



Training on the Environmental Liability Directive

14, 15, 16 October 2024

Auditorium of
the Ministry of the Environment and Energy

Mesogeion 119, Athens



Monday 14 October 2024

Meeting link:

<https://rpa-europe.webex.com/rpa-europe/j.php?MTID=md5d02c989783a80992cc9fa05958d8f4>

Meeting number: 2740 853 3731

Password: wFHwbbHX684 (93492249 when dialling from a video system)

Times	Presentation	Speaker
8:30-9:00	Arrival and registration	
9:00-9:15	Welcome words	Sofia Eleftheriadou, Deputy General Director of Inspectorate, Ministry of Environment and Energy
9:15-9:30	Introduction to the workshop	Marco Camboni, RPA Europe
9:30-9:50	Actions and initiatives by the European Commission Status of the ELD	Olga Kurpisz, European Commission DG Environment
9:50-10:30	Functioning of the ELD	Valerie Fogleman, Stevens & Bolton LLP
10:30-10:50	Coffee break	
10:50-11:30	Enforcement of the ELD	Valerie Fogleman, Stevens & Bolton LLP
11:30-11:35	Introduction to the facts of the first exercise	Marco Camboni, RPA Europe
11:35-12:20	Work in groups on the exercise(s)	
12:20-13:20	Lunch break	
13:20-13:45	Discussion of the results in plenary	Marco Camboni, RPA Europe
13:45-14:15	Financial security and risk management for environmental liabilities including the ELD	Michael Faure, Maastricht University
14:15-14:45	Mandatory financial security requirements, and availability and demand for environmental insurance across the EU	Valerie Fogleman, Stevens & Bolton LLP
14:45-15:15	Implementation of financial security for environmental liabilities including the ELD in Greece	Kostas Tsolakidis, Griffin Environmental Consulting
15:15-15:25	Coffee break	
15:25-15:35	Introduction to the facts of the second exercise	Michael Faure, Maastricht University
15:35-16:15	Work in groups on the exercise	
16:15-16:45	Discussion of the results in plenary including experiences and difficulties encountered by competent authorities and other ELD stakeholders in implementing and enforcing national ELD legislation	Led by Michael Faure, Maastricht University
16:45-17:00	General discussion and wrap up	Marco Camboni, RPA Europe

Tuesday 15 October 2024

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08:30-09:00	Arrival and registration	
09:00-09:40	The ELD landscape in Greece: legislative framework and key national features	Kleoniki Pouikli, Utrecht University
09:40-10:10	Environmental inspections in relation to ELD cases in Greece	Sofia Eleftheriadou, Deputy General Director of Inspectorate, Ministry of Environment and Energy
10:10-10:40	Implementation challenges of the ELD at national and regional level in Greece	Stavroula Pouli, Coordination Office for Environmental Liability & Mrs Nikoleta Liourta, Directorate of Environment and Spatial Planning of Eastern Macedonia-Thrace
10:40-11:00	Coffee break	
11:00-11:40	The role of national courts in the enforcement of the ELD in Greece	Dimitrios Pyrgakis, Associate Councillor at the Council of State
11:40-12:20	Relationship and enforcement of the ELD with other EU and national legislation	Valerie Fogleman, Stevens & Bolton LLP
12:20-13:20	Lunch break	
13:20-14:00	The interplay of the ELD with other EU environmental directives (IED, Habitats and Birds Directives, Water Framework Directive, Marine Strategy Framework Directive): lessons from Greece	George Konstantinopoulos, Attorney at the Supreme Court of Athens
14:00-14:10	Introduction to the facts of the exercise	Kleoniki Pouikli, Utrecht University
14:10-15:10	Work in groups on the exercise	
15:10-15:25	Coffee break	
15:25-15:55	Discussion of the results in plenary	Kleoniki Pouikli, Utrecht University
15:55-16:30	General discussion including best practices and wrap up	Marco Camboni, RPA Europe

Wednesday 16 October 2024

Meeting link:

