

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2004/0231(COD) Procedure completed
European Pollutant Release and Transfer Register Amending Directive 96/61/EC 1993/0526(SYN) Amended by 2018/0205(COD)	
Subject 1.20.05 Public access to information and documents, administrative practice 3.70 Environmental policy 4.60.02 Consumer information, advertising, labelling	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		30/11/2004
		IND/DEM BLOKLAND Johannes	
	Committee for opinion	Rapporteur for opinion	Appointed
	PECH Fisheries		25/11/2004
	Verts/ALE SCHLYTER Carl		
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
	AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Environment	2697	02/12/2005
European Commission	Commission DG	Commissioner	
	Environment		

Key events			
06/10/2004	Legislative proposal published	COM(2004)0634	Summary
10/01/2005	Committee referral announced in Parliament, 1st reading		
24/05/2005	Vote in committee, 1st reading		Summary
30/05/2005	Committee report tabled for plenary, 1st reading		
31/05/2005	Committee report tabled for plenary, 1st reading	A6-0169/2005	

06/07/2005	Results of vote in Parliament		
06/07/2005	Decision by Parliament, 1st reading	T6-0276/2005	Summary
02/12/2005	Act adopted by Council after Parliament's 1st reading		
18/01/2006	Final act signed		
18/01/2006	End of procedure in Parliament		
04/02/2006	Final act published in Official Journal		

Technical information

Procedure reference	2004/0231(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 96/61/EC 1993/0526(SYN) Amended by 2018/0205(COD)
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/24169

Documentation gateway

Legislative proposal		COM(2004)0634	07/10/2004	EC	Summary
Economic and Social Committee: opinion, report		CES0383/2005 OJ C 255 14.10.2005, p. 0055-0058	06/04/2005	ESC	
Committee opinion	PECH	PE353.419	26/04/2005	EP	
Amendments tabled in committee		PE357.734	03/05/2005	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0169/2005	31/05/2005	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0276/2005 OJ C 157 06.07.2006, p. 0095-0266 E	06/07/2005	EP	Summary
Commission response to text adopted in plenary		SP(2005)2923	14/07/2005	EC	
Draft final act		03648/5/2005	18/01/2006	CSL	
Follow-up document		COM(2013)0111	05/03/2013	EC	Summary
Follow-up document		COM(2017)0810	13/12/2017	EC	Summary
Follow-up document		SWD(2017)0710	13/12/2017	EC	
Follow-up document		SWD(2017)0711	13/12/2017	EC	
Follow-up document		COM(2023)0301	09/06/2023	EC	

Additional information

Final act

[Regulation 2006/166](#)

[OJ L 033 04.02.2006, p. 0001-0017](#) Summary

European Pollutant Release and Transfer Register

PURPOSE : to establish a European Pollutant Release and Transfer Register.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : the European Commission is presenting this proposal in a bid to enhance public access to environmental information through the establishment of a coherent, integrated, European-wide "Pollutant Release and Transfer Register" (PRTR). Such a tool should help contribute to preventing and reducing overall pollution as well as offering useful data to environmental decision makers, when formulating environmental policy. The proposal is being presented to the Council and European Parliament within the context of the UN-ECE Protocol on PRTR, which was agreed upon in Kiev, May 2003. The Commission has based much of the present proposal on the UN-ECE PRTR thus allowing for a coherent, integrated European PRTR, which has the further advantage of being fully in line with the UN agreed register.

Once agreed upon, the European PRTR would fully succeed the existing "European Pollutant Emission Register" or EPER (based on Commission Decision 2000/479/EC) and the "Integrated Pollution Prevention and Control" instrument or IPPC (based on Council Directive 96/61/EC).

The Commission notes that the existing EPER already implements many key elements of the UN Protocol, such as harmonised reporting rules, public accessibility by electronic means, broad coverage of sources and polluting substances. Upgrading the EPER into a European PRTR will not entail any conceptual change. New aspects introduced through the PRTR will include facilitating measures such as what substances need to be reported on, coverage of land release, coverage of off-site waste transfers, coverage of releases from diffuse sources, public participation and lastly, periodic reporting requirements.

Where it does differ from the UN register is in cases where the UN tool has to be made compatible with existing and related EU legislation. For example, in the field of water and the Water Framework Directive the list of substances of the UN-ECE PRTR Protocol is extended by three substances. Further, the reporting timeframe of the UN-ECE Protocol is shortened in the Proposal. The first reporting year will be 2007, with data collected from the first European PRTR to be published on the internet in October 2009.

