

ENHANCE
Interreg Europe

Towards EMAS Action Plan

Czech Republic

Document prepared by PP 5: CENIA – Czech Environmental Information Agency

Prague, 14 of March of 2019

Introduction

Produced by PP CENIA, Czech Environmental Information Agency, this Action Plan is a document providing details on how the lessons learnt from the cooperation will be exploited in order to improve the policy instrument tackled within that region. It specifies the nature of the actions to be implemented, their time frame, the players involved, the costs (if any) and funding sources (if any). If the same policy instrument is addressed by several partners, only one action plan is required.

This action plan is submitted as an Annex I. in the New EMAS National Programme, which is the main strategical document, which defines the EMAS programme in the Czech Republic. One of the tasks in this project was to revise this document, since it was created in 2002, it was really needed. One of these updates is for example to clarify the roles of all the competent authorities involved to the programme, strategical financing funds of the programme and to define detailed specific rules, which are linked to the Regulation (EC) No 1221/2009, in the framework of the Czech Republic. The actions in the this Towards EMAS Action Plan were chosen after detailed analysis (which was also part of this project) and after evaluating the applicability potential in the Czech Republic.

General information

Project:	ENHANCE – EMAS as a Nest to Help And Nurture Circular Economy
Partner organisation:	CENIA – Czech Environmental Information Agency
Other partner organisations involved (if relevant):	Ministry of Territory and Sustainability, Government of Catalonia Ministry of Environment and Spatial Planning. Regional Government of Andalusia Sant’Anna School of Advanced Studies Stockholm Environment Institute Tallinn Centre Environment Agency Austria
Country:	Czech Republic
NUTS2 region:	CZ01
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Policy context

The Action Plan aims to impact:	<input type="checkbox"/> Investment for Growth and Jobs programme <input type="checkbox"/> European Territorial Cooperation programme <input checked="" type="checkbox"/> Other regional development policy instrument
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<p>Name of the policy instrument addressed (CZE):</p> <p>Name of the policy instrument addressed (ENG):</p>	<p>Národní program zavedení systému řízení podniku a auditu z hlediska ochrany životního prostředí (Aktualizovaný Program EMAS).</p> <p>National Program for Implementation of Eco-Management and Audit Scheme (Updated EMAS Program).</p>
<p>Responsible for the policy instrument:</p>	<p>The Ministry of Environment of the Czech Republic</p>
<p>Geographical coverage of the Policy Instrument:</p>	<p>National</p>
<p>Main features of the Policy Instrument:</p>	<p>The main project object is to create a new National EMAS program fully based on internal experience exchange and referring to the best practises. Main objective of this PI is an update and revision of main objects including redefinition of main issues, roles and financial support programmes. It leads to the better implementation of EMAS in CZ respecting national and regional and increases its potential relations to the national sustainable development strategy ČR 2030 and other strategic documents. In this PI, there isn't sufficiently defined the whole procedure of EMAS within concrete points and situations, so the whole EMAS policy on the national level is not completely set. Also, there aren't defined potential benefits and possibilities, which EMAS offers. Government needs to be more supportive and promote EMAS as one of the well-established voluntarily instruments. The update will bring several benefits. Firstly, wider implementation of EMS according to EMAS scheme. Clear and consistent approach on national level respecting EU rules and procedures in organizations responsible for EMAS development. Facilitation the implementation of EMAS individual organizations (better regulation) and the removal of obstacles (admin. costs and burdens), which are known from the practice of EMAS organizations. Financial tools to support potential registrations. Higher awareness of the importance of EMAS to obtain public contracts due to the better knowledge of public bodies of the best way to use EMAS in GPP following national and EU rules.</p>
<p>Stakeholders involved</p>	<p>Representatives of the EMAS Competent Body Representatives of EMAS verifiers and consultants Representatives of Ministries Representatives of national industrial and trade associations Representatives of EMAS-registered organisations. Representatives of local institutions (e.g., provinces or municipalities)</p>

