

enhesa flash

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No. 23 April 2005

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addressing developments
throughout January and
February 2005

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.

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The revised ISO 14001: Focus on Compliance

- Some of the main amendments that appeared with the release of the 2004 edition of ISO 14001 are the emphasis on compliance assurance and the identification of those legal requirements that are applicable and relevant to a company's operations. Notably, the insertion of a new section 4.5.2 in the latest ISO 14001 revision gives particular emphasis to the evaluation of legal compliance.
- ISO 14001:2004 was published on 15 November 2004, only the second edition of ISO 14001 to be published since ISO 14001:1996 was first published on 1 September 1996.
- ISO 14001:2004 is applicable to any organisation that wishes to establish, implement, maintain and improve an environmental management system (EMS), to assure itself of conformity with its stated environmental policy, and to demonstrate conformity with ISO 14001:2004. It is seen as conferring a significant competitive advantage in today's environmentally-aware marketplace, as well as easing regulator-facility relations and ensuring smooth business operations free from the interruptions that can arise as a result of non-compliance with legal requirements.

Popularity of ISO 14001 and EMAS

- Recent years have seen a significant increase in the popularity of ISO 14001, with over 66,000 certificates having been issued at the end of 2003. The 11th ISO Survey reported an increase in the number of certifications of 34% from 2002 to 2003, with a coverage of over 110 countries. In October 2004 this figure stood at over 74,000 certifications in more than 130 countries. This is in stark contrast to the European EMAS (the Eco-Management and Auditing Scheme), which published totals of 3109 registered sites on 15 March 2005. The popularity of EMAS reached a peak of just under 4000 registrations at the end of 2001, after which the number of registrations has steadily declined.

Requirement to identify applicable legal requirements

- Requirement 4.5.2 to identify and have access to legal requirements has been augmented in the 2004 revision by the requirement that the company determine how these requirements apply to its environmental aspects. Relevance is therefore the keyword here, it is not sufficient to have access to an exhaustive database containing all environmental legislation in a given country if there is no means of identifying its relevance to the company's activities or products or services. Focus has moved on from simply having to identify/determine aspects that a company can control to include all aspects that it can influence.
- Once identified, the legal requirements must be taken into account when establishing, implementing and maintaining its EMS.

ISO 14001:2004's new section 4.5.2. focuses on the evaluation of compliance, requiring that companies establish, implement and maintain a procedure to periodically evaluate compliance with applicable legal requirements.

Addressing the ISO 14001 requirements

- The Enhesa Regulatory Register can be used as a tool to fulfil the ISO 14001 requirement 4.3.2 by identifying and providing access to legal requirements, but it also

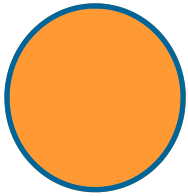
keeps up with the renewed emphasis on determining the applicability of these requirements on a company's activities, products and services.

- Enhesa's Regulatory Register is a tool designed to give any facility or operational unit direct access to the legislation that affects them, as well as an overview of what it is they are required to do to comply with it. It was specifically designed to ensure conformity with the requirements of both ISO 14001 and OHSAS 18001, and can be used as a key component of the ISO 14001 and OHSAS 18001 requirement (§4.3.2) to establish and maintain a procedure to identify and have access to the applicable legal and other requirements that are applicable to the environmental aspects of its activities, products or services. To this end it provides an up-to-date registry of the applicable EHS laws and regulations of the countries and regions in which the company operates.

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Read more about Enhesa's new Chemical Regulatory Tracking Service on page 10





Enhesa presents to Korean business delegation

On 8 March 2005 Enhesa presented a brainstorming seminar on the European environmental regulations and their impact on Korean industries. Attendees included representatives from the Ministry of Environment of Korea, the Federation of Korean Industry (including Hyundai, KIA, LG Electronics, Dongli Shimadzu), the Korea Environmental Labeling Association, and the Korea Environment Institute held at the Korea Mission to the European Union.

We would like to thank all participants for their enthusiastic involvement which contributed to a very successful seminar.

Enforcement of scaffold safety in Singapore

On 13 January 2005 a scaffold contractor was convicted and fined SG\$ 12,000 for failing to implement safe work procedures for the erection of a work platform at height. The Factories Act and its subsidiary legislation requires that hazards be identified and safe work procedures be implemented before carrying out work at height, including the erection of scaffolds. There had also been an incident on 12 October 2003 in which a metal decking of the work platform was not secured and the scaffold erector was killed after falling from the platform 30 meters above the ground.

During January and February 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.

