

Sessione formativa sulla bozza del principio ESRS E2 Inquinamento

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ESCLUSI E DI RESPONSABILITÀ

Le opinioni espresse in questa presentazione sono esclusivamente quelle del relatore, tranne laddove diversamente indicato. Le posizioni di EFRAG, così come approvate dal comitato SR (Sustainability Reporting board) di EFRAG, sono pubblicate sotto forma di lettere di commento, o di documenti di dibattito o pareri o in qualunque altra forma ritenuta appropriata nelle circostanze.

Quadro generale

- Quadro normativo UE
- Obiettivo della bozza di principio e del quadro generale
- Approfondimento degli obblighi di informativa
- Domande

Quadro normativo UE

CSRD

Considerando 41: « I principi di rendicontazione di sostenibilità dovrebbero essere coerenti con le altre norme di diritto dell'Unione. Tali principi dovrebbero essere allineati in particolare con gli obblighi di informativa previsti dal regolamento (UE) 2019/2088 e dovrebbero tenere conto degli indicatori e delle metodologie di base che sono stabiliti nei vari atti delegati adottati a norma del regolamento (UE) 2020/852, degli obblighi di informativa applicabili agli amministratori degli indici di riferimento ai sensi del regolamento (UE) 2016/1011 del Parlamento europeo e del Consiglio [...]” [si veda **Art. 29b 5, b), c), d) CSRD**]

Recital 48: « La realizzazione di un'economia circolare e climaticamente neutra **in cui non sia diffuso l'inquinamento** richiede la piena mobilitazione di tutti i settori economici. ”.

Art. 29 b, 2 a): « I principi di rendicontazione di sostenibilità specificano, tenendo conto dell'oggetto di un determinato principio di rendicontazione di sostenibilità: | a) | le informazioni che le imprese sono tenute a comunicare riguardo ai seguenti fattori ambientali:
[..] (v) **inquinamento**”

Tassonomia
(Reg 2020/852)

Art. 9 - Obiettivi ambientali

“ Ai fini del presente regolamento s’intendono per obiettivi ambientali:[...]

(e) **la prevenzione e la riduzione dell’inquinamento**”

Art. 14 - Contributo sostanziale alla prevenzione e alla riduzione dell’inquinamento

“Si considera che un’attività economica dà un contributo sostanziale alla prevenzione e alla riduzione dell’inquinamento se contribuisce in modo sostanziale alla protezione dell’ambiente dall’inquinamento mediante: (a) **la prevenzione o, qualora ciò non sia possibile, la riduzione delle emissioni inquinanti nell’aria, nell’acqua o nel suolo**, diverse dai gas a effetto serra; (b) **il miglioramento del livello di qualità dell’aria, dell’acqua o del suolo nelle zone** in cui l’attività economica si svolge, riducendo contemporaneamente al minimo gli effetti negativi per la salute umana e l’ambiente o il relativo rischio; (c) **la prevenzione o la riduzione al minimo di qualsiasi effetto negativo sulla salute umana e sull’ambiente** legati alla produzione e all’uso o allo smaltimento di sostanze chimiche; (d) il ripulimento delle dispersioni di rifiuti e di altri inquinanti; o [...]”

SFDR (+Reg.
2022/1288)

Tabella 1

8. Emissioni in acqua (*Tonnellate di emissioni in acqua generate*)

Tabella 2

1. Emissioni di inquinanti inorganici (*Tonnellate di inquinanti inorganici*)

2. Emissioni di inquinanti atmosferici (*Tonnellate di inquinanti atmosferici*)

3. Emissioni di sostanze che riducono lo strato di ozono (*Tonnellate di sostanze che riducono lo strato di ozono*)

Obiettivo del principio ESRS E2

A. In che modo le imprese influiscono sull'inquinamento dell'aria, dell'acqua e del suolo, in termini di impatti significativi positivi e negativi ,effettivi e potenziali.

B. Le azioni intraprese, e il risultato delle stesse nel prevenire, mitigare o porre rimedio agli impatti negativi significativi effettivi o potenziali.

C. I piani e la capacità dell'impresa di adattare la propria strategia e modello di business in linea con la transizione ad un'economia sostenibile.

