Environment: implementation of the Community law, minimal criteria for inspections

1998/0358(COD) - 03/12/1999 - Modified legislative proposal

The Commission can accept in full amendments numbers 1 and 10, provided that the form of a recommendation is retained. It can also accept in principle amendments number 16 (without the reference to the European Environment Agency (EEA)), 17 and 24, provided that the form of a recommendation is retained. The amendments which the Commission accepts in full concern: - the involvement of the EEA in advising the Member States on their systems for monitoring environmental provisions and giving support in respect of the coordination of reporting ; - the exhortation of the Member States, in cooperation with IMPEL and the Commission, to encourage the coordination of inspections and inspection services in order to prevent illegal cross-border environmental practices. - The Commission accepts in principle the amendments relating to : - the involvement of the EEA and the IMPEL. This amendment introduces and new Point VIIIa. The first paragraph seeks to encourage the Commission in cooperation with the IMPEL, the EEA and other interested parties to draw up minimum criteria in relation to the qualification and accreditation of inspectors. The Commission can accept this in principle provided the reference to the EEA is removed, as this sort of activity does not form part of its functions ; - training programmes for inspectors can also be accepted in principle ; - reports being made publicly available within 2 months of the inspection taking place, can be accepted in principle provided it is understood that such reports must be finalised within 2 months of the site visit and any request by the public for such reports. In addition, once finalised, they must comply with Directive 90/313/EEC which provides that such information shall be available as soon as possible after a request, in the first instance, and at the latest within 2 months. The Commission rejected the European Parliament's amendments relating to : changing the form of the proposal from a recommendation to a directive ; - matters of transposition for which Member States, not the Commission, are responsible ; - the processing and storing of data following site visits instead of 'reports' as such and detracts from the accuracy and strength of the Commission's proposal; - brief data rather than detailed reporting on compliance with particular legal requirements which cannot be accepted as the inspection should reveal which particular legal requirements have not been met.