



SLOVENSKI STANDARD

SIST CR 12969:2000

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Uporaba EN ISO 14001, ISO 14010 in ISO 14012 v povezavi z EMAS

Use of EN ISO 14001, ISO 14010, ISO 14011 and ISO 14012 for EMAS related purposes

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Use of EN ISO 14001, ISO 14010, ISO 14011 and
ISO 14012 for EMAS related purposes

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European Committee for Standardization
Comité Européen de Normalisation
Europäisches Komitee für Normung

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Foreword

This CEN Report was approved by the CEN BT under Resolution C 81/1996 and has been further checked and modified in the light of Commission Decision 97/265/EC of 16 April 1997 on the recognition of EN ISO 14001:1996 in relation to Council Regulation (EEC) No 1836/93 of 29 June 1993.

1.0 **Introduction**

This document has been prepared to assist users of EN ISO 14001, 14010, 14011 and 14012 (the standards on environmental management systems and environmental auditing within the EN ISO 14000 series of International Standards) who wish to gain registration under the European Union (EU) Eco-Management and Audit Scheme (EMAS). Users of this document will include: companies, certification/verification bodies, auditors and interested parties, such as neighbours, environmental organizations, regulatory authorities and employees.

Users of EN ISO 14001 and the three auditing standards should be aware that although these are similar in many respects to the EMAS Regulation there are differences in the approach taken and in their detail. These differences arise from the fact that the EMAS Regulation and the EN ISO Standards were developed at different times in different fora. This document reviews the issues which users will need to address in their environmental management systems (EMS's) and audit procedures in order to obtain EMAS registration. A detailed comparison of EMAS and the EN ISO standards is also available as a separate CEN Report (CEN Report 12968).

This document aims to:

- a) identify those few areas where EMAS establishes some environmental management system and environmental auditing requirements which are not specifically covered by the EN ISO 14000 Standards (see Clause 2.0);
- b) identify and highlight those areas where the agreement of elements of the EN ISO 14000 series of Standards and the requirements of EMAS may not be readily apparent (see Clause 3.0); and
- c) identify EMAS requirements outside the scope of the EN ISO 14000 series of Standards (see Clause 4.0).

Users of the standards should be aware that verification under EMAS will require evidence of compliance with all parts of the EMAS Regulation. Users of the EN ISO 14000 Standards should, therefore, take the issues in (a) and (b) into account when implementing the corresponding elements of the standards. The issues under (c) will also need to be included to achieve EMAS registration.

Users should note that Annex A of EN ISO 14001 is intended to give additional information on the requirements of the standard and to prevent misinterpretation of the Specification contained in the main text of the standard. Following the guidance in the informative Annex A of EN ISO 14001 will simplify compliance with the corresponding EMAS requirements.

1.1 **The Use of Standards as a Route to EMAS Registration**

EMAS registration can be obtained directly by companies which demonstrate to an accredited verifier that their EMS, audit procedures and environmental statement fully meet the detailed requirements of the EMAS Regulation.

It is also the case that Article 12 of the Regulation provides for the use of recognised standards (national, European or international) for EMS and environmental auditing as a route to EMAS registration. Furthermore, Article 12 allows verifiers to accept certificates of compliance with standards as denoting compliance with EMAS requirements (the extent of the correspondence

is recorded in Commission of the European Union [CEU] decisions). To make use of this approach users of standards must hold a current certificate issued by a third party certification body which is using certification procedures recognised by the Commission. Decisions regarding the recognition of ISO 1400 and EN ISO 14001 and certification procedures have been published in the Official Journal (22 April 1997). The accreditation of these certification bodies must be recognised in the Member State in which the site to be verified is located. Neither unaccredited certification nor self-declaration of compliance is acceptable under the EMAS Regulation.

In order to highlight those sections/elements of the EMAS Regulation which need to be addressed by the user a list of the substantive issues is included under Clause 2.0. Issues requiring interpretation or clarification are listed under Clause 3.0 of this document. Issues outside the scope of the EN ISO Standards are identified in Clause 4.0 of this document.