Details of the actions envisaged

ACTION 1	
Action	Reduced frequency of environmental inspections
Type of action	Reduced inspection frequencies
Voluntary scheme(s) addressed	EMAS
No. assigned in EMAS Joint Database	AU-6GP
Promoting region	Austria
<p>1. Background</p> <p>Organizations with an established and registered EMAS system are continually and systematically engaged in identifying and assessing the adverse impacts of their activities in line with environmental legislation. They also process an environmental statement every year that must include, among other things, information on the environmental performance of the organization in relation to compliance with relevant legislation. The environmental statement is verified by an independent third party and is mandatory for publication. The organization is under continuous public surveillance. For inspectorates, the measure is very time-saving because inspections (especially for IPPC facilities) are very time-consuming and costly. This advantage is also on the EMAS organisation's side.</p> <p>The environmental inspections, which are performed by the Czech Environmental Inspectorate, are systematic official inspections of installations with significant environmental impacts. Environmental inspection is carried out on a regular or occasional basis. The aim is to monitor the environmental impact as well as to verify and inspect the environmental requirements set out in the legislation.</p> <p>Similar to the situation in Austria, the framework of the frequency of environmental inspections is determined by the Industrial Emissions Directive IED 2010/75/EU; specifically, it is based on risk evaluation. In Austria, one of the criteria for the risk evaluation is participation in EMAS or other environmental management systems.</p> <p>In the Czech Republic, the requirement of environmental risks assessment is adopted by Act No. 76/2002 in § 20b, 6 c). However, it is not further specified (in the legal framework) how EMAS programme participation should be considered. In Austria, EMAS is ranked higher than ISO 14001 within the risk assessment. In the methodical framework for risk assessment, using the outputs of the IRAM project (IMPEL), the rules are set for development of the "Plan of inspections in integrated agendas". Frequency of the inspection is 1 per year in high risk category, and 2 or 3 year in the case of low-risk category.</p> <p>In 2017 in the Czech Republic, 1477 organizations with integrated permits were identified and 828 integrated inspections were done. 142 organizations in low risk category have been inspected in a</p>	

two-year period. The action proposed is to take into account EMAS as a one of the criteria of the Internal Risk Assessment Framework and develop a systematic approach for EMS evaluation.

2. Action

The action proposed is to take into account EMAS as a one of the criteria of Internal Risk Assessment Framework of the Czech Environmental Inspectorate and implement the rule that says: if a facility in a low-risk category participates in EMAS, the time between two on-site inspections is three years. In the case that the facility does not fulfil all the risk assessment criteria specified in the Internal Risk Assessment Framework (that is, if the facility fulfils the higher risk criteria), the time between the two on-site inspections can be shortened.

Task	Responsibility	Deadline
1. Creation of the CENIA - ME - CEI Working Group with the aim of identifying CEI process procedures and implementation of concrete measures favouring enterprises with EMAS in the internal matrix of CEI.	CENIA/MoE/CEI	03/2019
2. Design of an internal matrix to assess the facility's risk, setting the periodicity of inspections in the Inspection Plan.	CENIA/CEI/MoE	11/2019
3. Training of CEI inspectors.	CEI/CENIA	06/2020

3. Players involved

Ministry of the Environment (MoE) – draftsman of the amendment to the Act No. 76/2002 in § 20b, 6 c.

Czech Environmental Inspectorate (CEI) – competent and executive body to adapt the proposed measure to the Internal Risk Assessment Matrix.

CENIA, Czech Environmental Information Agency – executive body of EMAS, together with the MoE manages the process of Action 1.

4. Costs

Internal costs of human resources. The measure will not represent a direct cost or expense to the administration involved. Indirect costs can include labour costs of the staff of the authorities concerned.

4. Funding sources

No funding sources are needed.

