

Workshop on Methodological development -
application of IRAM/easy Tools

Why risk assessment in inspection planning?

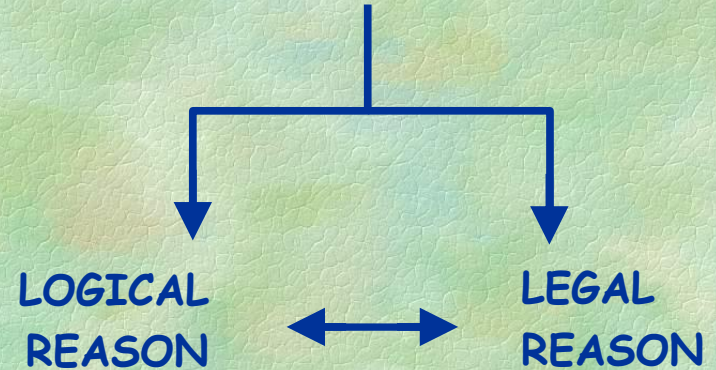
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The Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning

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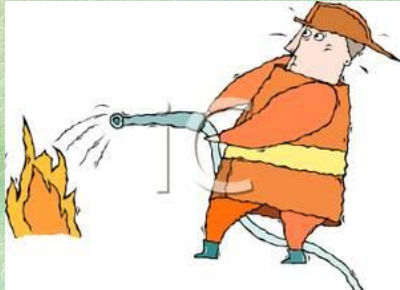
WHY RISK ASSESMENT?



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Logical reason for risk assessment

In the field of environmental protection there is always enough work for inspectors. Every day we get different complaints about emissions to air or water, noise pollution, illegal treatment of waste, etc. Running from one complaint to another it seems that environmental inspectors are kind of firefighters.



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Logical reason for risk assessment

IS THAT KIND OF STOCHASTIC WORK REALLY EFFECTIVE?



WHAT IS IMPORTANT?



WE HAVE TO PRIORITIZE!



RISK ASSESMENT

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A legal reason for risk assessment

Recognizing that there was a need for planning inspection work in the Member States, the European Parliament and the Council adopted several legislation:

- Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States (RMCEI)
- Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (SEVESO)
- Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) (IED)

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RMCEI and planning

Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States
→ Article IV → Plans for environmental inspections

1. Member States should ensure that environmental inspection activities are planned in advance, by having at all times a plan or plans for environmental inspections providing coverage of all the territory of the Member State and of the controlled installations within it.

*5. Each plan for environmental inspections should as a minimum: (e) prescribe the **programmes** for routine environmental inspections, taking into **account environmental risks**; these programmes should include, where appropriate, the frequency of site visits for different types of or specified controlled installations;*

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SEVESO and planning

Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (SEVESO)

→ Article 20 :

1. Member States shall ensure that the competent authorities organise a system of inspections.

4. Based on the inspection plans referred to in paragraph 3, the competent authority shall regularly draw up **programmes** for routine inspections for all establishments including the frequency of site visits for different types of establishments.

The period between two consecutive site visits shall not exceed one year for upper-tier establishments and three years for lower-tier establishments, unless the competent authority has drawn up an inspection **programme** based on a **systematic appraisal** of major-accident hazards of the establishments concerned.

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SEVESO and planning

5. The systematic appraisal of the hazards of the establishments concerned shall be based on at least the following criteria:

- (a) the potential impacts of the establishments concerned on human health and the environment;
- (b) the record of compliance with the requirements of this Directive.

Where appropriate, relevant findings of inspections carried out under other Union legislation shall also be taken into account.

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IED and planning

Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) (IED)

→ Article 23:

1. Member States shall set up a system of environmental inspections of installations addressing the examination of the full range of relevant environmental effects from the installations concerned.

2. Member States shall ensure that all installations are covered by an environmental *inspection plan* at national, regional or local level and shall ensure that this plan is regularly reviewed and, where appropriate, updated.

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IED and planning

3. Each environmental *inspection plan* shall include the following:

(d) procedures for drawing up *programmes* for routine environmental inspections pursuant to paragraph 4;

4. Based on the inspection plans, the competent authority shall regularly draw up *programmes for routine environmental inspections*, including the frequency of site visits for different types of installations.

The period between two site visits shall be based on a *systematic appraisal of the environmental risks* of the installations concerned and shall not exceed 1 year for installations posing the highest risks and 3 years for installations posing the lowest risks.