2.0 Substantive Issues

2.1 **Environmental Policy: EVABAT, Continual Improvement and Prevention of Pollution**

EMAS Article 3(a) states: "companies must adopt a company environmental policy, in accordance with the relevant requirements of Annex 1...aimed at reasonably continuous improvement of environmental performance, with a view to reducing environmental impacts to levels not exceeding those corresponding to economically viable application of best available technology [EVABAT]".

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EN ISO 14001 Clause 4.2(b) requires that "[environmental policy] includes a commitment to continual improvement and prevention of pollution".

Note: EN ISO 14001 Clause 3.1 defines continual improvement as: "[the] process of enhancing the environmental management system to achieve improvements in overall environmental performance in line with the organization's environmental policy."

EN ISO 14001 Clause 4.3.3 "Objectives and targets" (paragraph two) also states: "When establishing and reviewing its objectives, an organization shall consider...its technological options...". In addition, Clause 4.3.3 (paragraph three) states: "The objectives and targets [of the organization] shall be consistent with the environmental policy [of the organization], including the commitment to prevention of pollution."

EN ISO 14001 Clause A3.3 "Objectives and targets" also offers the following advice: "When considering their technological options, an organization may consider the use of the best available technology where economically viable, cost effective and judged appropriate." In addition, EN ISO 14001 paragraph 9 of the introduction states: "...In order to achieve environmental objectives, the environmental management system should encourage organizations to consider implementation of best available technology, where appropriate and where economically viable. In addition, the cost effectiveness of such technology should be fully taken into account."

Comment: While both EN ISO 14001 and EMAS require the establishment and maintenance of environmental policies that are committed to continual improvement, the Specification to EN ISO 14001 does not include any specific reference to environmental policy being set with a view to reducing environmental impacts to levels not exceeding those corresponding to "EVABAT". However, companies will need to consider their technological options in

establishing their environmental objectives and in this respect Clause A3.3 contained in the informative Annex to EN ISO 14001, does refer to EVABAT.

Action required: Users of the standards will need to ensure that they can demonstrate that they are committed to a programme which “includes commitments aimed at the reasonable continuous improvement of environmental performance with a view to reducing environmental impacts to levels not exceeding those corresponding to EVABAT” and that they have practical measures in place to achieve this objective.

2.2 Environmental Review

EMAS Article 3(b) requires that companies wishing to be registered in the scheme must have undertaken an environmental review.

EN ISO 14001 Clause A.3.1 Paragraph two “Environmental aspects” recommends such a review for organizations without an existing EMS.

Action required: Users of the standards will need to ensure that they can demonstrate that they have conducted an environmental review which has addressed all the issues in Annex 1C of the EMAS Regulation in preparing their policies and site programmes. Users may opt to use data from an existing EMS to meet this requirement provided that consideration is given to the relevance, age and validity of data used at the time of registration.

2.3 Aspect and Effect

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EN ISO 14001 Clause 4.3.1 “Environmental aspects” is the equivalent clause. Additional guidance is also given in Clause A.3.1.

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Comment: Users of EN ISO 14001 should note that EMAS details different requirements and uses different language to the standard. In order to avoid duplication the full text of each has not been included in this document.

Action required: Users of the standards will need to ensure that they can demonstrate that any investigations and identification of aspects and impacts meets the requirements of EMAS Annex 1B(3).

2.4 Environmental Audit, EMS Audit and the Scope of the Audit

EMAS Article 3(d), Article 4 and Annex 1B(6) all use the term “Environmental Audit”; whereas EN ISO 14001 uses the term “EMS Audit”.

Comment: It should be noted that Clause 4.5.4 “EMS audit” does not explicitly require that environmental performance is included in the EMS audit. However, monitoring and review of environmental performance are included in EN ISO 14001 Clauses 4.5.1 “Monitoring and measurement” and 4.6 “Management review”.

As these elements of the EN ISO 14001 environmental management system are covered by the EMS Audit according to Clause 4.5.4 of the Standard, evaluation of environmental performance forms a part of the audit process.