Asia Pacific

Australia

- NSW: Revised Load Calculation Protocol for assessable pollutants - 25-Feb-2005 [8552]
- NSW: Occupational Health and Safety Amendment (Self-Erecting Tower Cranes) Regulation 2005 - [8553]
- Water Efficiency Labelling and Standards Act 2005 passed - 18-Feb-2005 [7388]

China

- Supervision on operators handling special equipment tightened - 10-Jan-2005 [8197]
- SHANGHAI: Safe Production Regulation adopted - 06-Jan-2005 [7090]
- SHANGHAI: Strict time control for handling of water pollution applied - 30-Sep-2004 [8231]
- Local environmental and emission standards to be managed systematically - 11-Nov-2004 [7849]
- Renewable Energy Law adopted - 28-Feb-2005 [8185]
- Rules on safety training and training institutes specified - 28-Dec-2004 [8182]
- Strict safety control over installations producing or storing hazardous chemicals applied - 14-Dec-2004 [8052]

Hong Kong

- Code of Practice for Inspection, Testing and Maintenance of Fire Installations and Equipment updated - 25-Feb-2005 [6593]
- Air Pollution Control (Petrol Filling Stations) (Vapor Recovery) (Amendment) Regulation 2004 issued - 18-Dec-2004 [8327]

Indonesia

- Kyoto Protocol ratified - 19-Oct-2004 [7140]

Japan

- 16th CDM project approved - 23-Feb-2005 [8420]
- 2004 Awards for Achievement in Promoting Reducing, Reusing, Recycling Activities - 19-Oct-2004 [7698]
- 2004 Awards for Resource-Recycling Technologies and Systems - 14-Oct-2004 [8426]

Taiwan

- Operations handling chromic acid and cadmium classified as specific hazardous operations - 18-Feb-2005 [8437]

Korea, South

- 2005 obligatory recycling rate for products and packages released - 24-Dec-2004 [8003]
- Strict safety management for prevention of industrial accident required - 28-Dec-2004 [8004]
- Printers, copy machines, and facsimile machines to be subject to mandatory recycling requirement - 30-Nov-2004 [5626]
- Toxic Chemicals Control Act amended - 31-Dec-2004 [7361]
- Enforcement Ordinance of Offensive Odor Control Act adopted - 07-Feb-2005 [8303]
- Updated list of institutions for indoor air quality assessment released - 29-Jan-2005 [7771]
- Enforcement Regulation of the Offensive Odor Control Act adopted - 07-Feb-2005 [4715]

New Zealand

- Injury Prevention, Rehabilitation, and Compensation (Employer Levy) Regulations 2005 passed - 21-Feb-2005 [8522]

Philippines

- Adopted Special Order creating Task Force on Environmental Protection - 06-Jan-2005 [8335]
- Update of Chemicals List by DENR-EMB - 23-Feb-2005 [8525]

Singapore

- Fire Safety (Petroleum and Flammable Materials) Regulations 2005 adopted - 16-Feb-2005 [8447]
- Nine hazardous substances removed from being regulated under the Environmental Pollution Control Act and additional substances included - 16-Feb-2005 [8467]
- Maritime and Port Authority of Singapore adopts Dangerous Goods, Petroleum and Explosives Regulations, 2005 - 31-Jan-2005 [8360]
- Factories (Registration and Other Services - Fees and Forms) Amendment) Regulations, 2004 adopted - 13-Dec-2004 [8343]

Thailand

- New Government puts emphasis on environmental protection - 29-Jan-2005 [8526]

New requirements of ISO 14001:2004



(Continued from page 1)

- The Enhesa Monitoring Service not only keeps track of changing legislation, but by filtering and tailoring the reports to a company's particular activities this also conforms to the renewed emphasis on applicability rather than an exhaustive, encyclopaedic approach. By providing a tailored business impact with each monitoring report, the Enhesa Monitoring Service ensures that companies are fully aware not only of the latest EHS developments but also their relevance to the company's specific activities, products or services. It can be summed as telling you everything you need to know. Nothing more, and nothing less.
- The Monitoring Reports not only summarise the latest developments but also provide links to the text of the legislation and if need be, copies of all regulatory documents referred to in the Monitoring Reports can be provided to clients. The Service can also be made facility/division-specific. As opposed to other services, the Monitoring Service provides you with the opportunity to talk to Enhesa consultants to clarify any of the issues reported and how to respond to them.

New requirement for the evaluation of compliance

- A completely new section has been added to ISO 14001, focusing purely on the evaluation of compliance. The new section 4.5.2. requires that companies establish, implement and maintain a procedure to periodically evaluate compliance with applicable legal requirements. The results of these evaluations have to be kept on record.
- The assessment of legal compliance and the assessment of compliance with other applicable requirements (such as those arising from the internal EMS or company policy) can either be evaluated together or can be done separately, under separate procedures, but either way records must be kept and the evaluations must take place on a regular basis.
- The result of this is that an evaluation of compliance against all legal and other

requirements is a prerequisite to becoming ISO certified. No longer will it be sufficient for a company to claim ISO conformity based on the assumption of future internal EMS audits, now assessment must take place beforehand.

