BLAKE MORGAN

Environmental legal update – Spring 2018

John Mitchell, partner, Regulatory risk and compliance

25 year plan: chemicals

- *“We will publish a new Chemicals Strategy to tackle chemicals of national concern that will build on existing approaches”*
- *“Support collaborative work on human biomonitoring, address combination effects of different chemicals and improve the way we track chemicals across supply chains”*
- Prime Minister on 2 March confirmed that the UK wants to remain a member of the ECHA

25 year plan: plastics

- *“We will minimise waste by … working to a target of eliminating avoidable plastic waste by end of 2042”*
- *The government will look “across the whole lifecycle, launching a call for evidence in 2018 seeking views on how the tax system or charges could reduce the amount of single use plastics waste”*
- *Reform of the prn system*
- The call for evidence was made in the spring statement and has been published by the Treasury
- NAO has announced a review of the prn system of producer responsibility
- Government has rejected the “latte levy”

25 year plan: clean air

- *"We will publish a new Clean Air Strategy for consultation in 2018."*
- *"This will set out how we will continue to seek improvements to public health … and work towards our legally-binding ceilings on UK emissions of air pollution."*
- 21 February: High Court rules the government clean air plan unlawful for a third time
- Deadline of 5 October given for publication of replacement plan (government had asked to be given until the end of 2018)
- Government claims victory

Enforcement undertakings Sep 17 to Jan 18

- 25 overall (£1.08m)
- Packaging waste offences:
  - 10 overall (£158k)
  - Mainly failing to register with the EA or a scheme
  - Highest £37k
- Water pollution offences:
  - 15 overall (£923k)
  - 8 from water companies (£813k)
  - The water companies' 8 were individually the highest

Enforcement – straws in the wind

- Speech by Emma Howard Boyd – chair of EA:
  - Fines should be made “proportionate to turnover”
  - Courts should “apply these penalties consistently”
- EA consultation on new enforcement and sanctions policy
  - VMP calculations
  - Enforcement undertaking calculations
- Michael Gove

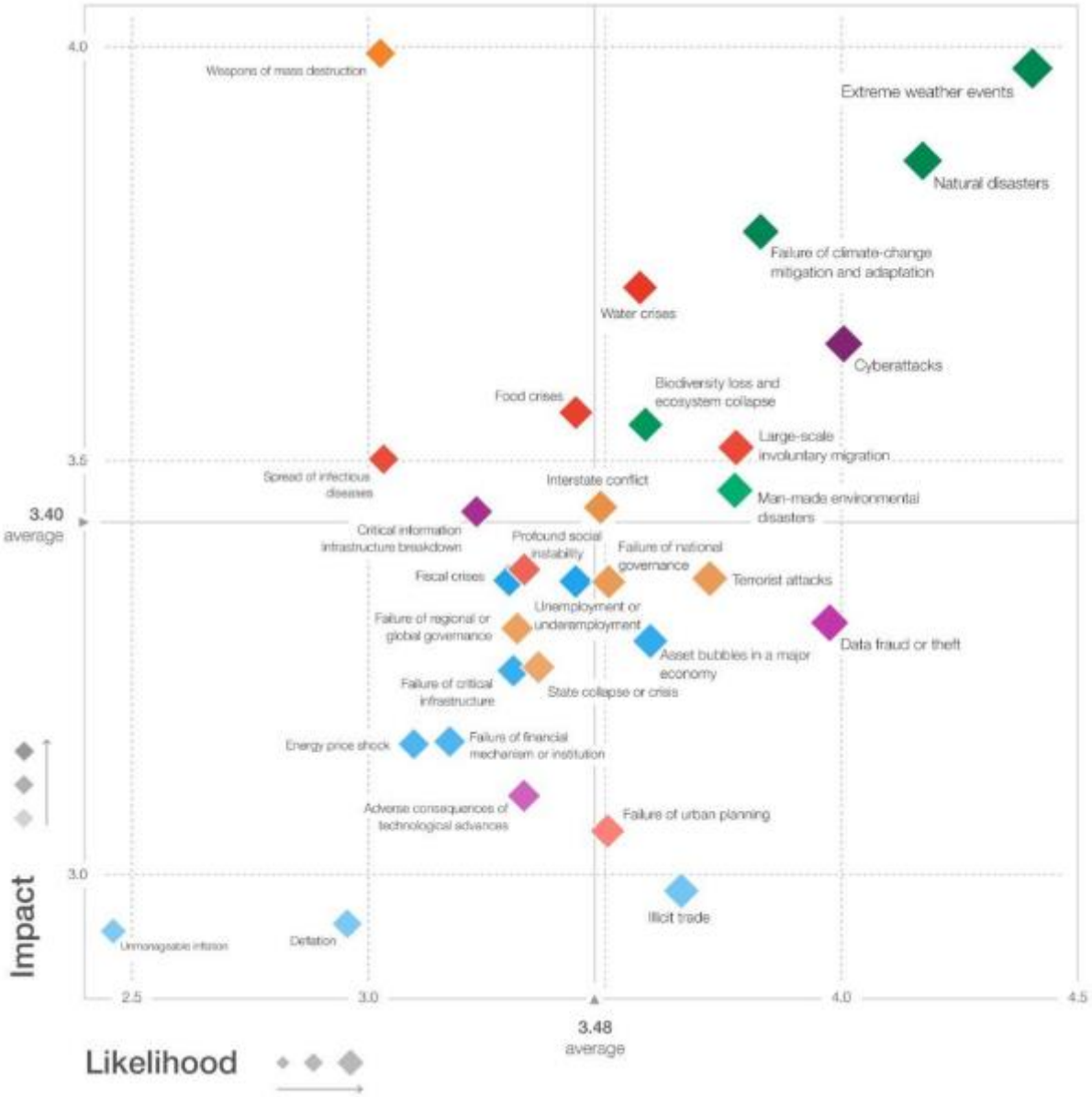
Unusual enforcement

- Arrow Environmental fined £43,750 plus £80,000 in costs for dumping illegal waste into Severn Trent's sewers
- Beronhill fined £120,000 plus £60,000 costs for exceeding the limits in its trade effluent discharge consent from Severn Trent
- CC Haulage & Sons fined £14,000 plus £5,000 in costs and a £90,000 confiscation order abusing a waste exemption in relation to construction spoil
- Knowle Transport lost its operators licence for using AdBlue emulators to defeat emission control equipment on its vehicles

