

Industrial Emissions Portal

2022/0105(COD) - 05/06/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Radan KANEV (EPP, BG) on reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal.

The proposal for a regulation aims to improve public access to environmental information through the creation of an integrated and coherent EU-wide electronic database, the Industrial Emissions Portal.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Definitions

Members specify that data on recovery available on the portal should be disaggregated by relevant R code. Data on disposal available on the portal should be disaggregated by relevant D code.

Content of the portal

The portal should include data, in a **standardised format** which facilitates data extraction, on:

- the summary of the permit as laid down in the implementing act referred to in Article 5(4) second subparagraph of Directive 2010/75/EU on industrial emissions, as amended;
- where available, systematised information provided by the Member States on the available scientific data as referred to in Article 79a of Directive 2010/75/EU on industrial emissions, as amended;
- a list of non-compliant installations under the amended Directive 2010/75/EU;
- the BAT conclusions referred to in Directive 2010/75/EU as amended.

The portal should include direct links to the **permit, the environmental management system and the transformation plans** referred to in the amended Directive 2010/75/EU on industrial emissions.

Design and structure of the portal

The Commission should make the portal publicly and **easily accessible and user-friendly**, presenting the data in both aggregated and non-aggregated forms with a view to enabling searches, data extraction and query-based downloads of datasets by:

- installation, or a **group of two or more installations** or parts of installations covered by the same permit;
- off-site transfers of waste and, as appropriate, their destination in accordance with Annexes I and II to Directive 2008/98/EC, indicating with 'R' or 'D', respectively, whether the waste is destined for recovery or disposal;

Where **personal data** are involved, Member States should inform data subjects of their rights on data protection under that Regulation and of the procedures applicable for exercising those rights.

Reporting by operators to competent authorities

The amended text specifies that where a permit covers two or more installations or parts of installations operated by the same operator on the same site, the operator may comply with the reporting requirements established in this Article by submitting in a single report all data related to such installations, or such parts of the installations, covered by the same permit.

Reporting by Member States to the Commission

Member States should provide, each year, to the Commission, by electronic means, a direct link to the website of the competent authorities for public notices for each installation and a list of non-compliant installations in industrial emissions, following the final decision on the non-compliance issued by the competent judicial or administrative authority of the Member State concerned in accordance with national law, in a standardised format enabling searches and extractions.

Member States should also provide the Commission and the Agency with systematised information on available scientific data as referred to in Directive 2010/75/EU as amended. The Agency should incorporate the data into the portal after verifying the scientific reliability of the sources.

Confidentiality

When data is considered confidential by a Member State, the report for the reporting year concerned should indicate separately for each installation, or in a single report for a group of two or more installations or parts of installations, which data cannot be made public and provide the reasons for this. Member States should ensure that operators have the possibility of objecting to the publication of such data.

The public should have the opportunity to submit comments, information, analyses and opinions within a reasonably long timeframe and in any of the official languages of the Union. Member States and the Commission shall promote public awareness of the Portal and understanding and use of the data contained in it in close cooperation with the public.

Review

No later than 31 December 2026, the Commission will review Annex II to this Regulation. Based on this review, the Commission should, if necessary, adopt a delegated act to amend Annex II to the Regulation.