



EESTI AKREDITEERIMISKESKUS
ESTONIAN ACCREDITATION CENTRE

THE GUIDE FOR ASSESSMENT OF AN EMAS ENVIRONMENTAL VERIFIER

EMAS KESKKONNATÕENDAJA HINDAMISE JUHEND

EAK VJ-11-02

Eire Endrekson

EAK juhataja

(allkirjastatud digitaalselt)

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1 INTRODUCTION

- 1.1 The aim of this guidance document is to describe the procedure for initial accreditation assessment and surveillance of the EMAS environmental verifiers (*hereinafter environmental verifier*) according to the requirements of Regulation (EC) No 1221/2009 of the European Parliament and of the Council (*amended by Commission Regulation (EU) 2017/1505 of 28 August 2017, Commission Regulation (EU) 2018/2026 of 19 December 2018*) (hereinafter EMAS-regulation).
- 1.2 Accreditation criteria for EMAS environmental verifiers are given in EAK EAK J-01 chapter 2.8¹.
- 1.3 Estonian Accreditation Centre (hereinafter EAK) provides accreditation of environmental verifiers only to legal entities established in Estonia in line with the Regulation (EC) No 765/2008. EAK does not provide accreditation of verification or validation in third countries.
- 1.4 In the process of assessment of an environmental verifier EAK applies beside this guidance document the EAK guidance documents EAK J-02¹ and EAK J-09¹. Furthermore, EAK J-02 shall be read and applied together with this guidance document.
- 1.5 Additionally EAK applies the following legal acts, standards, guidelines and explanatory documents while accrediting an environmental verifier:
 - Environmental Impact Assessment and Environmental Management System Act;
 - Applicable parts of EVS-EN ISO/IEC 17021 as defined in FALB-73-2010;
 - EA-7/04 Legal Compliance as a part of accredited ISO 14001:2015 certification;
 - EC relevant guidance documents (EMAS Users Guide, Sectorial Reference Documents)²;
 - FALB relevant guidance documents (FAB-36-2004, FALB-58-2007, FALB-74-2010)³.

2 ACCREDITATION APPLICATION

- 2.1 An applicant environmental verifier submits to EAK an application („Taotlus juhtimissüsteemide sertifitseerimisasutuse akrediteerimiseks“)⁴ filled in together with

¹ The EAK guidance documents are available from its website: [Eesti Akrediteerimiskeskus](http://eestiakrediteerimiskeskus.ee)

² The most recent documents are available on http://ec.europa.eu/environment/emas/documents/guidance_en.htm

³ The most recent documents are available in EAK, please ask info@eak.ee

⁴ The EAK application form is available from its website: [Eesti Akrediteerimiskeskus](http://eestiakrediteerimiskeskus.ee)

description of requested accreditation scope and copy of its documented methods and procedures, including quality control mechanisms and confidentiality provisions.

- 2.2 In addition the applicant shall make available an organisation chart detailing structures and responsibilities within the organisation and a statement of legal status, ownership and funding sources.

3 ACCREDITATION SCOPE

- 3.1 Scope of accreditation of an environmental verifier is defined by the 2-digit codes according to the classification of economic activities as established by the Regulation (EC) No 1893/2006 of the European Parliament and the Council (*NACE rev 2.1 codes*).
- 3.2 The accreditation scope of an environmental verifier is limited by the competence of an environmental verifier. When determining the scope of an environmental verifier EAK takes into account the permanent personnel and auditors who are in contractual relationship with the applicant verifier.
- 3.3 In line with requirements of EMAS-regulation and related guidance of the FALB, EAK allocates an accreditation number of the following format to each of its accredited verification bodies EE-V-0XXX, where 0xxx is a unique number.
- 3.4 The scope of accreditation of an environmental verifier is geographically restricted to the EU Member States