Benefits of an Environmental Management System

Robert Spencer

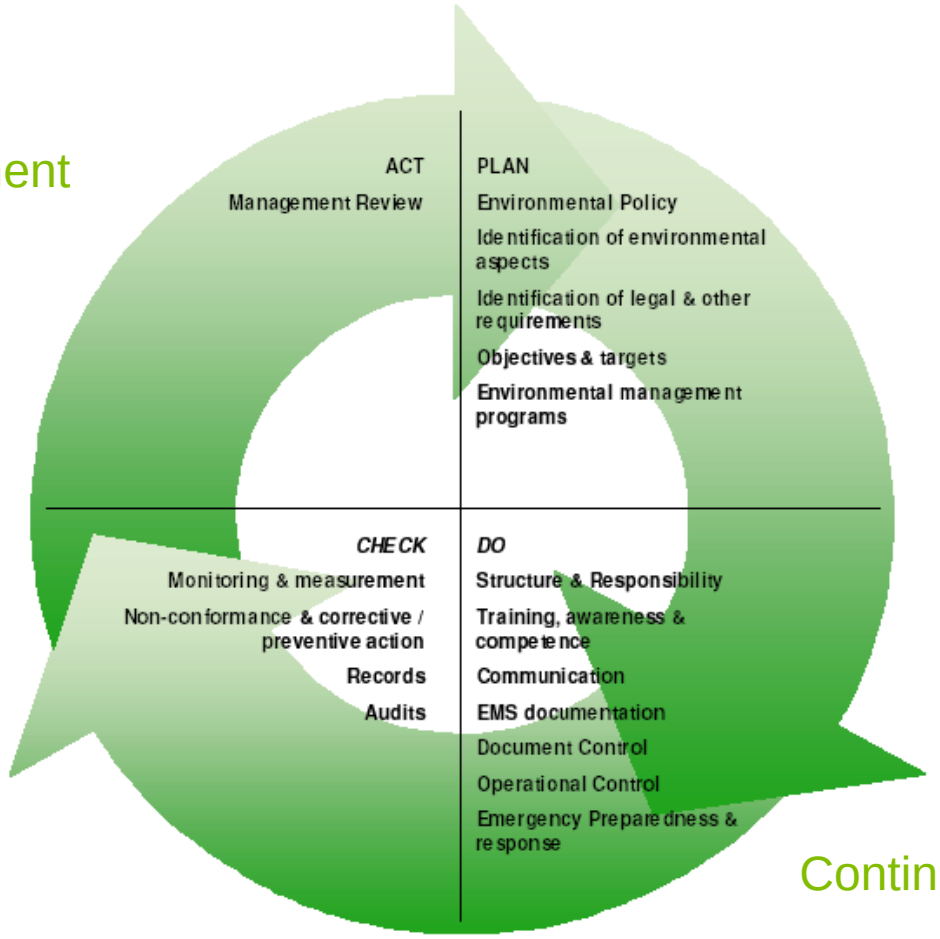
Some context



What is an EMS?

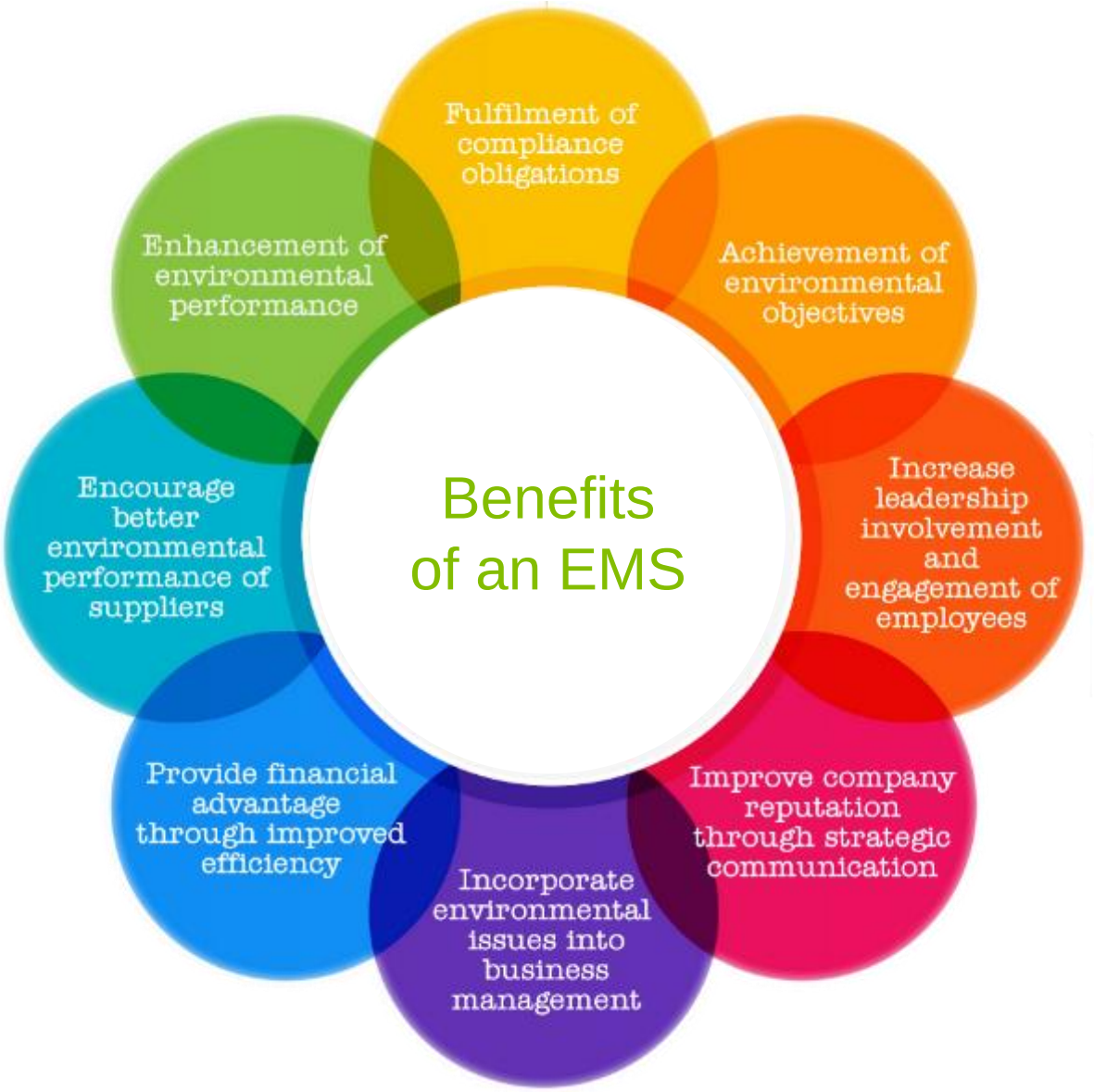
EMS is a ‘framework to manage the immediate and long term environmental impacts of an organisation’s products, services and processes’. Can be through an informal system or certified to a standard.

Continual Improvement



Continual Improvement

What are the Benefits?



Compliance Obligations

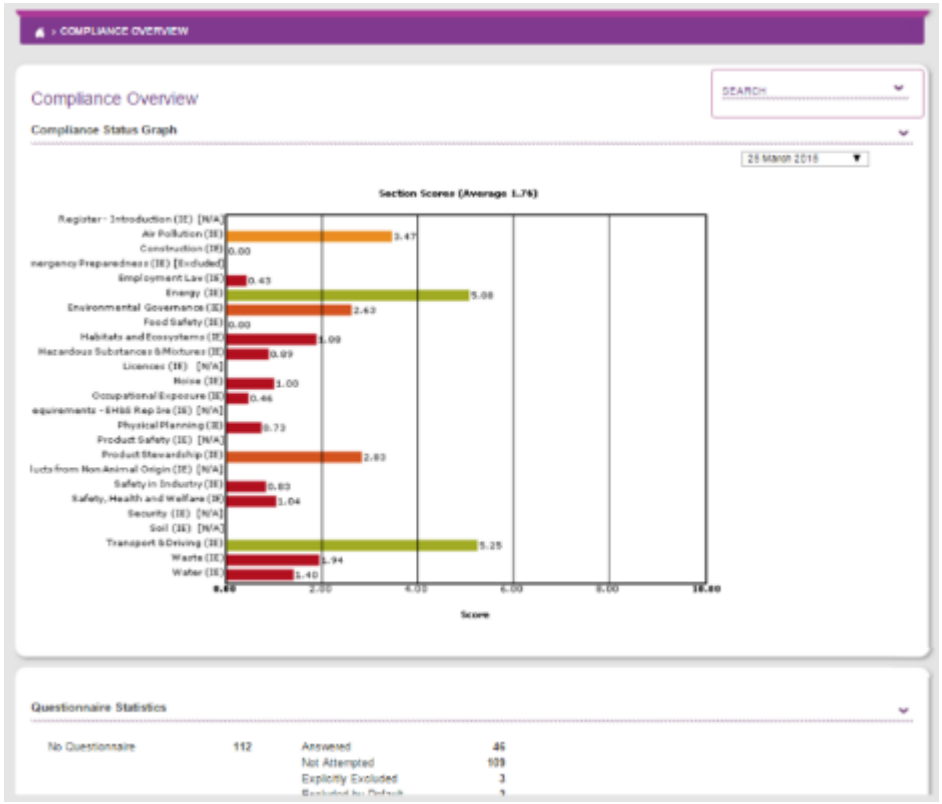
- Need to document environmental aspects and impacts & compliance obligations – mandatory & voluntary
- Compliance should be evaluated at a set frequency
- Benefits:

