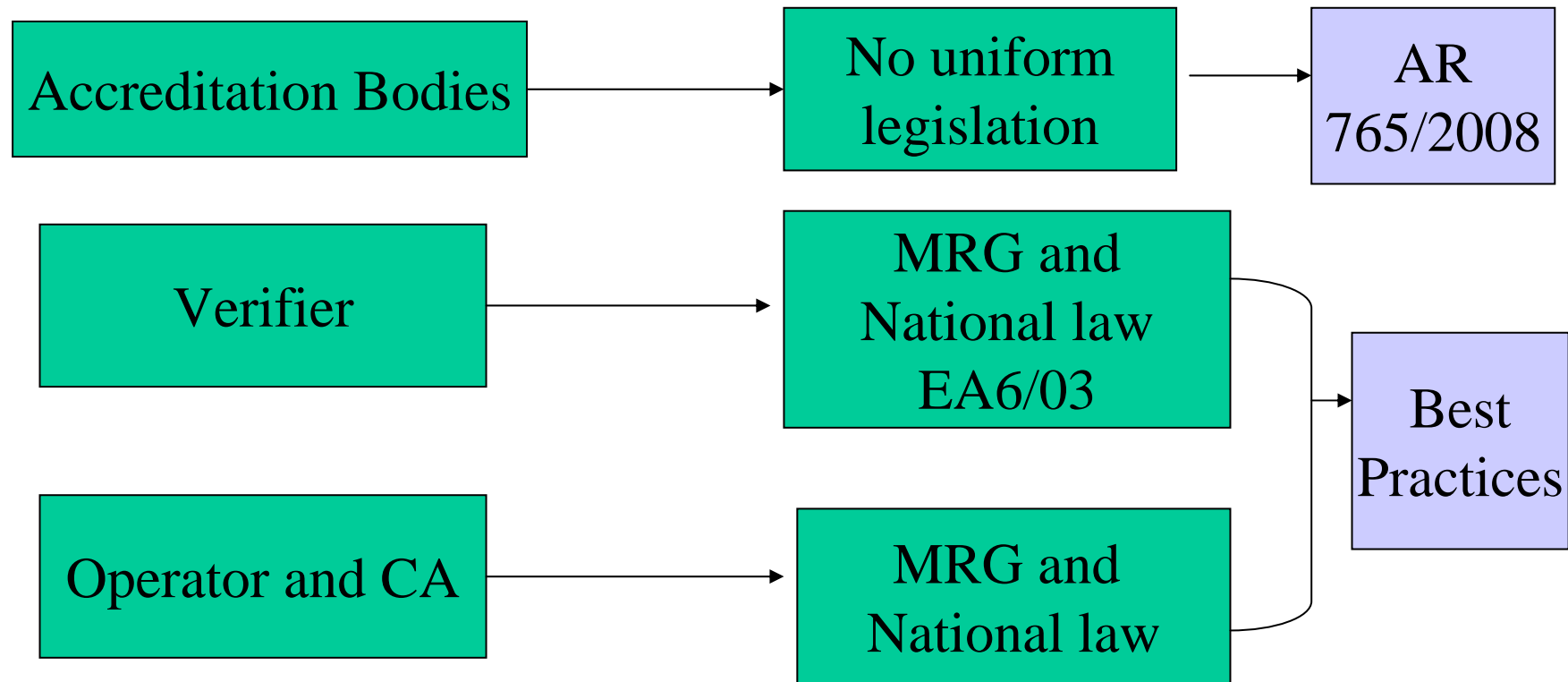


EU ETS Compliance: the Way Forward

Findings of the Rapporteur of Workshop Session III

Legal framework



In future revision EU ETS Directive and development
V&A regulation and AR 765/2008

EU ETS Compliance: the Way Forward

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Presenters identified following issues on

Continuous improvement monitoring methodology (UK best practice)

- MRG requirement to continuously improve monitoring methodology and to address outstanding misstatements and non-conformities (section 3, 4.3 and 10.4.2 MRG)
- Improvement report practical tool to meet those requirements → periodic reassessment and justification and ensuring compliance
- Improvement report to CA by 30 June (timescale, details improvement etc.)
- IT → improve efficiency improvement report and reduce administrative burden

Man day table (Portuguese best practice)

- Calculation method to assess minimum man days verifiers for verification
- Method based on factors like complexity installation, sources, fuels etc.
- Method would create a more level playing field and consistency in time allocation
- Risks to be mitigated by requiring more days to be allocated when needed and proper justification

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Presenters identified following issues on

Accreditation regulation 765/2008

- Legal framework for accreditation (includes EU ETS verification)
- Provisions on structure and organization AB (i.e. single AB per MS and public authority, independence AB and peer evaluation)
- Effectiveness, consistency and continuity peer evaluation system to be improved and elaborated (introducing risk based approach)
- Sectoral accreditation scheme → scheme owner EC
- Accreditation effective tool to ensure adequacy and equivalence ETS verification → need for cooperation between EA, EC and MS

Competencies verifier

- Competence verifier is also on how you apply competence requirements. Not just a paper demonstrating your knowledge
- Competence of accreditation assessors

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Questions for the Panel:

Improvement report

1. Do you agree that an improvement report could be a practical tool to check correction MS and NC and to promote continuous improvement of monitoring methodology?
 - If yes how to implement and elaborate the improvement report in other Member States?
 - How to ensure that the correct information is in the report?
 - How to make the report more efficient by using IT and reducing administrative burden?

