmonisation of the **European Waste List**. The Commission is currently conducting a review of the European Waste List, in order to simplify and modernise it. This included Member State and stakeholder consultation in 2008, the results of which have in the meantime been published. *The HLG welcomed the initiative to simplify and modernise the European Waste List and calls upon the Commission to incorporate measures to reduce administrative burdens in the reform.*
- b. Simplification of the criteria on the **Eco-label** for SMEs. The Commission has reviewed the eco-label regulation (No. 1980/2000) and tabled a proposal to not only simplify criteria and abolish annual fees but also simplify the assessment and verification process. *The HLG welcomed the Commission's simplification efforts and is pleased the Council of Ministers and European Parliament have agreed to it in the meantime.*
- c. Centralising and simplifying testing for active substances and product registration in the **Biocide Directive** (98/8/EC). The Commission is preparing a major revision of the Biocide Directive, which was expected to be published in November 2008. *The HLG called upon the Commission to take stakeholders' views into account when revising the directive. The HLG appreciates that the Commission is currently estimating that the net impact of its proposal can reduce administrative costs with around 140 million Euro/year, and calls upon the Commission to publish its proposal without further delay.*
- d. With regards to the **EMAS** (Eco-Management and Audit Scheme) less bureaucratic registration procedures and an extension of administrative simplifications to companies not registered (e.g. companies that are ISO 14001 certified) were asked for. The Commission pointed out that the protection level of the environment is better safe guarded by EMAS. Thus, EMAS privileges should remain reserved for EMAS registered companies. However, the Commission's proposal for revision contains rules allowing for an easy step-up from other environmental management systems to EMAS, and facilitates the process especially for SMEs. *The HLG welcomed the proposed simplifications*

and is pleased the Council of Ministers and European Parliament have agreed to it in the meantime.

- e. With regards to the **REACH** (Registration, Evaluation and Authorisation of Chemicals) Regulation a request was made for guidance and translations of the manuals in all EU languages. The Commission acknowledged that parts of the guidance documents were available in English only so far; however, it announced that translation of certain parts is under way. *The HLG urged the European Chemicals Agency to provide the respective translations as soon as possible.* In the meantime several documents have been translated already. The missing documents are currently translated and will be published on the Agency website progressively. Furthermore, on behalf of SMEs, exemption for registrations was asked for, and also an exemption for recycled materials from registration was requested. The Commission responded that an exemption of SMEs would compromise the objective of ensuring a high level of protection for health and environment. It also underlined that REACH already contains provisions which were designed to keep the burden for SMEs to a minimum (limited obligations, lower requirements for lower volumes, later registration deadlines, reduced fees etc.). Furthermore, the Commission emphasized that for recycled material a registration is only required if a substance has not been registered previously by any other actor. Thus, most recycled materials will eventually be exempt from registration. *The HLG called upon the Commission to take a closer look into the possibilities for further reductions of administrative burdens, in particular for SMEs and repeats this advise⁵.*
- f. SME representatives called for the introduction of minimum thresholds for SMEs or small electrical or electronic equipment in respect of producer responsibility within the Directive (2002/96/EC; **Waste Electrical and Electronic Equipment**). *The HLG stressed that introducing thresholds as an instrument for cutting administrative burdens should be considered in cases where this does not affect the effectiveness and credibility of EU legislation. The HLG repeats this advise*

Brussels, 17 April 2009

⁵ Member John Hontelez objected and still objects to this call, as in his opinion in the political debate on REACH the interests of SMEs had already been too much in the forefront at the expense of the environmental effectiveness of REACH.

Changes in administrative costs under the Barroso Commission

<u>Reference in Annex 1 (detailed description)</u>	<u>€mln/yr</u>
1 IPPC	-180
2 Biocides	-140
3 INSPIRE	-130
4 WEEE	-66
5 Animal testing	-22
6 Dangerous Substances	-9
7 Waste Framework Directive	-10
8 Ozone Depleting Substances	-0.2
9 Mercury	0.1
10 Consumer information for new cars	1
11 Sustainable Use of Natural Resources	3
12 National Emission Ceilings	7
13 Air Quality	10
14 Pesticides	11
15 Marine Strategy	21
16 Soil Framework Directive	52
17 Geological Storage of CO2	55
18 REACH	90
19 Amending ETS	N/A
20 Ecolabel	N/A
21 EMAS	N/A
22 EQS in water	N/A
23 ETS Monitoring and Reporting Guidelines	N/A
24 ETS Registry	N/A
25 Green Public Procurement	N/A
26 Monitoring CO2 emissions from new cars	N/A
27 Shipment of waste	N/A
TOTAL	-307

