

Improved guidelines on enforcement for operators

Lessons learned from
two evaluations

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The Swedish Environmental Code

General rules of consideration

Persons who pursue an activity or take a measure, or intend to do so...

*...must **possess the knowledge that is necessary** in view of the nature and scope of the activity or measure to protect human health and the environment against damage or detriment.*

*...shall **implement protective measures, comply with restrictions and take any other precautions that are necessary** in order to prevent, hinder or combat damage or detriment to human health or the environment as a result of the activity or measure...etc*

Supervision is the tool

“The purpose of supervision shall be to **ensure compliance** with the objectives of this Code and rules issued in pursuance thereof. For this purpose the supervisory authority shall, to the extent necessary”:

- Supervise compliance with the provisions of the Environmental Code
- Ensure that faults are corrected.
- Giving advice and information and similar activities.

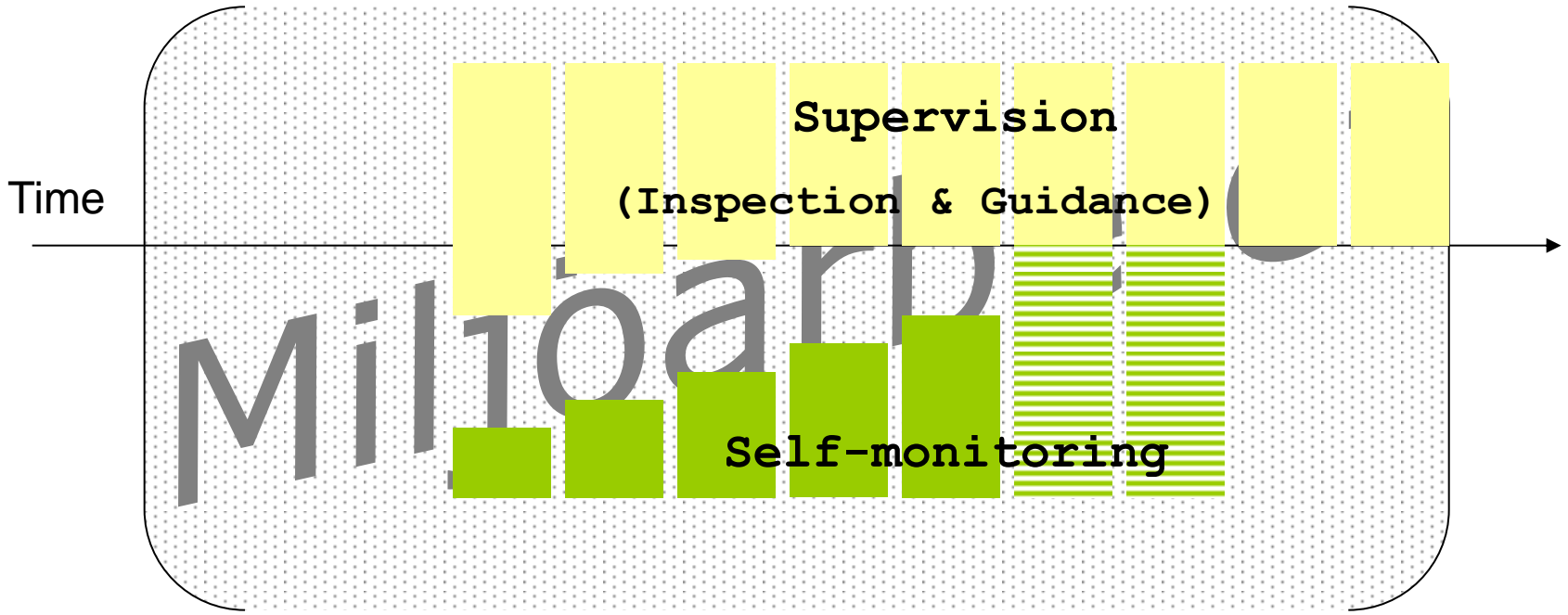
...and one of the methods used is self-monitoring

Other influences

(Public) Opinion

Demands from suppliers

Environmental Code



**...but does it work?
...is it efficient?**

2 studies on self-monitoring with different perspectives:

The Authority Perspective

- *Inspection & Guidance of Operator self-monitoring (2011)*

The Operator Perspective

- *Operators self-monitoring efforts (2012)*

Overall purpose

- Internally initiated by the EPA office of Guidance on Inspection and Enforcement:
- Input to improvement on EPA Guidelines
- Input to yearly review on supervision of the Environmental Code to the Government