- Enhesa Audit Protocols and ScoreCards can be used to periodically evaluate compliance with applicable legal requirements, as required by the second edition of ISO 14001.
- Enhesa provides both generic Audit Protocols as well as Audit Protocols specifically tailored and adapted to clients' operations and/or internal EHS compliance and management programmes. While most companies find an "off-the-shelf" Audit Protocol to be the most cost-effective, we are aware that for some, one size does not fit all. So we frequently tailor and adapt our Audit Protocols to the specific needs and activities of each site. This is a key feature when looking at the importance placed on relevance and the identification of only applicable requirements by ISO 14001.
- Our Protocols offer the assurance that the assessment will cover all applicable regulatory requirements in force at the time of the audit, as well as providing the means to compare compliance over time. In addition, our unique compliance assurance metrics allow you to assess system maturity to ensure ongoing compliance. This also provides the means to compare performance of multiple divisions and facilities, as well as assess improvements over time.
- Enhesa has become the global leader in the provision of global Compliance Audit Tools and Systems. With Audit protocols and ScoreCards available for more than fifty countries and the capability to develop new countries on request, we're uniquely placed to help you assess compliance.

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Between the 27th and 30th of July 2005 Enhesa will be attending the **Federation of Korean Industry's 2005 Summer Forum**. On the 29th of July Enhesa director Thierry Dumortier will be presenting on the subject of **Enacting Multilateral Environmental Agreements (MEAs) and the Shifting Paradigm of International Trade: How can industries meet the environmental standards enforced by MEAs?**

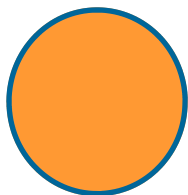
The Forum itself will be focusing on the growth of the northeast Asian economy and business opportunities in and out of the region.

More information on the forum can be found at <http://www.imi.or.kr/webmail/jejuforum/jejuforum.html>.

Compliance enforcement in South Korea

- On 9 February 2005 a list of facilities found in breach of the Air Quality Preservation Act and/or Water Quality Preservation Act was released by the Ministry of Environment in South Korea. Amongst others, 1,675 out of 33,399 facilities violated the applicable environmental regulations. 177 facilities were subject to an order of closure, 213 facilities to an order of suspension, 218 facilities to an order of operation, and 455 facilities to an order of improvement. Around 630 facilities having serious breach of environmental regulations (e.g. operation without an appropriate permit) were prosecuted.





Central and Eastern Europe

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.

Poland

- Statute on emissions trading adopted - 22-Dec-2005 [8362]
- Two Ordinances concerning Reports on Packaging adopted - 31-Dec-2004 [8379]
- Two Ordinances on the inspection of quantities of packaged goods and measured bottles adopted - 11-Feb-2005 [8585]
- Ordinance on Charges for the Use of Environment adopted - 14-Dec-2004 [8367]
- Statute prohibiting the use of products containing asbestos amended - 22-Dec-2004 [7976]
- Two Ordinances on charges for greenhouse gases or gases that deplete the ozone layer (controlled substances) - 11-Jan-2005 [8369]
- Ordinance exempting certain installations from the obligation to hold an air emission permit - 22-Dec-2004 [8372]
- Ordinance on Air Emission Measurements adopted - 23-Dec-2004 [8377]
- Ordinance on characteristic cards of dangerous substances and preparations amended - 14-Dec-2004 [8359]
- Statute on recycling of end-of life vehicles adopted - 20-Jan-2005 [8573]
- Ordinance on risk assessment of new chemicals adopted - 12-Jan-2005 [8577]
- Medical prophylactic cards for workers exposed to asbestos - 10-Jan-2005 [8341]
- Ordinance on the Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work adopted - 30-Dec-2004 [8345]
- Ordinance of annual reports concerning charges for ozone depleting substances adopted - 18-Jan-2005 [8586]
- Ordinance on air emission measurements - 13-Jun-2003 [6091]
- Limits of exposure to ionising radiation for employees and public adopted - 18-Jan-2005 [8574]
- Ordinance on Emergency Plans for Radiation Accidents adopted - 18-Jan-2005 [8587]
- Qualification requirements for employees and inspectors of ionising security and radiation protection - 18-Jan-2005 [8576]
- Notification required for 17 types of air emission sources and wastewater treatment facilities - 22-Dec-2004 [8375]
- Ordinance on Carcinogenic and Mutagenic Substances adopted - 01-Dec-2004 [8349]

Greece

- Joint Ministerial Decision 54409/2632/2004 establishing a greenhouse gas emissions trading system adopted - 27-Dec-2004 [8382]

Czech Republic

- Decree amending the Decree on the details of waste management adopted - 11-Jan-2005 [7892]
- Decree on fees for wastewater discharge into surface waters amended - 02-Mar-2005 [5270]
- Regulation on the minimal share of biofuel or other renewable fuels adopted - 02-Feb-2005 [8440]
- List of restricted or prohibited chemical substances amended - 01-Mar-2005 [8226]
- Decree on air pollution emission limits and information of the public amended - 11-Jan-2005 [5536]
- Regulation on detailed requirements on the workplace adopted - 26-Jan-2005 [8512]