Methodological Notes

- 1) Scope. Only proposals that lead to changes in administrative burdens (ie information obligations) are included. Where a proposal apparently changed administrative burdens, but the change is not quantified, then it is marked as N/A above (this is also the case for voluntary actions eg under EMAS). Proposals with no apparent change to administrative burdens are excluded.
- 2) Data Sources. Data is taken from two principal sources. Firstly, returns from DG Environment policy units as part of the 2008 screening of the acquis exercise. Secondly, from Impact Assessments. For the latter, even after the Standard Cost Model (SCM) was adopted, many changes in administrative burdens are so small relative to the overall costs of the policy that they were not quantified (to have done so would be disproportionate). Where the SCM was not used, then estimates have been calculated on the basis of

administrative burdens as reported in the Impact Assessments. But, for around one in three of the proposals that may have affected administrative burdens it is not possible at this stage to quantify changes. Where an IA has estimated a bandwidth of possible costs, we have used the mid point of the range of estimated net costs. In addition, assumptions have sometimes had to be made about the split between administrative burdens and compliance costs.

- 3) Timing coverage. Coverage includes Impact Assessments completed in 2003, but adopted in 2004 (for example, REACH and INSPIRE). In addition, some of the more recent proposals are still not adopted by the Commission, but are still included. Commission proposals will obviously be modified in the legislative process, and these amendments are not documented. Also, note that the majority of the pieces of legislation referred to are amendments to existing legislation.
- 4) Burdens not just to business. The SCM applies to information obligations to citizens, businesses and public authorities. As such, the burdens estimated above relate to a wider coverage than the ENTR Baseline Measurement exercise, which only considered burdens on business.

Appendix 1 - Details of changes

	Legislation	What changed?	Quantification
1	Directive 2008/1/EC concerning integrated pollution prevention and control (IPPC)	<p>The obsolete parts of the legislation have been identified as part of the review and removed as part of the Commission's proposal for a Directive on industrial emissions COM(2007) 844. The calculated benefits in the reduction of administrative burden are elimination of unnecessary administrative burdens of about €30m/year through combined permitting and €2m/year through streamlined reporting and monitoring. This provides savings of €32m per annum.</p> <p>Also, the proposal addresses inconsistency in multiple Directives by merging, by means of a recast, the IPPC Directive and six sectoral Directives into a single Directive on industrial emissions.</p> <p>Against this, extensions in scope and requirements add on costs of €7m per annum for the operators and competent authorities.</p> <p>Significant administrative costs reductions at Member State level are also identified (estimated to be in the order of €150-300m/year) as most opportunities to cut administrative burden are found at the national or regional level. With this in mind, the Commission's revised Action Plan contained in its Communication 'Towards an improved policy on industrial emission' (COM (2007) 843 final) includes an action to support Member States in cutting unnecessary administrative burden at a national level.</p>	Net reduction of -105m to -255m per annum
2	Biocides Revision	There are additional costs for treated materials and inclusion of Active Substances in Annex 1. Also, labelling costs will be incurred specifying biocide presence in products to help safeguard the environment and the health of consumers. Against this, significant savings will be possible through increased data sharing and a reduction in data requirements.	Net reduction of -140m
3	Proposal for a Directive of the European Parliament and of the Council establishing an infrastructure for spatial information in the Community (INSPIRE)	<p>INSPIRE seeks to improve the collection and use of geographical data, through co-ordination and harmonisation. Much of this relates to data held at the national, local or regional level but which still influences the quality of pan European data. The benefits are assessed as:</p> <ul style="list-style-type: none"> • More efficient EIAs and SEAs 60-121€n per annum (assume 90) • More efficient environmental monitoring 64 €n per annum • Reducing duplication of Land Cover Data Collection 25-160 €n per annum (assume 90) <p>These benefits are set against costs for all actors of 93-138 €n per annum (assume 115)</p>	Savings of €130 m per annum
4	Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and	The proposal reduces administrative burden related to the registration and reporting of producers (including distance sellers) marketing products in more than one Member State.	Savings of €66m per annum