4 ACCREDITATION ASSESSMENT

- 4.1 Assessment procedure of environmental verifiers is identical with the assessment of environmental management system's (hereinafter EMS) certification bodies as described in EAK J-02 and consists of application/contract review, document review, office assessment, file review, review of environmental statement and witnessed assessment.
- 4.2 When planning and conducting the assessment information about verifier received from other sources like Competent Body, Lead Assessors, concerned parties, complainants etc. is taken into account. If necessary, the special assessment according to EAK J-02 chapter 8 shall be carried out to verify received information.
- 4.3 The assessment of an applicant requesting accreditation as an environmental verifier can be combined with the assessment of an EMS certification body.
- 4.4 An applicant environmental verifier shall comply with all the requirements of EMAS-regulation and the assessment of environmental verifier is focused on the implementation of the requirements set to environmental verifiers in EMAS-regulation chapter V.
- 4.5 EAK assesses environmental verifier's competence in the light of the elements set out in EMAS-regulation Articles 20, 21 and 22 relevant to the scope of requested accreditation.
- 4.6 Additionally, in the course of assessment EAK applies the requirements and guidance stated in documents referred to in cl. 1.5.
- 4.7 According to the EMAS-regulation the organisations cannot get registration before the environmental verifier is accredited in the concerned scope of the activity (NACE rev 2.1 code). Therefore, the initial accreditation/extension assessment will be conducted simultaneously with the first verification/validation by an environmental verifier. The

decision on granting the accreditation will be made after the almost whole process of verification/validation is performed including drafting the validation document of environmental statement of the organization.

- 4.8 EAK records an accreditation assessment of environmental verifiers in line with EAK J-02.

5 OFFICE ASSESSMENT

- 5.1 The main purpose of office assessment is to get evidence on environmental verifier's competence, independence, management of competencies and implementation of verification methods and procedures, including quality control mechanisms and confidentiality provisions to comply with the verification and validation requirements of EMAS-regulation. EAK needs to ensure that the requirements of EMAS-regulation chapter V are fully met for those scope areas to be covered by the accreditation.
- 5.2 Office assessment of applicant environmental verifier consists mainly of interviews, review of records and file reviews (including environmental statements).
- 5.3 Office assessment is conducted and recorded by the EAK assessment team in line with EAK J-02 cl. 2.4-3.3.
- 5.4 To record evidence and support reported conclusions on compliance with the requirements of EMAS-regulation, checklist for office assessment as referred to in Annex 1 shall be used.

6 WITNESSED ASSESSMENT

- 6.1 EAK performs witnessed assessments in line with EAK J-02 cl. 2.3.5, 2.4.3.
- 6.2 During a witnessed assessment, EAK observes the performance of environmental verifier at verification audit in order to get sufficient confidence in audit team competence and how the verifier covers the requirements of the EMAS-regulation.
- 6.3 In addition to the guidance given in EAK J-02, the assessment team pays attention to how the environmental verifier evaluates the effectiveness of the internal audit functions; the documentation; the recording, evaluation and control of environmental aspects; the organisation's controls for achieving compliance with applicable legal requirements. Regarding the validation of environmental statement, EAK assessment team pays attention to verifier's conclusions whether these can substantiate the reliability, credibility and correctness of the data and information contained in the environmental statement.
- 6.4 EAK witnesses at least one verification audit before making the decision on granting the accreditation to the applicant environmental verifier. The exact number of witnessed verification audits depends on the accreditation scope requested. If the requested scope includes any of the following sectors, a witnessing assessment as a part of initial or extension assessment is mandatory in each sector:

NACE code (rev 2.1)	Description of sector
A 01, 02	Agriculture and Forestry
A 03	Fishing
B	Mining and quarrying