5. Monitoring

The main monitoring indicator will be the number of documents which have been revised (CEI framework / law amendment). An additional indicator will be the number of trained people from CEI.

ACTION 2	
Action	Green public procurement (GPP)
Type of action	Green Public Procurement
Voluntary scheme(s) addressed	EMAS, ISO 14001
No. assigned in EMAS Joint Database	AU-1GP
Promoting region	Austria
<p>1. Background</p> <p>In 2017 in the Czech Republic, 27204 contracts were made with suppliers, with a total value of approximately 13.6 billion Euro. This is a very significant number, and therefore this area should be given increased attention. In the Czech Republic, the EMAS (EMS) requirement is often used in construction contracts. A contractor can require an EMAS certificate as proof related to the tenderer's technical qualification. This is defined only in over-limit public contracts, which is in the public procurement Act No. 134/2016, section 80 of the Act with reference to § 79. This criterion can be applied in the evaluation and can be applied to all types of public contracts.</p> <p>The weakness of this regulatory relief is that only big enterprises are targeted. For small companies, EMAS is still too expensive and is not very widespread in the Czech Republic at all.</p> <p>Besides the construction contracts, there is still very little awareness about EMAS among the contracting authorities. There are two main problems: firstly, contracting authorities do not use an environmental management system requirement at all; secondly, if they do, there is usually no difference between EMAS and ISO 14001. That is why some actions must be taken to put it in practice.</p> <p>2. Action</p> <p>The aim is to use EMAS (EMS) as one of the bonuses in the evaluation of public contracts, through educated public authorities. This means that the contracting authority favours organizations that are registered in EMAS or have a different management system from the perspective of the environment (ISO 14001, comparable systems demonstrably documented by ISO documentation), where EMAS is ranked the highest. This bonification evaluation system used in Austria in public procurement process uses a linear interpolation in the competitive procedure with negotiation instead of a weighting mechanism.</p> <p>The first step is to analyse usage of the EMS requirement in the public procurement database, with cooperation with the MRD. This aspect is probably not monitored now, so it will require wider cooperation to implement it into the relevant IT systems. This is also the first step to have the statistical information for future monitoring.</p> <p>The MoE created the Methodology for Environmentally Responsible Approach to Procurement and Purchases of State and Local Governments, which consists of methodological sheets to educate public bodies about how to apply GPP in practice. EMAS is recommended where it is relevant, but</p>	

not specifically for this purpose. CENIA will prepare an extra sheet which will describe the procedure with the EMAS requirement through good practice and definitive formulations of the requirement. Afterwards the contracting authorities should be trained to use it in practice. CENIA would cooperate and provide the concrete examples from practice regarding to the environmental criteria application and their assessment.

One of the examples can be the system which works in the Catalan region, which is applied in the service sector. The principle is to put a requirement for EMAS into a contract. It means that a service contract will have a clause requiring that the contracted company must have EMAS registration or the company undertakes to implement EMAS during a certain time period. It is the most effective measure for boosting EMAS and can be used to influence the implementation of EMAS.

Task	Responsibility	Deadline
1. Analysis of the use of EMS / EMAS as a criterion for technical qualification and its relevance in the area of public procurement from the point of view of the contracting authorities and companies. Alternatively, to integrate the statistical system of EMS criterion usage into the National electronic tool (NEN), which is the complex electronic tools for administration, public procurement, and concessions in all categories of public procurement.	CENIA/MoE/MRD/MI	04/2019
2. Proposal of the EMAS evaluation / bonuses mechanism in the application of the technical qualification criteria for the award of public contracts using examples of good practice.	CENIA/MLSA	06/2019
3. Integration of evaluation mechanism and good practice example into a separate methodological sheet in the framework of the Methodology for Environmentally Responsible Approach to Procurement and Purchases of State and Local Governments.	CENIA/ MoE	08/2019
4. Creating an educational program for environmentally responsible public procurement.	MoE/CENIA	09/2019
5. Proposal for integration of the newly created educational program into the framework of the initial training of local self-government officials. And his inclusion in the training offer of the Institute for Public Administration (in particular using the e-learning form) and the Academy of Public Investment.	CENIA/MLSA	12/2019

3. Players involved

Ministry of the Environment (MoE) – as the EMAS programme guarantor, initiate and manage change in GPP – Action 2.