✓ Improved awareness of regulatory requirements - less likely to:

x Incur enforcement action from Environment Agency – lesser fines and time lost from investigations, injunctions or notices

x Incur damage to business reputation

✓ Improved relationships with interested parties



Objectives & Enhanced Environmental Performance

- Setting enviro objectives should be done early on in the PDCA cycle, covering significant aspects and impacts

- Objectives are typically focused on reductions in energy usage, waste, water, hazardous substances and resource use

- Continual improvement - objectives should be reviewed regularly and amended as necessary

- Benefits - by targeting usage reductions, environmental performance will inherently Improve

- Green Teams/Champions play a vital role in working towards targets

Better Financial & Environmental Performance

Aspect	Example Initiatives	Environmental Benefits	Financial Benefits
	• Central bins for separate streams • Discouraging single use items	• Less waste contamination, less waste to landfill • Reduction in waste produced	• Smaller waste management costs – consumables, cleaning contract time & costs • Less landfill tax
	• Sensors for lighting, heating & water • 'Switch off' campaigns	• Emissions reductions • Less use of ODS • Reduction in natural resource use	• Smaller utility bills • Less CCL tax • Enhanced reputation - carbon footprint, Sustainability 100 etc.
	• Reduce, re-use initiatives	• Less use of finite resources • Leads to less waste produced	• Reduction in procurement & waste management costs
	• VC facilities • Prioritising sustainable travel options	• Reduced scope 1 & 3 emissions	• Reduced travel costs • Reduced absenteeism from cycle schemes[4]

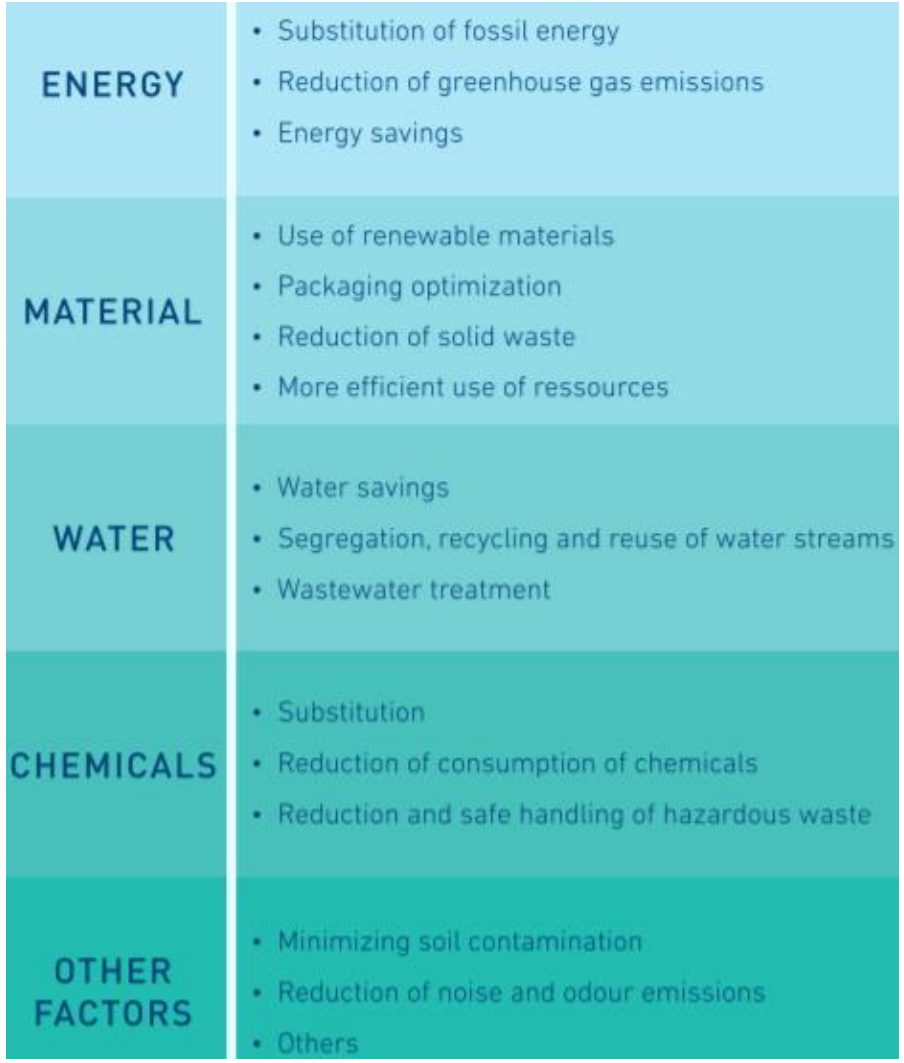
Supplier Performance & Resilience

- Reduced likelihood of incidents for which the organisation can be held liable

- Improved business image - protection of brand and values

- Reduced operational risks e.g. supply disruptions, increased cost, lack of access to raw materials, improved supplier efficiency and profitability as a result of increased environmental responsibility

Supply Chain Areas to Review



Engagement, Productivity & Business Reputation

- **Happier and healthier**
  Making friends in the Green Team, better air, light, nourishment, fitness, more comfortable and greater mental wellbeing

- **More productive**
  A better working environment that people enjoy and that makes them feel good makes them better workers.

- **More proud of working at AECOM**
  Belief in a company that is socially and environmentally responsible, that cares about its employees, and that leads in internal sustainability in the industry.

- **More engaged with their workspace**
  Taking ownership of their office, looking at improvements, people care more about a better environment.

- **Better educated on their environmental impact**
  Campaigns to raise awareness with advice on how to recycle more, use less water, use more sustainable travel options etc.

46 minutes more sleep for workers in offices near natural light and [1] **6% fall** in staff performance when offices are too hot[3]

Impact of the **Cycle to Work** scheme estimated social benefit of **£72 million** a year, including through reduced absence from work[2]

101% increase in cognitive scores for workers in a green well-ventilated office[4]

7-12% improvement in processing time at one office when staff had an ample and pleasant view[5]

Adoption of **environmental standards** can mean **20%** productivity increase[6]

80% of millennials consider corporate social and environmental commitments when applying for jobs[7]

What do the AECOM Green Teams do?

- Benchmarking performance
- EMS support and liaising with FM
- Develop sustainability initiatives
- CSR events
- Discussions on better coordination of internal sustainability
- Data gathering for global AECOM Sustainability Report
- Contribution towards tenders
- Improve internal sustainability performance (average 11% scorecard improvement so far)

Showing AECOM '*walk the walk*' as well as '*talk the talk*'

EMIA SH&E transformation plan
Areas of Excellence - Environment

	A	B	C	D
Environment / Sustainability	Our Projects and offices have Green certifications (e.g. LEED, BREEAM, ISO14001)	95% of employees are trained in environmental sustainability 101 course on AU	We double the corporate CO2 reduction targets and continuing Sustainability Program in place	90% of offices have green teams in place with such specific projects

AECOM Sustainability Scorecard (Interim)

AECOM Office	Leeds
Green Team Leader	Alice Foster

Category	Office Score	Total Possible	%
Sustainability Metrics	61.1	100	61%
Energy	54	96	56%
Water	35	82	43%
Materials	49	92	53%
Transportation	33	57	58%
Community	42	53	79%
Healthy Workplace	40	49	82%
Innovations	45	45	100%
TOTAL SCORE	**359.1**	**574**	**63%**
ACHIEVEMENT LEVEL	Bronze		