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Questions for the Panel:

Man day table

2. Do you agree that a calculation method can be used to determine minimum amount man days verifiers?
 - How to mitigate risks involved?
 - How to improve best practice?
 - Who to involve in developing best practice further?
 - Role verification and accreditation forum

EU ETS Compliance: the Way Forward

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Questions for the Panel:

Accreditation regulation 765/2008

3. How can EU ETS specific accreditation scheme under Accreditation regulation be developed?

- Which issues to elaborate and made more EU ETS specific: role accreditation body, ISO 17011, information feedback loops between parties, reporting templates, checklists, peer evaluation criteria, competence requirements, common exams, training procedures, AB team requirements, role single verifier?
- How to elaborate these issues?
- How to prepare parties for the accreditation regulation?
- How to involve non EA members?
- How to use Accreditation Forum for these purposes?
- What is the role of EA and European Commission?

EU ETS Compliance: the Way Forward

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Questions for the Panel:

Structure V&A forum

4. How to structure the Verification and Accreditation Forum?
 - Forum to be structured under the Compliance Forum?
 - Relation between V&A forum and compliance forum (communication, responsibility and management deliverables and interaction with other task forces CF)
 - How to ensure implementation deliverables V&A forum?
 - How to involve industry and other stakeholders?
 - Is four times a year sufficient to organize V&A forum?
 - Should specific task forces be developed?

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Questions for the Panel: Working program V&A forum

5. What should be the working program for the Verification and Accreditation Forum for the upcoming years?
 - Maintenance and development best practices
 - Exchange information on multinational companies (verifiers and operators)
 - Elaboration verification issues: roles and responsibilities parties, sampling, man day tables, use of templates, checklists, risk assessment tables, site visits, single verifiers, acceptance of the annual emissions report and the verification report, mutual acceptance of verifiers, official determination of emission figure, impact article 21 reporting, changes to EA, aviation and CCS impact
 - Elaboration accreditation issues in preparation accreditation scheme
 - Exchange information in international context ICAP
6. How to link Verification and Accreditation Forums initiatives and outcome to the decision making process of the European Commission?

EU ETS Compliance: the Way Forward

Findings of the Rapporteur of Workshop Session III

Recommendations from the discussion in Workshop Session III are:

1. Improvement report is a practical tool. Close quality loop. It would be a more structured way to keep track of misstatements and non-conformities and improvement of monitoring methodology → continuous improvement
2. Improvement report also useful for keeping track on quality of verifiers. Should be set up differently from improvement report for operators because AB cannot consult. Identify problems during verification → Learning from mistakes → organize info feedback loops
3. No real major differences between non EA members and EA members. Both parties should work together to develop accreditation scheme
4. Proper accreditation scheme is a element. Not enough, whole compliance chain should be strong
5. Man day table useful but not most important issue and not enough. Quality of verification depends on more things such as competence of team and verifier. Careful not to apply it too strictly.

EU ETS Compliance: the Way Forward

Findings of the Rapporteur of Workshop Session III

Recommendations from the discussion in Workshop Session III are:

6. Issues to elaborate and made more EU ETS specific: role accreditation body, ISO 17011, information feedback loops between parties, reporting templates, checklists, peer evaluation criteria, competence requirements, common exams, training procedures, AB team requirements, role single verifier
7. Elaboration verification issues: roles and responsibilities parties, sampling, man day tables, use of templates, checklists, risk assessment tables, site visits, single verifiers, acceptance of the annual emissions report and the verification report, mutual acceptance of verifiers, official determination of emission figure, impact article 21 reporting, contracting verifiers by CA, changes to EA, aviation and CCS impact
8. Especially: aviation and sampling

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Recommendations from the discussion in Workshop Session III are:

9. V&A forum should have simple structure: One compliance forum → V and A forum structured as task force under responsibility of C forum: where political/ technical and legal side come together
10. V and A Forum in liaison with EA so you get V and A regulation in line with Accreditation regulation framework
11. Harmonisation verification is important but remember it is part of bigger system. There are also other international standards to be taken into account. Important when you want to link the systems
12. Share best practices and further development best practices. Be careful not to cast it into regulation → also share with outside EU ICAP
13. Quality indicators for operators, verifiers and AB. Quantify risks of verification → to mitigate those risks is important
14. Input in drafting process regulation is important and we should start now → deal with most important things now