

# CHIEF INSPECTORATE OF ENVIRONMENTAL PROTECTION

## Control System of the Environmental Inspection

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New Control System

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### 1. New Control System

1.1. Description of the new Control System

1.2. Principles of use of the IT Control Support System (CSS) – linking Activity 3 with Activity 2

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## 1. The New Control System

### 1.1. Description of the Control System

#### 1.1.1. Introduction

This document describing the new Control System of the Environmental Inspection – hereinafter referred to as the CS, was developed on the basis of the following materials drawn up under Project PL0100:

- „Record of bilateral arrangements concerning the use of the key elements of the new Control System of the Environmental Inspection”,
- Findings from study visit to SFT in Oslo, Norway, on 3-5 June 2008 concerning the expected results related with the development of the new control system,
- „Concept of the new Control System” – study presented at the Workshop in week 41, held in Warsaw on 7-10 October 2008,
- Findings and guidelines presented by the Norwegian party at the aforementioned Workshop regarding the structure, procedures and support documents that should comprise the new CS.

In line with the Project Document, the CS developed under Activity 3 “Working out transparent procedures for setting priorities and carrying out controls, with a special focus on particular industries” should facilitate the process of carrying out inspections, among others by defining:

- Procedures for setting priorities in the course of planning inspections on macro level,
- Procedures for carrying out inspections in the field and letter inspections,
- Principles for drawing up inspection reports (protocols),
- Support documents, such as templates, checklists.

The CS has been developed within the framework of the efficient and effective functioning of the new IT Control Support System, hereinafter referred to as the CSS which was developed under Activity 2 “Implementation of an efficient system for the processing of inspection data”. The CSS will support and facilitate activities related with planning inspections on a macro level, preparing inspections and drawing up inspection reports. The CSS will give inspectors easy access to data concerning the inspected entities.

Structure of the CS has been presented in **Document 0**. It includes names and reference numbers of all documents constituting the system. This chapter which describes the CS, will quote reference numbers of these documents.

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### 1.1.2. Comparison of the CS with the current Instruction for carrying out inspections by the Environmental Inspection

“Instruction for carrying out inspections and taking up follow-up actions by the Environmental Inspection”, hereinafter referred to as the Instruction, is the current document in force in the Environmental Inspectorate describing the principles for carrying out inspections, implemented in 2005. It is composed of two parts: Part I that contains guidelines for carrying out inspections and Part II which includes example documents drawn up by inspectors in the course of inspection.

The CS comprises a set of procedures which describe all phases of the inspection process and support materials aimed at facilitating the inspection procedures. Inspectors who use the CSS, both at the inspectorate, as well as in the field, will have access to all these documents and example forms in electronic version (among others to inspection report templates), as well as to environmental data concerning the inspected entity (emission volumes, decisions on the use of the environment and results of previous inspections).

The CSS is an open system, developed in a way which ensures easy assessment and modernization. That is why it has a modular structure, where all elements can be improved or substituted. When developing the new CS, based on Norwegian experiences and observing all legal requirements in force in Poland, the designers aimed at simplifying the procedures as much as possible and limiting the labour intensity of individual inspection stages, among other by using the new CSS.

After the CS has been implemented, first in the two pilot Voivodship Inspectorates of Environmental Protection of Warsaw and Rzeszów, and next in the remaining inspectorates, it will fully substitute the existing *Instruction*.

Structure of the CS is analogical to the *Instruction*, which makes it possible to use some of its elements (in the transitional period until the CS is fully implemented, e.g. some example documents).

Individual thematic blocks in the CS are similar to the ones in the *Instruction*, namely:

- Planning inspections
- Preparing inspections
- Carrying out inspections
- Documenting inspection activities (report)
- Preparation of control
- Follow-up actions

It needs pointing out that the CS has been developed on the basis of a new a new approach to planning and carrying out inspections. So far the annual inspection plan contained an index of the number of inspections broken down into comprehensive and problem-related inspections,

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without referring to any concrete entities. It was only the quarterly plan that informed which facilities/installations will be inspected.

Compared with the *Instruction* the CS introduces a different way of drawing up plans and selecting entities for inspection. Having categorized the facilities in four risk groups (I-IV), based on multicriteria analysis, the CSS generates a list of facilities to be inspected in a given year, at the same time providing the order of facilities, depending on their potential risk for the environment.