C 17.1	Manufacture of pulp, paper and paperboard
C 19	Manufacture of coke and refined petroleum products
C 20	Manufacture of chemicals and chemical products
C 21	Manufacture of basic pharmaceutical products and pharmaceutical preparations
C 24 (minus 24.46)	Manufacture of basic metals
C 24.46	Processing of nuclear fuel
C 26.1, 27.9	Manufacture of electrical and optical equipment: electronic valves, tubes and other (micro-) electronic components
C 29	Manufacture of motor vehicles, trailers and semi-trailers
C 30.1	Building of ships and boats
C 30.3	Manufacture of air and spacecraft and related machinery
D 35	Electricity, gas, steam and air conditioning supply
E 37-39	Sewage; waste collection, treatment and disposal activities; Remediation activities and other waste management services
F 41-43	Construction

- 6.5 In the event when there are no specific requirements for witnessing regarding the requested scope, the EAK takes into account the requirements arising from IAF MD 17 and the fact whether the company has accreditation for the corresponding NACE codes in terms of EMS and also EAK's previous practices.
- 6.6 Two weeks before the witnessed verification audit at the latest, the environmental verifier shall submit to EAK the following documentation:
- the records of the environmental verifier's application review for the organisation,
 - the report of the environmental verifier's pre-assessment of the organisation's or other latest report that includes outcome of verification,
 - the organisation's environmental statement subject to verification/validation,
 - the verification audit plan,
 - evidence of competence of the environmental verifier and other team members involved in the verification audit.
- 6.7 After completion of the witnessed verification audit the environmental verifier shall submit the following documentation to EAK a.s.a.p.:
- the copy of an environmental verifier's report for the organisation on the outcome of the verification;
 - the final version of organisation's environmental statement subject to validation.

- 6.8 EAK reviews the submitted documents in order to verify whether the reporting presents an appropriate reflection of the witnessed verification audit.
- 6.9 Witnessing audit is recorded in line with EAK J-02. Results of the review of the environmental verifier's report are incorporated into witnessing report.
- 6.10 The review of the environmental statement is recorded separately in free form to present a conclusion on compliance with the requirements set out in EMAS-regulation Annex IV.
- 6.11 After witnessing the environmental verification audit and reviewing all submitted documents, EAK makes a conclusion whether the verification team followed the rules of EMAS-regulation and whether the environmental verifier obtained enough evidences to make a decision whether the audited organization meets the requirements or not.

7 ACCREDITATION DECISION

- 7.1 EAK J-02 applies.
- 7.2 In the case of refusal of accreditation the environmental verifier will be given a possibility of a hearing and EAK informs the environmental verifier of the reasons for the decision.
- 7.3 The environmental verifier has a right to appeal against the EAK's decisions according to the EAK's appeal procedure that is publicly accessible on the EAK website.
- 7.4 Decision on the granting, restriction or extension of the accreditation scope will also be notified to the EMAS Helpdesk and to the Estonian Competent Body. Estonian Competent Body is Estonian Environment Agency (Keskkonnaagentuur). Information to the Competent Body will be sent by e-mail.

8 SUPERVISION OF ENVIRONMENTAL VERIFIERS ACCREDITED BY EAK

- 8.1 In line with EAK J-02 EAK undertakes annual surveillance assessments to ensure that the accredited environmental verifier continues to comply with the accreditation requirements and to monitor the quality of the verification and validation activities undertaken.
- 8.2 Surveillance assessment may consist of document review, office assessment, file review, review of environmental statement and witnessed assessment. EAK decides the combination of assessment methods to be applied in order to be proportionate to the activity undertaken by the environmental verifier.
- 8.3 According to the EMAS-regulation Article 23, at least 4 weeks in advance of each verification, the environmental verifier shall notify EAK about its accreditation details and the time and place of the verification.
- 8.4 In the first 5-years accreditation cycle, the regular interval for surveillance assessments shall be in line with EAK J-02.
- 8.5 Starting from the second accreditation cycle and taking into account the accreditation scope; volume of the activity undertaken by the environmental verifier and the results of previous surveillance/extension assessments the regular interval for surveillance assessment can be

extended up to 24 months. In any case when surveillance interval exceeds normal 12+-2 months, the justification for exceeding shall be recorded.