D. La natura, la tipologia e la portata di opportunità e rischi significativi per l'impresa relativi ai suoi impatti e alle sue dipendenze legati all'inquinamento, e le modalità con cui l'impresa li gestisce.

E. Gli effetti finanziari sull'impresa negli orizzonti temporali a breve, medio e lungo termine sull'impresa di opportunità e rischi significativi.

IMPACT, RISK AND OPPORTUNITY MANAGEMENT

ESRS 2 GENERAL DISCLOSURES

DR related to ESRS 2 IRO-1:

Description of processes to identify and assess material pollution-related **impacts, risks and opportunities** that include

→ methodologies, assumptions and tools used to screen its site locations and business activities

→ interconnection between risks and opportunities

→ process for conducting consultations and in particular with affected communities

POLICIES, ACTIONS AND RESOURCES

E2-1 Policies

- Minimise and substitute substances of concern, phase out substances of very high concern, especially for non-essential uses
- Avoiding incidents and emergencies
- Mitigate negative impacts

E2-2 Actions and resources

- Avoiding pollution, inc. phase-out
- Reduce pollution, inc. phase-out and BAT (Best Available Techniques) requirements
- Restore, regenerate, and transform ecosystem

METRICS AND TARGETS

DR E2-3: Targets related to

Pollution

DR E2-4: Metrics related to pollution into air, water and soil

DR E2-5: Metrics related to substances of concern and SVHC

DR E2-6: Potential **financial effects** from pollution-related impacts, risks and opportunities

Deep Dive on Disclosure Requirements

ESRS 2 – General disclosures

The objective of ESRS 2 DR-IRO1 is to provide an understanding of the process(es) through which the undertaking identifies impacts, risks and opportunities and assesses their materiality, as the basis for determining the disclosures in its sustainability reporting

The requirements in ESRS E2 related to **ESRS 2 DR-IRO1** should be reported alongside the disclosures required by [draft] ESRS 2

Specific topical DR from [draft] ESRS E2 on Pollution

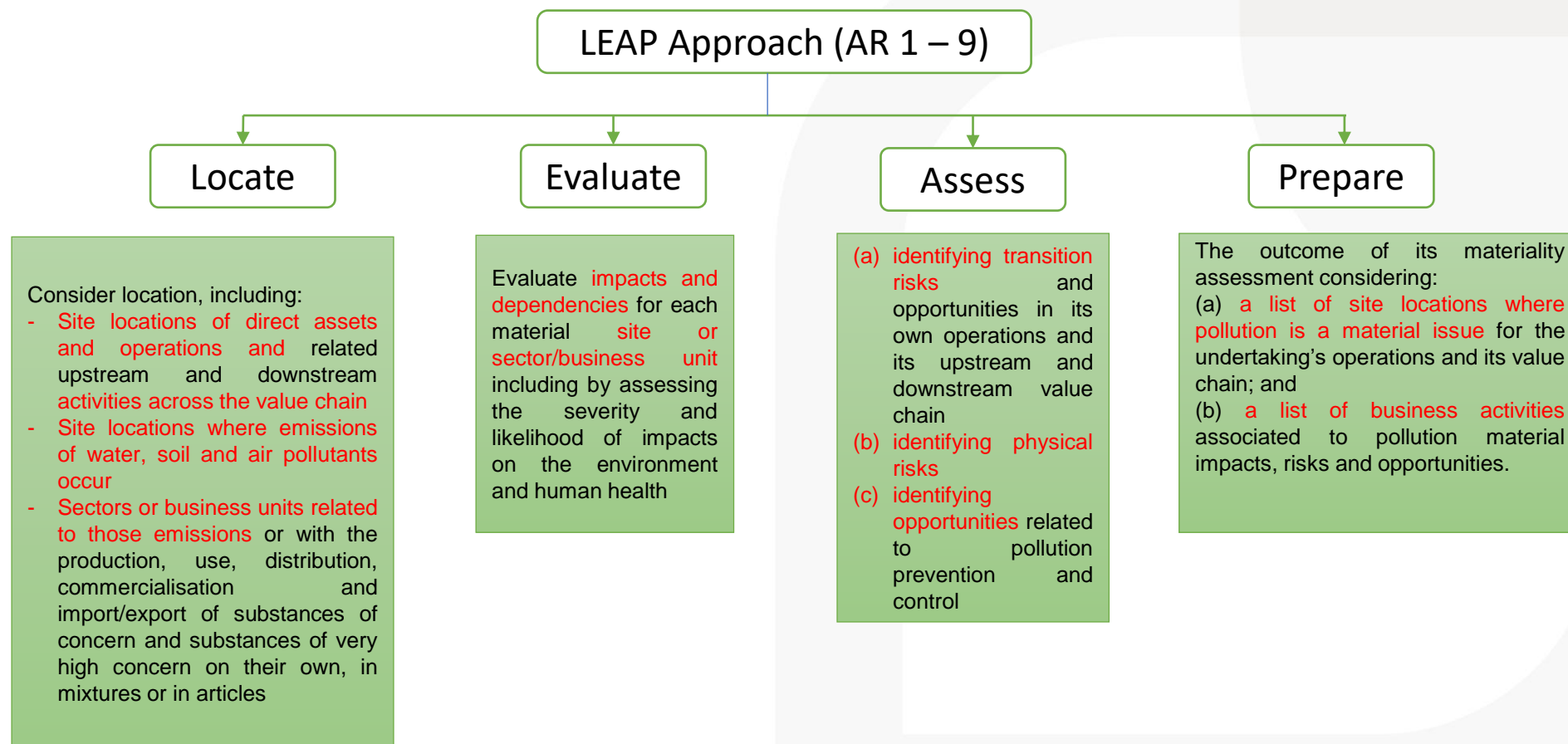
The undertaking shall describe the process to identify IRO and shall provide information on

