



Ad-Hoc INDUSTRY

NATURAL RESOURCE
MANAGEMENT GROUP

24 May 2016
Brussels

UPDATE!

Activities and Resources for Operators and Other Stakeholders in 2016 and Beyond

Here is a brief update of activities and resources. We are pleased to have your inquiries or your involvement in any or all of the selected activities and resources highlighted below.

Overview. Following from the release in April 2016 of the Commission's report under Article 18(2) of Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage and associated Action Plan, the Ad-Hoc Industry Natural Resource Management Group ("Group") has moved forward to continue its support to individual operators; serve as a resource to business and industry associations as needed; and facilitate communication and practice exchange within the operator community and between operators and member state authorities. The Group is also continuing its seminal work on ELD best practices, begun in 2007, to advance the state of the art and encourage a reasonable, balanced, predictable and transparent practice arena across Europe as the ELD continues to be implemented in actual practice at specific sites.

Continued Shaping of the Group's Best Practices Based on Actual Experience. The Group has developed, working in cooperation with the Commission, Member States and other legal, technical and economic practitioners, a set of best practices covering legal, administrative, economic and technical issues related to the ELD that can arise at individual sites. The first publication was in 2007 and successive expansions and refinements occurred in 2013 and 2015. The Group will continue to ensure that these best practices are consistent with actual practice and plans to convene its 8th ELD Best Practices Seminar later in 2016. **Our ELD Best Practices Seminars are open to all interested practitioners.** If you are interested in attending future seminars, contact us at group@nrdonline.org.

Building Out the Group's ELD Database. The Group created and maintains a proprietary database on liability regimes worldwide involving natural resource issues, including laws, regulations, cases and sites, legal precedents, documents and more. The Europe module of this database, related to the ELD, incorporates all cases reported to date by member state authorities and we continue to expand the database based on information received directly from operators and others, notably the details of site-specific approaches which may be able to serve as useful reference for operators at analogous sites. The database is a key resource, intended to help identify solutions, while saving time and costs where possible.

Facilitating Enhanced Training Opportunities for Operators. During the remainder of 2016 and beyond, the Group will explore development and implementation of ELD training by operators -- within individual companies, sectors and multi-sector operator groups. We are also working with the Commission and its contractors to identify a possible series of multi-stakeholder training sessions (in Brussels and elsewhere) involving operators.

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Updating and Expanding Advisories and Other Documents to Help Operators Navigate Key ELD Issues. Since 2003, the Group has prepared numerous white papers, case study analyses, issue papers and more to help elucidate some of the key issues imbedded in the ELD. A full listing of these documents can be provided upon request. We are currently updating and expanding this body of literature, including ongoing advisories on defences and exceptions, the significance threshold, the applicability and scope of the ELD relative to specific sites, baseline, and methodological approaches for ELD assessment and remediation.

Documenting Operator Experience. The Group will be continuing to document industry experience with the ELD via surveys (we have conducted three surveys of operators since 2009) and other means. Part of our current efforts will entail documentation of how companies are managing the ELD issue within their companies, particularly as most large companies have extensive prevention, risk management and emergency response programs and procedures in place.

Briefings for Operators. The Group has a long history of providing briefings on the ELD within the operator community and we are pleased to arrange for briefings to individual companies and groups of companies, especially in order to help spread awareness and share the expertise of this Group's members (and its many affiliate law firms and consulting firms) in support of a sound ELD practice arena -- now and into the future.

Please contact us at group@nrdonline.org for further information or to become directly involved with us on these or other activities related to the ELD.

About The Ad-Hoc Industry Natural Resource Management Group

The Ad-Hoc Industry Natural Resource Management Group, founded in 1988, is a coalition of multinational companies, in every industry sector, uniquely focused on the interface between natural resources (air, water, species, land) and industrial activities. The Group's purview includes natural resource liability regimes in the US, Europe and elsewhere related to oil spills, hazardous waste sites and transportation and industrial related accidents, as well as a host of allied issues: emergency response, remediation, restoration, conservation, biodiversity and more. The Group supports its Member Companies on site-specific, region-specific, corporate-wide and worldwide stages; facilitates coordination of industry-wide positions; and works within industry and between industry and government and other stakeholders to advance the state-of-the-art and build best practices pursuant to a reasonable, balanced and predictable practice arena.