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08:30-09:00	Arrival and registration	
09:00-09:45	IMPEL Criteria for the Assessment of Environmental Damage (CAED) Procedure: Screening of ELD cases	Francesco Andreotti, ISPRA (Italy) and IMPEL CAED project manager
09:45-10:15	Exercise no. 1 on ELD biodiversity case with discussion	IMPEL CAED members: Aisling Ryan, Environment Protection Agency (Ireland) and Nick Bond, Waste Enforcement Regional Lead Authorities (Ireland)
10:15-11:00	IMPEL CAED Project Procedure: Clues of environmental damage	Francesco Andreotti, ISPRA (Italy) and IMPEL CAED project manager
11:00-11:20	Coffee break	
11.20 – 12:00	Exercise no. 2 on ELD surface water case with discussion	IMPEL CAED members: Claudio Toscano, Environment and Resources Authority (Malta), Daniele Montanaro, ISPRA
12:00-12.30	IMPEL CAED Project Procedure: Evidence of environmental damage	Francesco Andreotti, ISPRA (Italy) and IMPEL CAED project manager
12:30-13:00	Exercise no. 3 on ELD biodiversity case with discussion	Luciano Carotenuto, ISPRA (Italy) and IMPEL CAED member
13:00-14:00	Lunch break	
14:00-14:20	Remedial measures for land damage Primary remediation for water damage	Marco Falconi, ISPRA and IMPEL chair
14:20-15:00	Preventive measures and primary, complementary and compensatory remediation for water and biodiversity damage	Valerie Fogleman, Stevens & Bolton LLP
15:00-15:15	Coffee break	
15:15-15:40	Equivalency analysis	Marco Camboni, RPA Europe
15:40-15:50	Introduction to the facts of the exercise	Marco Camboni, RPA Europe
15:50-16:20	Work in groups on the exercise	
16:20-16:50	Discussion of the results in plenary	Marco Camboni, RPA Europe
16:50-17:00	General discussion and wrap up	Marco Camboni, RPA Europe

Speakers:

Professor Dr Valerie Fogleman has over 30 years of experience in EU environmental law and policy, especially the Environmental Liability Directive (ELD), as well as having researched and written on and/or practised environmental law in the US (Oregon, Illinois, Texas). She is a Consultant at Stevens & Bolton LLP and a Professor of Law at Cardiff University School of Law and Politics. Valerie also advises AXA XL (a global re/insurer) on environmental insurance policies and claims.

Olga Kurpisz is the Legal and Policy Officer for the Environmental Liability Directive and works in the ENV.E4 Compliance & Better Regulation Unit of the Directorate General for the Environment at the European Commission.

Professor Dr Michael Faure is the director of the Maastricht European Institute for Transnational Legal Research at the faculty of law of Maastricht University, and of the Rotterdam Institute of Law and Economics and of the European Doctorate in Law and Economics (EDLE). He specialises in environmental law and policy, accident law and the economic analysis of law. Within the field of energy law, he worked on liability and insurance issues related inter alia to nuclear power, marine oil pollution, offshore oil drilling and carbon capture and gas. Michael has technical expertise in financial security instruments for environmental liability.

George Konstantinopoulos is a Lawyer at the Supreme Court of Athens with an MSc in environmental management. He has worked as a research associate at the European Public Law Centre and the National Technical University of Athens. He has also worked as a legal expert for the Ministry of Labour of Cyprus, responsible for the transposition of the whole EU legislation on air pollution and air quality in the Cypriot legal order. He was also a legal consultant of the Attorney General of Cyprus responsible for the transposition of the EU legislation on waste management. He has more than 15 years of experience as a senior legal expert for the European Commission, having worked until today on a vast number of conformity studies regarding the assessment of the transposition of EU Directives in the fields of environmental, energy and H&S legislation. He has also worked as a senior legal expert in studies for the European Parliament and was also a contributor in the World Justice Rule of Law Index 2015 report of the World Justice Project. Since 1996, he has participated in a large number of national, international, World Bank and EU funded environmental and energy projects in Greece, Cyprus, Bulgaria, Romania, Serbia, Latvia, Georgia, Ukraine, Maldives and Azerbaijan. He has also been engaged as EU senior non-key legal expert for the Policy and Legal Advice Center (PLAC I and PLAC II) of the European Commission in Serbia on air pollution and air quality approximation issues (Chapter 27: Environment and Climate Change). He is an expert on environmental liability issues, having worked for a number of insurance companies on the drafting of insurance policies on environmental damage, as also for the Hellenic Association of Insurance Companies. He was a member of the Working Group of the Ministry of Environment for the drafting of the secondary legislation on obligatory environmental liability insurance and is also a member of the working team of the project LIFE PROFILE, an EU project on environmental liability. He is currently supporting the drafting of the Greek National Waste Management Plan (2020-2030) and the National Waste Prevention Plan for the Ministry of Environment and Energy. He has also worked for various NGOs (ECOCITY,