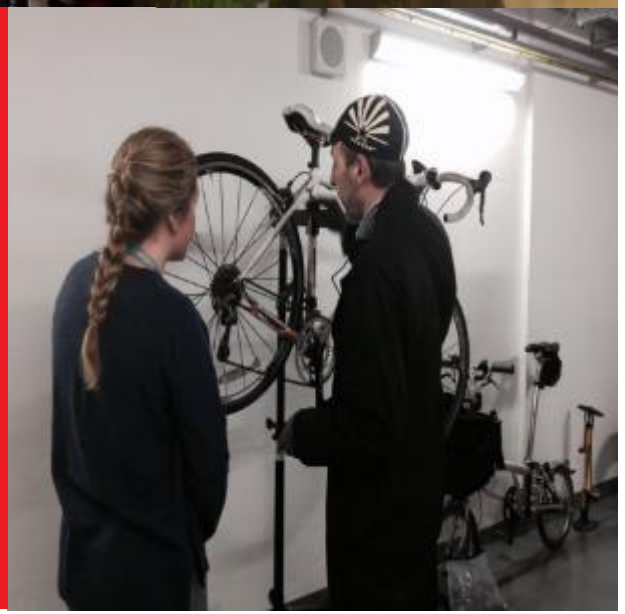
Green Teams Examples

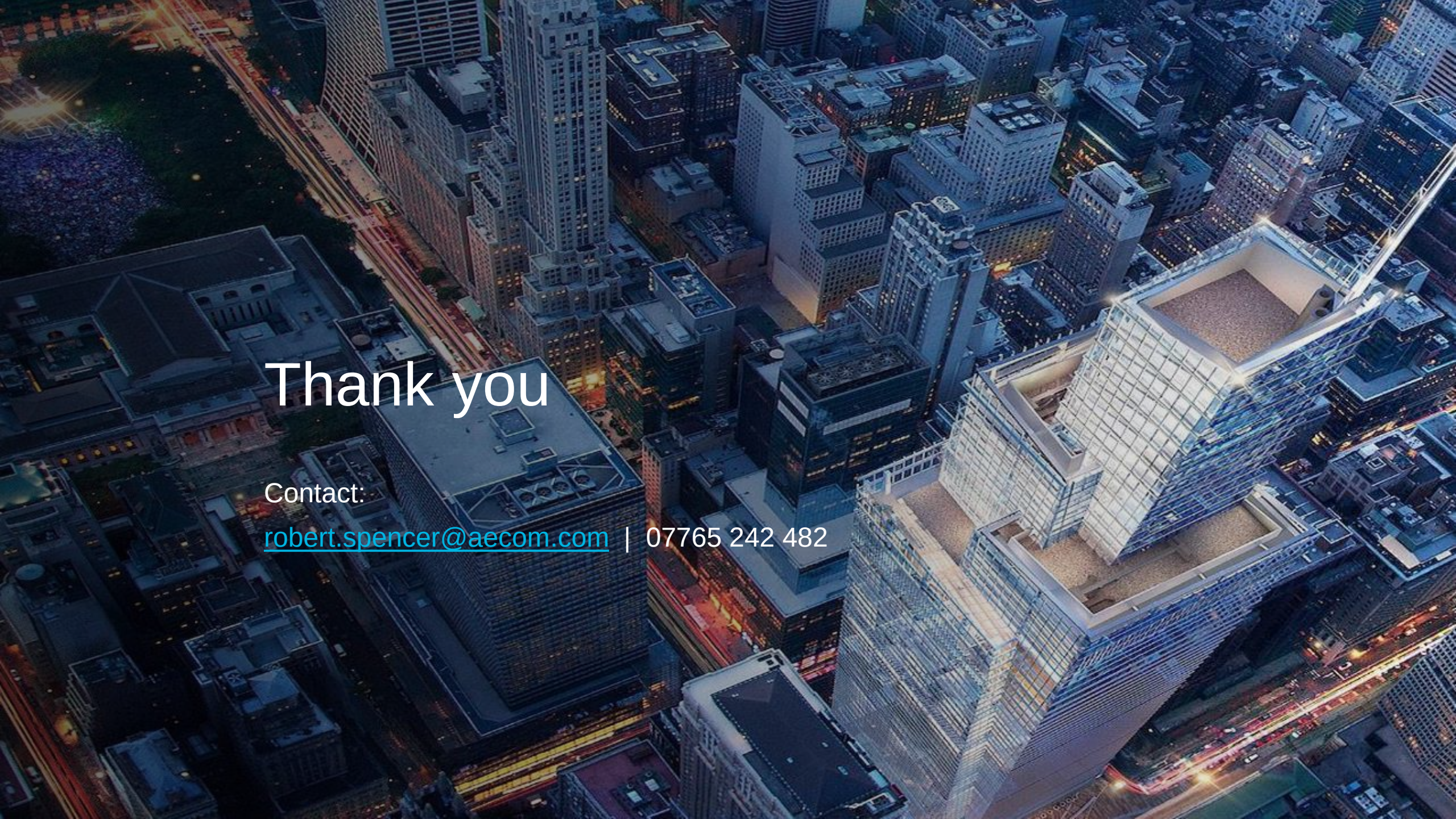
– **Environment:**
Daylight sensors (Manchester BWH pilot) & improvement of waste management

– **Nature:**
Office plants at some offices
Lunchtime walks (away from polluted areas)

– **Fitness & Travel:**
Free bike maintenance sessions, free breakfast on Cycle to Work day, groups runs

– **Job Satisfaction:**
Contribution to ISO14001, GHG reduction, resource use reduction commitments, and charitable donations and events





Thank you

Contact:

robert.spencer@aecom.com | 07765 242 482

ISO 14001 : 2015 Update

By Paul Ingram, BSI Tutor

UK Superbrands 2018

By Royal Charter

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Agenda

- Annex SL/High level Structure
- An overview of the main changes to ISO 14001 : 2015
- Latest timelines from ISO

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So, what's new?

Three key areas of change;

1. The emphasis on leadership.
2. A consistent approach across management systems.
3. The focus on risk prevention.

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Benefits

It will provide an overall management system framework, common terms and definitions	Will save time during implementation	Will make it easier to integrate more than one management system	Reduce conflicts, Duplication and miss-understanding

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Common terms and definitions

Organization	Documented information
Interested party	Process
Management system	Outsource
Top management	Corrective action
Risk	Continual Improvement

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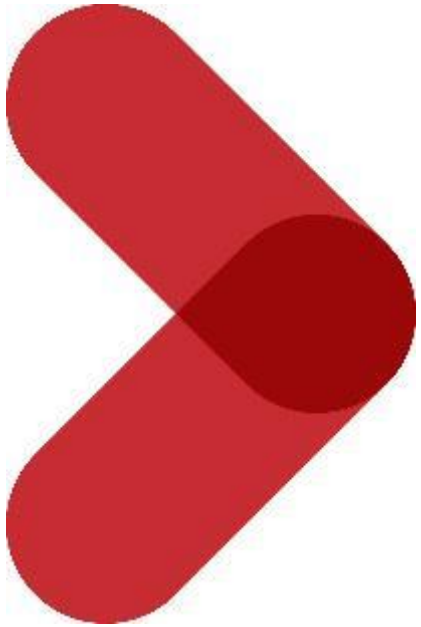
The new high level structure