Ministry of the Interior (MI) – founding organisation of the Institute of Public Administration

Ministry of Labour and Social Affairs (MLSA) – experienced with creating the methodology of GPP and training programmes for public authorities
CENIA, Czech Environmental Information Agency – executive body of EMAS, together with the MoE manages the process of Action 2.

4. Costs

Internal costs of human resources. The measure will not represent a direct cost or expense to the administration involved. Indirect costs can include labour costs of the staff of the authorities concerned, mostly in training activities. There can also be additional costs, which can be related to the IS update, and other costs for printing the brochures and teaching materials.

5. Funding resources

The subsidies for technical assistance projects.

6. Monitoring

The main monitoring indicator will be the number of training programmes.

An additional indicator will be the number of documents submitted.

ACTION 3

Action	Funding for improving resource efficiency in SMEs
Type of action	Credit access and Funding support
Voluntary scheme(s) addressed	EMAS
No. assigned in EMAS Joint Database	EST-4GP
Promoting region	Estonia

1. Background

The aim of this measure is to support the increase of resource efficiency and following circular economy principles. The implementation of environmental management systems supports this aim. In the Czech Republic, there is currently no specific support of SMEs in this area. SMEs are organizations which usually cannot afford to have an environmental management system, simply because they do not have the financial funds for it. That is why they have a disadvantage in public procurements, where they are not competitive, for example. That is why we decided to choose this action.

The measure could be implemented into one of the programmes of the EU funds – Operational Programme Environment, Operational Programme Business and Innovation for Competitiveness, Integrated Regional Operational Programme or the National Programme Environment.

2. Action

Implementation into the proposal of the new Operational Programme Environment (ESF+, EFRR), priority: support of products that respects resource efficiency, material and energy design, reparability, and life cycle prolongation.

The negotiation will be held between the MoE and the MIT, which manages the Operational Programme Business and Innovation for Competitiveness. This programme is the most suitable for this regulatory relief.

Cooperation with a competent organ in a framework for a new EU funding scheme for the next programme period to specify terms and conditions related to the EMAS – Support of producers and service providers that respects resource efficiency, material and energy design, reparability, and life cycle prolongation.

Task	Responsibility	Deadline
1. Start cooperation to identify the objectives and areas of support of the Operational Programme Environment in the preparation and implementation of the National Cohesion Policy in the Czech Republic after 2020. Determination	CENIA/ MoE/MRD	05/2019

of allocations.		
2. Design and award of a grant to support the EMAS Programme in SMEs, in the Operational Programme Environment (OPE): Programme of support for production activities and provision of services, meeting the requirements for efficient resource consumption and principles of the circulation economy – introduction of EMAS.	CENIA/ MoE/ MRD	11/2019
3. Announcement of call for applications for financial support.	MoE/SEF	01/2020

3. Players involved

Ministry of the Environment (MoE) – as the EMAS programme guarantor, initiate and manage Action 3.

State Environmental Fund of the Czech Republic (SEF)

Ministry for Regional Development (MRD) – national competent body for EU Funding, coordinates and manages the EU funding process.

CENIA, Czech Environmental Information Agency – executive body of EMAS, together with the MoE manages the process of Action 3.

4. Costs

Internal costs of human resources. The measure will not represent a direct cost or expense to the administration involved. Indirect costs can include labour costs of the staff of the authorities concerned. There can also be additional cost for printing the brochures and promoting materials.