The CS includes letter inspections (without site visits) in the inspections activities of the Environmental Inspection, which is a new solution in the system. Significant changes also involve the method of drawing up the inspection reports which should be much shorter and more concise. Moreover, the CS includes a procedure for periodic assessment of its functioning and assessment of the effectiveness of inspections carried out by the Environmental Inspection.

### 1.1.3. Definitions and terms used in the CS

The CS includes new terms which result from the new approach to planning and carrying out inspections. The table below presents their meaning as understood in the CS.U

<b>Inspection frequency</b>	Period between inspections referring to a specific risk category: category I – annual inspection; category II – biannual inspection; category III – inspection every three years; category IV – inspection every four years. Category V – turnouts.
<b>Risk category I</b>	Signifies the highest risk <ol style="list-style-type: none"> <li>1) Upper tier establishments</li> <li>2) Car disassembling stations</li> <li>3) Processing facilities for waste electric and electronic equipment</li> <li>4) IPCC installations falling under the Accession Treaty</li> <li>5) Facilities processing waste imported from abroad, requiring integrated permit</li> <li>6) Large industrial fattening pig farms requiring integrated permit</li> </ol>
<b>Risk category II</b>	Signifies high risk <ol style="list-style-type: none"> <li>1) Lower tier establishments</li> <li>2) Facilities falling under Regulation No. 166/2006 of the European Parliament and Council on PRTR, other than category I facilities</li> <li>3) Waste water treatment plants above 2000 PE</li> <li>4) Facilities operated without any required permit, included in the category of operations that may have a significant environmental impact, for which report on the environmental impact is mandatory;</li> <li>5) Facilities that do not meet the permit requirements, included in the</li> </ol>

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	<p>category of operations that may have a significant environmental impact, for which the report on the environmental impact is mandatory;</p> <p>6) Facilities that fail to implement follow-up recommendations, included in the category of operations that may have a significant impact on the environments, for which it is mandatory to draw up environmental impact report.</p>
<b>Risk category III</b>	<p>Signifies average risk</p> <ol style="list-style-type: none"><li>1) The remaining potential perpetrators of serious incidents, other than the ones from category I and II;</li><li>2) Waste-water treatment plants below 2000 PE;</li><li>3) Landfills and incineration facilities other than the ones from category I and II;</li><li>4) Facilities that were granted a new permit specifying the scope and conditions of use of the environment, included in the category of operations that can have a significant impact on the environment, for which it is mandatory to draw up an environmental impact report or the duty to draw up the report results from a decision of a respective environmental authority;</li><li>5) Facilities that are a cause for justified interventions, included in the category of operations that may have a significant impact on the environment, for which it is mandatory to draw up an environmental impact report or the duty to draw up the report results from a decision of a respective environmental authority;</li><li>6) Waste recovery facilities included in the category of operations that may have a significant impact on the environment, for which it is mandatory to draw up an environmental impact report or the duty to draw up the report results from a decision of a respective environmental authority.</li></ol>
<b>Risk category IV</b>	<p>Signifies low risk:</p> <ol style="list-style-type: none"><li>1) Facilities other than the ones from category I, II and III, which require their use of the environment to be formally and legally regulated in the form of an administrative decision;</li><li>2) Facilities subject to inspection in terms of substances depleting the ozone layer;</li><li>3) Facilities subject to inspection in terms of sulphur content in the fuel;</li><li>4) Facilities subject to inspection in terms of market supervision.</li></ol>
<b>Risk category V</b>	<p>Signifies risk smaller than the one related with category IV</p> <p>Category V includes facilities that do not require permits to use the environment, in the form of administrative decision, which were subjected to a short-term inspection as a result of application to intervene, issue a certificate or other;</p>