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IED and planning

4. (...) The **systematic appraisal of the environmental risks** shall be based on at least the following criteria:

- (a) the potential and actual impacts of the installations concerned on human health and the environment taking into account the levels and types of emissions, the sensitivity of the local environment and the risk of accidents;
- (b) the record of compliance with permit conditions;
- (c) the participation of the operator in the Union eco-management and audit scheme (EMAS), pursuant to Regulation (EC) No 1221/2009(1)

Plan vs programme

Inspection plan:

It is more abstract document comparing to a programme. (IED Article 23(2) and 23(3))

Programme: It is part of the inspection plan and tells the inspector when, where and what he or she should be doing. In practice this is often a table with the names of the installations, the name(s) of the inspector(s), the type of inspection, the date or time frame (week or month) the type and additional information needed to execute inspections. It is a kind of schedule for inspector work.

It is more concrete document comparing to a plan.

What are risk criteria?

Risk criteria are criteria with which we evaluate actual and potential impacts of the installation on environment.

We differentiate between:

- Impact Criteria (IC) and
- Operator Performance Criteria (OPC)

Beside risk assessment method (like IRAM) choosing the right set of risk criteria is essential for achieving good risk assessment results.

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Obligatory risk criteria

- **RMCEI:**

- (a) environmental risks

- **SEVESO:**

- (a) the potential impacts on human health and the environment

- (b) the record of compliance with the requirements of this Directive.

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Obligatory risk criteria

- IED:
 - (a) levels and types of emissions (water, air, soil, noise,...)
 - (b) the sensitivity of the local environment
 - (c) the risk of accidents
 - (d) the record of compliance with permit conditions
 - (e) the participation of the operator in the Union eco-management and audit scheme (EMAS)

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Data for risk assesment (input)

- List of installations (→ plan)
- Resources (human resources)
- Previous inspections (date of lasts visit, emissions, compliance with permit, EMAS, etc.)
- Different databases (sensitivity of area, amount of waste, etc.)

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Output of risk assessment → programme

- List of installations with **frequency** (→ next visit) (and inspector - optional)
- Inspection profile → scope of inspection

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The frequency of site visits

Article 23/(4) IED 2010/75/EC →

The period between two site visits shall be based on a systematic appraisal of the environmental risks of the installations concerned and shall not exceed 1 year for installations posing the highest risks and 3 years for installations posing the lowest risks.

WHAT IS A YEAR?

- a) It is a period of 365 days.
- b) It is a period of time that starts on 1 January and ends on 31 December.

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The frequency of site visits

1. Today is 6 May 2014 and let us assume we are inspecting installation in category 1 (frequency = 1 year)

- a) Second visit → 1 January - 6 May 2015
- b) Second visit → 1 January - 31 December 2015

2. We will do the second visits on 14 April 2015

- a) Third visit → 1 January - 14 April 2016
- b) Third visit → 1 January - 31 December 2016

3. We will do the third visits on 28 March 2016

- a) Fourth visit → 1 January - 28 March 2017
- b) Fourth visit → 1 January - 31 December 2017

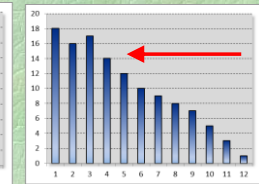
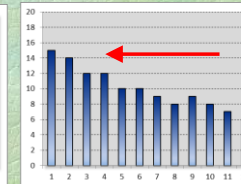
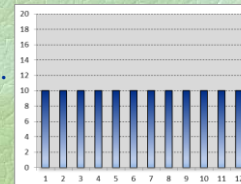
The frequency of site visits

1. year

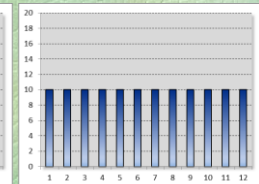
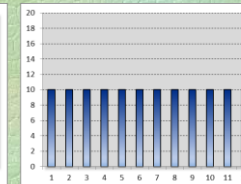
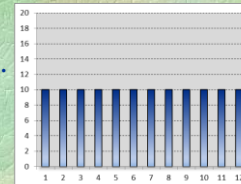
3. year

7. year

Def.
a)



Def.
b)



The frequency of site visits

IN SLOVENIA WE ARE USING DEFINITION B).

A year is a period of time that starts on January the 1st and ends on December the 31st.

A PROGRAMME INCLUDE ONLY YEAR OF NEXT INSPECTION NOT EXACT DATE

EVERY INSPECTOR IS FREE TO DECIDE HOW HE/SHE WILL DO THE PROGRAMME DURING THE YEAR

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THE END

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