	electronic equipment (WEEE)	The proposal suggests harmonising producer registration and reporting in the EU including by making the national registers interoperable. The administrative burden reduction related to this is estimated at €6,3M (i.e. 94% of the total administrative burden caused by the WEEE Directive).	
5	Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes	Expected savings will be about 22 million €per year (using the EU SCM methodology). Not yet adopted.	Savings of 22 million €per year
6	Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (as amended).	<p>The cost savings, which in all estimates amount to an average of a few labour days per company per year, occur through a substantial reduction of the regulatory barrier to trade caused by worldwide differences in classification and labelling. Consequently, it will lead to more chemicals trade with countries outside the EU and thus contribute to more growth and jobs through a better external competitiveness of the EU industry.</p> <p>The approximate quantification of the yearly burden reduction, based on the "EU Standard cost model", could be presented as follows (not part of the IA):</p> <ul style="list-style-type: none"> - 5,200 companies x 1-10 labour days x 8h x €40 = €1,664,000-€6,640,000 per year - (the IA estimated the number of (equivalent) companies concerned at 5,520; a few labour days is interpreted as the range between 1-10) <p>This calculation provides estimated saving of €1,664,000 to €6,640,000 per year – assume savings of €m per annum.</p>	Savings of €m per annum
7	Taking sustainable use of resources forward: A Thematic Strategy on the prevention and recycling of waste and the revision of the Waste Framework Directive	Defining end-of-waste criteria for recycled aggregates would lead to a reduction of administrative costs for businesses. A number of other changes were made that would reduce administrative costs. These were not quantified before; however, subsequent calculations estimate that the saving from a single permit system for waste treatment facilities might be 9.9m per annum.	Savings of €9.9m per annum
8	Regulation (EC) No 2037/2000 on substances that deplete the ozone layer	<p>The proposed measures (COM (2008)505 final) aim at</p> <ol style="list-style-type: none"> (a) clarifying and simplifying the Regulation; (b) streamlining reporting and the associated administrative burden; (c) updating the exemption arrangements and the associated administrative processes. <p>The simplification measures are expected to yield cumulative savings in administrative costs estimated at nearly € million for industry in total over the period 2010 to 2020, with net savings over 10 years of just under €2m for industry in total, though these too might be offset by unquantified additional costs from other changes. With regard to reporting there was little room for manoeuvre since these obligations stem from the Protocol rather than the Regulation. However, as part of the proposal, it is anticipated that further streamlining can be achieved by enhancing and/or expanding the internet based licensing and reporting system.</p>	Savings of €0.2m per annum

9	Proposal for a regulation of the European Parliament and the Council on the banning of exports and the safe storage of Metallic mercury	<p>Recurrent costs will include:</p> <ul style="list-style-type: none"> •Reporting from the concerned companies to responsible authorities in the Member States for the following: import of mercury (metallic mercury and mercury compounds), export of mercury compounds, and cross- boundary movements within the EU. •Registration import of mercury (metallic mercury and mercury compounds), export of mercury compounds, and cross-boundary movements within the EU. It should be noted, that the administrative costs are difficult to estimate and the numbers below give rather an order of magnitude, than precise figures. <p>Administrative costs calculated in the SCM give a range of about €100,000/year – hence, for 10 year period between entry into force of the export ban (2011) and phasing out of the mercury from the chlorine industry, would amount to about €1m.</p>	Costs of €0.1m per annum
10	Directive 1999/94/EC relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars	<ul style="list-style-type: none"> • reporting obligation of Art. 9(2) - deadline has passed and a deletion of this provision is proposed. • A harmonised format of the label on fuel economy and CO₂ emissions should be created. This would save administrative costs borne by car manufacturers when different labels for one car model have to be created in different Member States. These costs can be currently estimated to 13,5 million €per year. The harmonised format would generate savings of 13 million €per year for car manufacturers. • The obligation to exhibit a poster on fuel economy and CO₂ emissions in showrooms should be deleted by the amendment. This would generate savings of 2.13 million €per year for car dealers. • A new obligation to ensure access to the on-line guide on fuel economy and CO₂ emissions or its copy in showrooms should be imposed on businesses. This will generate administrative costs of 17.75 million €per year for car dealers. • The obligation for Member States to produce a paper on fuel economy and CO₂ emissions guide (current costs of 1,490.600 € per year) should be replaced by the obligation to produce an on-line guide. The related costs would be reduced to 17.550 € This measure would therefore generate <u>savings of 1,473,050 € per year for Member States.</u> • A new reporting obligation should be imposed on Member States. It would amount to 118.463 €per year. 	Additional cost of €1.265m
11	Thematic Strategy on the sustainable use of natural resources	<p>The costs are the operational costs of e.g. the Data Centre, the International Panel and to the costs of developing indicators. These costs have been estimated (rounded up estimates) as follows:</p> <ul style="list-style-type: none"> • to the EU budget: EUR 500,000 a year for setting up and running the International Panel; 	Costs of €2.5m per annum

