



# Environmental Compliance Strategies in Brazil

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# Knowing the Applicable Environmental Requirements (I)

## A) Public Requirements

- **Legal framework:** Brazilian environmental legislation is comprised by a wide set of stringent laws and regulations at the federal, state and local levels
- **Specific requirements imposed by environmental agencies** for obtaining and maintaining environmental licenses
- Obligations established pursuant to **Environmental Adjustment Commitments** with environmental agencies and/or the Public Prosecution Office
- Obligations established pursuant to **judicial rulings**

# Knowing the Applicable Environmental Requirements (II)

## B) Private Requirements

- Requirements to obtain and maintain environmental certifications (ISO 14001, FSC etc.)
- Obligations established pursuant to commercial/corporate agreements
- Environmental requirements established by financial institutions for the concession of loans
- Requirements established by clients: certain companies in Brazil adopt environmental requirements to retain suppliers and services providers

# Defining the Adequate Tools

- **Environmental Audit**
  - ✓ internal/independent
  - ✓ preventive and corrective purposes
  - ✓ instant verification
  - ✓ wide scope (general environmental compliance)
- **Tutorial Environmental Follow-up**
  - ✓ internal/independent
  - ✓ preventive and corrective purposes
  - ✓ long term verification
  - ✓ focused scope (specific environmental compliance)

# Observing Confidentiality

- **Environmental Audit and Environmental Follow-up Reports**
  - ✓ confidentiality agreements/clauses
  - ✓ in the case of mandatory environmental audits, the report must be provided to the competent environmental agency
- **Public Access to Environmental Information**
  - ✓ access to the information maintained by the environmental agencies (Federal Law No. 10,650/2003 and state environmental legislation)
  - ✓ except for industrial, commercial and financial secrets, upon motivated confidentiality request submitted by the company



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