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<b>Basic categorization</b>	Refers to the classification of facilities according to a simplified analysis that takes account of the nature of facility's (installation's) business and the volume of released emissions: the categorization leads to breakdown of facilities into four basic categories (I-IV) and the remaining ones classified as category V.
<b>Multi-criteria categorization</b>	Refers to a detailed, score classification of facilities, taking account of various criteria that have impact on the environmental risk (probability of risk and probability of impact on the environment); the criteria involve among others impact of the facility on the neighbouring recipients, background in observing the environmental provisions, environmental management systems, etc.; facilities are ranked in each category (I-IV) depending on the score.
<b>Comprehensive inspection (audit)</b>	Refers to inspections that cover more than two problematic issues, inspection areas (4 to 6), inspection period from 3 to 7 manweeks – including preparation and carrying out of the inspection (and drawing up inspection report) and follow up actions – planned inspection.
<b>Campaign inspection</b>	Refers to inspections within the framework of campaigns when an issue is inspected on a national or voivodship scale – planned inspection.
<b>Problem-related inspection</b>	Refers to inspections focusing on one or two selected topics – monothematic, lasting one or two days; inspection period from 3 to 5 mandays – planned inspection
<b>Turnout</b>	Refers to inspections carried out upon request, e.g. made by a natural or legal person, public administration bodies, counsellors, Polish MP's etc. – unplanned inspections
<b>Investment related inspection</b>	Refers to inspections carried out upon request made by the entity (investor) who intends to operate a facility that may have a significant impact on the environment – unplanned inspection
<b>Planned inspection</b>	Refers to inspections covered by inspection plan: comprehensive (audit), within the framework of campaigns and problem-related inspections
<b>Unplanned inspection</b>	Refers to inspections not included in the control plan, carried out as a result of specific circumstances: turnouts, requests of entities (investment inspection, letter inspection) and other inspections with site visit, e.g. related with a serious incident
<b>Other inspections</b>	Refer to inspections that are not typical, including letter inspections without site visits
<b>Industry checklist</b>	Refer to lists containing a set of questions or issues to be inspected in the facility (installation) in a specific industrial branch; checklists can be used by inspectors to create their own, individual checklists.
<b>Horizontal checklist</b>	Refers to a monothematic list that contains a set of questions or issues to be inspected in the facility (installation), covering specific issues (e.g. waste management, water and waste-water management, noise protection).
<b>Verification checklist</b>	Refers to lists containing sets of questions to check the credibility of answers provided by the facility (e.g. answers to questions from the branch or horizontal list) or other information (e.g. about self-monitoring).

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<b>List of issues to be inspected</b>	Refers to lists containing index of issues to be inspected; the index is attached to the inspection report and serves the purpose of recording those elements by the inspector, which have been inspected.
<b>Minimum inspection criteria</b>	Refers to the Recommendation of the European Parliament and of the Council No. 2001/331/EC providing for minimum criteria for environmental inspections in the member states.
<b>Risk assessment</b>	Refers to a numeric value that characterizes the facility (installation) in terms of its risk level, based on: <ul style="list-style-type: none"> <li>▪ Likelihood of industrial incident as a result of the conducted activity</li> <li>▪ Nuisance for the environment, involving: <ul style="list-style-type: none"> <li>- Sensitivity of neighbourhood (location of the installation, state of the environment, frequency of requests for intervention as a result of environmental pollution)</li> <li>- Scale of facility's impact on the environment (type of installation, emissions to air, water or soil, waste generation, recovery or disposal, emission of noise)</li> <li>- Safety measures applied (equipping the facility with installations that protect the environment from pollution, assessment of the environmental management in the facility).</li> </ul> </li> </ul>
<b>Macro-plan of inspections, long-term, annual, quarterly</b>	Refers to a plan based on risk categories I-IV, taking account of the following principles: <ul style="list-style-type: none"> <li>- Each facility is allocated to a respective category depending on the processes it applies, emission volumes, neighbourhood of the facility and background in observing the regulations</li> <li>- Frequency of inspections is based on risk analysis</li> <li>- Available time (human resources at the inspectorate) for turnout inspections (unplanned).</li> </ul>
<b>Program of inspections (micro-scale)</b>	Refers to an individual inspection program of a given entity (facility, installation) based on the 20/80 principle which means that inspection should cover 20% of elements that generate 80% of environmental problems, and taking account of objectives of a given inspection.
<b>Inspection report</b>	Refers to the basic inspection document, drawn up by inspectors mainly to record the identified nonconformities and inspector's observations concerning the positive environmentally friendly activities of the inspected entity; the document is drawn up in electronic and paper form.
<b>Control System</b>	Refers to a system that covers all issues related with inspection activities of the Environmental Inspection, including inspection planning, preparing, carrying out, follow up action, as well as reports, indicators and measures of the effectiveness of environmental inspection. The CS substitutes the existing <i>Inspection instruction</i> .
<b>Control Support System</b>	Refers to an IT system supporting inspection activities of the environmental inspectors, ensuring more efficient and effective work of inspectors, as it offers specific functionalities that support inspection planning and