		<p>EUR 1.5 million a year for the first three years for setting up the Data Centre and than EUR 1 million a year to run it; EUR 300,000 for studies and expert meetings per year; EUR 800,000 administrative costs per year for Commission staff working on the follow-up to the strategy;</p> <ul style="list-style-type: none"> • to Member States' budgets: between EUR 300,000 and EUR 550,000 per year in administrative costs (staff needed for analysing existing data, gathering extra information, attending the High-Level Forum and other EU meetings devoted to the strategy, etc.) for small and big Member States respectively. <p>It is arguable whether these costs count as administrative costs, i.e. do they relate to policy assessment? However, assume 100% coverage for now.</p>	
12	Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants (NECD)	<p>The proposal streamlines and harmonises a number of current reporting provisions and hence to simplify the legislation.</p> <p>Other costs are added though, and recorded using the SCM.</p>	€7 million per annum
13	Directive 2008/50/EC on ambient air quality and cleaner air for Europe.	<p>The new Directive has considerably simplified and streamlined EC ambient air quality legislation by merging five separate legal instruments, i.e. the air quality framework Directive 96/62/EC with the three daughter Directives 99/30/EC, 2000/69/EC and 2002/3/EC and Council Decision 97/101/EC. Reporting obligations for Member States will be specified through Commission implementing rules.</p> <p>In the Impact Assessment, it is estimated that the annualised costs of running additional PM2.5 monitoring stations would be between €5.3 and €11.6 million per annum. A requirement for background monitoring of PM2.5 mass concentrations and chemical speciation at approximately 40 stations in the EU-25, would have estimated annualized investment and running costs of €1 million per annum.</p> <p>Against this, the simplification benefits may be considerable, but are difficult to quantify.</p>	€10 million per annum
14	Directive of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides	<p>The only case where a significant administrative burden for MS authorities was possible to assess and quantify is the collection of data on pesticide sales and use, which would cost about €9 million / year. Also, €2 million for detailed record-keeping and reporting on pesticide use for farmers.</p>	Costs of €1m per annum
15	Proposal for a Directive of the European Parliament and of the Council establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Directive)	<p>Administrative costs include the following elements for each region:</p> <ul style="list-style-type: none"> – Data collection; mapping and monitoring – Assessment of the environmental status and socio-economic context – Identification/mapping of important marine areas and features – Identification of conservation and protection objectives – Development of and follow-up to programmes of measures – Engagement with stakeholders and awareness raising (communication strategy etc.) <p>The administrative burden of the EU proposal is likely to be around €90 million for the initial phase (total amount for a period of about 2 years) and slightly above €70 million, annually, after this period. However, a significant proportion of these costs relate to stakeholder consultation or policy assessment, neither of which are considered to be administrative costs.</p> <p>The split is based on the following splits from the Annex:</p>	Costs of €21m per annum