Slovakia

- Act on the evaluation and control of ambient noise has been adopted - 02-Dec-2004 [7889]
- Regulation on the details of strategic noise maps and action plans adopted - 02-Feb-2005 [8515]
- Regulation on the protection against noise and vibrations amended - 02-Feb-2005 [8516]

Turkey

- Amendment to the Regulation on preparation and approval of zoning plans in cultural and tourism protection areas - 12-Jan-2005 [8308]
- Amendment Regulation on transport by roads - 26-Feb-2005 [8460]
- Amendment Regulation of the Regulation on engineers or technical staff working on H&S in workplaces - 04-Feb-2005 [8290]
- Repealing of the Regulation on working principles and methods of Local Environment committees - 22-Feb-2005 [8465]
- Notification on Annex to the Notification on harmonized national standards of PPE - 12-Jan-2005 [8312]
- Amendment to the Regulation on Lifts - 12-Feb-2005 [8305]
- Regulation on control of air pollution caused by heating installations - 13-Jan-2005 [8299]
- Amendment to the Regulation on medical units in workplaces and their function, working procedure and principles - 04-Feb-2005 [8291]
- Regulation on collection of waste from vessels and control of waste - 26-Dec-2004 [8195]
- Amendment of the Regulation on control of hazardous chemical substances and products - 17-Feb-2005 [8471]
- Amendment on the Regulation on control of used batteries and accumulators - 03-Mar-2005 [8476]
- Directive on wastewater infrastructure facilities - 23-Feb-2005 [8490]



- Circular on administrative fines under the Law No. 2872 on Environment - 04-Feb-2005 [8313]

Russia

- Federal law "On insurance premiums for mandatory social insurance in relation to occupational accidents and illnesses for the year 2005" was adopted. - 29-Dec-2004 [8225]
- Amendments to the Water Code - 22-Aug-2004 [8213]
- Order approving a list of harmful and/or dangerous industrial factors and types of occupation has been signed. - 16-Aug-2004 [8220]
- Amendments to the law "On sanitary and epidemiological welfare of the public" - 22-Aug-2004 [8218]
- Amendments to the law "On environment protection" - 22-Aug-2004 [8217]
- Resolution "On the state fire safety control" - 21-Dec-2004 [8219]
- Regulation on Organisation of Issue of Permits for Transboundary Transportation of Hazardous Waste adopted - 28-Jan-2005 [8539]
- Regulation on obtaining a state expert report in relation to the use of subsoil resources has been adopted - 11-Feb-2005 [8455]
- Amendments to the law "On Environmental Expert Committee Survey" - 22-Aug-2004 [8214]
- Amendments to the law "On industrial and consumption waste" - 22-Aug-2004 [8216]
- Amendment to the law "On Fire Safety" - 22-Aug-2004 [8212]

- Regulations for applications to build underground structures not related to the extraction of mineral resources. - 02-Dec-2004 [8207]
- Government Commission on Technical Regulation created - 01-Mar-2005 [8534]
- Commission on Biological and Chemical Safety created - 09-Feb-2005 [8544]

Hungary

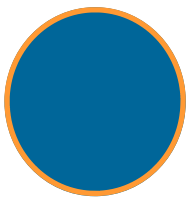
- Applications for preliminary water permits and for general water permits simplified - 22-Feb-2005 [8559]
- Decree relating to wastewater discharges amended - 22-Feb-2005 [5232]
- Change of name of inspectorate dealing with water pollution mitigation - 22-Feb-2005 [8556]
- Reorganisation of the environmental and water authorities - 22-Dec-2004 [8592]

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.

European Union

European Union

- Amended Directive on air emission limits for non-road mobile machinery adopted - 21-Apr-2004 [4143]
- Directive to restrict use of nonylphenol, nonylphenol ethoxylate and cement adopted - 18-Jun-2003 [5376]
- Decision on monitoring mechanism of Community greenhouse gas emissions adopted - 11-Feb-2004 [5697]
- Commission Regulation on maximum levels for certain contaminants in foodstuffs amended - 19-Jan-2005 [6652]
- Directive on arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons (PAH) in ambient air approved - 20-Apr-2004 [6073]
- Commission Directive amending plant protection products Directive - 19-Jan-2005 [6755]
- Consultation on simplified packaging and labeling of consumer products - 24-Jan-2005 [8491]
- Directive on end-of-life vehicles amended - 24-Jan-2005 [1812]
- Regulation on energy efficiency labelling for office equipment adopted - 06-Nov-2001 [3483]



Western Europe

New EHS Country Profiles available

ENHESA has recently developed or updated comprehensive EHS country profiles for the following countries :

