

ACCREDITED LICENSEE SYSTEM

GUIDELINES FOR ENVIRONMENTAL MANAGEMENT SYSTEM CERTIFICATION

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1 PURPOSE

These guidelines have been produced to assist Environmental Auditors (Industrial Facilities) determine whether an organisation applying for accredited licensee status has a suitable Environmental Management System in place.

2 BACKGROUND

The accredited licensee system enables companies – which have the appropriate management, technical and legal skills, and a demonstrated commitment and record of good environmental performance – to operate under a less prescriptive regime than would otherwise be applied to works approval and licensing.

The accredited licensee concept was initially presented in a discussion paper *A Question of Trust – Accredited Licensee Concept* (EPA Publication 385). Following public comment, the accredited licensee system was brought into effect by changes made to the *Environment Protection Act 1970* through the *Environment Protection (General Amendment) Act 1994*. The first accredited licence was granted in December 1995.

The overriding requirement for accredited licensee applicants is that they are able to demonstrate a high level of environmental performance and an ongoing capacity to maintain and improve this performance.

To help assess environmental performance the existence of the following pre-requisites is used as a basis for the accredited licensee:

- Environmental Management System (EMS)
- Environment Audit Program
- Environment Improvement Plan (EIP).

This publication provides guidance for Environmental Auditors (Industrial Facilities) to enable them to assess whether the EMS implemented by an organisation is suitable for certification under the accredited licensee system.

Further information on the accredited licensee system can be found in *Accredited Licensee – Guidelines for Applicants* (EPA Publication 424).

3 ENVIRONMENTAL MANAGEMENT SYSTEM CERTIFICATION

3.1 Certification by an EPA-appointed Environmental Auditor (Industrial Facilities)

The *Environment Protection Act 1970* requires the applicant to have ‘a suitable environmental management system in place which is certified by a person approved by the Authority’.

This is generally (but not exclusively) achieved by assessment against a recognised EMS standard such as ISO 14001. Such certification is carried out by an EPA-appointed Environmental Auditor

(Industrial Facilities). Such auditors are people 'approved by the Authority'.

Certification must be conducted by an auditor who was not involved in the development and implementation of the EMS and who is free of bias and conflict of interest.

The main reason for using EPA-appointed Environmental Auditors (Industrial Facilities) is the knowledge and skills related to environmental impacts, legal requirements and plant operations possessed by such auditors. For an EMS to be certified as meeting the requirements of the *Environmental Protection Act 1970*, EPA expects the auditor to question the substance and assess the efficacy of an EMS, as well as the framework.

3.2 Certification to ISO 14001 by JAS-ANZ Accredited Certification Body

To certify the applicant has a suitable EMS in place, EPA will also generally accept EMS certification to ISO 14001, which has been carried out by an EMS Certification Body accredited by JAS-ANZ or an equivalent accreditation body.

In this case, the applicant will need to provide details of the auditor and the auditor's qualifications. An assessment report is also required to assist EPA in its assessment of the application.

Such an assessment report may be that prepared as part of the EMS certification process by the JAS-ANZ accredited certification body.

4 MINIMUM REQUIREMENTS FOR EMS FOR ACCREDITED LICENSEES

This section covers the minimum requirements of an EMS for certification by an EPA-appointed Environmental Auditor (Industrial Facilities).

The decision to issue a letter of certification of an EMS under the accredited licensee system is at the discretion of the Environmental Auditor (Industrial Facilities). However, for accreditation it is expected that the EMS – whether part of a Safety, Health and Environmental Management System or as a stand alone EMS – will have certain elements in place. Guidance as to the elements and the extent of implementation of the elements generally expected for EMS certification is described in this section. The elements are discussed in terms of the elements presented in ISO 14001:1996.

4.1 Premises

Accredited licensee status applies to a particular licensed premises. The EMS must be assessed in respect of the particular site and operations for which accredited licensee status is sought.

In some cases, a corporate EMS may apply across a range of sites. In these situations each site would need to have its local EMS certified.

Certification of an EMS for a second or any subsequent site by the same auditor should prove a simpler task, given the knowledge of corporate processes.

4.2 Environmental policy

The organisation must have an environmental policy in place. The policy can be documented as part of a health, safety or quality policy or it can be a stand alone environmental policy. It should be appropriate to the nature, scale and environmental impacts of the organisation's activities, products or services.

As a minimum, the policy should contain commitments to the prevention of pollution, compliance with all relevant laws and regulations, and continuous improvement of environmental performance.