		<p><u>Not considered as administrative costs (72%)</u></p> <ul style="list-style-type: none"> engagement of regional sea governments and stakeholders 3% develop and implement a communication strategy 12% assess socio-economic context of the regional sea 5% conservation objectives: identify and agree with stakeholders 4% develop zoning plan and management measures, consult stakeholders 12% Development of a marine spatial planning system 36% <p><u>Considered as administrative costs (29%)</u></p> <ul style="list-style-type: none"> nationally important marine areas: identify, network, map,, 6% nationally important marine features: identify, map 4% marine landscapes: identify, map, assess, characterise... 7% data collection and mapping 12% 	
16	Soil Framework Directive	For the identification of risk areas, three options were investigated. The option chosen is a targeted monitoring which allows data acquired through existing monitoring schemes to be used. The overall costs are likely to be less than €2 million per year for EU25. Preliminary costs of site inventory are considered administrative costs, but not the longer term costs of establishing an inventory of contaminated sites, which is assumed to consist largely of testing costs, and so is not considered as an administrative cost	Costs of €52m per annum
17	Directive of the European Parliament and of the Council on the geological storage of carbon dioxide	Reporting of greenhouse gas emissions and projections pursuant to Article 3 of Decision 280/2004/EC (Monitoring Decision). For simplification and reduction of admin burden purposes, the Proposal does not require double reporting, but adds additional elements to the reports provided under the Monitoring Decision. Proposal in co-decision process, not yet adopted. COM has considered relevant simplification and reduction of admin burden aspects when drafting the Proposal, no need for simplification at this stage. Total administrative costs (€): 54,706,885, of which: • Total administrative costs for operators (€):39,143,390 • Total administrative costs for Member States (€):14,750,515 Detailed in the final Annex of the Impact Assessment, using the SCM fiche	Costs of €55m per annum
18	Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)	The REACH regulation is a new legislation resulting in easier reference and greater legal clarity for the industry, the authorities and the public. It replaces about 40 pieces of previous legislation on chemicals. At same time, there are costs: registration costs of €500m and Safety Data Sheet Costs of €250m and authorisation costs of €100m (NPVs over 11 years)	Costs of €90m per annum
19	amending Directive 2003/87/EC so as to improve and extend the EU greenhouse gas emission	Notes that the proposal should lead to a reduction in administrative costs, but does not quantify them.	Not quantified

	allowance trading system		
20	amending Regulation on a revised Community Ecolabel Scheme (1980/2000)	<p>A proposal for a revised Community Ecolabel Scheme was adopted by the COM on 16 July 2008 with the following major changes to the existing Regulation (some of these changes have obvious effects on the administrative burden to companies but these effects can hardly be quantified. <i>Text in italics highlights potential savings per companies in cases where quantification is possible</i>):</p> <ul style="list-style-type: none"> • Design Regulation to better fit into the other sustainable production and consumption actions of the Commission; • Open up the scope of the label; • Introduce measures to encourage harmonisation with other eco-labelling schemes: EU Ecolabel criteria as a standard for other eco-labels; fast track procedure to adopt criteria developed by national ecolabel schemes; <i>costs of tests to prove compliance with the criteria which can add up to several thousands of Euros can be considerable reduced if criteria are harmonised with those of national eco-label schemes (synergies)</i> • More product groups / quicker criteria development; • Introduce a template for criteria documents to ensure they are more user friendly; • Incorporate guidance for Green Public Purchasing into criteria development; • Simplification of the assessment and verification procedures and abolition of the annual fee; <i>the current standard annual fee is 0.15% of the annual turnover of ecolabelled products; on top of not having to pay this fee, companies can save about half a person day per year.</i> • Peer review for Competent Bodies; • Boost marketing. <p>It is not possible though to quantify the reduction in total administrative costs, including changes to the costs to public authorities of administering the scheme, because this is a voluntary instrument where costs to a large extent depend on the uptake by industry and the associated costs of market surveillance of the conformity of those using the label.</p>	Not quantified
21	Amending Regulation on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)	<p>Purpose of the proposal includes reducing administrative burden so as to encourage take-up. However, take-up is voluntary and so not costed using the SCM.</p> <p>A proposal for a revised EMAS Regulation was adopted by the COM on 16 July 2008 with the following major changes to the existing Regulation (some of these changes have obvious effects on the administrative burden to companies but these effects can hardly be quantified):</p> <ul style="list-style-type: none"> • Reinforced compliance obligation. The EMAS organisation has to demonstrate its compliance with applicable environmental legislation before the first registration. Dialogue between the organisation and the national enforcement authorities is strengthened as of the initial phase of the process to EMAS registration. • Reinforced environmental reporting on the basis of environmental core performance indicators, to be defined for the following areas: energy efficiency, material and resource efficiency, waste, emissions, and biodiversity/land use. These indicators will help 	Not quantified