- Austria
- Germany
- China
- Colombia
- France
- Italy
- Spain

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

Austria

- Amendment to Act on air emissions from large combustion plants adopted - 30-Dec-2004 [6802]
- Ordinance on collection, storage and treatment of electronic and other waste adopted - 03-Dec-2004 [6800]
- Ordinance on monitoring and reporting greenhouse gas emissions adopted - 03-Dec-2004 [7997]
- Radiation Protection Act amended - 10-Dec-2004 [5188]
- Amendment to Waste Management Act adopted - 30-Dec-2004 [4692]
- Amendment to Act on environmental information adopted - 08-Feb-2005 [7041]

Belgium

- Royal Order on temporary or mobile construction sites - 19-Jan-2005 [8304]
- WALLONIA: Order on permitting procedure - 04-Jul-2002 [5512]
- Wallonia: Program Decree on economic incentives and simplification of administrative procedures - 03-Feb-2005 [8462]
- Royal Order introducing the right to a smoke-free workplace - 19-Jan-2005 [8454]
- WALLONIA: Soil Remediation Decree amended - 01-Apr-2004 [1825]

Denmark

- DS/OHSAS 18001 recognised as the standard for a sound working environment - 31-Jan-2005 [8542]
- Amendments to Statutory Order on Health and Safety Work at Facilities - 21-Dec-2004 [8532]
- Statutory Order on Asbestos adopted - 21-Dec-2004 [8285]

Finland

- Adopted a Decree on the Prior Informed Consent Procedure for Dangerous Chemicals - 20-Feb-2005 [8352]
- Adopted an Act on Emissions Trading - 30-Jul-2004 [6596]
- Adopted a Decree on the use of certain epoxy derivatives in food contact materials - 14-Jan-2005 [8357]
- Adopted an Act on Cosmetic Products - 21-Jan-2005 [8366]
- Adopted a Decree on the Protection of Employees from Vibration - 27-Jan-2005 [8337]
- Adopted Decree amending the Decree restricting the marketing and use of short chain chlorinated paraffins and octa- and pentabromodiphenylether - 21-Dec-2004

[8432]

- Adopted 2003 amendments to the RID Agreement - 21-Dec-2004 [8433]
- Adopted a Decree on cosmetic products - 01-Feb-2005 [8436]
- Adopted the Decree on the Kyoto Protocol - 28-Jan-2005 [8374]

France

- National greenhouse gas allocation plan approved - 25-Feb-2005 [7141]
- Draft Law on water and aquatic environments - [8277]
- Order on component and material coding standards for vehicles under Decree 2003-727 on end-of-life vehicles - 24-Dec-2004 [8268]
- Law on the prevention of technological and natural risks adopted - 30-Jul-2003 [4935]
- Ordinance on greenhouse gas emissions trading scheme - 15-Apr-2004 [6804]
- The Charter for the environment approved - 01-Mar-2005 [5160]

Germany

- Legislation on electrical and electronic equipment adopted - 18-Feb-2005 [1342]
- Administrative and criminal sanctions concerning chemicals - 12-Jan-2005 [8326]
- Amended Act on environmental information entered into force - 22-Dec-2004 [6922]
- New edition of the Water Levy Act published - 18-Jan-2005 [8388]
- Accident Prevention Rules on Company Physicians and Safety Experts combined into BGV A2 - 01-Jan-2005 [8431]

Ireland

- Adopted the Waste Management (Packaging) (Amendment) Regulations 2004 - 21-Dec-2004 [8284]

Italy

- Regulations regarding the installation and use of pressure equipment and assemblies adopted - 01-Dec-2004 [8368]
- The prohibition on the use of asbestos extended - 14-Dec-2004 [8521]
- Provisions regarding the use of portable fire extinguishers adopted - 07-Jan-2005 [8342]

Netherlands

- Adopted Decision on waterproof flooring for certain installations - 19-Feb-2005 [7632]
- Adopted Decision amending the Decision Landfills and Landfill Prohibition Waste - 27-

(Continued on page 7)



(Continued from page 6)

Dec-2004 [5380]

- Published Draft Amending Decision on compulsory soil investigation for company sites - [3710]
- Adopted amending threshold limit values for various substances in Working Conditions Policy Rules - 23-Feb-2005 [6123]
- Adopted Amendment to Working Conditions Rule revoking and introducing certain exposure limits - 23-Feb-2005 [8487]
- Adopted and proposed amendments to Decision on Environmental Impact Assessment - 23-Dec-2004 [1998]
- Adopted Decision on Rules relating to asbestos and asbestos-containing products - 17-Dec-2004 [5138]

Portugal

- Ordinances to further implement greenhouse gas emissions trading adopted - 31-Dec-2005 [8252]
- Decree-Law on management of electric and electronic waste amended - 15-Nov-2004 [4894]
- Ordinance on reduction programmes for certain dangerous substances in water adopted - 20-Jan-2005 [8229]
- Decree-Law on the use of work equipment replaced - 25-Feb-2005 [3078]