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	documentation, as well as generating various reports and compilations.
<b>Risk Table</b>	Refers to a table generated by the CSS, taking account of the risk analysis, database concerning facilities and other parameters which are critical for allocating facilities to respective risk categories (I-IV).
<b>Inspection efficiency indicators</b>	<p>Refer to various numeric data and their relations that characterize environmental inspections, e.g.:</p> <ul style="list-style-type: none"> <li>• Number of inspections per inspector (account is only taken of inspectors who are authorized to carry out inspections, excluding head of inspection department and heads of inspection sections in branch offices)</li> <li>• Number of inspections per all employees of the inspection departments and sections</li> <li>• Number of inspections per every employee of voivodship inspectorate; number of employees as per report Z-06 submitted to the Central Statistical Office “Reports on the employed, remuneration and working time for a given year”.</li> </ul>

### **1.1.4. Planning inspections on a macro-scale**

#### **1.1.4.1. Planning principles**

The process of planning inspections was presented in detail in **Document 2.1 Procedure for planning inspections**. The document describes the principles for inspection planning for the following periods: long-term (at least 3 years), annual and quarterly, planning campaigns and use of the CSS.

The macro-scale planning system is mainly based on categorization of entities recorded in the databases of voivodship environmental inspectorates on the basis of risk categories.

The basic analysis serves the purpose of preliminary division of installations between four risk categories, pursuant to the adopted guidelines of the Chief Environmental Inspector regarding the analysis (**Document 2.2.1. Basic analysis – Table of criteria**).

Macro-scale planning is carried out in line with the principles presented below.

#### **Principle 1**

The break down of all installations included in the records according to risk criteria results in the establishment of **four** basic categories I-IV, covered by planned inspections, as well as category **five**, covering the remaining installations that are not included in the plans. These entities are inspected on a temporary basis, within the framework of time allocated to unplanned inspections. Time reserve covers inspections carried out upon requests of other authorities, turnouts, letter inspections and other.

#### **Principle 2**

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In each of the four risk categories frequency of inspections depends on the risk level, whereby lower risk means less frequent inspections.

Breakdown of installations in terms of risk categories and inspection frequency:

- Category I (highest risk) – annual inspection
- Category II (high risk) – biannual inspection
- Category III (average risk) – inspection every three years
- Category IV (low risk) – inspection every four years or less often
- Category V (risk related with possible violation of environmental requirements) – inspection upon request for intervention – facility not covered by annual planning, without allocated inspection frequency.

### Principle 3

It is assumed that inspection frequency for a given entity allocated to a specific risk category, except for category I (mandatory annual inspections), is flexible which means that it can vary (it can be higher or lower than it is assumed in a given risk category), depending on the following factors: scale of environmental impact, sensitivity of the recipient, assessment of inspectors concerning the operator in terms of its pro-environmental measures and meeting the environmental requirements, results of previous inspections (history of inspections) and environmental management systems applied by the operator.

### Principle 4

Entities in individual risk categories are subject to categorization based on multi-criteria analysis. Installations will be qualified taking account of the following factors:

- Volume of pollution emissions
- Capacity of recipient located in the vicinity of the installation
- Environmental problems in place
- Assessment of pro-environmental measures taken by the operator.

Detailed description of the multi-criteria analysis can be found in **Document 2.2.2.**

### Principle 5

The next step involves selecting the entities from the list of entities shown by the system in category II, III, IV, which will be inspected in a given year. The choice is based on: recommendations of the Chief Environmental Inspector, planned campaigns (inspection cycles), preferences resulting from the specificity of the voivodship and other recommendations. After the entities have been selected in each category for inspection in a given year, they are allocated to a specific type of inspection (problematic, campaign, audit). Next, inspectors are allocated to inspections at the facilities, depending on their experience and skills.

### Principle 6

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Annual plan of inspections takes account of the time reserve for other unplanned inspections. The volume of time reserve is based on data from the previous year and may amount to 20 to 40 % of time earmarked for all inspections within a year.

Account is also taken of the available human resources and technical and organizational possibilities of carrying out inspections. It is assumed that inspector carries out on average 30 inspections per year, however this number should systematically improved as the CS is used and improved. Example table of the annual inspection plan was presented in **Document 2.1.1**.

