

enhesa flash

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No. 25 August 2005

Brussels • Washington • Florence

addressing developments throughout May and June 2005

Public Facility Performance Assessment:

The Danish Smiley System

Besides briefing you on recent Enhesa projects and Enhesa services on a regular basis, the Enhesa Flash is aimed at alerting you to new EHS Regulatory developments of interest to industry as they occur in over 60 countries around the globe.

If you are not aware of what these new developments require from you and how they impact you, please contact Enhesa for additional support. Email us at enhesa@enhesa.com.

How are your facilities rated?



- An increasing number of countries are introducing systems to publicly rate the performance of facilities in terms of environment, health and safety performance. The latest example has been introduced in Denmark and involves an inspection of the facility followed by an allocation of a simple color-coded score. It intends to increase awareness of all stakeholders involved as to the performance of a given facility. Facilities with an OHSAS certified management system automatically benefit from a green smiley. Similar systems exist for either environment or health & safety at work in Korea, Indonesia and Hong Kong. Other countries only introduce voluntary systems to promote companies with good performance, such as the Czech Safe Enterprise program.

workers at the workplace. Under the Danish system, facilities are awarded a smiley, coloured either green, yellow or red. The color reflects the quality of the working conditions at the workplace with green representing satisfactory, yellow representing fair and red unsatisfactory.

- The allocation of a smiley is the outcome of a facility screening by the Danish Working Environment Authority. By mid-2005, there are 479 facilities with green smileys (including Hydro Aluminium Tønder A/S and Vita Polymers Denmark A/S) and 1099 with the yellow one (including A/S Dansk Shell, Statoil A/S and several airline companies such as Pakistan International Airlines or Turkish Air). Facilities that have received a red smiley (including Rentokil Initial A/S or Maskinfabrikken Elektra) number 110 in total. The Danish Working Environment Authority will screen the working environment of all the 200.000 facilities in Denmark. It is estimated that the screening will be concluded in seven years. From then on, all facilities will be

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The Danish Smiley System

- Improving the working environment is of high priority in Denmark and in December 2004 a smiley system was introduced. It aims to further motivate facilities to improve conditions for

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ENHESA launches new WEEE/RoHS service to respond to customer demand

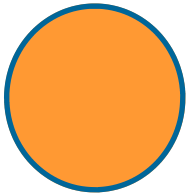


- With the entry into force of extended producer responsibility pursuant to the EU WEEE Directive on 13 August 2005, we have received numerous requests for help from companies needing to identify and comply with the various requirements applicable to electrical and electronic equipment. Companies putting these products on the market are faced with a multitude of restrictions, requirements and take-back schemes, depending on the country in question, and it can be quite a maze to navigate through.

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Launch of Enhesa's brand new Audit Protocol Database scheduled for the NAEM Conference in October... see last page for details





Public Facility Performance Assessment: The Danish Smiley System

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screened every three years. The procedure is expected to result in better control of facilities with an unsatisfactory working environment.

The Advantages of a Working Environment Certificate

- A facility will obtain a green smiley if it has an acknowledged Working Environment Certificate (such as DS/OHSAS 18001). The smiley and the Working Environment Certificate can be awarded either to the company as a whole or to one or several of its production units. A facility can have its smiley status published on the website of the Danish Working Environment Authority. A green smiley and a Working Environment Certificate can attract competent workers as they send positive signals about the facility to the outside world. It can also be of importance in relation to public procurement and/or other types of contracts.
- A Working Environment Certificate can provide a way of showing relevant authorities that the working environment is in compliance with current legislation. If a facility obtains a Working Environment Certificate, it automatically gets exempted from some of the control measures of the Danish Working Environment Authority. For example, the obligation to establish a health care service will not apply and the facility will avoid the tri-annual screening of its working environment. However, the facility must be in compliance with all the regulations and a specific certification body must verify that this is the case.

When Problems Arise at the Workplace

- As a safe working environment for the workers is of high priority in Denmark, there are several Acts and Statutory Orders that regulate it. Due to bad management, facilities might not be in compliance with all the requirements. In fact, 1099 facilities have received a yellow smiley, which indicates that many facilities still have health & safety problems at the workplace.
- If the facility or one of its production units is not in compliance with the relevant provisions has received a time-limited enforcement notice (påbud med frist), the smiley can change color from green to yellow. The same will happen if the facility has been given an enforcement notice from the Danish Working Environment Authority stipulating that the

facility must use an external consultancy in order to solve a specific work environment related problem (problempåbud). However, it might be of relief for facilities of a certain size to know that the yellow smiley is only awarded to the production unit that has been inspected by the authorities and in which a problem has been identified- not to the company as a whole.

- When a facility has been given the yellow smiley due to one or several time-limited enforcement notices (påbud med frist), the way back to the coveted green smiley is not too long. As soon as the Danish Working Environment Authority receives a certification, signed by a safety organization or a representative of the employees, stating that the working environment related problems have been solved, the green smiley will be restored to the facility. On the other hand, when the yellow smiley has been assigned to a facility due to a more serious problem at the workplace, it is required that an authorized working environment consultant signs the certification. Another way of turning a yellow smiley to a green one is to get certified to one of the well-recognized working environment certificates such as DS/OHSAS 18001.

When the working environment is really bad...

- As of 13 July 2005, 110 facilities have been awarded the red smiley. The red smiley is given to facilities that have received an enforcement notice from the authorities instructing them or one of the production units to make use of external consultancy services for a given period of time (periodepåbud). The use of an external consultancy is required if the Danish Working Environment Authority discovers that the effort dedicated to a safe working environment is not sufficient. This may be the case if the risk assessment of the workplace is incomplete, or if the safety organization at the workplace is not in compliance with the requirements laid down in Danish legislation. In addition, before the Danish Working Environment Authority assigns the red smiley to the facility, the Authority must have noticed other work-related problems at the facility, which have led to notices from the authorities. The notices might either contain time-limited conditions to be met (påbud med frist) or require the use of external consultancy services for a given period of time (periodepåbud). A notice can also relate to a specific working environment related problem.