Sweden

- Regulations (NFS 2004:10) on deposit, criteria and procedure for receiving waste at waste deposit facilities - 08-Jul-2004 [8453]
- Regulations on the supervision of certain environmental dangerous activities - [8258]

Spain

- Royal Decree on potential contaminating land activities adopted - 14-Jan-2005 [8265]
- Royal Decree on WEEE adopted - 25-Feb-2005 [7050]
- Ratification of the Kyoto Protocol - 10-May-2002 [8444]
- Ratification of the Aarhus Convention - 15-Dec-2004 [8442]
- National allocation plan for emissions trading (2005-2007) amended - 21-Jan-2005 [7281]
- Royal Decree on Seveso II partially modified - 16-Jul-1999 [2918]

Norway

- ADR/RID implemented in Regulations on Transport of Dangerous Goods by road and by rail - 15-Oct-2004 [8259]

United Kingdom

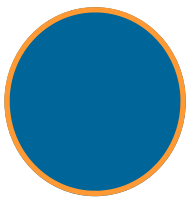
- Adopted amending Regulations on plastic materials and articles that come into contact with food - 16-Feb-2005 [5374]
- The End-of-Life Vehicles (Producer Responsibility) Regulations 2005 adopted - 09-Feb-2005 [8596]
- Information and Consultation of Employees Regulations 2004 enter into force - 21-Dec-2004 [8448]
- Adopted The Greenhouse Gas Emissions Trading Scheme Regulations - 18-Dec-2003 [6318]
- The Electromagnetic Compatibility Regulations Adopted - 11-Feb-2005 [8435]
- Adopted the Water Act 2003 - 20-Nov-2003 [4110]
- Adopted the Waste and Emissions Trading Act 2003 - 17-Nov-2003 [4097]


marcusevans

EHS Compliance and Social Responsibility Conference

On 10 March 2005 Thierry Dumortier of Enhesa presented at the **5th Annual Compliance and Corporate Social Responsibility Conference** in Amsterdam. The topic of the presentation was a **Forecast of EHS Regulatory Trends and Developments: Critical Trends for Industry in 2005 and Beyond**.

Enhesa were proud to be exclusive sponsors and exhibitors of the event, and would like to thank all participants and attendees for their input.



South America

New Audit Protocols available

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

- Brazil (including Rio de Janeiro)
- Canada (including Ontario and Quebec)
- China (including Shanghai)
- Germany
- Venezuela

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.

Argentina

- Import quota of ozone depleting substances further regulated - 14-Jan-2005 [7954]
- National Prevention Program on occupational accident and illness aimed at Small and Medium Size Enterprises (SMEs) adopted - 04-Jan-2005 [8358]
- Manufacturing specifications for plastic containers and synthetic resins adopted - 21-Feb-2005 [8464]
- The Stockholm Convention on Persistent Organic Pollutants (POP) enacted in Argentina - 16-Dec-2004 [8348]

Chile

- Decree approving Kyoto protocol on climate change - 16-Feb-2005 [8499]
- Amendment to labor code concerning maximum handled loads - 05-Feb-2005 [8498]
- Regulation on sludge treatment approved - 17-Jan-2005 [7990]

Colombia

- Technical Regulation on the use and maintenance of liquefied petroleum gas cylinders and tanks adopted - 29-Dec-2004 [8328]
- Export control measures on ozone depleting substances adopted - 21-Feb-2005 [8568]

Costa Rica

- Regulation on fire protection and its manual on technical provisions - 10-Jan-2005 [8351]
- Regulation for road transit based on load and dimensions of cargo vehicles amended - 19-Jan-2005 [6158]

Dominican Republic

- Resolution on hazardous works for young workers adopted - 12-Jan-2005 [8492]

Ecuador

- Norm amending minimum wage for 2005 - 07-Mar-2005 [8496]

Panama

- Public Environmental Economics Unit created - 09-Nov-2004 [8386]
- Environmental liability Law adopted - 15-Dec-2004 [8572]

Peru

- Technical norm on restrictions to radio electric emissions in public areas - 28-Feb-2005 [8495]
- Manual on phytosanitary treatment and labeling of wood packaging for the international trade of goods and loads - 28-Feb-2005 [8494]
- Resolution establishing a technical norm on safety signs - 13-Jan-2005 [8296]
- Regulation of the framework law for environmental management - 28-Jan-2005 [8295]

Puerto Rico

- Licensing system for the transport of dangerous materials and substances further regulated - 01-Nov-2004 [6285]
- Regulation on the Sensitive Area Conservation Plan adopted - 31-Oct-2004 [8519]

Uruguay

- Industrial wastewater effluent measurement and reporting requirements adopted - 30-Aug-2004 [8390]

Venezuela

- National Risk Prevention Commission created - 17-Feb-2005 [8461]