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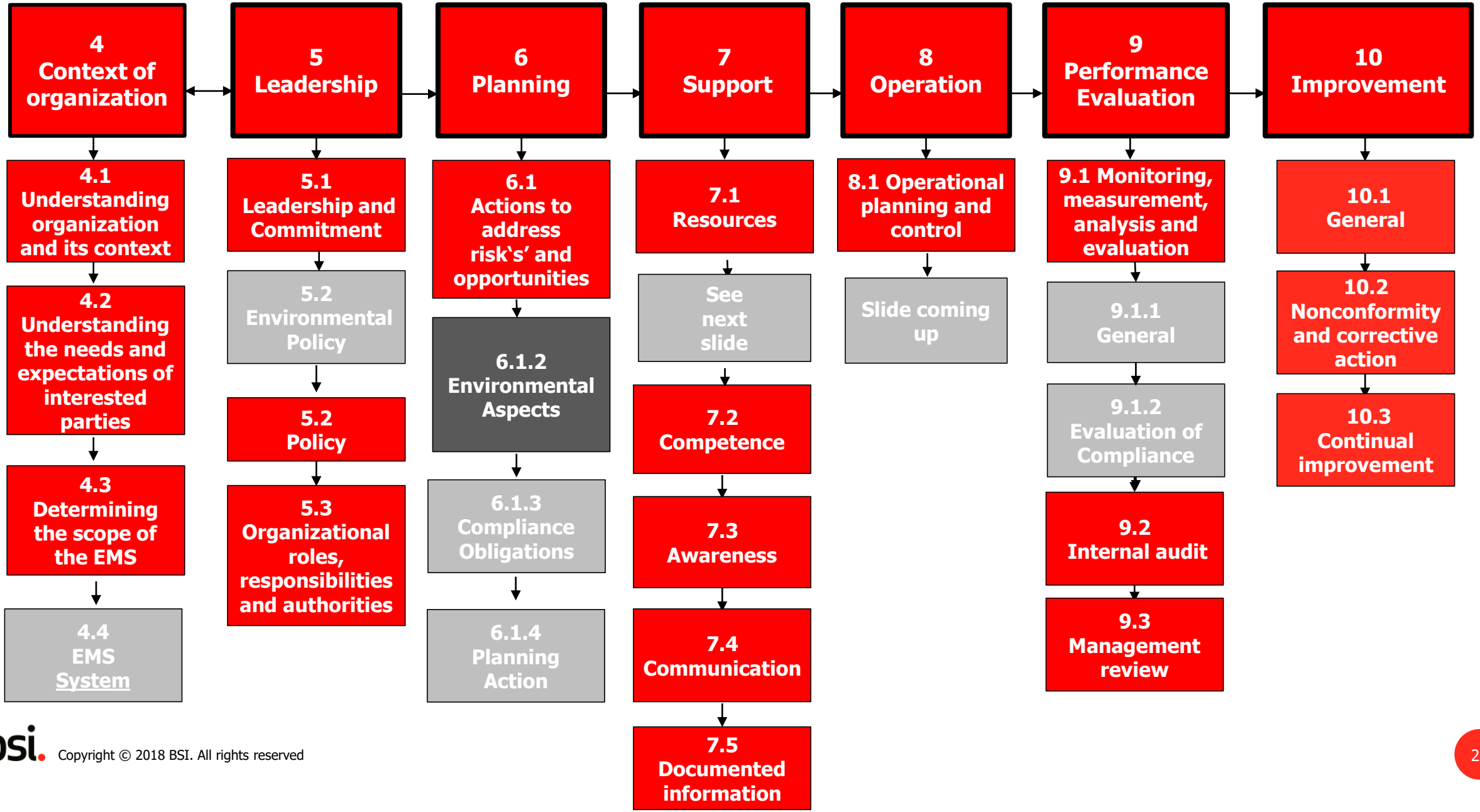
HLS and additional/changed "EMS" Structure



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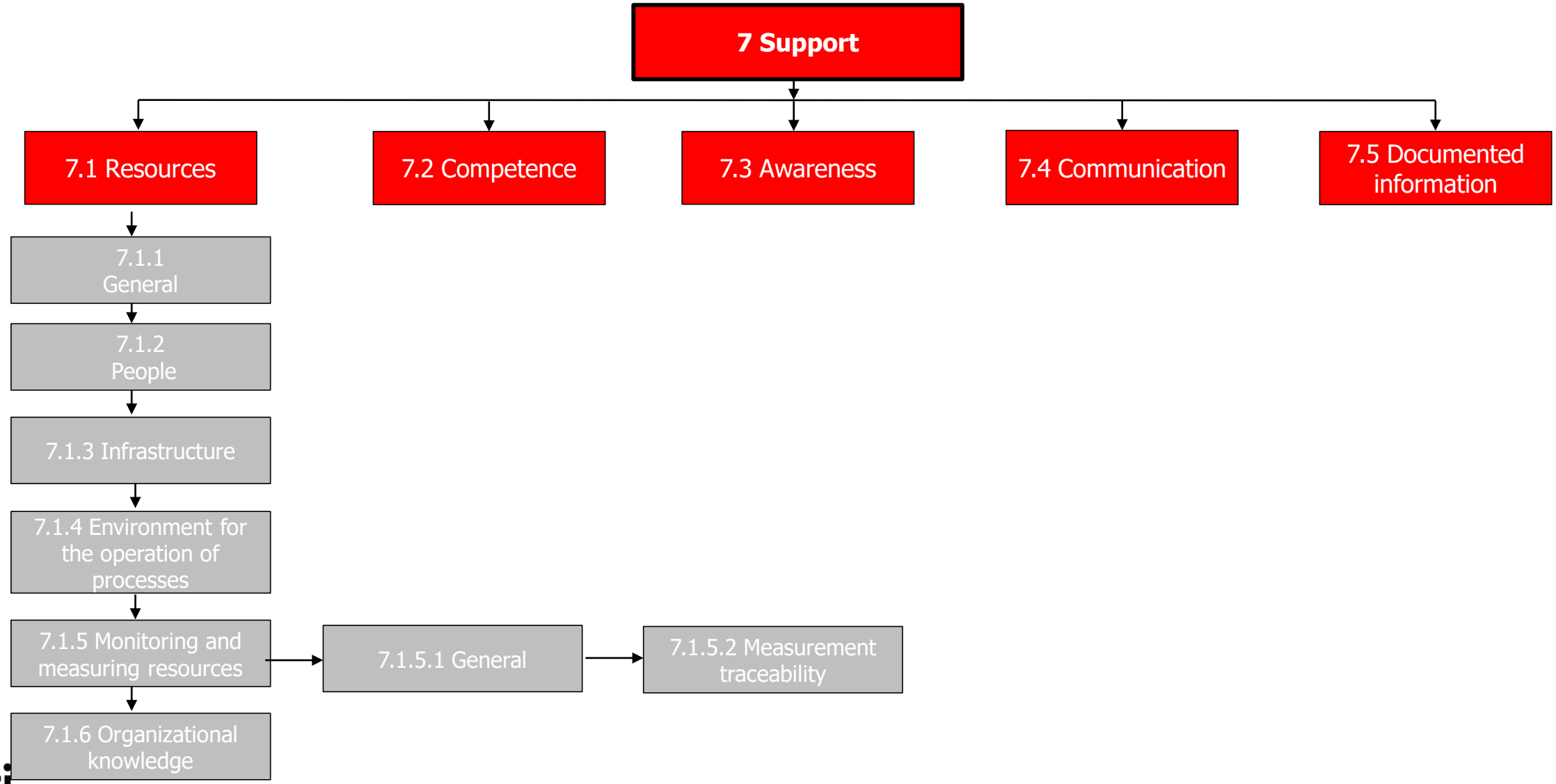
HLS and additional "QMS" Structure: clause 7



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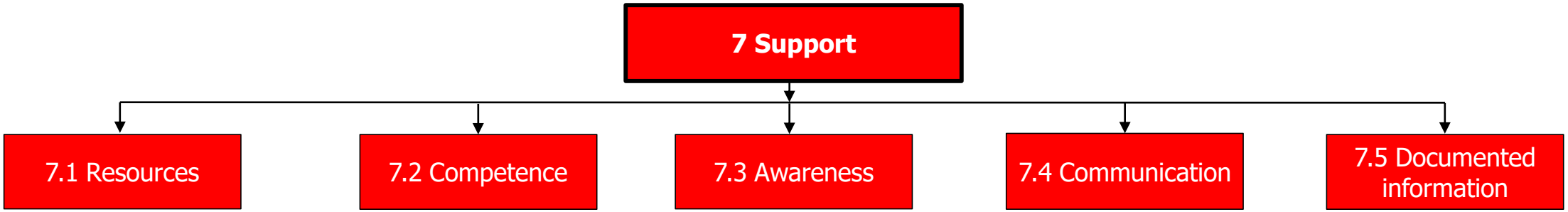
HLS and additional “EMS” Structure: clause 7