(Continued on page 3)

Before you buy... due diligence

How can you be sure that you not only avoid unforeseen environmental liabilities with your new acquisition, but that your new business is a sound and sustainable investment in terms of all EHS issues?

ENHESA calls on a wide variety of legal and regulatory expertise to facilitate the full range of on-site and desk studies necessary to identify potential environmental liabilities associated with acquisition, leasing and/or divestiture of properties. Contact us for more information at info@enhesa.com.



The way back to compliance and a green smiley face

- With a red smiley, the way back to the green one is longer and more troublesome. The facility will have to go through the yellow smiley before being able to reach the green one. In order to get the yellow smiley back, the facility must notify the Danish Working Environment Authority when the working environment related problems have been solved. Then, in order to turn the yellow smiley into a green one, the facility must send a notification to the authorities as soon as the external consultancy period has expired. This notification must have been signed by a safety organization or a representative for the employees and also by the authorized consultant, who can certify that the working environment related problems have been solved. Another way of getting the green smiley back is to sign up for a Working Environment Certificate. Once a facility is entitled to such a certificate, the smiley will always be bright and green.

Name and Shame – The Korean Example

- If the Danish system identifies the good and the bad, there are several countries that focus only on the bad ones. One recent example is the Korean Ministry of Labor which issued Public Announcement No.2005-175 of 13 June 2005 listing 12 facilities having experienced major accidents (i.e. an industrial accident causing 1 death or more), 4 facilities having experienced major industrial accidents, 196 facilities having frequent industrial accidents and 16 facilities not reporting industrial accidents to the Ministry of Labor. The construction industry is the main sector in

which major accidents occur. ShinHan Energy Co. Ltd, SK Ulsan Complex Co. Ltd, LG Chem Co, Ltd, and BASF Korea Co. Ltd have had major industrial accidents. Hyundai Motor Co. Ltd and Samsung Heavy Industries Co. Ltd did not report industrial accidents to the Ministry of Labor, 9 times and 8 times, respectively.

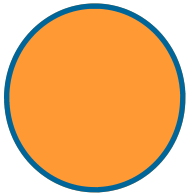
- This is just one of the many examples of public listings of companies with a poor health and safety record. It is intended to put pressure on the companies to improve their performance.

Czech Safe Enterprise

- Several countries use voluntary systems to identify the better companies. In the Czech Republic, for example, there is a voluntary program called "Safe Enterprise" for big facilities. It is purely voluntary and means that the facility implements an H&S management system. The requirements of the program are compatible with ISO 14001, ISO 9001, OHSAS 18001 and ILO-OSH 2001. Once the facility proves compliance with the requirements, it receives a certificate and is entitled to use the logo "Safe Enterprise". Compliance must be verified through inspection by the Agency for Health and Safety at Work. The certificate is valid for three years after which the process is repeated.

Louise Nielsen & Thierry Dumortier





During May and June 2005 several new environmental, health and safety Regulations were adopted that could directly impact your business. The following overview provides you with a descriptive title for the regulatory developments per country, the formal adoption date and the ID number of the monitoring record in the Enhesa Update and the Enhesa database.

Corporate Social Responsibility Reporting on the increase

The trend towards greater reporting on environmental and social performance continues to strengthen, according to a report released in June 2005 by the Social Investment Research Analysts Network (SIRAN). According to the report, **40% of companies listed on the S&P 100 Index produce annual CSR reports**, and 58% provide information on their environmental and social performance by means of their websites.

Of all of the CSR reports, approximately 62% of these are based on the Global Reporting Initiative (GRI) Standards,

Central and Eastern Europe

Poland

- Format of Forms for the Notification of Non-Safe Products - 26-Apr-2005 [9204]
- Format of reports concerning charges for the lack of collection stations of end-of-life vehicles - 08-Jun-2005 [9404]
- New annual levels of waste packaging recovery and recycling adopted - 24-May-2005 [9380]
- New charges for the extraction of minerals in 2006 - 03-Jun-2005 [9405]
- Ordinance on environmental impact assessment amended to include facilities dealing with end-of-life vehicles - 10-May-2005 [8119]
- Ordinance on Harmful Biological Agents at Work and the Protection of Workers against Risks linked to Exposure to Them adopted - 22-Apr-2005 [9205]
- Ordinance on Technical Documentation, Labelling and Standard Product Information of the Household Appliances adopted - 20-May-2005 [9390]
- Ordinance on the Evaluation and Measurement of Agents Harmful to Human Health in Work Environment adopted - 20-Apr-2005 [9200]
- Statute on collective water supply and sewerage systems and some other statutes amended - 22-Apr-2005 [9206]

Hungary

- Amendment of the National Fire Protection Regulation - 28-May-2005 [9096]
- Decree on treatment of batteries, accumulators and waste thereof - 23-Jun-2005 [4497]
- Decree on treatment of waste of human medicine and packaging - 10-Jun-2005 [9369]
- Decree on vibration exposition of employees - 24-Jun-2005 [9370]
- Emissions trading tax relief enters into force - 02-May-2005 [9024]
- Government Decree on the protection of underground waters amended - 23-Jun-2005 [7686]

Czech Republic

- Act on labor inspection approved - 03-May-2005 [7380]
- Act on promotion of electricity from renewable energy sources adopted - 31-Mar-2005 [7375]
- Decree amending requirements to ensure the safety at work and safety of technical devices - 11-May-2005 [9063]
- Decree on labels informing about fuel consumption and CO2 emissions of cars adopted - 07-Jun-2005 [9306]
- RID 2005 applicable in Czech Republic - 31-Mar-2005 [9328]