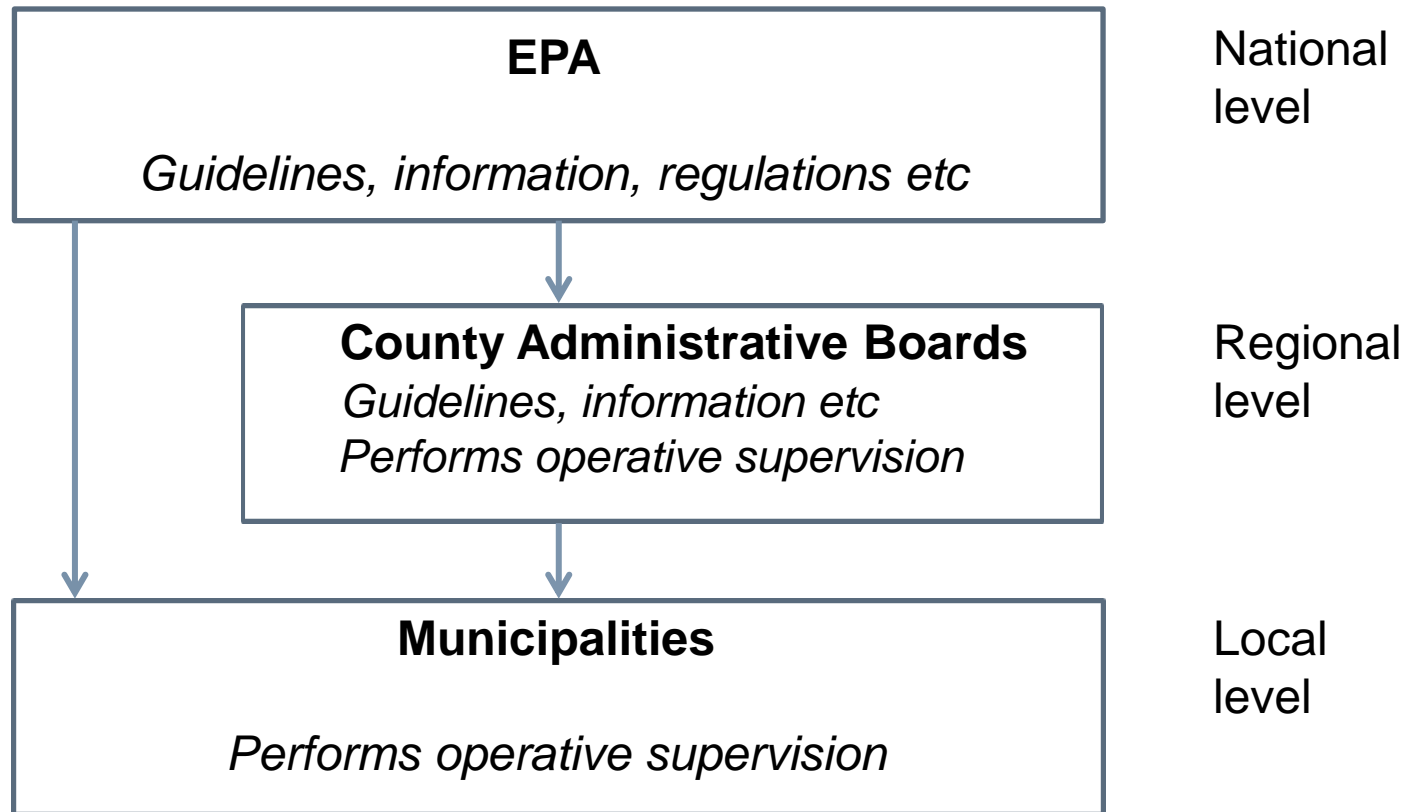
The Authority Perspective

- Inspection & Guidance of Operator self-monitoring (2011)

- Key questions:
 - *To what extent are the authorities performing supervision of operator's self-monitoring?*
 - *Why do the authorities work the way they do?*
 - *Which are the success factors/hindrances?*

- Collecting data through:
 - *Surveys to and in-depth interviews with municipalities and county administrative boards*

Roles and levels in the supervisory system



Categorization of environmentally hazardous operations

- A** Requires permit from the Environmental Court
- B** Requires permit from County Adm. Board
- C** Requires notification to the municipalities
- ”U”** All other operations. Requires no permit or notification

What did we find?

