

Guidance/Best practices document on assessment of verifiers by National Accreditation Bodies in order to issue an accreditation certificate – How accreditation can be timely obtained during the initial phase under Regulation (EU) 2015/757

This document is part of a series of documents prepared by experts gathered under two subgroups established under the umbrella of the "European Sustainable Shipping Forum (ESSF)": the MRV subgroup on monitoring and reporting and the MRV subgroup on verification and accreditation. These two MRV subgroups gathered for the period June 2015 to May 2017 in order to provide technical expertise relevant for the implementation of Regulation (EU) 2015/757 (the MRV shipping Regulation).

As indicated in their terms of reference, the two MRV shipping subgroups were mandated to identify guidance/best practices in relevant areas. The substance of this best practices document was unanimously endorsed by the representatives of the ESSF Plenary by written procedure ending on 30th of June 2017.

Apart from the present document, guidance/best practices documents have been established in the following areas:

- Preparation of Monitoring Plans by companies;
- Monitoring and reporting of fuel consumption, CO2 emissions and other relevant parameters;
- Assessment of monitoring plans by verifiers;
- Backward assessment of monitoring plans;
- Use of external ship tracking databasis by verifiers
- Materiality and sampling;
- Verification of emissions reports by verifiers;
- Recommendations for improvements issued by verifiers;
- Dealing with situations where the accreditation is suspended or withdrawn close to the planned issuing date of the Document of Compliance (DOC) by the verifier.

All best practice documents and other relevant documents can be downloaded from the Commission's website at the following address:

https://ec.europa.eu/clima/policies/transport/shipping_en#tab-0-1

1. INTRODUCTION

This document has been prepared by a Task Force under the MRV subgroup on verification and accreditation, co-ordinated by Mr Niels Christian Dalstrup (from European Accreditation). This Guidance/Best practice document is to facilitate timely accreditation of verifiers for assessment of monitoring plans and verification of emissions reports from maritime transport; according to Regulation (EU) 2015/757 and Commission Delegated Regulation (EU) 2016/2072.

It has been written to support the implementation of the relevant EU Regulations by explaining its requirements in a non-legislative language. However, it should always be remembered that EU Regulations set the primary requirement.

It should be noted that the issue of timely accreditation is not new issue for National Accreditation Bodies (NAB). The same issues were dealt with successfully in relation to accreditation for verification under the EU ETS scheme.

The accreditation process is regulated under Regulation (EU) 2016/2072 on the verification activities and accreditation of verifiers, which also refers to the Accreditation Regulation (765/2008) which specifies that EU NABs shall assess the application of verifiers following a structured and harmonized approach for the accreditation process as specified in a harmonised standard - EN ISO/IEC 17011.

Regulation (EU) 2016/2072 on verification activities and assessment of verifiers describe in more details for the accreditation process under its Chapter IV, where Article 36 requires NABs at least to perform the following activities:

- a) *review of relevant documents* supplied by the verifier according to Art 35, including verifiers' quality management system;
- b) *on-site visit (office visit) to the verifiers' premises* to review a representative sample of the internal documentation from the verification process and to assess the implementation of the verifiers' quality management system including the procedures and processes for assessment of monitoring plans and verification of emissions reports.
- c) *witness of the performance and competence* of a representative number of the verifiers' staff carrying out assessment of monitoring plans and verifying emissions reports in practice, e.g. visiting an organisation.

Based on the positive result of an office assessment and witness of a verifier, the NAB will evaluate and decide on granting accreditation by issuing an accreditation certificate for a limited validity period as defined in Article 37.

2. Timeline to be observed

Based on the time line defined in the Regulation (EU) 2015/757 –

- 31st August 2017 – Submission of the monitoring plan to verifiers for each ship, Article 6, (1)
- 1st January 2018, monitoring starts in accordance with a satisfactorily assessed monitoring plan
- 1st January – 30th April 2019 – Submission of verified emissions report, Article 11, (1)

3. Accreditation process

Potential Verifiers shall contact their National Accreditation Body (NAB) in the Member State where they are established or any NAB who offer this service in case of being a non-EU Verifier or unavailability of a NAB in the EU Verifiers Member State, (ref. Regulation (EU) 2016/2072, Article 34).