Russia

- 2 New Forms of Documents Necessary for the Investigation of Occupational Accidents Approved - 15-Apr-2005 [9022]
- A list of officials from the Federal Consumer Protection and Human Welfare Service, authorised to issue administrative offences charges, was approved - 01-Jun-2005 [9419]
- Administrative offences code amended in relation to offences connected to performance of licensable types of activity - 08-Jun-2005 [9429]
- Competencies in Relation to the Provision of Biological and Chemical Safety have been Divided Between Several Federal Executive Bodies - 16-May-2005 [9033]
- Decree on the Federal Fire Fighting Service adopted - 20-Jun-2005 [9430]
- New Type of Administrative Penalty Introduced - 09-May-2005 [9028]
- Order approving a list of harmful and/or dangerous industrial factors and types of occupation has been signed. - 16-Aug-2004 [8220]
- Regulation on the State Control over Geological Research, Rational Use and Protection of Subsoil adopted - 12-May-2005 [9036]
- Rules for the partial financing of preventive health and safety measures from the Social Insurance Fund adopted - 07-Jul-2005 [9393]
- The law on licensing amended - 08-Jun-2005 [9427]

Africa and the Middle East

South Africa

- Air Quality Act 2004 expected to enter into force on 1 September 2005 - 24-Feb-2005 [8570]

Egypt

- Environment, Health and Safety (EHS) standards issued - 18-May-2005 [9115]

Enhesa's WEEE/RoHS Service



Do you know

- ◆ that many of the Member States are late in transposition?
- ◆ that some of the Member States apply the take-back obligations to products outside the scope of the WEEE-Directive?
- ◆ whether your products are covered by a RoHS exemption?
- ◆ what you have to do in each of the European Member States to ensure you are in compliance?
- ◆ the most cost effective solution?

The ENHESA WEEE/RoHS service

- To help our clients understand what is expected of them, we have launched a new service to help you address each of these questions and more.
- The service offers an overview of implementation progress with regard to requirements for EEE in all of the EU member states as well as Norway and Switzerland. It contains information on relevant national legislation on EEE and RoHS, the timetable for implementation, national exemptions and the contact details of national registration bodies. There is also information on national EEE compliance schemes, waste management companies and costs associated with EEE recycling and other recovery.

Systems in different Member States

- Reporting obligations haven't kicked in in **Sweden** yet because the form to be used to register products has not yet been finalised. However, affected companies still have to keep all information ready to be reported retroactively to the Swedish Environment Protection Agency once the system is implemented (which is expected to happen sometime in the beginning of 2006). To keep track of it all companies will be able to register with El-Kretsen (pending current negotiations to finalise an agreement between the Agency

and El-Kretsen) who will collect the data on behalf of the producer and take care of the retroactive reporting once it has to be done. (El-Kretsen is a service company created by the Electrical and Electronic Trade Associations in Sweden to fulfill the practical side of the producer responsibility for WEEE.) Thereafter, companies will have to report directly to the Agency, and El-Kretsen will continue taking care of other waste-management tasks such as collecting and recycling/processing WEEE.

- Going beyond the original scope of the WEEE Directive, **Norway** has included certain wires and cables to be covered by producer responsibility for EEE. Specifically this covers wires and cables (classified into group 1504) listed in Norwegian Standard 9431.
- In **Germany**, as of 24 November 2005, producers of WEEE have to be registered with a central clearing house before putting EEE on the market. Registrations have to be done through the web interface of the clearing house. In order to be ready for that date, producers can carry out a non-binding test registration (www.stiftung-ear.de/hersteller/testregistrierung/) in order to make themselves familiar with the information required for the registration like for example address, brand names, products covered, weight of the products and eventually proof of a guarantee. In addition, since 25 July 2005, producers can already carry out the "real" registration (<http://www.stiftung-ear.de/hersteller/kostenpflichtigevorabregistrierung/>) in advance for which they have to pay the required fees but which will only be effective as of 24 November 2005.

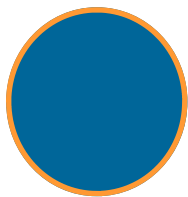
Conclusion

- For more information about Enhesa's WEEE/RoHS service feel free to either drop us an email (monitor@enhesa.com) or give us a call on +32 2 775 97 97 (Brussels) or +1 301 530 1392 (Washington). You can also have a look at http://www.enhesa.com/enhesa/EN/service/docs/Enhesa_EEE_Service.pdf

Mathias Emilsson and Victoria Bain

What ENHESA's WEEE/RoHS service offers you

1. An **overview of requirements** applicable to electrical and electronic equipment (the Executive Roadmap), including costs of the various take-back schemes in different countries, reporting and registration requirements, etc...
2. A **searchable database** containing reports on all related adopted and pending regulatory developments (in all EU countries plus Norway and Switzerland)
3. **Monthly email updates** of related developments
4. Personal **Helpline Support** and regular teleconferences to discuss the latest developments with Enhesa consultants
5. **Additional tools** such as lists of legislation, FAQs, compliance calendars, a best-practice forum, an internet guide to related websites, etc.



