

European Pollutant Release and Transfer Register

2004/0231(COD) - 18/01/2006 - Final act

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.