European Pollutant Release and Transfer Register

The committee adopted the report by Hans BLOKLAND (IND/DEM, NL) broadly approving the proposal under the 1st reading of the codecision procedure, subject to a number of amendments. Many of these were drafting amendments aimed at improving the coherence and clarity of the text. The other main amendments were as follows:

- a new clause was added to Article 5 stipulating that releases of pollutants falling into several categories of pollutants as specified in Annex II shall be reported for each of these categories. The committee argued that, as some substances fall into multiple categories, an operator could choose to spread the emission over these categories, meaning that the threshold value would not be exceeded in any of the categories. To prevent this, the operator should be required to report the emission for all relevant categories;
- it was important to distinguish between routine and accidental releases;
- when collecting data from diffuse sources, international approved methodologies should be used whenever these are available;
- it should be specified in the proposal that the information shall be available on the Internet free of charge;
- the report to be published by the Commission every 3 years shall be submitted to Parliament and the Council, together with an assessment of the operation of the European PRTR;
- the threshold level for releases of PCDD + PCDF (dioxins + furans) in Annex II should be lowered from 0.001 kg (1g) to 0.0001 kg (0.1g). MEPs pointed out that the emission of dioxins causes health and food safety problems around many waste incineration facilities. If the level were lowered, this would cover most of the waste incineration facilities that do not yet have effective flue gas clean systems and would also cover around 70% of the large metal processing industries.

European Pollutant Release and Transfer Register

The European Parliament adopted a resolution drafted by Hans BLOKLAND (IND/DEM, NL) with a number of compromise amendments agreed between the Parliament and Council with a view to concluding this procedure at first reading. The amendments add technical precision and strengthen free access to information. (Please see the summary of 24/05/2005.)

Parliament added a further recital stating that the European PRTR aims, among other things, at informing the public on important pollutant emissions due in particular to activities covered by Directive 96/61/EC. This means that information of the public on emissions by installations covered by Annex I of the above-mentioned Directive is done through the Regulation on a European Pollutant Release and Transfer Register.

- Article 5 includes a clause stating that the operator of each facility that undertakes one or more of the activities specified in Annex I above the

applicable capacity thresholds specified shall communicate to its competent authority the information identifying the facility in accordance with Annex III unless the information is already available to the competent authority. The releases referred to in Annex II shall include all releases from all sources included in Annex I at the site of the facility.

- The operator of each facility concerned shall keep available for the competent authorities of the Member State the records of the data from which the reported information was derived for a period of five years, (rather than 10 years).
- When collecting data from diffuse sources, international approved methodologies should be used whenever these are available;
- The Commission will develop a guidance document supporting the implementation of the European PRTR as soon as possible but no later than four months before the beginning of the first reporting year (rather than 9 months after entry into force of the Regulation.)
- The threshold level for releases of PCDD + PCDF (dioxins + furans) in Annex II should be lowered from 0.001 kg (1g) to 0.0001 kg (0.1g) (please see the summary of 24/05/2005.)

European Pollutant Release and Transfer Register

PURPOSE: to establish a European Pollutant Release Transfer Register (PRTR). To amend Council Directive 91/689 and 96/61.

LEGISLATIVE ACT: Regulation of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directive 91/689 and 96/61.

CONTENT: pollutant release and transfer registers, or PRTRs, have long been recognised, as a cost effective tool for encouraging environmental improvements, for providing public access to information on releases of pollutants and off-site transfers of pollutants and waste and for use in tracking trends, demonstrating progress in pollution reduction, monitoring compliance with certain international agreements, setting priorities and evaluating progress achieved through Community and national environmental policies and programmes. Further, PRTRs give the public, industry, scientists, insurance companies, local authorities, NGOs and other decision-makers a solid database for comparisons and future decision-making on environmental matters. However, the objectives and goals of a European PRTR can only be useful if the data submitted is both reliable and comparable. The need for an adequate harmonisation of the data collection and transfer system has resulted in the adoption of this Regulation.

In summary, the purpose of this Regulation is the establishment of an integrated pollutant release and transfer register at a Community level. Otherwise known as the European PRTR. It will take the form of a publicly accessible electronic database and will lay down the rules in order to implement UNECE Protocol on Pollutant Release and Transfer Registers. Its purpose will be to facilitate public participation in environmental decision-making, as well as contributing to the prevention and reduction of pollution in the environment.

The Regulation specifies that the European PRTR must include detailed information on the release of pollutants. In addition, information on off-site transfers of waste and releases of pollutants from diffuse sources should also be made available. The Commission, in turn will be obliged to publish the European PRTR in a manner that can be easily identified and found. The information will be divided in several chapters and include information on facilities and their geographical locations. The PRTR will also include, inter alia, information on the kind of activities being undertaken, the types of pollutants or waste being discharged, the environmental medium into which the pollutant is released, off-site transfers of waste and their destination and off-site transfers of pollutants in waste waters. Information should be regularly updated and made available on the internet and by other electronic means.