Western Europe

Austria

- Act on Protection from Environmental Noise adopted - 09-Jun-2005 [9318]
- Ordinance on air emission limits for non-road mobile machinery adopted - 20-May-2005 [7868]

Belgium

- Publication of the 2005 Transport of Dangerous Goods by Road - 01-Jan-2005 [9440]
- Royal Order related to the use of lifts modifying Royal Order of 9 March 2003 adopted - 17-Mar-2005 [9448]
- Walloon Order defining technical and safety requirements for the storage of petroleum products in mobile recipients - 19-May-2005 [9163]

Germany

- Act on Reducing Bureaucracy published - 21-Jun-2005 [8018]
- Act to introduce a strategic environmental assessment published - 25-Jun-2005 [7055]
- First amendment to Transport of dangerous goods exemption Ordinance 2002 published - 18-May-2005 [5525]
- Legislation on major accident hazards amended - 08-Jun-2005 [2816]
- Ordinance on notification of biocidal products adopted - 24-May-2005 [8430]

France

- Circular Implementing Decree 2005-82 on local committees on information and prevention of technological risks (CLIC) - 26-Apr-2005 [9379]
- Decree 2005-613 implementing Ordinance 2004-489 on strategic environmental assessment - 27-May-2005 [9087]
- Decree to restrict use of nonylphenol, nonylphenol ethoxylate and cement adopted - 26-May-2005 [9046]
- Order on exploitation of pressure equipment modifying Order of 15 March 2005 adopted - 30-Mar-2005 [9384]
- Order on labeling of cement and cement-containing preparations containing chromium VI - 26-May-2005 [9064]
- Order on professional activities involving ionizing radiation - 25-May-2005 [9084]
- Order on safety and prevention training related to asbestos - 25-Apr-2005 [9066]

Norway

- Regulations on measures to prevent major accidents in larger chemical installations - 17-Jun-2005 [3114]
- Regulations on Recovery and Treatment of Waste amended due to the transposition of the WEEE Directive - 02-May-2005 [7043]

Portugal

- Ban on marketing and use of chrysotile asbestos adopted - 23-Jun-2005 [9322]

Ireland

- Adopted the Safety, Health and Welfare at Work Act 2005 - 01-Jul-2005 [7053]
- Adopted the Waste Management (Electrical and Electronic Equipment) Regulations 2005 - 06-Jul-2005 [9188]
- Adopted the Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005 - 06-Jul-2005 [9190]
- Adopted the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 - 06-Jul-2005 [9189]

Finland

- Adopted a Decree amending the Decree on the industrial handling and storing of dangerous chemicals - 22-Jun-2005 [9327]
- Adopted a Decree amending the Decree on the licenses of drivers transporting dangerous goods - 12-May-2005 [9257]
- Adopted a Decree amending the Decree on the mandatory requirements for packaging and containers intended for dangerous goods - 19-May-2005 [9263]
- Adopted a Decree amending the Decree on the safety advisor for the transport of dangerous goods by road - 12-May-2005 [9260]
- Adopted a Decree amending the Decree on the transport of dangerous goods by air - 16-Jun-2005 [9326]
- Adopted a Decree amending the Decree on the transport of dangerous goods by rail - 21-Apr-2005 [9249]
- Adopted a Decree amending the Decree on the transport of dangerous goods by road - 13-Apr-2005 [9211]
- Adopted a Decree on the environmental assessment of plans and programmes - 19-May-2005 [9264]
- Adopted an Act on the safe handling of dangerous chemicals and explosives - 03-Jun-2005 [9209]
- Decree amends requirements for mobile forestry machinery and tractors - 19-May-2005 [9265]

Denmark

- Statutory Order on protection against exposure to vibrations adopted - 30-Jun-2005 [9378]

Sweden

- Changes in the Working Hours Act (SFS 1982:673) enters into force - 23-Mar-2005 [9006]

Western Europe



Netherlands

- Adopted Act implementing EU Framework Directive on Water - 07-Apr-2005 [9332]
- Adopted Act introducing emissions trading for Nitrogen Oxides (NOx) - 28-Apr-2005 [9157]
- Adopted Act scrapping public environmental reporting for 250 companies - 08-Jun-2005 [9337]
- Adopted Air Quality Decision 2005 - 20-Jun-2005 [9158]
Adopted Amending Decision on Emissions Trading - 31-May-2005 [9334]
- Adopted amendment to implementation Rule Decision Pressure Equipment - 13-May-2005 [9177]
- Adopted amendments and policy rules on emissions trading system - 17-May-2005 [9175]
- Adopted Amendments to Decision on Compulsory Soil Investigation - 07-Jun-2005 [9335]
- Adopted amendments to Subsidy Rule aimed at strengthening chemicals policy - 13-May-2005 [9180]
- Adopted Decision on Detergents - 25-Apr-2005 [9181]
- Allocation of hazardous waste disposal sites for disposal of radioactive waste - 09-Jun-2005 [9330]
- Amended Working Conditions Decision in relation to changes in working conditions services - 20-May-2005 [9333]
- Amended Working Conditions Rule in relation to ARBO-service changes - 15-Jun-2005 [9331]
- Decision on Nationwide Enforcement of Environmental Regulations - 14-Jun-2005 [9329]

Spain

- Amendment to Annex I to Royal Decree 1406/1989 on marketing and use restrictions of certain dangerous substances and preparations - 17-Jun-2004 [7292]
- International transport of dangerous goods by rail further regulated - 07-Apr-2004 [2399]
- Navarra: Law on Environmental Protection adopted - 22-Mar-2005 [9126]
- Occupational risk prevention and inspection laws modified - 10-Jun-2005 [6039]
- Publication of revised European Agreement on Transport of Dangerous Goods by Road (ADR 2005) - 31-Mar-2004 [2390]
- New Regulations on carbon dioxide emission allowance issued - 20-Apr-2005 [9009]
- Producers' responsibility for electrical and electronic products (WEEE) and registration of products. - 14-Apr-2005 [8881]
- Regulation EC/648/2004 on detergents to be implemented in Sweden - 30-Jun-2005 [9313]
- Regulations (SRVFS 2004:14) on transport of dangerous goods on road and on ground (ADR-

S) and ADR - 2005 - 01-Jan-2005 [9435]

- Regulations (SRVFS 2005:4) on transport of dangerous goods by road and on the ground (ADR-S) enter into force - 13-Jul-2005 [9316]
- Regulations (SRVFS 2005:5) on transport of dangerous goods by railway (RID-S) enter into force - 13-Jul-2005 [9317]