#### 1.1.4.2. Inspection objectives

Inspection planning takes account of the general guidelines of the Chief Environmental Inspector worked out for a long-term period and for a given year, as well as campaigns (inspection cycles) on a supra-voivodship scale. Inspection objectives should be of a strategic nature and be limited to several at the most. It is recommended that guidelines of the Chief Environmental Inspector be delivered to Voivodship Environmental Inspectorates in advance – by the end of October, by 15<sup>th</sup> November at the latest.

#### 1.1.4.3. Campaigns (inspection cycles)

Assumptions to the inspection cycle/campaign (campaign topic, number of entities to be inspected and approximate implementation deadline) will be submitted to voivodship environmental inspectorates by the end of third quarter at the latest. Method of planning campaigns was described in **Document 2.1. Procedure for planning inspections**.

#### 1.1.4.4. Quarterly inspection plan

The basic objective of a quarterly plan is to allocate concrete entities (facilities, installations) to individual inspectors, specifying the type of inspection (problem-related, audit), to make sure that the assumed annual plan is implemented. After quarter end plan execution is assessed, which has impact on the next quarterly planning. Example **Table of quarterly inspection plan** was provided in **Document 2.1**.

#### 1.1.5. Preparing site inspections

##### 1.1.5.1. Principles for preparing site inspections

The following principles should be taken account of when preparing controls, in order to reasonably limit the number of topics covered by an inspection:

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**PRINCIPLE 1**

Preparation for inspection is based on environmental risk assessment of the installation, with particular focus of the environmental problems in place. The basic objective of inspection is to identify a way of solving these problems.

**PRINCIPLE 2**

The choice of topic for inspection is based on the priorities resulting from the assumed objective of inspection.

**PRINCIPLE 3**

The choice of the most important environmental topics is made on the basis of the 20/80 principle, i.e. 20% of the environmental topics concerning the inspected entity should account for 80% of its environmental impact.

**PRINCIPLE 4**

In the case of category I facilities (annual inspections) all environmental requirements are inspected in a four-year cycle, whereby elements having the greatest impact on the environment should be inspected first.

**PRINCIPLE 5**

Inspection reports are short, they contain mostly description on nonconformities. A list of issues that were inspected is attached to the report.

**1.1.5.2. Drawing up inspection program**

Drawing up inspection program is not mandatory, but it is recommended particularly to inspectors with little experience in carrying out inspections. Inspection program that covers among others scope of inspection, priorities, sites of visual inspection should be submitted for approval by superior after it has been drawn up by an inspector with little experience.

It is also recommended to work put inspection programs for audits covering several environmental issues. As a rule audits are carried out by teams of inspectors with a leading inspector who is responsible for the course of inspection, writing inspection report and recording data in the IT system that supports inspection activities of the inspectorate.

The topics and their order depend on various factors, among others on the type of inspection (problematic, audit), environmental problems in place, as well as familiarity of the inspector with the facility (background of the facility, list of issues inspected previously).

The following issues are helpful in selecting the scope of inspection and setting priorities:

- Results of environmental monitoring in the neighbourhood
- Checklists for specific branch
- Horizontal checklists

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- Good practices of inspectors – use of the internet forum for exchange of experience between environmental inspectors
- Familiarity with technical solutions applied in other similar installations.

The procedure for drawing up inspection program was described in **Document 3.1.**, while auxiliary tools for programming inspections were presented in **Document 3.2.**

### 1.1.5.3. Types of inspections

The principles of carrying out inspections depending on their type were described in **Document 1.3.** The CS differentiates between the following types of inspections:

- a) Comprehensive inspections (audits) – more than one day – (covering several issues)
- b) Problem-related inspections (one or two days),
- c) Turnouts
- d) Campaigns (inspection cycles) – the principles for carrying out campaigns were described in **Document 1.3.1.1**
- e) Inspections of entities which have implemented the environmental management system – principles for carrying out inspections of entities which have implemented the environmental management system in line with ISO 14001 or EMAS was described in **Document 1.3.1.2**
- f) Investment inspections – principles for carrying out investment inspections were described in the **Document 1.3.1.4**
- g) Letter inspections – principles for carrying out letter inspections were described in **Document 1.3.1.4**

### 1.1.6. Checklists – instruments that support carrying out inspections

Checklists are very helpful both in developing inspection program, as well as in the course of carrying out inspections. Due to various circumstances that may occur during inspection inspectors should treat their checklists as an auxiliary tool to support their knowledge and experience. One should both use the lists worked out under the Project and stored in the CS, as well as checklists developed earlier on for various branches (e.g. landfills, some IPPC installations). 10 branch checklists were worked out within the framework of the CS.