4.3 Environmental aspects, impacts and issues

The organisation must be able to demonstrate that it is aware of its environmental aspects and has determined which of these aspects have or can have significant impacts on the environment. It must be aware of the activities, products and services which give rise to such impacts or potential impacts, and have developed procedures to effectively deal with these issues.

4.4 Legal requirements

The organisation must be able to demonstrate that it is aware of the key environmental regulatory requirements affecting its operations at the premises, and have procedures in place to become aware of changes to these requirements. This includes knowledge of licences issued under the *Environment Protection Act 1970* and requirements of other regulatory agencies.

4.5 Program to achieve continuous environmental improvement

The facility should be able to demonstrate the existence of programs which have been established to achieve a continuous improvement in environmental performance at the premises. This will commonly be expressed through the use of objectives, targets and action plans designed to achieve a particular outcome – such as waste minimisation or reduction, or removal of an environmental impact.

Normally this would be demonstrated by commitments made in the EIP.

4.6 Organisational responsibility

The organisation must have an organisational structure in place that defines environmental roles, responsibilities and authorities.

Particular focus and priority need to be accorded to responsibilities in relation to operations associated with significant environmental aspects and impacts. In particular, employees at all levels and functions must be aware of the significant environmental aspects and impacts of their activities.

4.7 Training

A suitable environmental training program must be in place. This must be directed at all staff whose work may create a significant impact upon the environment. The training can be part of a safety, health or quality training program but must include relevant environmental training.

It is expected that the adequacy of training will be established by questioning staff who manage significant environmental aspects. Examples of staff in a manufacturing operation whose training should be assessed would include those responsible for air emissions, wastewater discharges, chemical spills management, prescribed waste management and wastewater treatment plant operation.

4.8 Documentation

The organisation shall have properly maintained procedures – in either written or electronic form – for managing significant environmental aspects of the facility. The procedures must be:

- appropriately located
- up-to-date
- reviewed regularly.

The procedures must adequately cover environmental aspects where an absence of procedures could lead to unacceptable environmental impacts occurring.

A number of key procedures should be examined to ensure they adequately cover the environmental management of the environmental aspect to minimise environmental impact. Procedures that must be assessed include those covering:

- air emissions
- wastewater discharges
- noise emissions
- performance monitoring
- prescribed waste management
- chemical spills management
- training
- environmental complaint management
- notification of authorities of environmental incidents.

4.9 Checking and corrective action

The organisation must monitor and measure on a regular basis the key characteristics of its operations and the activities that can have a significant impact on the environment. Significant discharges to the environment must be adequately monitored to determine compliance with regulatory requirements and provide information relating to continuous improvement programs.

It is essential that the organisation is able to demonstrate the existence of an effective process for dealing with non-compliance with regulatory requirements.

4.10 Environmental records

The organisation must maintain satisfactory environmental records – which may include training records, environmental licences and permits, environmental complaints, environmental monitoring data, environmental audit reports, prescribed waste transport certificates, and correspondence with regulatory agencies.

4.11 Emergency preparedness

The organisation must have appropriate procedures and capabilities to respond to accidents and emergency situations, and for preventing and mitigating the environmental impacts that may be associated with them.

An assessment should be made of the competence of nominated staff responsible for such emergency response.

4.12 EMS audit and review program

The organisation should be able to demonstrate that an appropriate audit program exists for assessing the performance of the EMS, and that senior management reviews and acts on the findings of such audits.

5 LETTER OF CERTIFICATION

If the Environmental Auditor (Industrial Facilities) concludes that the facility has a suitable EMS in place, a letter of certification can be issued. This letter must include a statement to the effect:

'I certify that the applicant has an Environmental Management System in place which is capable of sustaining a level of environmental performance appropriate for granting accreditation as an Accredited Licensee.'

A report of the assessment of the EMS prepared by the appointed auditor must accompany the letter of certification. The report should clearly demonstrate that the applicant has an EMS in place which meets the requirements of the accredited licensee provisions of the *Environment Protection Act 1970*.

The decision to issue a letter of certification of an EMS under the accredited licensee system is at the discretion of the EPA-appointed Environmental Auditor (Industrial Facilities).

RELATED PUBLICATIONS

Environment Protection Act 1970

Accredited Licensee – Guidelines for Applicants
(EPA Publication 424)

Environmental Audits – Industrial Facilities (EPA Publication WPM 91/08)

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