Switzerland

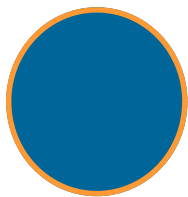
- Adoption of an Ordinance on Waste Shipment - [5545]
- Ordinance on Safety Advisers for the Transport of Dangerous Goods amended - 10-Jun-2005 [9426]
- Ordinance on the CO2 Tax adopted by the Federal Council - 22-Jun-2005 [9395]
- Ordinance on the emission reductions obtained abroad adopted by the Federal Council - 22-Jun-2005 [9396]
- Ordinance on transport of dangerous goods by road amended - 07-Jun-2005 [5528]
- Overhauled Ordinance on Constructions Works adopted - 29-Jun-2005 [9415]
- Switzerland to set up an emission trading scheme from 2008 - [9105]

Italy

- Adopted new requirements on safety and fire prevention of certain combustion installations - 28-Apr-2005 [9217]
- Proposal for Legislative Decree on minimum health and safety requirements for exposure to vibrations - 05-May-2005 [9241]
- The European Commission approved (with amendments) the Italian national CO2 emission allocation plan - 25-May-2005 [9254]

United Kingdom

- Adopted the Control of Noise at Work Regulations 2005 - 18-Jun-2005 [6846]
- Adopted The Greenhouse Gas Emissions Trading Scheme Regulations - 23-Mar-2005 [6318]
- Adopted the Regulatory Reform (Fire Safety) Order 2005 - 07-Jun-2005 [9191]
- Adopted the Waste Management Licensing (England and Wales) (Amendment and Related Provisions)(No. 3) Regulations 2005 - 23-Mar-2005 [80]
- Hazardous Waste (England and Wales) Regulations 2005 adopted - [7399]
- List of Wastes (England) Regulations 2005 adopted - 24-Mar-2005 [9414]
- National CO2 Allocation Plan (NAP) approved - 07-Jul-2004 [7139]
- The Pollution Prevention and Control (Public Participation)(England and Wales) Regulations 2005 adopted - 03-Jun-2005 [9423]



New Audit Protocols available

ENHESA has recently developed or updated comprehensive EHS audit protocols for the following countries :

- Australia—Commonwealth
- Australia—New South Wales
- Malaysia
- Pakistan
- Singapore
- Thailand
- Argentina
- Mexico
- Czech Republic
- The Netherlands
- Poland
- Spain
- The United Kingdom

To find out about purchasing any of these, or having a tailor-made audit protocol drafted for your specific operations, please contact us on +32 2 775 97 97 or email us at monitor@enhesa.com.

Our Audit Protocols can be tailored for your specific needs, so that you don't spend valuable time ploughing through audit questions that clearly aren't relevant to the facility being audited.

Audit Protocols are complemented by ScoreCards, which offer an easy-to-use tool for assessing compliance.

South America

Argentina

- Annual Action Plan on Occupational Risk Prevention approved - 22-Apr-2005 [9151]
- Contributions to the International Oil Pollution Compensation Funds further regulated - 27-Jun-2005 [9311]
- Marking requirements on certified products regulated - 29-Dec-2004 [9409]

Brazil

- Bahia: Climate Change Forum of Bahia created - 06-Jun-2005 [9455]
- CONAMA Resolution on collection and disposal of lubricating oils adopted - 18-May-2005 [9025]
- Kyoto Protocol promulgated - 12-May-2005 [7522]

Chile

- Chile publishes the Stockholm Convention on Persistent Organic Pollutants (POPs) - 19-May-2005 [3728]
- Water code amended - 16-Jun-2005 [9039]

Colombia

- Amendment to the 1999 Montreal Protocol approved - 28-Jun-2005 [9433]
- The Kyoto Protocol promulgated - 17-May-2005 [9198]
- Wastewater discharge taxes for 2005 are approved - 17-Feb-2005 [9195]

Costa Rica

- Law approving the 1997 Amendment to the Montreal Protocol in Costa Rica - 03-Jun-2005 [9428]

Ecuador

- Kyoto Protocol enters into force - 13-Jan-2000 [9437]
- Proposal for a health code - 29-Jun-2005 [9438]

Peru

- Regulation establishing National Alert Levels of air pollutants amended - 31-May-2005 [6042]

Uruguay

- Mercosur controls on the International Declaration of Transfrontier Shipments adopted - 06-Jun-2005 [9452]
- Mercosur controls on transfrontier shipment of goods adopted - 06-Jun-2005 [9449]
- Noise control and prevention measures adopted - 16-Nov-2004 [8581]

Venezuela

- Energy Cooperation Convention adopted between the governments of the Republics of Venezuela and Uruguay - 02-Mar-2005 [9424]
- Export/Import certification of wood packaging regulated - 15-Mar-2005 [9146]
- Further restrictions on electromagnetic radiation emissions adopted - 20-Apr-2005 [7945]

North America



Canada

- Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations adopted - 17-May-2005 [4355]
- Information required with respect to certain hydrofluorocarbons - 16-Apr-2005 [8943]
- National Pollutant Release Inventory 2004 reporting requirements amended - 17-Jan-2004 [6573]
- Notice to anyone engaged in the use of methyl bromide - 14-May-2005 [9130]
- Ontario: Amending Regulations concerning Asbestos on Construction Projects and Repair Operations adopted - 08-Jun-2005 [7654]
- Ontario: Emission trading regulations amended - 23-Oct-2001 [4356]
- Ontario: Regulation on emissions trading of NOx and SO2 from certain industries adopted - 04-May-2005 [9193]
- Orders amending the Domestic and Non-Domestic Substances List issued - 11-Mar-2005 [8956]
- Surface Coating Materials Regulations adopted - 19-Apr-2005 [9171]