The CS differentiates between three types of checklists: branch checklists – characteristic for a given branch, horizontal checklists – characteristic for a given issue (e.g. water and waste-water management) and verification checklists – to check or verify the information submitted by the installation operator.

#### 1.1.6.1. Branch checklists

10 checklists were worked out under the Project PL0100 for the following industrial branches (each list forms a separate document):

- 1) Municipal waste-water treatment plants – **Document 3.2.1.1**

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- 2) Poultry farming and breeding – **Document 3.2.1.2**
- 3) Installations for the production or processing of foodstuffs from raw plant materials (breweries, distilleries) – **Document 3.2.1.3**
- 4) Installations for the production of ceramic products by way of burning – **Document 3.2.1.4**
- 5) Installations for disposal or recovery of dead or slaughtered animals or waste animal tissues – **Document 3.2.1.5**
- 6) Installations for surface treatment of substances, objects or products with the use of organic solvents – **Document 3.2.1.6**
- 7) Power industry – installation for fuel incineration – **Document 3.2.1.7**
- 8) Installations for the production of milk or dairy products – **Document 3.2.1.8**
- 9) Steel and metallurgical industry – installations for surface treatment of metals or plastics using electrolytic or chemical processes – **Document 3.2.1.9**
- 10) Waste management – installations for hazardous waste recovery or disposal, excluding storage – **Document 3.2.1.10**

### 1.1.6.2. Horizontal checklists

Horizontal checklists are not allocated to any concrete industry, but to a specific type of activities that may occur in various facilities, e.g. water and waste-water management, air protection, operation of selected environmental protection devices. Six example horizontal lists were drawn up to be used in the course of inspection:

1. Water and waste-water management – **Document 3.2.2.1**
2. Air protection – **Document 3.2.2.1**
3. Protection of the environment from waste – **Document 3.2.2.3**
4. Protection from noise – **Document 3.2.2.4**
5. Emissions monitoring carried out by the installation operator – **Document 3.2.2.5**
6. Industrial facilities (general) – **Document 3.2.2.6**

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Verification checklists contain an index of issues that should be inspected in the facility in terms of the correctness of answers provided to questions from checklists or information submitted by the facility. They are prepared before inspections, but may be modified in the process. Their objective is to facilitate the comparison of information provided by the facility with the actual state. Lists form sort of a “road map” indicating where inspectors should go and what they should see to make sure that the facility operates according to the information provided (e.g. outlet of waste discharge, waste storage, installation for measuring emissions etc.). The principles for drawing up verification checklists, including examples, as well as methods of using these lists were presented in **Document 3.2.3**.

### 1.1.7. Procedures for carrying out inspections

General procedure for carrying out inspections was described in **Document 1.3**.

#### 1.1.7.1. Inspection reports

The CS has made the inspection reports significantly shorter. Descriptions in the inspection reports should be limited to the following elements:

- Identifying nonconformities
- Identifying inspector’s observations
- Identifying positive measures taken by the operator

Inspection reports are drawn up in electronic form using respective template worked out for the purpose of a given inspection (audit, problem-related inspection, turnout, investment inspection).

- Template of problem-related inspection report – **Document 1.4.1.1**
- Template of audit (comprehensive inspection) report – **Document 1.4.1.2**
- Template of turnout report – **Document 1.4.1.3**
- Template of investment inspection report – **Document 1.4.1.4**

Inspection report should have a “Table of inspection activities” attached to it, where inspectors tick off what was the subject of inspection and which issues were inspected – table template was presented in **Document 1.4.2**.

#### 1.1.7.2. Other documents used in the course of inspections

Some of the example forms used so far and included in the *Instruction*, part II, were transferred to the CS (e.g. visual inspection report, hearing report, measurement report). They were presented in **Document 1.4.3 Other examples**.

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### 1.1.8. Follow-up actions

The following follow-up actions can be taken by the environmental inspection authorities, based on the inspection outcomes:

- Follow-up order
- Follow-up statement
- Ruling
- Administrative decisions
- Enforcement proceedings

The CS does not introduce any changes versus the principles in the *Instruction* concerning the method of executing follow-up actions.

