



**Memorandum of Understanding between the Environment Agency of England and Wales and the Umweltbundesamt of Germany on the product certification / type approval of continuous emissions monitoring systems**

**Arrangements for mutual recognition between MCERTS and the Umweltbundesamt scheme**

April 2002



# **Memorandum of Understanding between the Environment Agency and the Umweltbundesamt on the product certification/ type approval of continuous emission monitoring systems**

## **1. The Memorandum of Understanding**

1.1 This Memorandum of Understanding (MoU) is between the Environment Agency of England and Wales and the Umweltbundesamt of Germany.

1.2 The MoU is bound by the conditions specified in sections 3 to 6.

1.3 Signed on behalf of the Environment Agency

Signature:

Name: Barbara Young

Position: Chief Executive

Date:

1.4 Signed on behalf of the Umweltbundesamt

Signature:

Name: Dr D Jost

Position: Head: Department II 6 Air Quality

Date:

**Note:** In the following sections the Environment Agency is referred to as the *Agency* and the Umweltbundesamt is referred to as the *UBA*.

## **2. Background**

2.1 The Agency's Monitoring Certification Scheme (MCERTS) provides for the product certification of monitoring systems in accordance with a series of MCERTS performance standards drawn from international standards.

2.2 The UBA's scheme provides for the type approval of monitoring systems in accordance with German standards published by Verein Deutscher Ingenieure (VDI).

- 2.3 The Agency and the UBA agreed in September 2000 on measures to minimise the burden on instrument manufacturers seeking both product certification and type approval under the schemes. The measures included the harmonisation of a number of minor technical differences between the two schemes. These were formally recorded in the Table of Minor Differences and agreed between the Agency and the UBA. There were three types of differences:
- Requirements written into the German legal system that would need to be included in the MCERTS performance standards and test procedures;
  - Requirements within the MCERTS scheme e.g. for vibration and wind tunnel testing that would need to be included in the German scheme;
  - Minor differences in testing procedures that both schemes would have to address.
- 2.4 The Agency and the UBA agreed to modify their respective standards and procedures to accommodate the minor differences to align as far as possible the technical requirements of the two schemes.
- 2.5 The MCERTS performance standards and test procedures dated November 1998 have been modified to include:
- the requirement for two identical instruments to be tested in both the laboratory and field trials for instruments requiring approval in Germany;
  - the changes in line with the Table of Minor Differences as agreed at the September 2000 meeting between the Agency and UBA.
- 2.6 The German performance standards and test procedures which meet the requirements of the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety; Uniform Practice in monitoring emissions in the Federal Republic of Germany; Circular of the Federal Environment Ministry of June 8, 1998 – IG 1 3 – 51134/3 – Joint Ministerial Gazette (GMBI) 1998, pp. 543-556 have been completed by:
- the addition of German Standard VDI 4203, Sheet 2 to include the MCERTS requirements for wind-tunnel tests for particulate monitors and vibration tests for stack mounted components for all CEMs.
- 2.7 This MoU builds on this initiative by setting down the additional conditions to achieve mutual recognition between the two schemes.

### **3. Scope**

- 3.1 The scope of this MoU covers continuous emission monitoring systems (CEMs) evaluated under the MCERTS product certification scheme and the UBA's type-approval scheme.

#### **4. Purpose**

- 4.1 The purpose of the MoU is to provide a framework for the mutual recognition of the testing and product certification/type approval of CEMs under the two schemes, subject to the conditions in Section 5.

#### **5. Conditions applying to MCERTS and the UBA's type approval scheme**

##### Conditions applying to MCERTS

- 5.1 MCERTS shall accept test reports for instruments having type approval in Germany without further testing if:
- the instrument has been tested to the performance standards and procedures described in paragraph 2.6; and
  - the testing has been carried out by a laboratory that complies with the requirements of paragraph 5.4.

The additional product certification requirements under MCERTS shall apply.

- 5.2 MCERTS shall follow the procedures described in its assessment procedure MCERTS - Guidance on the Acceptance of German Type Approval Test Reports for CEMS if:
- the test laboratory is not yet accredited to EN 45001; or
  - the testing was carried out prior to EN 45001 being awarded.

##### Conditions on the UBA's type approval scheme

- 5.3 The UBA shall accept test reports for instruments certified under MCERTS and include the instruments on the German Federal Register if:
- the testing was carried out to the performance standards and procedures described in paragraph 2.5; and
  - two identical instruments were tested and both instruments met the performance standards.

##### Both MCERTS and UBA schemes

- 5.4 Subject to the exceptional arrangements described in paragraph 5.2, laboratories which evaluate instruments for either scheme shall be accredited to EN45001 (EN ISO/IEC 17025 from March 2002) for the relevant test procedures and performance standards described in paragraphs 2.5 or 2.6.

## **6. Future Co-operation**

- 6.1 The Agency and the UBA agree to continue to work together to ensure that their respective schemes for CEMs remain aligned and in conformance with common standards. Both parties agree to consult each other on future changes to any performance standards, test procedures, and product certification arrangements applying to CEMs.
- 6.2 The Agency and the UBA agree to continue to work together for the mutual benefit of both parties and the manufacturing community to extend the scope of this MoU to the product certification/type approval of other monitoring systems including:
- ambient (immission) systems;
  - portable stack monitors.