5. Funding resources

Integration of the programme into EU subsidy programme – Operational Programme Environment. OP Business and Innovation or Integrated regional programme. It needs negotiations at the level of the Minister of the Environment, Minister of Regional Development, and State Environmental Fund of the Czech Republic.

6. Monitoring

The main indicator will be the number of grants offered.

An additional indicator will be the number of calls within the grant.

ACTION 4

Action	Credit access and funding support
Type of action	Credit access and Funding support
Voluntary scheme(s) addressed	EMAS
No. assigned in EMAS Joint Database	CAT-3GP
Promoting region	Catalonia

1. Background

One of the best evaluated incentives in the Czech Republic was the EMAS grant programme and funding schemes. These are very successful tools for raising the number of EMAS registrations, but they have some cons as well. The disadvantage of this type of support is the short-term impact and the absence of further motivation for registration renewal. Organizations are motivated primarily to get financial support, whereas the long-term environmental effect from a request for continuous improvement of key environmental aspects goes down the moment support ends. This is caused, among other reasons, by the high-costs of EMAS audits. Over all, the positive effect is undeniable in terms of propagation and uptake awareness of EMAS. Due to this support, EMAS registered organizations have increased significantly in the Czech Republic (2000-2006). We hope that nowadays the society is a step further to approach to the environment and the circular economy, so we think that most of the EMAS companies could recertify EMAS even after the expiry of the grant deadline. That is why we have chosen this Catalonian regulatory relief, to start this action, as a boost to spread the EMAS organisations.

2. Action

Subsidies for implementation, with own or external personnel (environmental experts/verifiers, NGO's consulting, etc.), of an environmental management system in accordance with the EMAS. For public and private legal entities, local entities, associations of local authorities and their autonomous bodies, foundations and other non-profit entities. The important thing is to create a measure which will motivate organizations do recertifications to keep themselves in the EMAS programme. This should be designed within the analysis process.

Task	Responsibility	Deadline
1. Analysis of the benefits of subsidy titles to support voluntary instruments – environmental management systems (EMAS), interest and needs of organizations.	CENIA/MoE	06/2019
2. Preliminary draft terms and conditions for utilization of funds and amount of allocated funds according to the results of the analysis.	CENIA/ MoE	08/2019

3. Incorporation of the subsidy programme to support the EMAS Programme into the grant scheme of the MoE. Link to the National Environment Programme, Priority Area 6 Environmental Prevention, Sub-Area 3 Voluntary Tools – Support for Environmental Management Systems	MoE	01/2020
4. Announcement of call for applications for financial support.	MoE	03/2020

3. Players involved

Ministry of the Environment (MoE) – as the EMAS programme guarantor, manage the grant programme – Action 4.

CENIA, Czech Environmental Information Agency – executive body of EMAS, creates an analysis and initiation of the process of Action 4.

4. Costs

Internal costs of human resources. The measure will not represent a direct cost or expense to the administration involved. Indirect costs can include labour costs of the staff of the authorities concerned.

5. Funding sources

The measure is supported (and should be created) within:

- a) the National Programme Environment (NPE) administrated by the MoE, Priority Area 6 Environmental Prevention, Sub-Area 3 Voluntary Tools – Support for Environmental Management Systems.

The NPE aims to provide long-term and effective protection of the environment in the Czech Republic, to support efficient and sustainable use of natural resources, to correct the negative impacts of human activities on the environment, to mitigate and adapt to the impact of climate changes, and to provide efficient prevention through environmental education of citizens.

The NPE provides aid to projects that cannot be funded from the Operational Programme Environment, the New Savings Programme, and another grant and subsidy programmes. Aid for these projects is granted from the Fund's own resources.

NPE objectives

- protection of the environment in the Czech Republic
- efficient and sustainable use of natural resources
- correction of the negative impact of human activities
- adaptation to the impact of climate changes
- environmental education of citizens

This Programme is designed for a wide range of entities, including public and private legal persons as well as individuals.

