



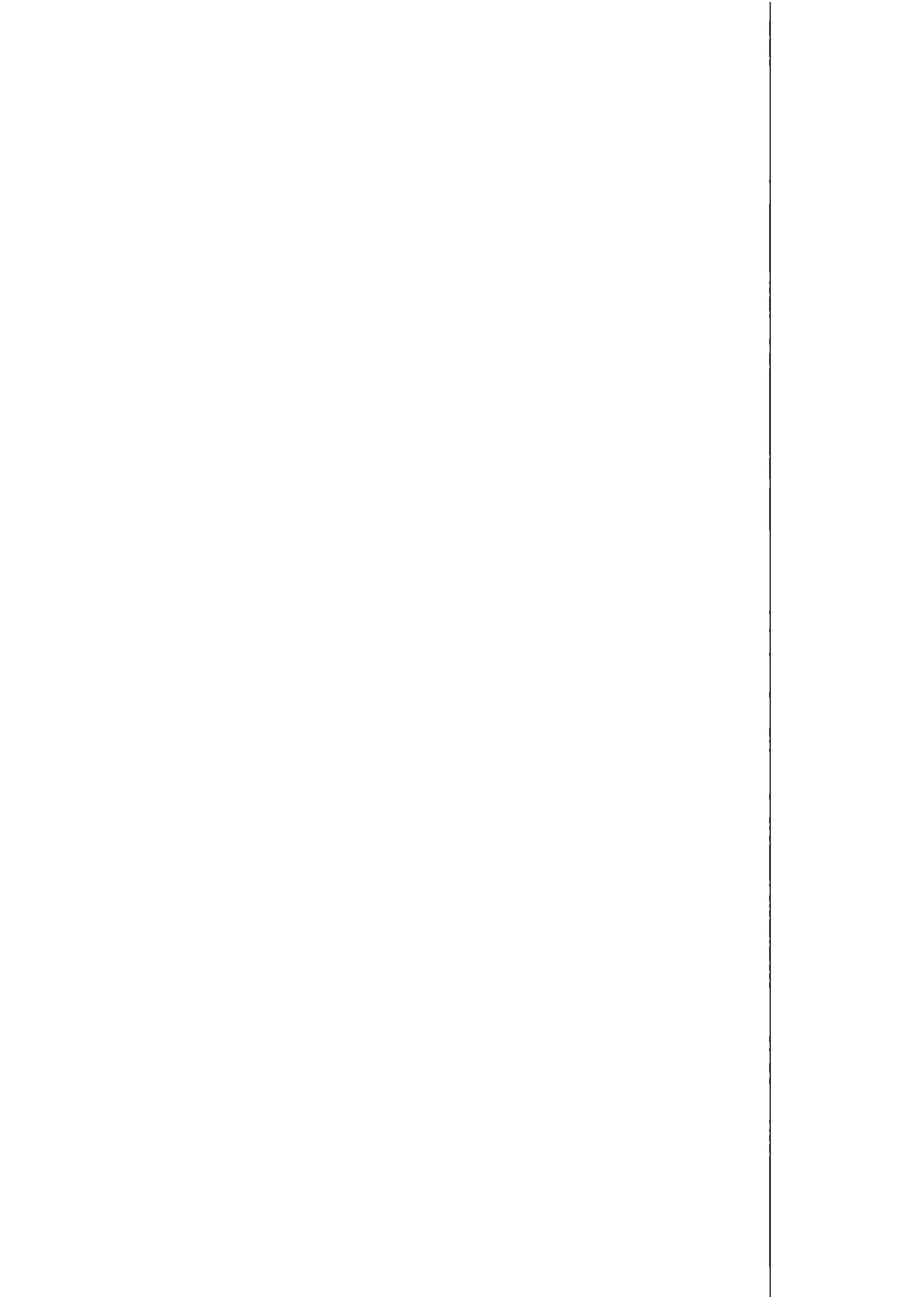
COMMISSION DES COMMUNAUTÉS EUROPÉENNES

Bruxelles, le 19.6.2008
SEC(2008) 2123

AVIS DU COMITÉ DES ÉVALUATIONS D'IMPACT

PROPOSITION D'UN RÈGLEMENT DU PARLEMENT EUROPÉEN ET DU CONSEIL
PERMETTANT LA PARTICIPATION VOLONTAIRE DES ORGANISATIONS À UN
SYSTÈME COMMUNAUTAIRE DE MANAGEMENT ENVIRONNEMENTAL ET
D'AUDIT (EMAS)