It is recommended verifiers to make contact to a NAB as early as possible to agree on a time line for the accreditation process that will ensure timely accreditation observing the above deadlines.

According to Article 31 of the Regulation (EU) 2016/2072, the scope of accreditation shall cover assessment of monitoring plans and verification of emissions reports.

Due to the dual tasks of the verifier, the accreditation process may have to cover both tasks. At first accreditation for assessment of monitoring plans, by the time the verifier accepts the monitoring plan after having assessed it for compliance with the Regulation (EU) 2015/757, and secondly accreditation for verification of emissions reports, by the time the verifier issues the DOC based on a satisfactorily verification of the emissions report and before the company submits the verified emissions report to the Commission, (ref. Regulation (EU) 2015/757, Article 17).

Planning of the accreditation process has to be agreed upon between the verifier and the NAB based on the readiness of the verifiers system and ability to demonstrate competence and performance of activities in practice.

To ensure that verifiers are accredited in time, verifiers is recommended to submit their request for accreditation as soon as possible to enable the NAB to plan and complete the accreditation process in time by issuing an accreditation certificate.

The accreditation process must consist of the activities listed in Regulation (EU) 2016/2072 and EN ISO/IEC 17011, including on site visit to the verifier's office and one or more witness audit.

As all verifiers must be accredited against the new requirements by the time the verifier assess and accept the monitoring plan and by the time it issues a Document of Compliance and a verification report to the company, the need to schedule a witness audit means that there may be a time squeeze in the accreditation process in 2nd and 3rd Quarter of 2017 as well as in 4th Quarter of 2018 and 1st Quarter of 2019.

To facilitate a timely process, it is recommended that the NAB plans and conducts the administrative processing of accreditation requests, accomplishes the document review, visits the verifier's offices and organises the witness audit and other activities as early as possible.

It is not necessary for the witness audit to be carried out as the last activity in the accreditation process - it can take place before the visit to the verifier's office. Consequently, witness audits should be scheduled as soon as possible after assessment by the NAB of the verifier's quality system, procedures etc. This will enable timely completion of the witness audits alongside contractual timetables agreed with the ship owners for assessment of monitoring plans and verification activities following the time lines mentioned above.

It should be noted that all necessary steps and activities for the accreditation have to be completed successfully, including confirmation that the planned processes have been implemented at the verifier's office before the accreditation certificate is issued.

However, especially in the case of new regulatory requirements like the Regulations (EU) 2015/757 and (EU) 2016/2072, the need arise for companies to procure the start of verification services in advance of an accreditation certificate being issued, a situation can occur where the verifier cannot get accreditation in advance of the witness audit, while on the other hand the verifier cannot secure customers for actual work without showing that it is accredited.

In order to maintain accessibility, quality and avoid creating contradictory administrative arrangements, a pragmatic approach may be followed by NABs.

Where all other conditions for accreditation have been met by the verifier, but an opportunity for ‘in-situ’ witnessing does not arise immediately, an accreditation certificate may be issued on conditions set by the NAB. In that case the accreditation is to be granted under the condition that, before any signed-off acceptance of the monitoring plan’s conformity with the MRV and issuing of the Document of Compliance, one or more witnessed audit(s) has taken place with satisfactory results. In practice, this means that the verifier has to ensure that witnessing takes place the first time, before an assessment of monitoring plan and a verification activity can be finalised.

If the conditions in the accreditation certificate are not met by the required deadline, administrative measures in accordance with Article 41 of the Regulation (EU) 2016/2072 will be imposed and the accreditation certificate must be withdrawn.