ARCHIPELAGOS, WWF GREECE) and is currently the Coordinator of the Scientific Committee and Head of Legal Affairs of the NGO ECOCITY and member of the Working Group for Law and Air Pollution of the European Environmental Bureau.

Sofia Eleftheriadou is a Mining-Metallurgical Engineer, specialising in the sustainable management of protected areas. She works at the Ministry of Environment and Energy and holds the position of Deputy Director General of the Inspectors of the Ministry of Environment and Energy. She has extensive experience in environmental inspections since 2004. She is a national representative in the EMPACT program and Chair of the Interim Committee for the planning of the National Strategy for the fight against environmental crime in solid waste in the framework of the project LIFE-PROWhIBIT – LIFE18 GIE/GR/000899 entitled "Prevent of waste crime by Intelligence Based Inspections".

Costas Tsolakidis is a Civil-Environmental Engineer BS, MSE, EUR ING, Chartered Environmental Surveyor MRICS. Having designed and negotiated insurance and reinsurance terms and conditions for environmental impairment liability risks, he is Senior Underwriter at Interamerican Hellenic Insurance Co. SA, managing environmental liability and renewable energy portfolios. Member of the technical team (2010-12) for the formulation of UNEP Finance Initiative's "Principles for Sustainable Insurance". Member of the Environmental Liability Task Force at 'Insurance Europe' representing Greece (2012-20) and of the corresponding group at the Hellenic Insurance Association. Managing Partner, 'Griffin Environmental Consulting LP', specialising in environmental risk management for the banking & insurance sectors.

Professor Kleoniki Pouikli is an assistant professor within the Department of International and European Law at the Utrecht University School of Law. She works in the field of EU environmental law, sustainability law, and climate change. Before joining Utrecht University, Kleoniki worked as a Course Director in Environmental Law at ERA-Academy of European Law in Trier (2017-2022). Kleoniki is also an EU Qualified lawyer, admitted to the Thessaloniki Bar Association in 2012.

Nikoleta Liourta is a chemical engineer and holds a Master's degree in Environmental and Sanitary Engineering. She works for the Decentralised Administration of Macedonia-Thrace, Directorate of Environment and Spatial Planning of Eastern Macedonia-Thrace since 2015. She has an extensive experience on quality control, environmental permitting of projects and activities, hazardous waste management and environmental inspections. She is member of the committee for the inspection of industries falling under the SEVESO Directive and she is chairing the Regional Committee for Environmental Damage Mitigation (PEAPZ) for the implementation of environmental liability at a regional level.

Stavroula Pouli is an environmental scientist and works for the Ministry of Environment and Energy on the implementation of environmental liability for the prevention and remediation of environmental damage. She has experience on directive 92/43, environmental permitting and environmental inspections. She is a member of the Government Expert Group on ELD of the European Commission. Since 2020, project coordinator of EU funded project "Promoting Financial Instruments for Liability on Environment" (LIFE PROFILE 19 GIE/GR/001127) and project manager of "Promoting awareness of wildlife crime prosecution and liability for

biodiversity damage in NATURA 2000 areas in Crete” (LIFE14 GIE/GR/000026) (2015-2019) on behalf of the Ministry of Environment and Energy.

Dimitrios Pyrgakis, Councillor of the Council of State, Graduate of the Law School of the University of Athens (1997); graduate of Political Science and Public Administration of the University of Athens (2002); holder of a postgraduate diploma in Civil Law of the Law School of the University of Athens (1998); holder of a diplôme d'Études Approfondies (DEA) of Public Law of the University of Paris II, Panthéon-Assas (1999); holder of a master's degree in European Civil Law of the Law School of the University of Munich – LMU (LL.M.-Magister Legum) (2000); lawyer in Athens (1999-2004); rapporteur of the Council of State (2004-2016); rapporteur at the General Court of the European Union (2010-2012); Councillor of the Council of State (in the 5th Department, since 2016); lecturer at the National School of Judicial Officers (2020) -2022).