Mexico

- Kyoto Protocol enters into force and clean development mechanisms are approved - 24-Nov-2000 [9041]
- Norm on safety conditions for maintenance of electrical installations approved - 31-May-2005 [7733]
- Official Mexican norm on sanitary requirements for systems providing water for human use - 12-Jul-2005 [6131]
- Regulation on the registry and authorization for import and export of pesticides and hazardous goods and the corresponding formats - 01-Jun-2005 [8133]

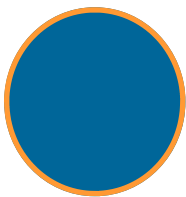
United States

- Adopted amendments to Hazardous Materials Regulations to harmonise with UN, IMDG and ICAO requirements - 14-Jun-2005 [9343]
- Adopted amendments to the Hazardous Materials Regulations reducing burden on industry - 13-Jun-2005 [9342]
- Adopted Final Rule to Add PM2.5 Precursors to the Transportation Conformity Rule - 06-May-2005 [9256]
- Adopted final rule to clarify the applicability of the Hazardous Materials Regulations to the safe and secure transportation of hazardous materials - 15-Apr-2005 [9231]
- Amendment to the New Mexico Water Quality Act - 13-May-2005 [9031]
- Consultation launched on information collection requirements for and coke oven emissions standard - 23-May-2005 [9253]
- Consultation launched on information collection requirements for automatic external defibrillators - 04-May-2005 [9252]
- Consultation launched on information collection requirements for forging machines standard - 23-May-2005 [9251]
- Consultation launched on information collection requirements for standard on slings - 26-May-2005 [9255]
- Issued four direct final amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAPs) - 10-May-2005 [9247]
- New Mexico: Amendments to New Mexico Electrical Code - 31-May-2005 [9029]
- SOUTH CAROLINA: State Air Rule Revised to Align with 2002 EPA Requirements for New Source Review - 24-Jun-2005 [9468]

Are all of your facilities in compliance with these EHS regulatory requirements? Enhesa develops ScoreCards and Audit Protocols that can be used by facility and corporate management to identify weaknesses and ensure compliance. Please contact Enhesa for further details.

- This Enhesa Flash highlights some of the regulatory EHS developments that occurred in May and June 2005. For details, you could consult the Enhesa Update which provides you with a one paragraph abstract for each development impacting industry in general and the possibility to obtain further relevant details. The Enhesa Update is available for 1000 EUR per year.
- If you want to ensure that you get all the information you need, the Enhesa regulatory monitoring service could be the perfect solution for you. This service provides you with a summary of all relevant and applicable regulatory EHS developments (policy, law, regulation, proposal, etc.) of interest to your operations and/or products and for the countries you specify.
- For each development, a tailored business impact analysis is made for your company's operations. In most cases, a link to the full text of the Regulation is provided, either on the Internet or in the Enhesa Knowledgebase of more than 16000 texts.
- The report is accompanied by a compliance calendar, a list of legislation with hyperlinks to the full text and an overview of interesting websites. These reports are delivered through a dedicated website tailored to your needs and connected to your Intranet.
- Contact us to visit our demo site.

Do you want to be fully informed on changing EHS Regulations and how they impact your business?



European Union

Find the right tools and support for your compliance needs worldwide

- Enhesa's **Regulatory Register** identifies and provides access to the relevant and applicable legislative requirements.
- The **Monitoring Reports** help you to anticipate and manage regulatory change.
- **Audit Protocols and ScoreCards** measure your performance in terms of compliance assurance.

- Airborne noise standards adopted - 01-Dec-1986 [9386]
- Amendment of the Regulation on Waste Statistics - 27-Mar-2004 [6764]
- Commission Decision establishing a questionnaire for reporting on the application of Directive 2003/87/EC adopted - 04-May-2005 [9197]
- Commission Decision prolonging the validity of the ecological criteria for the award of the community eco-label to certain products - 12-May-2005 [9112]
- Commission Directive amending plant protection products Directive - 19-Jan-2005 [6755]
- Council approved the EU strategy on mercury - 24-Jun-2005 [6827]
- Council Decision on the conclusion on behalf of the European Community, of the Aarhus Convention - 17-Feb-2005 [9199]
- Directive on end-of-life vehicles amended - 01-Apr-2005 [1812]
- Eco-label criteria for all-purpose cleaners and cleaners for sanitary facilities established - 23-Mar-2005 [9227]
- Eco-label criteria for hand dishwashing detergents established - 23-Mar-2005 [9218]
- Eco-label criteria for lubricants established - 26-Apr-2005 [9215]
- Eco-label criteria for personal computers established - 11-Apr-2005 [9221]
- Eco-label criteria for portable computers established - 11-Apr-2005 [9226]
- Import decision for chemicals adopted - 19-May-2005 [9361]
- Procedure for attesting conformity of construction products in contact with water for human consumption - 13-May-2002 [5145]
- The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) 2005 in force - 01-Jan-2005 [9302]
- WEEE information and reporting formats approved - 03-May-2005 [9089]

On a less serious note...

... and for no good reason other than to have a good time and let our hair down, the team at Enhesa Brussels had a celebratory evening out on the 7th of July this year. Below is a selection of some of the less incriminating photos. Enjoy! (*names from left to right...*)

Thierry, Alex and Fabio looking very happy with life...



Sabine with little Louis and Rakibe, Amir and Mathias in the background



José-Luis demonstrating an important skill which is often lacking in many other EHS consultancies...



Mathias and Enrique looking like they're up to mischief...



We can't remember what we were looking at that was obviously so interesting...