		<p>organisations focus on their key environmental aspects.</p> <ul style="list-style-type: none"> • Guidance on best practice in environmental management to be developed for individual sectors and focussing on direct environmental aspects of production operations as well as indirect aspects. Where applicable the performance benchmarks set by other instruments, e.g. Ecolabel will be used. EMAS organisations will be encouraged to use this guidance for setting up their environmental management system and for defining their environmental targets. Environmental verifiers will be required to refer to the documents as to the benchmark for effective management system. • Harmonisation of procedures for accreditation and verification. Further to the harmonisation of these rules by the New Approach Regulation on accreditation (ENTR), the EMAS Regulation, where considered appropriate and necessary, further harmonises and complements these rules taking into account the specificities of EMAS. • Geographical scope. Participation of organisations from outside of the EU is allowed. Non-EU organisations have to register in one of the EU Member States and have to be verified by an EU verifier. • Measures to reduce administrative burden and create incentives: <ul style="list-style-type: none"> ○ Simplification of the procedure for cluster registration. ○ Reduction of registration fees for SMEs. ○ The national authorities in member states will be obliged to identify areas where they can reduce administrative burden of EMAS registered companies related to environmental regulation, e.g. less frequent renewal of environmental permit, etc. A process of regular consultations in member states between EMAS competent bodies and regulatory authorities will be setup. The Commission will organise exchange of information on this issue. ○ The national authorities will be encouraged to consider incentives for the EMAS registered companies such as access to funding or tax incentives in the framework of schemes supporting environmental performance of industry. • Rules for the use of EMAS logo will be simplified and existing restrictions will be removed. • Promotion of EMAS including the EMAS award and information campaigns at the EU and national level. 	
22	<p>Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60/EC</p>	<p>New administrative requirements include implementation and reporting of “inventories of emissions, discharges and losses” and “transitional area of exceedance” by Member States and industry</p> <p>The new proposal also brings administrative benefits. The proposal for common EQS will</p>	<p>Not quantified</p>

		<p>save the Member States from having to develop and agree national EQS, as would be necessary in the absence of Community legislation (see Section 5.1.1). Furthermore, the repeal of seven Directives will simplify the implementation burden and reduce reporting obligations considerably.</p> <p>The Impact Assessment concludes that "It is difficult to estimate the net administrative costs, i.e. the difference between the above-mentioned impacts and benefits. However, these additional costs will be much smaller than the gains resulting from a more flexible approach for the Member States"</p>	
23	2007/589/EC: Commission Decision of 18 July 2007 establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (ETS MRG)	<p>The MRG 2007 were considerably improved with respect to 2004</p> <ul style="list-style-type: none"> • Guidelines are closer to sector practices way of monitoring and reporting done by operators (use of standard factors for commercial fuels) • Guidelines are more cost effective especially for small emitters (lighter monitoring requirements for small installations/small emitters < 25,000 tonnes CO2) • Improved cost-effectiveness for installations using biomass fuels (lighter monitoring requirements) • Guidelines are more aligned with reporting made by Member States under national greenhouse gas inventory requirements <p>Cost estimates are very difficult to make with respect to implementation of the 2007 MRG. For the moment we have available only estimates made by our consultant on the overall cost of running the EU- ETS for which a great part is constituted by monitoring, reporting and verification. The one-off cost of setting up the scheme was estimated between €150 000 000 and €200 000 000 in 2004 (MS and operators), the cost of running the compliance cycle every year is estimated around €100 000 000. The implementation of the MRG 2007 will imply considerable savings mainly for the operators. The estimated cost savings are not yet available. They will become available in the course of 2009.</p>	Not quantified
24	Regulation (EC) No 2216/2004 for a standardised and secured system of registries pursuant to Directive 2003/87/EC and Decision No 280/2004/EC as amended by Commission Regulation (EC) No 916/2007	<p>The Regulation was adopted in 2004 and its comprehensively reviewed version is to be adopted 9 October 2008. In the course of the review:</p> <ul style="list-style-type: none"> - the length of the R was reduced from 120 to 60 pages (by dropping IT specifications of the Regulation's provisions) - all specific provisions related to 2005-2007 were repealed <p>These measures are not expected to bring reductions in administrative burdens. However, if the Commission's proposal for establishing a single EU registry is adopted, significant IT-cost savings could be achieved for the EU and the MS.</p>	Not quantified
25	Communication on 'Public procurement for a better environment'	One of the objectives is to reduce administrative costs, and there is much discussion of them but no quantification.	Not quantified
26	Decision No 1753/2000/EC of the European Parliament and of the Council of 22 June 2000 establishing a scheme to monitor the average specific emissions of CO2 from new passenger	The proposed monitoring rules will bring some simplification for Member States. Even though the volume of the data to be transferred by Member States to the Commission will increase, the requested data will be of such a nature that they will require less processing by Member States than under the current Decision.	Not quantified

	cars		
27	Shipment of waste	The ENTR exercise records that costs have gone down with the revision.	Not yet estimated