methodologies, assumptions and tools used to screen its site locations and business activities

interconnection between risks and opportunities

process for conducting consultations and in particular with affected communities

The description of the process to identify and assess IROs using



Policies, Actions & Resources

DR E2-1 – Policies related to pollution

A policy implements the undertaking's strategy or management decisions related to a material sustainability matter

The undertaking shall disclose its policies that address the:

- **Identification;**
- **Assessment;**
- **Management; and/or**
- **Remediation of material pollution-related impacts, risks and opportunities.**

The [draft] ESRS 2 DC-P contains the content that the undertaking shall include when it reports on policies (see par. 63)

The undertaking shall indicate whether and how its policies address the following areas on its own operations and throughout the upstream and downstream value chain:

- **Mitigating negative impacts** related to pollution of air, water and soil including prevention and control;
- **Minimising and substituting substances of concern and phasing out substances of very high concern**, in particular for non-essential societal use and in consumer products; and
- **Avoiding incidents and emergency situations**, and if and when they occur, controlling and limiting their impact on the environment and/or civil society.

DR E2-2 – Actions and resources related to pollution

Actions refer to (i) actions and action plans (including transition plans) that are implemented to ensure that the undertaking delivers against targets set and through which the undertaking seeks to address material impacts, risks and opportunities; and (ii) decisions to support these with financial, human or technological resources

The [draft] ESRS 2 DC-A contains the content that the undertaking shall include when it reports on actions (see par. 66 –ESRS 2)

The undertaking shall disclose its pollution-related actions and the resources allocated to their implementation:

Avoid pollution including any phase out of materials or compounds that have a material negative impact

Reduce pollution, including any phase-out of materials or compounds and by meeting enforcement requirements such as Best Available Techniques (BAT) requirements or the address of Do No Significant Harm criteria for pollution prevention and control

Restore, regenerate and transform ecosystems where pollution has occurred

Application Requirement 13

Where actions extend to upstream or downstream value chain engagements, the undertaking shall provide information on the types of actions reflecting these engagements

Metrics & Targets

Targets refer to measurable, outcome-oriented goals that the undertaking aims to achieve in relation to material impacts, risks or opportunities

The description of targets shall contain the information requirements defined in [draft] ESRS 2 DC-T

The disclosure indicates **whether and how** targets relate to the prevention and control of:

- **Air pollutants**
- **Emissions to water**
- **Pollution to soil**
- **Substances of concern and substances of very high concern**