Sabine, Nina, Sun, Vicki and Louise

Susana and Louise managed to find a quiet corner



Asia Pacific



Australia

- Call for information on 40 chemicals for potential reconsideration of the adequacy of their control measures - 07-Jun-2005 [9314]
- Decabromodiphenyl ether, Hexabromocyclododecane, and Tetrabromobisphenol A declared Priority Existing Chemicals - 07-Jun-2005 [9323]
- Fees and charges set for new chemicals assessments and company registrations - 01-Jul-2005 [7213]
- NSW: Amendments to the Greenhouse Gas Abatement Scheme in the Electricity Supply Act - 18-May-2005 [8562]
- NSW: Asbestos claims procedure and standard presumptions for the apportionment of liability for dust diseases - 01-Jun-2005 [8846]
- NSW: Building Legislation Amendment Act for smoke alarms in buildings where people may sleep - 01-Jul-2005 [9387]
- NSW: Energy legislation amendments for water and energy savings passed - 18-May-2005 [8819]
- NSW: Occupational Health and Safety Legislation Amendment (Workplace Deaths) Act passed - 08-Jun-2005 [7784]
- NSW: Occupational Health and Safety Regulations amended for long distance truck driver safety - 10-Jun-2005 [9127]
- Ozone Protection and Synthetic Greenhouse Gas Management Amendment Regulation passed amending the refrigeration and air conditioning licencing scheme. - 25-May-2005 [6577]
- Victoria: Building (Interim) Regulations 2005 entered into force - [9421]
- Victoria: Building Amendment Act 2004 enters into force - 19-Oct-2004 [7629]
- Victoria: Dangerous Goods and Equipment (Public Safety) Acts (Amendment) Act 2005 passed - 26-Jun-2005 [9107]
- Victoria: Energy Legislation (Miscellaneous Amendments) Act 2005 passed - 21-Jun-2005 [9392]
- Victoria: Occupational Health and Safety (Entry Permits) Regulations 2005 enter into force - 21-Jun-2005 [9357]

- Victoria: Planning and Environment (General Amendment) Act 2004 entered into force - 16-Nov-2004 [7634]
- Victoria: Planning and Environment Regulations 2005 made - 17-May-2005 [9098]
- Victoria: Proof of identity forms required for licence, approval, authorisation, or certificate applicants to WorkSafe - 01-Mar-2005 [9422]
- Water Efficiency Labelling and Standards Regulations 2005 adopted - 25-May-2005 [9049]

China

- Permit required for purchase and transport of acute toxic chemicals - 21-Apr-2005 [9299]
- SHANGHAI: Energy efficiency of building becomes mandatory - 30-May-2005 [9304]

India

- Central Motor Vehicles Rules amended for dangerous goods classifications - [9305]

Japan

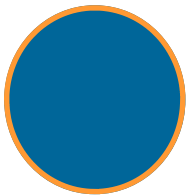
- 202 new chemical substances announced by Ministry of Health, Labor and Welfare - 25-Mar-2005 [8238]
- Control on emission of volatile organic compounds tightened - 26-May-2004 [5806]
- Details of reporting requirements on operation of VOC emission installations specified - 10-Jun-2005 [8986]
- Installations emitting volatile organic compounds defined - 27-May-2005 [8771]
- Mandatory reporting on the amount of greenhouse gas emissions required - 17-Jun-2005 [1552]
- Operations exposed to asbestos under strict control - 24-Feb-2005 [9014]

Korea, South

- Greenhouse gases defined in the Air Quality Preservation Act - 31-Mar-2005 [4570]
- List of construction materials emitting indoor air pollutants released - 06-May-2005 [8301]
- SEOUL: Content and labeling specification for paint containing VOC detailed - 25-Apr-2005 [8983]

(Continued on page 13)

For more details on any of these developments, you can subscribe to the Enhesa Update (1000 EUR/year) or register to receive detailed monitoring reports. On a daily basis Enhesa tracks EHS regulatory developments in over 60 countries. For further information visit <http://www.enhesa.com/enhesa/EN/service/monitoring.asp>



Business news - Focus on Asia Pacific

South Korea... Strengthening its position in the Asian market, on 28 July 2005 ENHESA gave a presentation on **International Environmental Regulations: Threat? or Opportunity?** for Chinese, Japanese and Korean CEOs at the **19th Jeju CEO Forum**, Jeju Island, Korea, which was organized by the International Management Institute of the Federation of Korean Industries. The presence of Mr. Shin-Ho Kang (President of the Federation of Korean Industries) in the Environment Session reflected Korean and Asian CEOs' interests in the rising level of international environmental regulations.

Japan... To better serve existing and local clients in Japan as well as Japanese clients in Europe, on 25 July 2005 ENHESA concluded a collaboration agreement with **NTT Data Management Institute Inc.**, the consulting arm of NTT DoCoMo, in Japan. On 26 July 2005 NTT Data Management Inc. and ENHESA convened an open seminar on **Global CSR and Compliance Management** for major Japanese companies, in Tokyo, Japan. Through Ecology Express (<http://www.ecologyexpress.com>), NTT Data Management Institute provides professional information service for around 400 Japanese companies. The marriage of Ecology Express and ENHESA's Global Knowledgebase will bring incomparable benefits to multinational and global Japanese companies for their local and global operation.

South Korea... To understand and meet Korean clients' concerns and needs ENHESA, together with Eco-Frontier, attended extensive meetings with the Korea Automobile Manufacturers Association, Hyundai Motors, KIA Motors, SsangYoung Motors, GM-DaeWoo Motors, Renault-Samsung Motors, LG Electronics, Korea Environment Institute, Korea Environmental Labelling Association, Korea Chemical Management Association, Business Institute for Sustainable Development of Korean Chamber of Commerce and KunKook University. ENHESA appreciates all business managers who delayed or cancelled their summer holiday for the meeting and we would like to extend our special thanks to Eco-Frontier (<http://www.ecofrontier.co.kr>) for their co-operation and for making all of the necessary arrangements.



Thierry Dumortier (*Enhesa Director*) and DaeYoung Park (*Enhesa's Asia Pacific Regulatory Specialist*) address participants from Japanese industry at a seminar on **Global CSR and Compliance Management**.