{COM(2008) 402}
{SEC(2008) 2121}
{SEC(2008) 2122}





Brussels, 4 July 2007
D(2007) 6129

Opinion

Title **Impact Assessment on Revision of Regulation on a
Community Eco-management and audit scheme (EMAS)
(draft version of 8 June 2007)**

Lead DG **DG Environment**

1) Impact Assessment Board Opinion

(A) Context

EMAS is a voluntary environmental management scheme available for EU private companies and public entities. Regulation (EC) N° 761/2001 requires the Commission to review the scheme in the light of the experience gained during its 12 years of operation and propose appropriate amendments to the Regulation. Encouraging the wider EMAS uptake is one of the actions of the 6th Environment Action Programme.¹

(B) Positive aspects

The well-structured and clearly written report is based on three types of analysis: qualitative survey, quantitative assessment and case studies. Whereas some issues should be given more quantification effort (see below), the overall approach to data collection is appropriate.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG.

General recommendation: The IA report needs to better explain the context of the proposal and the policy objectives that the revised scheme is expected to meet.

(1) It should be clarified throughout the exercise what the trade-offs and synergies are between the two general aims of the EMAS revision, i.e. to increase the uptake of the scheme and to maintain the high environmental quality of the scheme including serving as reference for other schemes. Specifically, the relevant trade offs and synergies need to be made clear through the range of policy options and in the appraisal of the measures within the various options.

¹ Decision No 1600/2002/EC Of The European Parliament And Of The Council of 22 July 2002 laying down the Sixth Community Environment Action Programme

(2) The context of the proposal needs to be made clearer. In particular, the link to the 6th Environment Action Programme, which calls for the promotion of EMAS "with a view to improving the environmental performance of enterprises and aiming at sustainable production", needs to be made stronger and consequences as to the nature of instrument (regulatory, voluntary, etc) explained. This should in particular be reflected in the choice and analysis of the options.

(3) The IA report needs to explain what target rate for EMAS uptake the policy is aiming for. This can be done, for instance, by comparison to ISO 14001 uptake or by way of extrapolating EMAS uptake figures from the best performing Member States to the overall EU27 level. Such a target rate for EMAS uptake should be set for a specific time horizon as that allows for easier monitoring and future evaluation of the scheme. Specifying sectors or types of companies adopting EMAS as a matter of priority (e.g. due to environmental impacts they have) would be suitable. Whereas it might be difficult to assess the exact impact on the uptake rate of the proposed amendments to the EMAS system, it would be desirable to give more indications on the relative contributions of the various measures to the set target.

(4) The option of phasing out the EMAS scheme should be considered in more detail. This would allow stakeholders who have pleaded for such an option to see the Commission's considerations. Wider implications of the option of abandoning the scheme should also be developed. The IA report rightly points to consequences for the individual companies who invested in the scheme and may be facing stranded costs. However, if the EMAS is currently used as a benchmark (as claimed in the IA report) there must be some implications of abandoning it for other environment management schemes, as well as up- and downstream of the organisations currently applying EMAS, and these should further analysed in the IA report.

(D) Procedure and presentation

It appears that all necessary procedural elements have been complied with.

2) IAB scrutiny process

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|-----------------------------|-------------------------------|
| Reference number | 2006/ENV/053 (catalogue item) |
| Author DG | DG Environment |
| External expertise used | No |
| Date of Board Meeting | 27 June 2007 |
| Date of adoption of Opinion | 4 July 2007 |