North America



United States

- New Mexico Permitting requirements for abstraction and use of natural waters - 31-Jan-2005 [8409]
- CALIFORNIA: Employers reminded about injury/illness posting requirements - 31-Jan-2005 [8549]
- Adopted Final Rule Improving Hazardous Waste Tracking - 04-Mar-2005 [7384]
- Adopted Final Rule Designating Sludge From Pigments, Dyes, and Colorants as Hazardous Wastes - 24-Feb-2005 [6497]
- Adopted: Standards improvement rule introducing changes to 23 OSHA health standards - 05-Jan-2005 [5623]

Canada

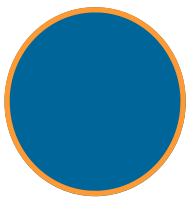
- Notice on marketing restrictions of phosphoric acid, mixed polyoxyalkylene aryl and alkyl esters - 26-Feb-2005 [8477]
- Québec: Ministry of Environment Act and Environment Quality Act amended - 09-Dec-2004 [8353]
- Information on PFOS required for assessing the risks - 15-Jan-2005 [8317]
- National Pollutant Release Inventory 2005 reporting requirements - 19-Feb-2005 [8480]
- Order amending the Non-Domestic Substances List issued - 10-Feb-2005 [8315]
- Information required with respect to certain perfluoroalkyl and fluoroalkyl substances - 15-Jan-2005 [8321]
- National Pollutant Release Inventory 2004 reporting requirements amended - 17-Jan-2004 [6573]
- Significant New Activity Notice adopted - 22-Dec-2004 [8316]

Mexico

- Agreement imposing a one-year moratorium on new federal Regulations - 28-Feb-2005 [6933]
- Amendment to the General Health Law concerning registration of hazardous substances - 24-Feb-2005 [8466]
- Official Mexican Norm on phytosanitary treatment and labeling of wood packaging for the international trade of goods and loads - 18-Jan-2005 [6540]
- Regulation of the General Law for Sustainable Forestry Development - 21-Feb-2005 [8475]
- Decree amending the General Environmental Law concerning protected areas and environmental impact assessment requirements - 23-Feb-2005 [8470]
- Official Mexican Norm on procedures for safety with chemical substances - 14-Jan-2005 [6133]
- Procedure to submit the Annual Operation Certificate - 28-Jan-2005 [8397]

- This Enhesa Flash highlights some of the regulatory EHS developments that occurred in January and February 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?



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.

New requirements of ISO 14001:2004

(Continued from page 3)

Identification of Nonconformities

- Far more attention has been given to the identification of nonconformities (both actual and potential), as well as taking corrective and preventive action. The 1996 version of ISO 14001 required only that a company establish and maintain a procedure to define responsibility and authority to handle and investigate nonconformance and to take action to mitigate, and to take corrective and preventive action. The 2004 version puts emphasis on the procedure to put this into practice, rather than just the allocation of responsibility to do so. It also goes into far more detail on what the procedure must address, notably it must define requirements for identifying and correcting nonconformities, taking action to mitigate their environmental impacts, investigate and determine the causes for the conformity, implementing preventive measures to prevent them from recurring, recording any correction and preventive actions taken and reviewing the effectiveness of the measures taken.
- Another new requirement is that the environmental policy, including a commitment to comply with applicable legal requirements, must be communicated to everyone working for or on behalf of the organisation, which was not required in the 1996 edition.
- The amended definition of environmental performance also means that the company is required to prove that it is managing its environmental aspects, not just its management system. This is a key part of demonstrating improvement in environmental performance.
- General requirements of the EMS have been expanded to include the requirement for the company to determine how it will fulfil the requirements arising from ISO 14001, meaning that the entire process has to be traceable.
- If you need assistance on how to develop, implement or improve your EMS to become a useful business tool at corporate or division level, or for more information about how to adapt your EMS to take the 2004 amendments to ISO 14001 into account, please contact us at +32 (0)2 775 9797 or at info@enhesa.com.

Other changes

- The replacement of the term Environmental Management System Audit by the term internal audit emphasises that internal audits must be independent, preventing confusion with external certification audits. The internal audits must determine conformance with the EMS audit criteria, rather than with the EMS itself.

All services offered by Enhesa to assist on ISO 14001 are equally available for OHSAS 18001.

Enhesa launches Chemical Regulatory Tracking Service

- How do you anticipate regulatory restrictions on the use of chemical substances? This is the challenge addressed by Enhesa's new Chemical Regulatory Tracking Service. Combining Enhesa's global regulatory knowledge with its regulatory forecasting capacity and the latest technological innovations complemented by its IT-team, it allows companies to anticipate regulatory change which could be detrimental for business, as well as allowing companies to seize the market opportunities that are likely to arise with any pending chemical restrictions.
- The service has been developed in response to a growing demand from the aeronautics industry as well as from speciality chemical manufacturers. The service allows for the identification at an early stage in the decision-making process of regulatory concerns regarding chemical substances in some 60 countries worldwide. It identifies the actors involved and provides a plain English summary of the development. This service can be contracted by chemical and/or by country and provides regulatory alerts, snapshot overviews of the latest developments as well as chemical fact sheets that summarise the stage of regulatory control.
- For more information please contact us at info@enhesa.com or on +32 (0)2 775 9797.