- 8.6 If EAK is of the opinion that the quality of work of an accredited environmental verifier does not meet the requirements of EMAS-regulation, a written supervision report will be transmitted to the environmental verifier concerned and to the Estonian Competent Body. The elements of such report are given in Annex 2.
- 8.7 In case of any further dispute, the supervision report shall be transmitted to the Forum of Accreditation and Licencing Bodies referred to in EMAS-regulation Article 30.

9 SUPERVISION OF ENVIRONMENTAL VERIFIERS ACCREDITED IN OTHER MEMBER STATES

- 9.1 According to the EMAS-regulation Article 23.1, EAK shall supervise verification and validation activities carried out in Estonia by environmental verifiers accredited in Member States other than Estonia.
- 9.2 According to the EMAS-regulation Article 24.1 the environmental verifier accredited or licenced in another Member State shall, at least 4 weeks before performing each verification and validation activities in Estonia, provide EAK with the information listed in the Commission Decision No 2016/1621(EU).
- 9.3 EAK may request clarification of the verifier's knowledge of the necessary applicable legal requirements relating to the environment.
- 9.4 EAK will not require any other conditions which would prejudice the right of the environmental verifier to provide services in Estonia.
- 9.5 EAK will not use the procedure referred in cl. 9.2 to delay the arrival of the environmental verifier. EAK communicates a reasoned justification to the environmental verifier if EAK is not able to fulfil its tasks referred in cl. 9.2 before the time for verification and validation as notified by the environmental verifier.
- 9.6 Supervision may consist of a document review, file review, review of environmental statement and witnessed assessment. EAK decides the combination of assessment methods to be applied in order to be proportionate to the activity undertaken by the environmental verifier.
- 9.7 According to the EMAS-regulation Article 23.6 organisations must allow the EAK to supervise the environmental verifier during the verification and validation process.
- 9.8 EAK always performs witnessed assessment of performance of environmental verifier accredited in another Member State during its first performance of verification and validation activity in Estonia.
- 9.9 EAK may decide not to witness operations of an environmental verifier accredited in another Member State based on the following:
- there has already been witnessing assessment of the same environmental verifier in the same organisation and there are no changes in the verification team and no appeals or complaints have been received;
 - verifier has already been witnessed by EAK in the same industrial sector (EA codes);

- if the notification of verification is on time, but it is unsuitable for EAK it may request adaptation of the scheduling. If it is not possible to adapt of the scheduling, other method of supervision will be exercised.
- 9.10 If EAK decides not to perform witnessed assessment of performance of environmental verifier accredited in another Member State, other supervision methods can be applied. In order to conduct document review, file review or review of environmental statement, the following documentation can be asked to submit to the EAK by environmental verifier:
- the copy of an environmental verifier's report for the organisation on the outcome of the verification;
 - the final version of organisation's environmental statement subject to validation.
- 9.11 EAK records supervision of environmental verifiers accredited in an other Member State according to Annex 2 as follows:
- document review and file review will be recorded in free form,
 - review of environmental statement will be recorded on template "Assessment report of EMAS Environmental statement" and
 - witnessed assessment will be recorded on template "Witnessing report of the management system audit"⁵.
- 9.12 If EAK is of the opinion that the quality of the work of an environmental verifier does not meet the requirements of EMAS-regulation, a written supervision report will be transmitted to the environmental verifier concerned, the Accreditation or Licencing Body which granted the accreditation or license and to the Estonian Competent Body.
- 9.13 In case of any further dispute, the supervision report shall be transmitted to the Forum of Accreditation and Licencing Bodies referred to in EMAS-regulation Article 30.
- 9.14 Making the decision regarding accreditation is up to Accreditation or Licensing Body that granted the accreditation to the environmental verifier.
- 9.15 The costs of the supervision shall be borne by the verification body. EAK provides a quotation to the environmental verifier that will be based on the information received and EAK price list which can be obtained from the EAK website. The final cost to be invoiced will be based on the actual time spent on the supervision. EAK will not use its supervision fees in a discriminatory manner for notifications received by non-EAK accredited environmental verifiers.