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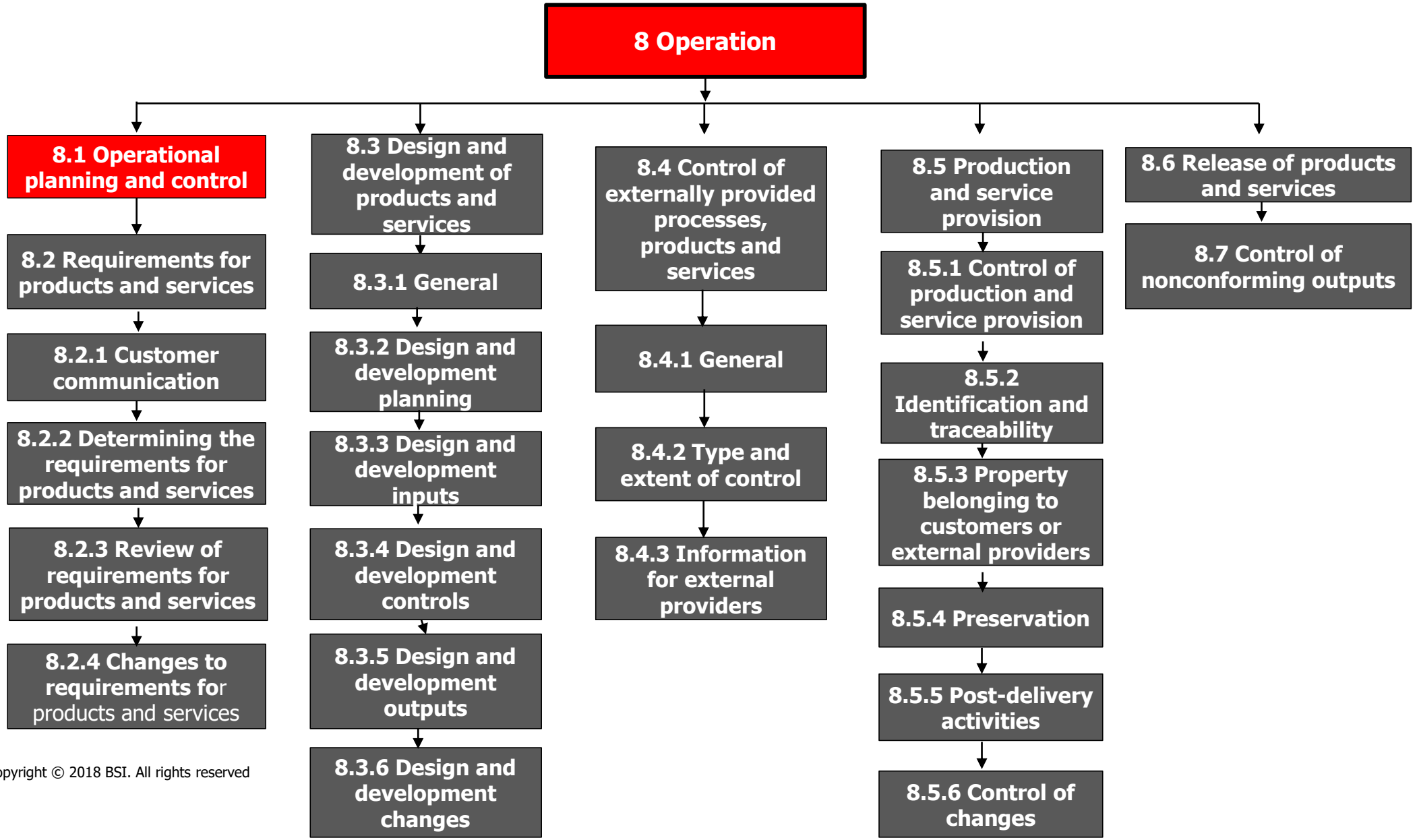
HLS and additional "QMS" Structure: clause 8



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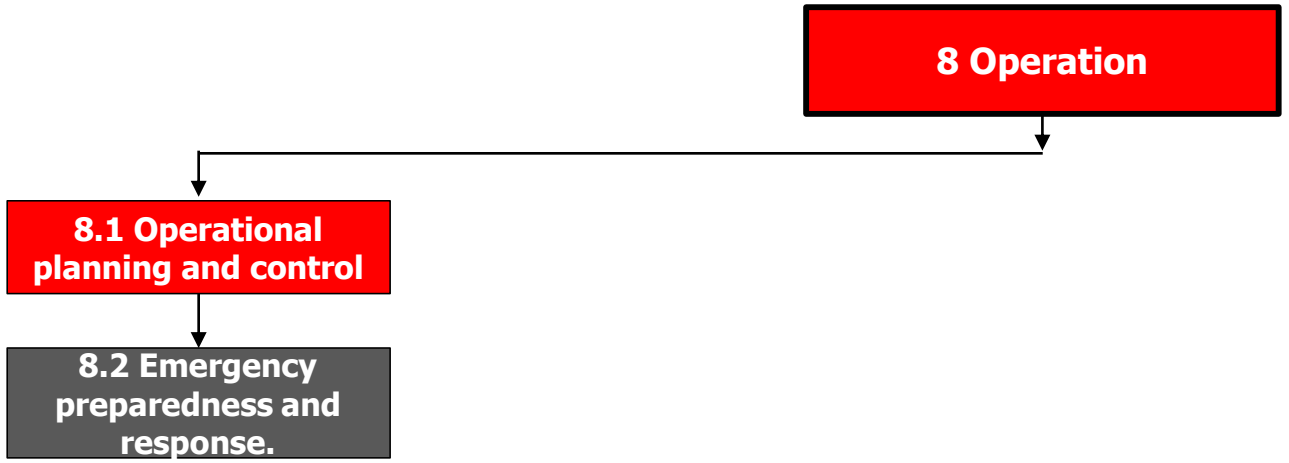

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Identical Core Text and Numbering Schemes

1) Scope

2. Normative references

3. Terms and definitions

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Identical Core Text and Numbering Schemes

4) Context of the organization

- **4.1** Understanding the organization and its context
- **4.2** Understanding the needs and expectations of interested parties
- **4.3** Determining the scope of the XXX MS
- **4.4** XXX management system

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Identical Core Text and Numbering Schemes

5) Leadership

- **5.1** Leadership and commitment
- **5.2** Policy
- **5.3** Organizational roles, responsibilities and authorities

6) Planning

- **6.1** Actions to address risks and opportunities
- **6.2** XXX objectives and planning to achieve them

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Identical Core Text and Numbering Schemes

7) Support

- **7.1** Resources
- **7.2** Competence
- **7.3** Awareness
- **7.4** Communication
- **7.5** Documented information

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Identical Core Text and Numbering Schemes

8) Operation

- **8.1** Operational planning and control

9) Performance evaluation

- **9.1** Monitoring, measurement, analysis and evaluation
- **9.2** Internal audit
- **9.3** Management review