Asia Pacific

(Continued from page 11)

Malaysia

- Adopted Factories and Machinery (Steam Boiler and Unfired Pressure Vessel) (Amendment) Regulations 2005 - 11-May-2005 [9350]
- Regulation on accident reporting adopted - 22-Apr-2004 [1780]

Taiwan

- Noise Control Standards amended - 31-Jan-2005 [8789]
- Over 5,000 facilities required to report handling of waste on-line - 01-Apr-2005 [9073]
- Procedures to obtain waste import and export permit streamlined - 05-Jan-2005 [8790]
- Waste entering incinerators sorted from January 2005 - 05-Jan-2005 [9077]

Philippines

- DENR Accredits Nine Environmental Laboratories - 09-Jun-2005 [9351]

Singapore

- Acetyl chloride no longer regulated under the Poisons Act but under the Petroleum and Flammable Materials Regulations - 12-May-2005 [9133]
- Radiation Protection (Non-Ionising Radiation) (Amendment) Regulations 2005 relaxes restrictions on industrial irradiating equipment - 30-Jun-2005 [9399]
- Singapore ratifies the Stockholm Convention and accedes to the Rotterdam Convention - 24-May-2005 [9139]
- Ultra low sulphur diesel to become mandatory on 1 December 2005 - 16-Jun-2005 [9401]

New Zealand

- Legislative changes enable tax incentives for environmentally responsible businesses - 15-Jun-2005 [8456]

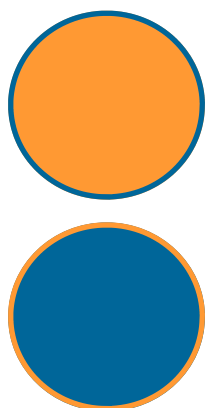


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New feature in the Enhesa's EHS Regulatory Monitoring Service

In order to ensure proper follow-up on the latest EHS regulatory developments, the ENHESA IT team has developed the option to allow corporate managers to identify in the ENHESA regulatory monitoring reports who in the company has to take the lead on each of the issues reported and for the concerned departments/facilities to add in each of the regulatory monitoring reports references to related internal operating procedures, follow-up action items, and detailed business impact assessments. This seamless integration between monthly regulatory news and analysis on the one hand, and the business appropriation of the latest regulatory developments on the other hand, will further strengthen the companies in their EHS compliance assurance programs. The ENHESA regulatory monitoring service was expanded in September to cover 70 countries across the globe. This results in the screening of more than 6000 regulatory and policy developments per year, of which more than 2000 are determined to have a potential business impact on industry per year. Each of these 2000 developments is further analysed and summarized in a regulatory monitoring report, with a client-specific business impact analysis. The unique service is now used by more than 1250 EHS managers worldwide. If you are interested in this new feature or would like further information about the monitoring service, please contact monitor@enhesa.com

Upcoming Events and Presentations:



Pollutec 2005

Enhesa will be exhibiting at the 21st Pollutec international exhibition on environmental equipment, technologies and risks from 29 November to 2 December in Paris, France.

Enhesa is organising two conferences at Pollutec, one industrial operating permitting worldwide and on how to ensure efficient global EHS monitoring of your operations and products. More information is available at www.pollutec.com



Auditing Roundtable - Fall Meeting and Technology Exhibition - *The Role of Auditing in Health, Safety & Environmental Performance*



Enhesa will be exhibiting at the Fall Meeting and Technology Exhibition of the Auditing Roundtable in Arlington, VA, USA between the 6th and 9th of September 2005. The event will take place at the The Ritz Carlton Hotel in Pentagon City, Arlington, VA

For more information visit the conference website [here](#) or go directly to the Auditing Roundtable homepage at <http://www.auditing-roundtable.org/>

NAEM - 2005 13th Annual EHS Management Forum - 2005 13th Annual EHS Management Forum including half-day ENHESA-GE-NAEM Audit Protocol Session



Join Enhesa at the National Association of Environmental Managers' (NAEM) 13th Annual EHS Management Forum – October 19th -21st in Phoenix, AZ.

Enhesa will be introducing our new database-driven international EHS compliance audit protocols. Our database version allows users to:

- Tailor applicable audit questions for individual audits or facilities via self-screening to identify applicable regulatory requirements
- Analyze the root-cause of deficiencies
- Assess the magnitude of risks associated with deficiencies
- Determine costs of corrective actions
- Create a comparable risk map of facilities.

Come by our booth in the Exhibit Hall and visit for a demonstration or just to say hello.

For more information please contact Enhesa at 301-530-1392 or gv@enhesa.com. More information about Enhesa and its services can be found at www.enhesa.com. More information about the NAEM forum is available on the NAEM website www.naem.org.

ENHESA services include:

- **Enhesa Flash:** 10-14 pages with titles of new regs - free - now every two months
- **Enhesa Update:** 50-100 pages with titles and abstracts of new and proposed regs - 1000 EUR/year - every month.
- **Enhesa Monitoring Reports:** tailored to your unique business needs, with detailed analyses of how new and proposed regulations will affect your specific operations in whichever country you operate in. Every month you will receive a tailored analysis of each development and a breakdown of what you will need to do to stay in compliance. Pricing starts around EUR 2,500 per country per year.
- **Country Profiles, Audit Protocols, Scorecards, Regulatory Registers, Training Manuals, etc.**

Go to http://www.enhesa.com/EN_version/services.htm for samples or contact us to try our demo site.

The **Enhesa Flash** is distributed free of charge. For subscriptions, please go to <http://www.enhesa.com/enhesa/EN/service/flash.asp>

Global EHS Compliance Assurance Support to Industry

Enhesa is an environmental, health and safety policy and strategy consultancy. Enhesa is based in Brussels, with regional managers in Washington and Florence, and a network of consultants covering almost any corner of the globe. Our mission is to inform and advise our clients on how to deal with rapidly evolving regulatory and policy developments in the fields of environmental protection and occupational health and safety (EH&S). <http://www.enhesa.com>

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