Africa and the Middle East

South Africa

- National code of practice incorporated into Driven Machinery Regulations - 18-Feb-2005 [8584]
- Circular instruction issued regarding compensation for work-related upper respiratory tract disorders - 28-Jan-2005 [8322]
- Circular instruction issued regarding compensation for work-aggravated asthma - 25-Feb-2005 [8323]
- Water Services Amendment Act adopted - 11-Feb-2005 [6858]
- Air Quality Act 2004 adopted - 24-Feb-2005 [8570]

Israel

- Ratification of the Kyoto protocol - 12-Feb-2004 [8566]
- Adopted amendments to Civil Defense Order (declaration of hazardous substances) 1995 - 14-Oct-2004 [8336]

Egypt

- Decree on sources of ionizing radiation adopted - 26-Jan-2005 [8399]
- Decree on the exposure limits for ionizing radiation adopted - 26-Jan-2005 [8400]

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. For further information visit <http://www.enhesa.com/enhesa/EN/service/monitoring.asp>

On 1 March 2005 we expanded the geographic scope of our EHS Regulatory Monitoring to include Austria, French Guyana, Greece, Malta, Ukraine, Kazakhstan, Turkey, Morocco, Kuwait, Qatar, Saudi Arabia and United Arab Emirates.

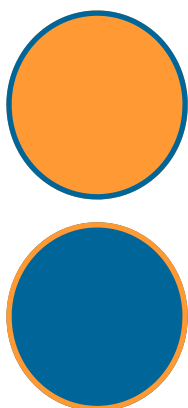
This brings the total number of countries covered on a daily, in-depth basis to 66.

Overhaul of legislative framework for air quality in South Africa

- The framework of the National Environmental Management Act, 1998 (NEMA) has been significantly expanded with the addition of the National Environment Management: Air Quality Act, 2004 (Act 39 of 2004).
- The Air Quality Act, 2004 was adopted on 24 February 2005, introducing a significant overhaul of the way air quality is regulated in South Africa. The Act repeals the Air Pollution Prevention Act, 1965 and introduces a system based on ambient air quality standards and corresponding emission limits to achieve them. Air quality standards are set out at national level for ozone, nitrogen dioxide, sulphur dioxide, lead, particulate matter and total suspended solids. Atmospheric emission licences will have to be obtained by certain industries, and reporting requirements are introduced. The Act introduces the flexibility to allow permissible emission limits to be amended in order to ensure that the air quality standards are achieved.



Upcoming Events and Presentations:



Between the 1st and 3rd of June 2005 Enhesa will be exhibiting at the **ChemCon Asia 2005** Conference and Exhibition will take place in Kuala Lumpur, Malaysia. More than 200 experts are expected to join in for the 2005 event representing more than 120 companies, authorities and international organizations from over 25 countries. Conference sessions will focus on issues relating to international chemical restrictions and legislative developments worldwide. More information is available at http://www.chemcon.net/asia_pac/chemcon2005.html.

Auditing Roundtable Spring Meeting & Exposition



Back to the Future – Cutting Edge Tools for Environmental, Health & Safety Auditing

Enhesa will be exhibiting at the Auditing Roundtable Spring Meeting in Dallas between 19 and 21 April 2005.

The Auditing Roundtable is a professional organization dedicated to the development and professional practice of environmental, health, and safety (EHS) auditing.

As the leading supplier of international EHS Audit Protocols and ScoreCards ENHESA systematically participates in these meetings to brief the participants on the latest regulatory developments and get practical feedback to further improve the audit tools provided.

Further information can be found on <http://www.auditing-roundtable.org/meetings/national/index.html>

Enhesa exhibiting at the IEMA Annual Conference and Exhibition

- Enhesa will be exhibiting at the IEMA (Institute of Environmental Management and Assessment) Annual Conference and Exhibition from 7th to 8th June 2005 in Worcestershire, UK. The annual event will focus on issues such as sustainable development and 'The Environment and Europe' on the 7th, and on the 8th attention will turn to issues such as waste implementation and legislation, environmental reporting, auditing best practice and managing environmental due diligence.
- The IEMA Annual Conference and Exhibition is the key environmental event for environmental practitioners wishing to develop their skills and knowledge, whilst networking with others in an informal atmosphere.
- If you are planning to attend the event, please do stop by at the Enhesa exhibition booth to chat to us!
- The event will take place at Chateau Impney Hotel, Droitwich Spa, Worcestershire. More information is available on the conference website at <http://www.iema.net/htmlpage.php?pname=conference2005>.

ENHESA services include:

- **Enhesa Flash:** 8-10 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.**

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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