Action required: Users of the standards will need to ensure that they can demonstrate that an evaluation of overall environmental performance is included as a routine part of the company’s

monitoring, measurement and management review processes. When defining the scope of the audit users should ensure that the issues specified in EMAS Annex 1C and Annex 1D in particular have been addressed. Verifiers will also need to be satisfied that audits have been conducted in compliance with Annex II of EMAS. Compliance with EMAS Annex II would be achieved by the application of EN ISO 14010, 14011 and 14012, together with the performance elements described above.

2.5 Audit Frequency

Annex II (H) of EMAS states that: "The audit will be executed, or the audit cycle completed, at intervals no longer than three years."

EN ISO 14001 Clause 4.5.4 states that: "The organization shall establish and maintain (a) programme(s) and procedures for periodic environmental management system audits to be carried out...". However, the standard does not specify audit frequency.

Action required: Users of the standards will need to ensure that they can demonstrate that they have met the requirement under EMAS for a maximum three year audit cycle. They should also ensure that they comply with any guidance issued by the European Commission on audit frequency.

2.6 Good Management Practices - Communication and Contractors

EMAS Annex 1D sets out principles of action which must be adopted and periodically evaluated by companies seeking registration.

a) Communications:

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Points 8, 9 and 10 of EMAS Annex 1D, which cover the external communication of site-specific environmental information to public authorities and the public, are not expressly included in the text of EN ISO 14001. For ease of reference the text of these points is included below:

"Annex 1D...

8. Co-operation with the public authorities shall be ensured to establish and update contingency procedures to minimise the impact of any accidental discharges to the environment that nevertheless occur.

9. Information necessary to understand the environmental impact of the company's activities shall be provided to the public, and an open dialogue with the public should be pursued.

10. Appropriate advice shall be provided to customers on the relevant environmental aspects of the handling, use and disposal of products made by the company."

EN ISO 14001 Clauses 4.4.3 and A.4.3 "Communication" refer to the organization's communications requirements.

Action required: It will be necessary for users of the standards to ensure that they can demonstrate that they have included the requirements of points 8, 9, and 10 of EMAS Annex 1D within their system.

b) Contractors:

Point 11 of Annex 1D of the Regulation, which covers the obligations of an organization with respect to contractors, is not expressly included in the text of EN ISO 14001. For ease of reference the text of this point is included below:

“Annex 1D...

11. Provisions shall be taken to ensure that contractors working at the site on the company’s behalf apply environmental standards equivalent to the company’s own.”

EN ISO 14001 Clauses 4.4.6(c) “Operational control” and A.4.2 “Training, awareness and competence” refer to contractors

Action required: It will be necessary for users of the standards to ensure that they can demonstrate that they have included the requirements of point 11 of EMAS Annex 1D within their system.

3.0 Issues Requiring Clarification

The following section provides the user with clarification of several other issues arising from the differences in approach and terminology between the two systems.

3.1 Site, Company, Industrial Activity and Organization

EMAS Article 2 defines “site”, “company” and “industrial activity”. The Regulation is applicable only to bodies which satisfy these definitions.

EN ISO 14001 uses the term “organization” which clearly includes “site”, “company” and “industrial activity” within its definition.

Action required: Users of the standards will need to ensure that they can demonstrate that they are within the scope of the Regulation or are participating as part of an approved pilot application under Article 14 of the Regulation.

3.2 Compliance with Environmental Legislation and Regulations

EMAS Article 3(a) states that: [a company must] “...in addition to providing for compliance with all relevant regulatory requirements regarding the environment...”

EN ISO 14001 Clause 4.2(c) “Environmental policy” includes “...a commitment to comply with relevant environmental legislation and regulations...” as well (as in Clause 4.5.1 “Monitoring and measurement”) “...a documented procedure for periodically evaluating compliance with relevant environmental legislation and regulations”.

Comment: Whilst the combination of Clauses 4.2 and 4.5.1 in EN ISO 14001, i.e. a commitment to legal compliance together with the requirement for periodically evaluating compliance, may for practical purposes be considered equivalent to the EMAS requirement for “provision of compliance”; the term “commitment” may be seen to imply less immediate necessity than “provision for compliance.”