- b) National grant scheme of the MoE for NGOs.

The MoE has been supported the activities of NGOs in the field of environmental protection and sustainable development. Grants for projects are provided from the state budget in two sub-programmes for the respective calendar year. The upper limit for one project is about 200 to 300 thousand CZK.

6. Monitoring

The main monitoring indicator will be the number of calls within the grant programme.

An additional indicator is the number of the applications for the subsidy.

ACTION 5

Action	Training of public authorities
Type of action	Other measure
Voluntary scheme(s) addressed	EMAS
No. assigned in EMAS Joint Database	CAT-13GP
Promoting region	Catalonia

1. Background

In many cases we are experiencing ignorance of public authorities about the programmes and the subsidies that the ministries offer. That is why we consider it very important to train public authorities in environmental management systems and other related topics. It would be very useful to create the training programme and support public administrations to take the first step ahead to sustainable operation of their facilities, and to be an example for other institutions and the private sector.

This is based on the need to increase collaboration between public administrations and organizations in order to increase the level of knowledge of legal requirements for the organizations, understand potential operational problems related to the implementation of those requirements, and to facilitate better performance and compliance.

We see this action as very useful and with big replicability potential in our country, although it is not the strongest relief economically. We think that there is very big gap in the knowledge of the public officers, that is why we have chosen this action.

2. Action

The first step is to start communication within the target group and create a research study providing information about the most problematic sector/issues and opportunities.

The second thing, based on the research study, to contract the education experts and together develop a complete training programme for the Academy of Public Administration/Investments.

The third part is to promote this training programme and implement it.

Task	Responsibility	Deadline
1. Identify the ways of training public administration and regional self-government officials and compile their overview. Choose the most appropriate path and form of training for this target group.	CENIA/MoE/MLSA	04/2019
2. Find and involve education experts in the preparation of training programmes and related	CENIA/MLSA/MEYS	10/2019

documents. Design content and form of educational programme and methodical materials. Ensure possible funding.		
3. Pilot verification of the training programme. Proposal to its integration into educational plans of the employees of the central state administration bodies and other public administration bodies and in the framework of initial education of local government officials.	CENIA/MLSA/MEYS	12/2019
4. Incorporation of the Environmental Minimum for environmentally responsible management of the organization / office (EMS) into the educational training offerings of the Institute for Public Administration and the Academy of Public Investment.	CENIA/MLSA/MI/MRD	02/2020

3. Players involved

Ministry of the Environment (MoE) – as the EMAS programme guarantor, initiate and manage Action 5.

Ministry of the Interior (MI) – the educational programmes accreditation body and governmental organization services provider, the founding organisation of Institute for Public Administration.

Ministry of Labour and Social Affairs (MLSA) – experienced with creating the methodology of GPP and training programme for public authorities

Ministry of Education, Youth and Sport (MEYS) – educational expert

Ministry for Regional Development (MRD) – the founding organisation of the Academy of Public Investment.

CENIA, Czech Environmental Information Agency – executive body of EMAS, together with the MoE manages the process of Action 5.

4. Costs

Internal costs of human resources. The measure will not represent a direct cost or expense to the administration involved. Indirect costs can include labour costs of the staff of the authorities concerned, mostly in training activities. There can also be additional costs for printing the brochures and teaching materials.

5. Funding sources

The potential source of funding can be the national grant scheme of the MoE for NGOs.

The MoE has been supported the activities of NGOs. Grants for projects are provided from the state budget in two sub-programmes – environmental protection and sustainable development.

6. Monitoring

The main monitoring indicator will be the number training programme developer/realized training.

An additional indicator will be the number of trained people from public sector.

Date: 14th of March 2019

Signature: _____

Tomáš Kažmierski, Director of Department of Financial and Voluntary Instruments,
The Ministry of the Environment

Stamp of the organisation (if available): _____