Francesco Andreotti is an Environmental Engineer and holds a master's degree in Energy and Environmental Management. He has been working for ISPRA (Italian National Institute for Environmental Protection and Research) since 2004, earlier as permit writer and inspector under IPPC-IED Directives and successively for the enforcement of the Environmental Liability Directive (ELD), becoming representative for ISPRA in the “ELD Government Expert Group” of the EU Commission and project leader of the IMPEL project called “Criteria for the Assessment of the Environmental Damage”. Since May 2023 he's become “Head of the Emergency Planning and Response Unit” of the “Area for Environmental Emergencies on Land” in ISPRA.

Aisling Ryan (PhD, MSc, BSc) currently works in the Environmental Liabilities Directive Unit within the Office of Environmental Enforcement (OEE) implementing the ELD in the Environmental Protection Agency in Ireland. She has 16 years' experience working with the OEE in the area of environmental enforcement covering wastewater, Industrial and waste licences. She has previous experience working in research, as an environmental consultant and in the Pharmaceutical Industry.

Nicholas Bond is a qualified Civil Engineer with additional qualifications in Environmental Engineering. Since Nicholas began his local Government career in 2003, he has set up and led Waste Enforcement Teams at local, Regional and National Level. Nicholas has contributed to the development of National Enforcement Priorities, developed strategic responses to emerging issues and driven consistent and appropriate enforcement nationally. Nicholas is a member of the IMPEL X-Cutting Expert Team.

Claudio Toscano has been part of the Environment and Resources Authority (ERA) since 2014, where he has held various key roles in environmental policy and compliance. Initially serving as an Environment Protection Officer, he specialised in waste management policy, representing Malta in numerous EU and international forums, including the Maltese Presidency of the Council of the EU. In his current role as a Senior Officer in Compliance & Enforcement, he oversees cross-sector environmental compliance and contribute to international policy development on enforcement-related matters. This position involves coordinating with both public and private sectors to ensure adherence to national and EU regulations. He is also actively involved in developing strategies for effective enforcement and compliance, ensuring that Malta meets its environmental obligations.

Daniele Montanaro is a chemical engineer with a PhD in Chemical Engineering for the Environment and Safety. After several years of academic research for the study and application of advanced water treatment processes at the University of Rome La Sapienza, in 2017 he began working at ISPRA dealing with environmental damage in the Area for the Assessment, Estimation, and Repair of Environmental Damage within the National Center for Crises and Emergencies. He participates in various working groups at national and European levels for the implementation of the Environmental Liability Directive and since 2022 he has been entrusted with the coordination of the group of representatives of the Regional Agencies in the Environmental Damage Thematic Network of the National System for Environmental Protection (SNPA) with the task of supporting the Ministry of the Environment in the assessment of environmental damage.

Luciana Carotenuto holds an MSc in Natural Sciences, an MSc in the Management of Protected Areas and Ecological Networks, and a PhD in Geobotany. She specialises in the conservation of terrestrial biodiversity and the application of national and regional laws for nature conservation, including the Habitat Directive and the Birds Directive. She worked for 17 years within the regional network of protected areas in the Lazio Region. In July 2022, she moved to the Italian Institute for Environmental Protection and Research to work on the Environmental Liability Directive, with a special focus on damages to species, habitats, and protected areas.

Marco Falconi is a Technologist at ISPRA (Italian Institute for Environmental Protection and Research) and is the IMPEL Chair and IMPEL Water and Land expert team leader. Marco has international experience with projects with the United Nations in the Balkan countries and in GEO6 assessment. He is one of the EIONET National Reference Centre for Soil. In ISPRA he is the coordinator of the "Soil and Land" chapter of the annual Urban Areas Report. He is also the scientific coordinator of Remtech Europe, an annual conference on contaminated sites. He teaches Environmental Assessment at the Polytechnical University of Marche and at the University of Camerino.

Marco Camboni is the Managing Director of RPA Europe S.R.L. Marco is an environmental economist with over 15 years of experience working in the field of economics, risk, regulation and policy development for a range of private and public clients, in particular international, European and national policymakers.