10) Improvement

- **10.1** Nonconformity and corrective action
- **10.2** Continual improvement

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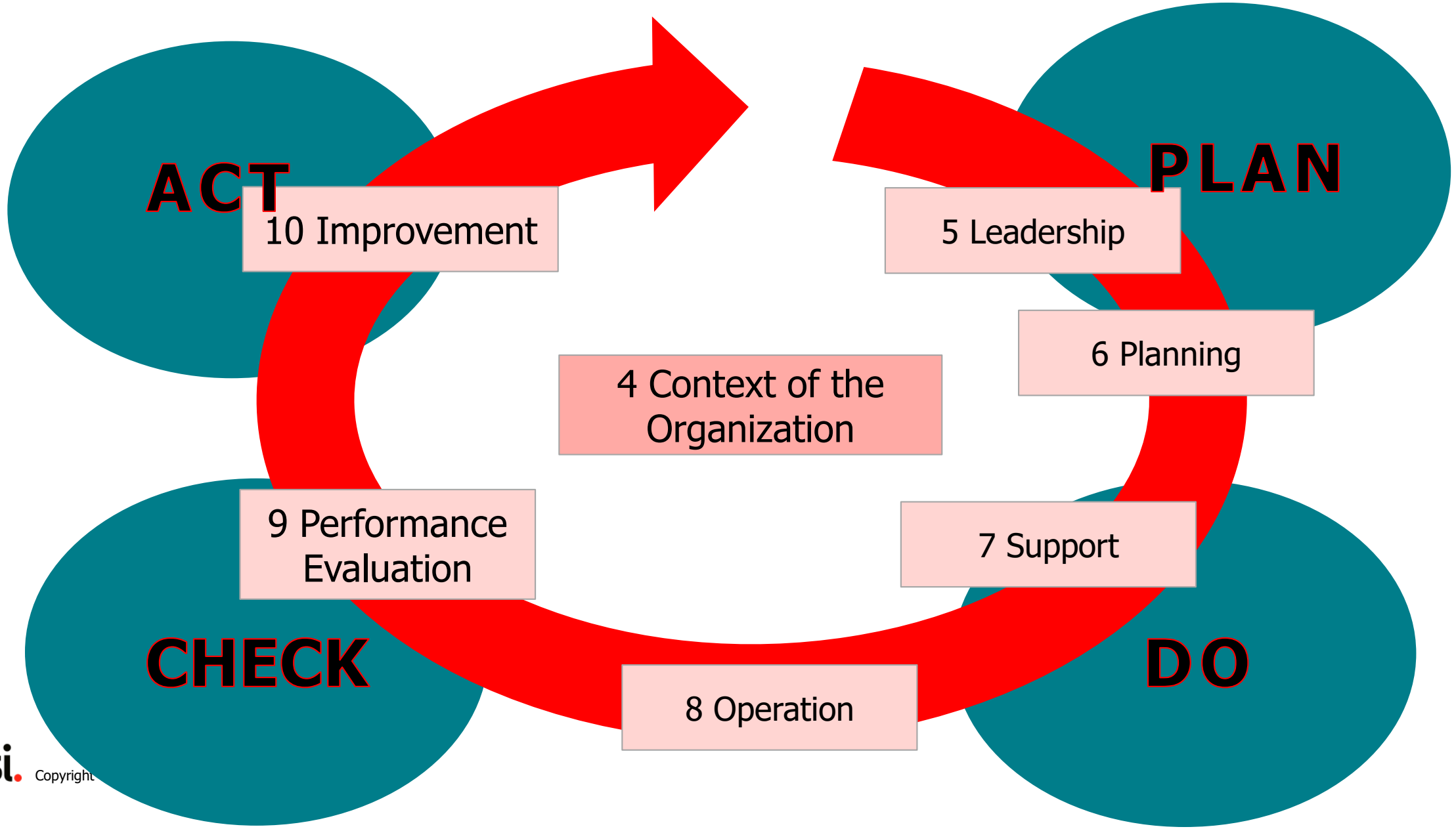
Identical Core Text



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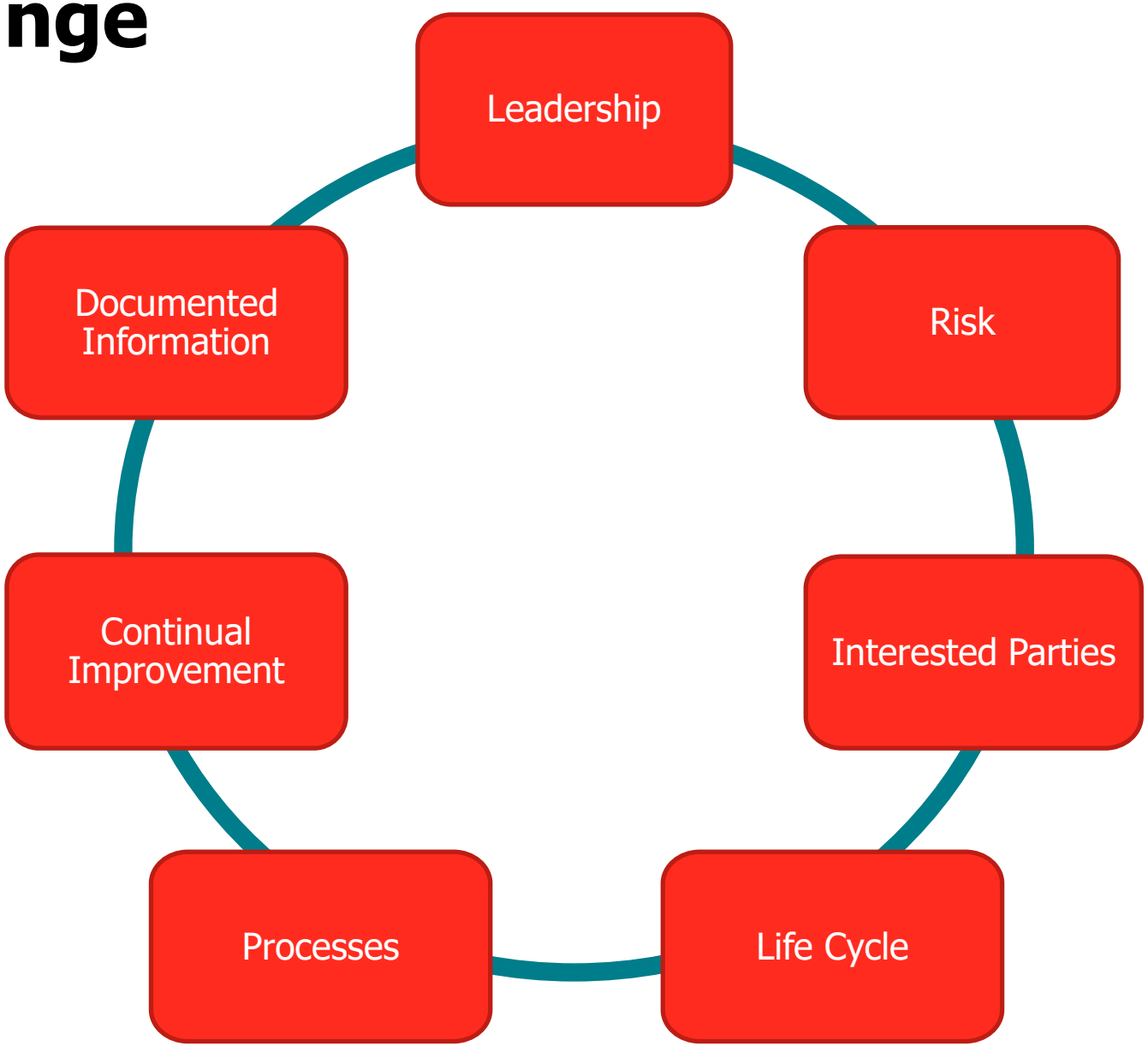
Areas of change



What’s next?

