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AVR Site Visit Requirements

Åshild Færevåg (Norwegian Environment Agency)

1) Simplified Verification for Aircraft Operators

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Background

- **Issue**
  When is it acceptable to perform simplified verification for aircraft operators? Can a site visit be "waived" for non-small emitters?

- **Description of issue**
  AVR art. 32 (1) states that a site visit can only be waived for small emitters. GD III states that a visit must be carried out, but it does not clearly define what such a visit implies. Both the AVR and AVR GD III states the importance of a site visit, including all the site visit activities (for example interviews, testing control activities). A 'site' for aviation is defined in AVR art. 3 (13), but the GD III seems to have a wider definition.

- **Experiences with AVR**
  Many verifiers use the justification contained in GD III 3.2.7 to "waive" a site visit for aircraft operators even if they are not small emitters. (waivers for small emitters are explained in another section of the GD III). It is difficult to read and interpret the guidance explaining the aviation specific AVR Art. 32(1), and this is also interpreted different among member states and verifiers.

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AVR References

- **AVR Art. 3 (13) Definition of site**

'site' means, for the purposes of verifying the emission or tonne-kilometre report of an aircraft operator, the locations where the monitoring process is defined and managed, including the locations where relevant data and information are controlled and stored;

- **AVR Art. 32 (1) Simplified verification for aircraft operators**

By way of derogation from Article 21(1) of this Regulation, a verifier may decide not to carry out a site visit of a small emitter referred to in Article 54(1) of Regulation (EU) No 601/2012 where the verifier has concluded, based on its risk analysis, that all relevant data can be remotely accessed by the verifier.

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AVR GD III References

- **3.2.7 (3)**

  For EU ETS aviation the definition of site is provided in the AVR. (…) This means that a site visit does not necessarily entail a visit to each and every aircraft or various aerodromes. Following the sequence and interaction of the data flow activities, testing the control activities can also carried out by the verifier at the office where the relevant (electronic) databases and procedures for quality assurance and control activities are located.

  This is understandable and clear.

- **3.2.7 (4)**

  If the verifier is confident from its risk analysis that the verification risk is sufficiently low, it can access the necessary databases and procedures remotely from the verifier's desk top. (…)

  Does this mean that the verifier can conduct all or parts of the verification activities remotely without visiting the AO's office? And if all verification activities can be performed remotely, is this in practice a site visit waiver?

- **3.2.7 (5)**

  In those cases the relevant electronic databases, procedures and ETS Support Facility constitute the site and an actual physical visit to the AO to assess the data captured in these databases and procedures may not be necessary. This implies that aerodromes and aircraft do not have to be physically visited by the verifier if the AO can demonstrate that the AO has a sufficiently robust internal control system (…)

  Does this mean that the AO's office should be visited in any case, i.e. contradicting 3.2.7(4)?

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Suggested Changes

- **Possible solutions**
  Clarify the inconsistency between AVR and AVR GD III. Ensure that the explanation of a site in GD III is consistent with the definition of a 'site' in AVR Art 3(13) i.e. a site can not solely constitute remote access to data system from verifier's desk top as written in GD III.

- **Advantages**
  Clear understanding of the rules for site visit
  Equal treatment among member states

- **Suggested changes**

  In any case: GD III 3.2.7 should be restructured to ensure common/better understanding and to be in line with AVR

  In addition:

  1) If "waiver" for AO (non-small emitters) is to be allowed: AVR 32 (1) needs to be re-written
  OR
  2) If the definition of site is to be consistent with GD III/defined wider: AVR 3 (13) needs to be re-written

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2) Criteria for waiving site visits

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Requirements of AVR vs. guidance material

- **Description of issue:** Specific requirements on waiving site visit should be specified/outlined in AVR, not in guidance material.
- **Experiences with AVR:** Conditions for site visit waivers are specified in KGN II.5. It is important for the CA that requirements are to be found in the regulation itself, making it legally binding.
- **Possible solutions**: Include the criteria for waiving site visits, now listed in KGN II.5, in AVR art. 31
- **Advantages:** Legally binding requirements for site visit waivers and essential information gathered in the same document
- **Suggested changes**: Text in Article 31 (1) d) of AVR to be replaced by specific criteria for waiving site visits for installations (as of today, the conditions I-IV given in KGN II.5)

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