All operators listed in Annex I to this Regulation must prepare an annual report and present it to the competent national authorities. The report must include specific information on the amount of pollution released. The amounts being analysed need to include pollutants released into the air, water and land, off-site transfers of hazardous waste and off-site transfers of any pollutant relating to waste water destined for waste water treatment. Having received the reports, the Member States must forward them, electronically to the Commission. The first reporting year will be 2007. Assisted by the European Environment Agency, the Commission will then incorporate the information received onto the European PRTR. Specific provisions have been incorporated into the Regulation on the quality of information processed, on the public availability of the PRTR, on confidentiality, on public participation, on access to justice, on the preparation of a Guidance document and on awareness raising.

In accordance with scientific and technical progress, the Annexes have been amended. Member States will be responsible for laying down the penalties applicable to infringements of the provisions of this Regulation and will be responsible for taking all implementing measures.

ENTRY INTO FORCE: 24 February 2006.

European Pollutant Release and Transfer Register

This report from the Commission on progress in implementing Regulation (EC) 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (E-PRTR) reviews the Member States' emission reports submitted through the E-PRTR and, more generally, provides an assessment of experience gained during the first three years of operating the register.

The main conclusions of the report are the following:

- knowledge base: an integrated and coherent E-PRTR is an important tool to increase the knowledge base for a cost-efficient and transparent management of air, water, and land resources;
- transparency: the establishment of the E-PRTR has been an important step forward in ensuring greater transparency on the types and quantities of industrial emissions and environmental monitoring. The E-PRTR comprises a unique dataset covering a wide variety of pollutants, addressing releases and transfers to all media and based on a bottom-up approach; and
- a reasonable success story: the assessment of the Commission of the implementation of the Regulation demonstrates a reasonable success story. Member States came to terms with the new obligations in an expeditious manner to the point where data collection, assessment and submission to the Commission is now completed for most releases in a reliable fashion.

However, there remains a need and potential for further improvements. This report contains actions that will help address some of the most important issues identified during the review and take the E-PRTR forward in a way that will further improve its usability and encourage wider

use of the important environmental information contained therein. These actions include: (i) enhancing the quality of data and user confidence; (ii) improving data use and exchange; and (iii) further examination of the legal basis of the E-PRTR and links with other legislation.

Those actions will be pursued following an appropriate degree of prioritisation in order to effectively target those actions of greatest potential benefit.

European Pollutant Release and Transfer Register

The Commission presented a progress report on the implementation of Regulation (EC) 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (E-PRTR).

The European Pollutant Release and Transfer Register (E-PRTR) provides high-quality environmental information on emissions from Europe's largest industrial facilities. This information is used to set priorities for cost-effective emission reduction strategies, to measure progress in reducing pollution and to influence operators to adopt environmentally friendly practices and techniques.

The E-PRTR implements, at EU level, the UNECE PRTR (Kiev) Protocol to the Aarhus Convention.

To help Member States implement the E-PRTR consistently, in 2006 the Commission published a guidance document explaining who should report, what they should report, and how they should submit the data.

Member State implementation: the implementation of the E-PRTR Regulation is dependent on coordinated EU-level actions taken by the European Commission and European Environment Agency (EEA), and on national measures.

All EU Member States have implemented the E-PRTR Regulation. As the Regulation is of interest to the European Economic Area, it has also been implemented in Norway, Iceland and Liechtenstein.

Under its REFIT programme, the Commission has evaluated the E-PRTR Regulation, assessing the core analytical questions on effectiveness, efficiency, coherence, relevance and EU added value.

The Commission considered that the E-PRTR Regulation is an important instrument in the EU's environmental acquis and is fit for purpose.

The E-PRTR is an important and pivotal component in the knowledge base on emissions from industrial activities in Europe. The readily accessible, high-quality data available on the E-PRTR website equip the public with information that greatly enhances their ability to engage with wider environmental decision-making. Moreover, for a variety of other users, including policy analysts and developers, the E-PRTR remains the primary reference point for key environmental facts on large industrial activities.

The E-PRTR provides added value beyond the requirements of the Kiev Protocol by ensuring consistent implementation of the Protocol across all Member States.

Possible improvements: many of the issues raised in the 2013 report to the European Parliament and the Council have been remedied, in particular with regard to improving data quality and user confidence, improving the use and exchange of data and clarification of the European PRTR Regulation and links with other legislation.

The Commission nevertheless suggests certain areas for improvement:

- revising the existing guidance document to help Member States with consistent implementation;
- better streamlining reporting obligations by further exploiting synergies with related environmental legislation;
- reducing the administrative burden on Member States; and
- exploring options for additional contextual information to make E-PRTR data more effective. Additional context could be provided by such measures as increasing the granularity of activity descriptions, including quantitative activity data and better explaining the possible health and environmental impacts of the stated releases, as well as better signposting access to further information on air and water quality.