Amount of supervision of self-monitoring



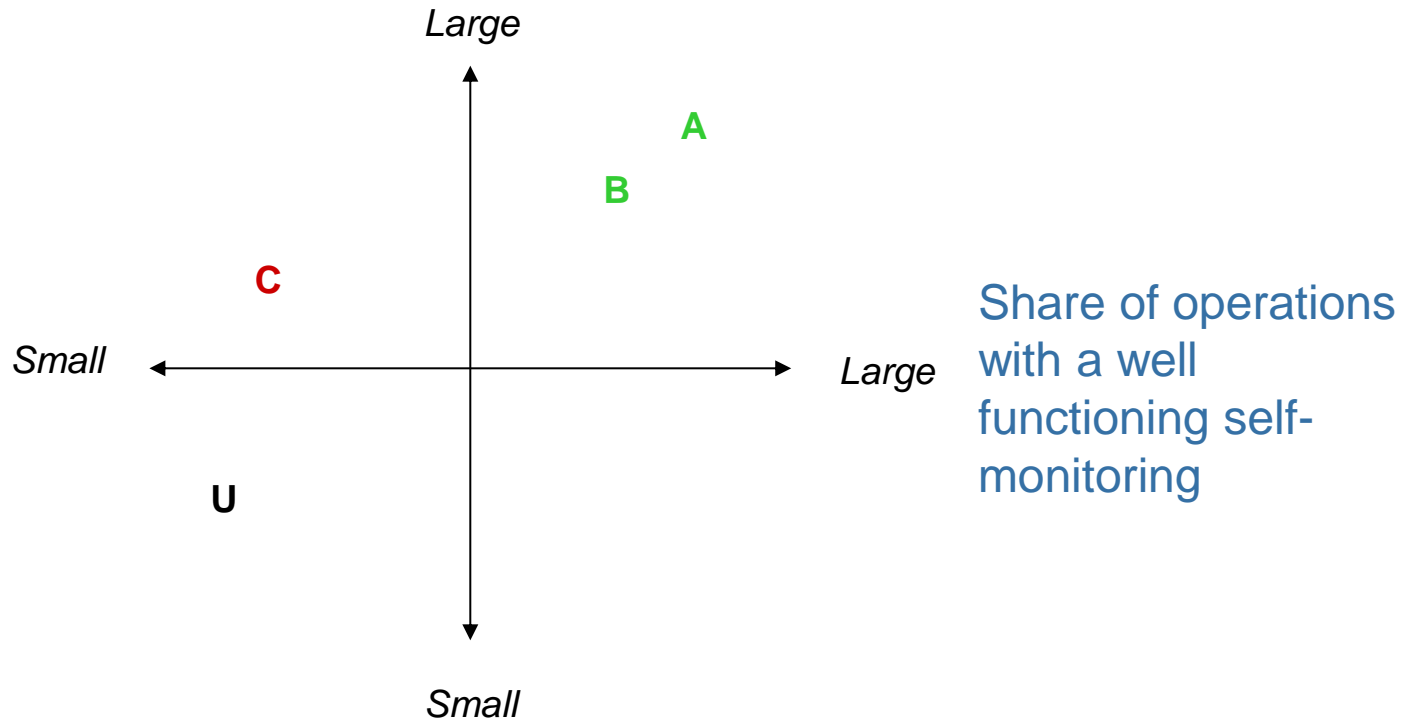
What did we find? cont'd

Share of operators with well functioning
self-monitoring



What did we find? Cont'd

Amount of supervision



The primary conclusions

- Positive correlation supervision – well functioning self-monitoring
- Supervision of self-monitoring demands good planning process
- Risk that the exchange relationship increased self-monitoring/decreased supervision is weak or non-existing
- **Overall: Self-monitoring as "engine" is doubtful – but the message has gotten through**

The Operator Perspective

- Operators self-monitoring efforts (2012)

- Key questions to the operators:
 - Operator familiarity and compliance with self-monitoring rules.
 - Authorities supervision as a motivator, among others, for self-monitoring
 - How do the operators acknowledge the authorities supervision of self-monitoring (ways and means of conducting, methods)
 - Why supervision of self-monitoring has difficulty making impact on "C" operations.

- Collecting data through:
 - in-depth interviews and telephone surveys with operators

What did we find?

- 98% of the operations in survey said they were familiar with the rules. 80% said they were in compliance with the rules fully or to a large extent.
- Good dialogue with the supervisory authorities, commitment and routines are the keys to success.
- Few operations have major criticism against the supervisory authorities, but a majority claim that environmental management systems (ISO 14000) are a bigger influence on their environmental efforts in general as well as on self-monitoring efforts.
- Close to 90% of the operations claim they will continue with the same amount of self-monitoring even if the supervision from the authorities were to stop completely.

Concluding thoughts

- Is self-monitoring the engine for operators environmental efforts?

Sometimes and for some – but not always and not for everyone

Concluding thoughts cont'd

- **To evaluate operations:**
 - Diverging results in certain areas – why?
 - Collecting data through phone surveys
 - self assessment issues
 - anonymity issues

Thank You for listening!