### 1.1.9. Procedure for the assessment of the Control System functioning and its validation

The procedure for the assessment of the Control System and its validation was presented in **Document 4**. Deadlines for carrying out periodic assessments are semi-annual. In order to ensure sufficient time for the analysis of the CS and implementation of changes, it was assumed that all assessment and validation activities will be carried out within one month after five months of the CS functioning.

#### 1.1.9.1. Effectiveness indicators and measures

The effectiveness of work of inspectors and the whole inspectorate in respect of the implementation of inspection tasks is defined by way of indicators and measures. Effectiveness analysis will be carried out on the basis of average data, taking account of the following parameters:

- Time devoted for preparation of inspection
- Time devoted for drawing up inspection report
- Time devoted to inspection activities in the facility in line with the type of inspection
- Number of inspections carried out
- Number of full-time jobs
- Number of inspectors authorized to carry out inspections
- Number of all employees at WIOŚ.

In order to calculate the actual time devoted to individual activities comprising the inspection process, a questionnaire has been drawn up to be filled in by inspectors who carried out an inspection. Based on research results for 2005, covering two pilot WIOŚes of Rzeszów and Warsaw the following output indicators were appointed:

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- Annual normative time devoted by inspector to carry out inspection: 1200 working hours
- Average labour intensity of problem-related inspection – 1 manweek (5 mandays)
- Average labour intensity of an audit (comprehensive inspection) – 3-5 manweeks (15-25 mandays).

### 1.1.9.2. Questionnaire on the functioning of the system

In order to assess the functioning of the CS and to ensure its effective improvement, CS users will be asked to fill in a questionnaire drawn up especially for this purpose. The questionnaire covers the following areas of the CS functioning:

- Planning inspections
- Preparing inspections
- Carrying out inspections
- Follow-up actions
- Other remarks

Detailed layout and contents of the questionnaire were presented in **Document 4.2.**

### 1.1.9.3. Control system testing and validation

The method of testing and validating the control system in 2009 and in the future years was presented in **Document 4.3.** There are four basic steps: *Plan – Do – Check – Improve.*

## 1.2. Principles of use of the IT Control Support System – CSS – link between Activity 3 and 2

### 1.2.1. Control Support System - assumptions

Control Support System, hereinafter referred to as the CSS was developed in the Project PL0100 under Activity 2. This system is to ensure the implementation of new solutions in carrying out inspections, as worked out under Activity 3, based on Norwegian experiences, and support all inspection activities performed by inspectors, composed of four phases: inspection planning, programming, carrying out (including inspection report) and follow-up activities. The CSS was described in detail in a separate project document (in Activity 2). This point presents some general principles for the use of this system by inspectors.

The CSS is an open system, which makes it possible to modify it continuously and adjust to the needs in terms of its usefulness, particularly the extent to which it reduces the time devoted by inspectors to individual inspection activities.

The basic objectives of the CSS, being a new system for processing inspection data (Output 1 Project PL0100), are as follows:

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- Maximum limitation of work with paper files and documents of the inspected entity
- Fast search of information about the entities that use the environment, stored in the records of the voivodship environmental inspectorate, allocated to one of four risk categories: I, II, III, IV – all these entities are subject to long-term planning, as well as annual and quarterly planning.
- Determining an objective environmental risk value of the installation operated by the entity
- Optimization of use of the human resources in the inspectorate to implement inspection objectives of the Environmental Inspectorate through proper prioritization of tasks and help in annual and quarterly planning
- Making available templates of documents that are useful in carrying out and documenting inspections
- Help in drawing up reports required by the law and for internal needs of the Environmental Inspection
- Help in assessing the effectiveness of the functioning of the Environmental Inspection through collection and calculation of measures and indicators that characterize the work of inspectors who carry out inspections.

The newly developer CSS offers the following scope of information:

- Register of entities using the environment, belonging to one of the four risk groups (identification data of entities subject to inspection planning)
- Register of decisions specifying the method of use of the environment, including sectoral or integrated permits (type of permit, issuing authority, permit number, issuing date, term, content)
- Register of information about entities (among others information about emissions and risk for the environment)
- Register of inspections carried out
- Register of inspection reports (identification data and report contents)
- Register of inspection plans
- Register of campaigns
- Register of documents covered by the control system: description of the new control system, description of procedures for carrying out inspections, attachments: inspection report templates, checklists and support materials: instructions, methodological guidelines etc., studies
- Register of inspectors.