10 SUSPENSION AND WITHDRAWAL OF ACCREDITATION

- 10.1 EAK suspends or withdraws accreditation in line with EAK J-02 chapter 10.
- 10.2 Normally scopes in which an accredited environmental verifier does not have any activity undertaken during last 2 years can be withdrawn. However, environmental verifier accredited for EMAS may be able to continue with these scopes, after competence in technical areas is demonstrated through an accreditation for EMS.
- 10.3 While EAK considers suspension or withdrawal of accreditation, consultations of concerned parties are required, including environmental verifier, in order to provide with the necessary evidence for taking its decisions. Concerned parties may include Estonian Competent Body or a party involved in a complaint which had led to the proposed decision for suspension or withdrawal. This will be decided on a case by case basis.

⁵ Referred templates are available in the Amphora

- 10.4 EAK informs the environmental verifier of the reasons of the measures to be taken prior the decision.
- 10.5 The information regarding suspension or withdrawal will be published at the EAK website.
- 10.6 The withdrawal decision will also be notified to the EMAS Helpdesk and to the Estonian Competent Body following guidance given in cl. 7.4.
- 10.7 Environmental verifier has a right to appeal against the suspension or withdrawal decision according to EAK's appeal procedure.

Annex 1: Check-list for office assessment (in Estonian)

Määrus 1221/2009 kontroll-leht EMAS-tõendamisasutuste hindamiseks.

Kontroll-lehte kasutada koos määruse 1221/2009 tekstiga!

Tõendamisasutus / taotleja:	
EAK registreerimisnumber:	
Hindamise kuupäev:	
Assessor:	
Assessori allkiri:	

Üldnõuded tõendajale

Art 20 p.1
Art 20 p.4
Art 20 p.5
Art 20 p.6
Art 20 p.7
Art 23 p.3
Art 23 p.6
Art 25 p.10

Nõuded kompetentsile

Art 20 p.2
a)
b)
c)
d)
e)
f)
g)
h)
i)
j)
Art 20 p.3

Nõuded tõendamisprotsessile

Art 18 p.1.
Art 18 p. 2.
Art 18 p. 3.
Art 18 p. 4.
Art 18 p. 5.
Art 18 p. 6.
Art 18 p. 7.
Art 19 p. 1.
Art 19 p. 2.
Art 7 p.1.

Art 23 p.2
Art 24 p.1
Art 25 p.1
Art 25 p.2
Art 25 p.4
Art 25 p.5
Art 25 p.6
Art 25 p.7
Art 25 p.8
Art 25 p.9
Annex VII
Art 26 p.1
Art 26 p.2
Art 26 p.3
Art 27 p.2
Art 51 p.2

Annex 2: Content of the written supervision report

Elements of the written supervision report to the Estonian Competent Body and Accreditation or Licensing Body which granted the accreditation or license:

- Environmental verifier's name and address
- Details about accreditation or license of environmental verifier – Member State, accreditation/licensing body, No of accreditation certificate/license
- Organisation under verification – name, address, description of activity, NACE rev 2.1 code
- Details about notification by environmental verifier (see cl. 9.2)
- Documents submitted to EAK (see cl. 9.2)
- Dates of supervision
- Applied supervision methods and activities (see cl. 9.6 and 9.10)
- Results of supervision, according to the applied methods:
 - document review (see cl. 9.2 and 9.3),
 - file review (see cl. 9.2 and 9.3),
 - environmental statement review (see cl. 9.11),
 - witnessed assessment (see cl. 9.11).
- Conclusion