If ecological and entity-specific thresholds were taken into consideration when setting targets, the undertaking shall also specify:

- **The ecological thresholds identified, and the methodology used to identify such thresholds;**
- **Whether or not the thresholds are entity-specific and if so, how they were determined; and**
- **How responsibility for respecting identified ecological thresholds is allocated in the undertaking.**

DR E2-4 – Pollution of air, water and soil

Metrics refer to qualitative and quantitative indicators that the undertaking uses to measure and report on the effectiveness of the delivery of its sustainability-related policies and against its targets over time

The undertaking shall disclose the pollutants that are generated or used during production processes or that are procured, such as:

- Emissions of air pollutants generated by the undertaking **(SFDR PAI)**
- Emissions to water generated by the undertaking **(SFDR PAI)**
- Emissions of inorganic pollutants generated by the undertaking **(SFDR PAI)**
- Emissions of ozone-depleting substances generated by the undertaking **(SFDR PAI)**
- Microplastics generated or used by the undertaking

DP to be always disclosed
(see Appendix E – ESRS 2)

Subject to the materiality assessment

The volume of pollutants shall be presented in tonnes or kilogrammes

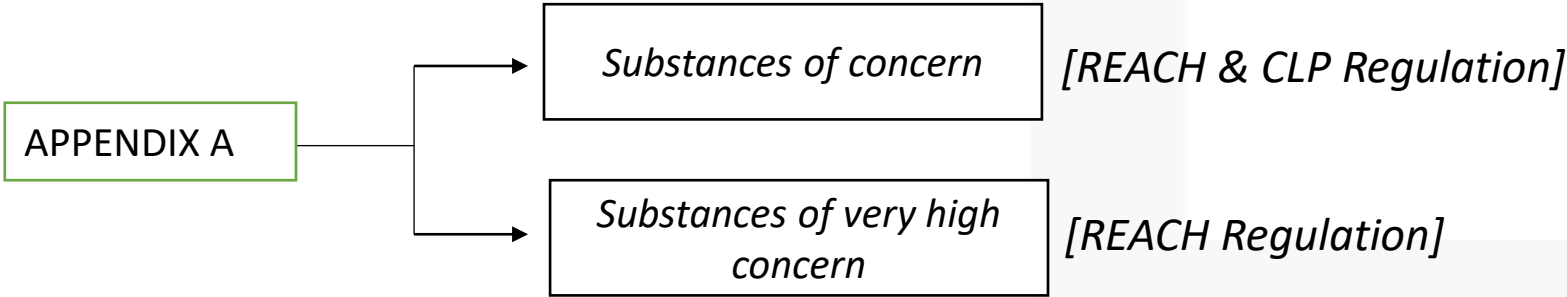
Contextual information to be provided:

- Changes over time
- Measurement methodologies; and
- Process(es) to collect data for pollution-related accounting and reporting, including the type of data needed and the information sources

The undertaking shall disclose information on the production, use, distribution, commercialisation and import/export of substances of concern and substances of very high concern on their own operations

- The **total amounts of substances of concern** that are generated or used during the production or that are procured, and that leave its facilities as emissions, as products, or as part of products or services
- The undertaking shall present separately information related to **substances of very high concern** (SVHC)

AR 35: *The volume of pollutants shall be presented in tonnes or kilogrammes*



DR E2-6 – Potential financial effects from pollution-related impacts, risks and opportunities

Potential material financial effects includes:

- i. potential situations that following the occurrence of future events may affect cash flow generation potential;
- ii. capitals that are not recognised as assets from an accounting and financial reporting perspective but have a significant influence on financial performance, such as natural, intellectual (organisational), human, social and relationship capitals; and
- iii. possible future events that may have an influence on the evolution of such capitals.

The undertaking shall disclose its potential financial effects of material risks and opportunities arising from pollution-related impacts (impact on the undertaking's cash flows, performance, position, development, cost of capital or access to finance over the short-, medium- and long-term time horizons)

Potential financial effects:

- Quantitative in monetary terms unless impracticable that include:
 - Share of SoC/SVHC-related revenue
 - CapEx/OpEx related to incidents & deposits
 - Environmental provisions
- Description of the effects considered
- Critical assumptions used in the estimate

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