Fact find
- Attend webinars
- Download Whitepapers

Awareness
- Download internal communications pack
- Consider training needs

Implement
- Implementation toolkit
- Gap Assessment

Support
- Contact BSI

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some final thoughts…

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The average cruise liner emits the equivalent of 1 millions cars worth of CO2 per day of travel…

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The A380 passenger jet emits the equivalent of 2500 cars worth of CO2 per 8 hours of travel…

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...making excellence a habit.™

Farnborough Airport Sustainability

ISO 14001:

Transitioning to the 2015 standard

TAG Farnborough Airport Case Study

TAG Farnborough Airport's (TFA) Journey

Key Change Themes

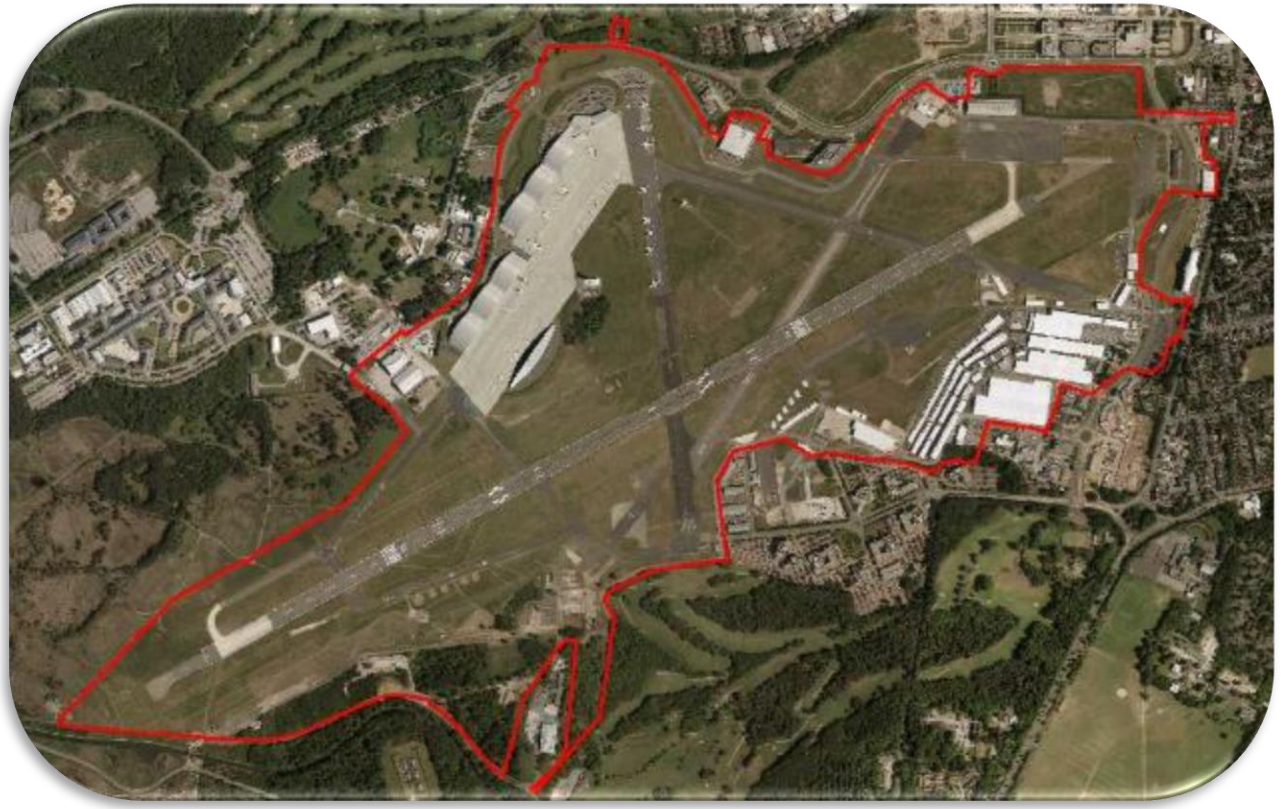
- Spotlight on **leadership**
- **Strategic planning** must include environment
- **Communications** strategy needed
- **Prevent** environmental **harm**
- **Improve** environmental **performance**
- **Lifecycle** thinking
- **Procurement** emphasis

Spotlight on Senior Management

Spotlight on Senior Management

- Environmental Policy
- Objectives, aligned with strategy
- Budget provision
- Job descriptions
- Board meetings & follow-up briefings
- Management Reviews
- Health Safety & Environment meetings

Understand Your Organisation's Context



Determine Internal and External Issues that could affect EMS outcomes

INTERNAL	EXTERNAL
Five year business plan	UK aviation policy
Resource availability	Regulatory framework
Aesthetics	Technological development

Don’t forget environmental conditions!

- Local Noise
- Local Air Quality
- Climate change causing:
  - Damage to infrastructure
  - Disruption to movements
  - Disruption to supply chain

Identify Interested Parties
- what are their needs and expectations?

INTERESTED PARTY	NEEDS / EXPECTATIONS
Staff	Healthy working environment, relevant resources and guidance …
Planning authority	Comply with planning agreement and law, responsible operation and transparency …
Local residents	Responsible business operation, noise management, community investment …

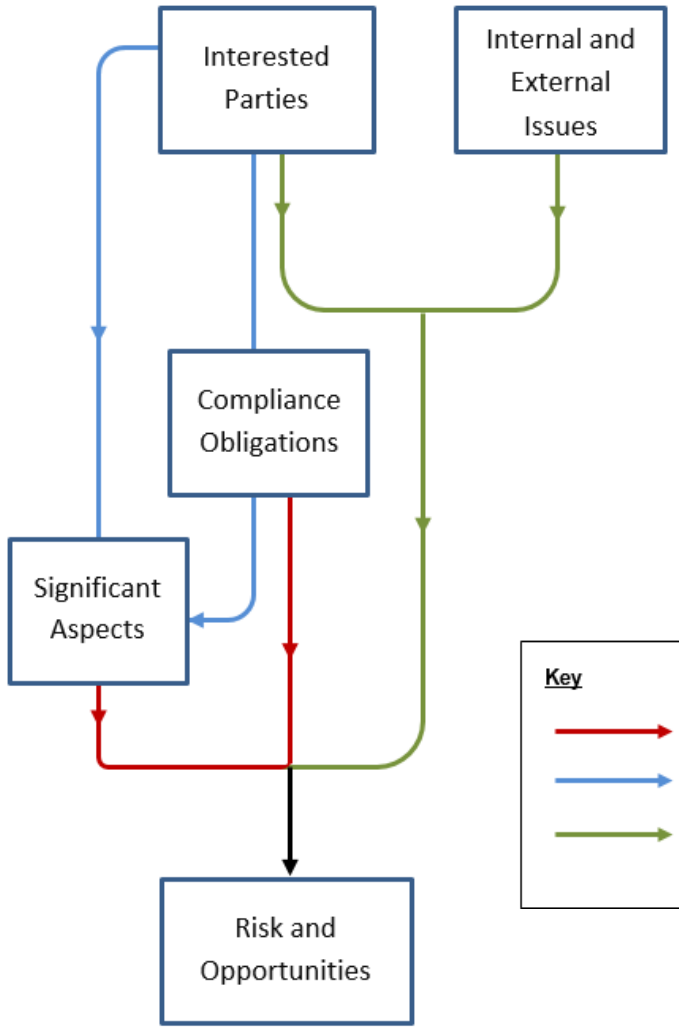
TAG Farnborough Airport EMS Scope:

All activities undertaken at TFA associated with services to aircraft and customers, management of infrastructure and third party operations on site.

It encompasses aircraft movement on the ground, during initial climb and final approach.

Risks and Opportunities

- Significant aspects
- Compliance obligations
- Internal and external Issues
- Interested parties: needs and expectations


Interested Parties
Internal and External Issues
Compliance Obligations
Significant Aspects
Risk and Opportunities
Key
taken into account
actively informing
considered

TFA Risks and Opportunities Overview

Unacceptable Noise

Unquantified water usage

Unlawful waste management

Increasing carbon emissions

Climate change weather extremes

Future environmental tax and legislation

Airspace constraints due to traffic growth

Risk / Opp	Main Consequence	Risk / Opportunity Driver
Unacceptable noise	Nuisance order	Interested parties, Environmental Conditions
	Planning authority sanctions	Compliance obligations, Environmental Conditions
	Loss of reputation	External issues, Environmental Conditions
	Restriction of movements	Internal issues, Environmental Conditions
	Financial penalties	Compliance obligations, Environmental Conditions
	Drives technological improvement	External issues
	Create community engagement platform	External issues
	Improved environmental performance	Internal issues, interested parties

Farnborough Airport Sustainability

Thank you. Any questions?