### **1.2.2. Using the Control Support System**

The CSS is an internal system of the Environmental Inspectorate. Employees of the inspectorate have direct access to information contained in the system, i.e. to all data about the inspected facility and its impact on the environment (direct neighbourhood of the location). Inspectors have access to data directly at WIOŚ's seat and in the branch office, as well as in the course of inspection in the field (provided they have internet access). Apart

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from the aforementioned functionalities CSS offers help in calculating some indicators related with emissions and energy use by the facility, which should facilitate the inspectors checking credibility of information presented by the controlled entity.

The CSS contains a table of general criteria concerning risk categories from I to V and allocating facilities to individual categories (I to IV). In each risk category the system applies a multi-criteria analysis to automatically rank the facilities depending on the score in decreasing order. At the same time inspectors have access to various data about the inspected facility, which are useful to assess the facility's impact on the environment (production volume and type, energy use, water intake volume, amount and charge of pollution in the discharged waste-water, volume of emissions to air, volume of generated waste, whether the facility was a reason for turnout, type of environmental management system, etc.

Inspection results also involve collecting information about the current data that characterize the facility's impact on the environment, an these data will be recorded in the system after the inspection. Thus the system contains facility's background concerning emissions of pollution in the period covered by inspections.

Considering the functionalities of the CSS and data contained therein, it offers the following functions:

- Informs about each of the inspected entities stored in WIOŚ's records concerning among others pollution release and results of inspections carried out by the Environmental Inspection and follow-up actions
- Supports the inspection planning process based on risk via: identifying the most important sources of environmental pollution and specifying their risk grade for the environment (among others taking account of the facility's location, capacity of the neighbouring recipient) and allocating a numeric value to individual facilities, calculated according to a formula that determines the risk level for the environment
- Supports the process of control programming, among others by using the example checklists and other templates
- Supports drawing up reports concerning the effects of inspections and comparison of historical data (including among others: OŚ-2b report, inspection reports from point of view of the European Parliament and Council directives and regulations),
- Supports the assessment of functioning of the new control support system of the Environmental Inspection by enabling the calculations of various indicators and measures concerning inspection activities
- Educates by providing various auxiliary tools, such as e.g. guides, guidelines and other studies on carrying out inspections.

### 1.2.3. Support in inspection planning

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A systematized way of selecting installations for inspections, proper from point of view of environmental protection, will be used in planning inspections. The basis for determining the frequency of inspections involves a breakdown of facilities into risk categories. Each facility will have an allocated risk table with data decisive for risk level, such as: volume of emissions resulting from operating the installation, sensitivity of the neighbouring environment, assessment of the inspector on how the environmental requirements are met. However, it is possible to verify the frequency of inspections vis-à-vis the list drawn up by the CSS (changing the frequency of inspections that was based on the system criteria, taking account of other factors such as campaign, environmental policy, guidelines of the Chief Environmental Inspector (the fact of deviating from the risk based principle is recorded in the system).

#### **1.2.4. Support in programming and carrying out of inspections**

Drawing up inspection program is not mandatory, but it is recommended. The CSS facilitates this significantly, mainly due to quick access to information about the inspected facility (without the need to review the paper file). Various checklists: branch and horizontal checklists, various inspection reports, contained in the system allow the inspectors to quickly create their own checklists, using their experience and knowledge in a given area.

Provided it is possible to use a laptop in the course of inspection in the field, inspectors can generate the necessary templates and depending on the needs, download data about the inspected facility, including historical data (e.g. data from the previous inspection, nonconformities, sanctions, information about turnouts, if there were any, etc.). If inspectors are using the CSS via the Internet, they can use the so called electronic tabs in order to drag respective provisions to the inspection report (the report is available in the form of a template).

Entering numeric data to the CSS, after the inspection has been completed or after they have been submitted by the facility, ensures updating of the data (the system records date on which they were typed in). Moreover, data concerning the facility's environmental impact are also updated after each inspection.

#### **1.2.5. Support in generating reports**

Data collected by inspectors in the course of inspection will be entered to the CSS. Based on these data users will be able to generate any reports and comparisons, including the predefined ones e.g. OŚ-2b report. It is also planned to gradually extend the scope of the database about the entities with category lower than IV, depending on the possibilities and needs.