Basic information

2022/0105(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Industrial Emissions Portal **Subject** 1.20.05 Public access to information and documents, administrative practice 3.70 Environmental policy 4.60.02 Consumer information, advertising, labelling **Legislative priorities** Joint Declaration 2022	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	KANEV Radan (EPP)	10/05/2022
	Shadow rapporteur CHAHIM Mohammed (S&D) WIEZIK Michal (Renew) PAULUS Jutta (Greens/EFA) ZALEWSKA Anna (ECR) LANCINI Danilo Oscar (ID) MATIAS Marisa (The Left)	

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Environment	-- --
Internal Market, Industry, Entrepreneurship and SMEs	-- --

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
05/04/2022	Legislative proposal published	COM(2022)0157	Summary
05/05/2022	Committee referral announced in Parliament, 1st reading		
24/05/2023	Vote in committee, 1st reading		
05/06/2023	Committee report tabled for plenary, 1st reading	A9-0211/2023	Summary
10/07/2023	Debate in Parliament		
11/07/2023	Decision by Parliament, 1st reading	T9-0260/2023	Summary
11/07/2023	Results of vote in Parliament		
11/07/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2024)007082 PE758.790	
12/03/2024	Decision by Parliament, 1st reading	T9-0124/2024	Summary
12/03/2024	Results of vote in Parliament		
12/04/2024	Act adopted by Council after Parliament's 1st reading		
24/04/2024	Final act signed		
02/05/2024	Final act published in Official Journal		

Technical information

Procedure reference	2022/0105(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 192-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/08817

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee draft report		PE737.356	27/10/2022	
Amendments tabled in committee		PE739.747	09/12/2022	
Amendments tabled in committee		PE739.771	13/12/2022	
Committee report tabled for plenary, 1st reading/single reading		A9-0211/2023	05/06/2023	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T9-0260/2023	11/07/2023	Summary
Text agreed during interinstitutional negotiations		PE758.790	15/12/2023	
Text adopted by Parliament, 1st reading/single reading		T9-0124/2024	12/03/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)007082	15/12/2023	
Draft final act	00101/2023/LEX	24/04/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2022)0157	05/04/2022	Summary
Document attached to the procedure	SWD(2022)0111	06/04/2022	
Document attached to the procedure	SWD(2022)0112	06/04/2022	
Document attached to the procedure	SWD(2022)0113	06/04/2022	
Commission response to text adopted in plenary	SP(2024)350	22/07/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES2403/2022	13/07/2022	
CofR	Committee of the Regions: opinion	CDR2951/2022	12/10/2022	

Additional information

Source	Document	Date
European Parliament	Briefing	05/03/2024
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	**Role**	**Committee**	**Date**	**Interest representatives**
KANEV Radan	Rapporteur	ENVI	27/06/2022	Rolls-Royce International

Other Members

Transparency		
Name	**Date**	**Interest representatives**
WÖLKEN Tiemo	22/03/2023	ClientEarth AISBL
PENKOVA Tsvetelina	09/03/2023	Aurubis AG

Final act	
Regulation 2024/1244 OJ OJ L 02.05.2024	Summary

Industrial Emissions Portal

2022/0105(COD) - 02/05/2024 - Final act

PURPOSE: to facilitate public access to environmental information by setting up a coherent and integrated electronic database at EU level and to enable the monitoring of industrial pollution in order to contribute to its prevention and reduction.

LEGISLATIVE ACT: Regulation (EU) 2024/1244 of the European Parliament and of the Council on reporting of environmental data from industrial installations, establishing an Industrial Emissions Portal and repealing Regulation (EC) No 166/2006.

CONTENT: the Regulation lays down rules on the collection and reporting of environmental data on industrial installations and establishes an **Industrial Emissions Portal** at Union level in the form of an online database giving public access to such data. This Regulation implements the UNECE Protocol on Pollutant Release and Transfer Registers (the 'Protocol').

Objectives

The objectives of this Regulation are to **enhance public access to information** through the establishment of the Portal, thereby facilitating public participation in environmental decision-making as well as identifying sources of industrial pollution, and to enable industrial pollution to be monitored in order to contribute to its prevention and reduction.

The Portal will:

- provide the public with free-of-charge online access to a more integrated and coherent dataset on key environmental pressures generated by industrial installations;

- encourage better environmental performance;

- track trends;

- demonstrate progress in pollution reduction;

- benchmark installations;

- monitor compliance with relevant international agreements;

- set priorities and evaluate progress achieved through Union and national environmental policies and programmes.

Content of the Portal

The Portal will include: (i) data on the release of pollutants; (ii) data on off-site transfers of waste and of pollutants in waste water; (iii) information on individual installations, reported by the Member States to the Commission; (iv) data on the use of water, energy and relevant raw materials; (v) contextual information; (vi) data on the release of pollutants from diffuse sources.

Reporting by operators to competent authorities

The regulation describes the data that the operators of the industrial installations concerned must communicate each year to their competent authority. These data include (i) data on the release to air, water and land of the pollutants listed in Annex II; (ii) data on off-site transfers of hazardous waste in quantities exceeding two tonnes per year per facility; (iii) data on off-site transfers of any pollutant listed in Annex II contained in waste water destined for treatment; (iv) data on the use of water, energy and relevant raw materials; (v) information allowing the contextualisation of the reported data.

On an annual basis, no later than 11 months from the end of the reporting year, Member States will submit to the Commission, by electronic means, a report including all the data.

Substances listed in Annex II

Dicofol and two types of PFAS - perfluorooctanoic acid (PFOA) and its salts and perfluorohexane sulphonic acid (PFHxS) - have been added to the substances listed in Annex II.

By 31 December 2025, the Commission will adopt a delegated act reviewing the list of substances and thresholds in Annex II, including an assessment of the need to reduce the reporting thresholds for per- and polyfluoroalkyl substances (PFAS) and other relevant substances.

Review

The Commission will review the implementation of the Regulation and its Annexes at least every five years from the date of application to ensure that they are aligned with scientific and technical progress. The review process will take due account of international initiatives addressing the release of pollutants from industrial activities and the impact of the release of such pollutants on human health or the environment, Member States' best practices and progress in that regard, and progress in research and technology.

Where appropriate, the Commission will submit a legislative proposal to the European Parliament and to the Council to amend this Regulation or the Annexes thereto, or both.

ENTRY INTO FORCE:22.5.2024.

APPLICATION: from 1.1.2028.

Industrial Emissions Portal

2022/0105(COD) - 05/04/2022 - Legislative proposal

PURPOSE: to transform the European Pollutant Release and Transfer Register (E-PRTR) into an Industrial Emissions Portal.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Regulation (EC) No 166/2006 established the European Pollutant Release and Transfer Register (E-PRTR), as the Europe-wide register providing public access to key environmental data from industrial facilities located in the EU, Iceland, Liechtenstein and Norway. The EPRTR contains data reported annually by some 30 000 industrial facilities which cover 65 economic activities across the EU. The Regulation implements the 2006 Kyiv Protocol on Pollutant Release and Transfer Registers, which entered into force in 2009. It is the only legally binding international instrument on pollutant release and transfer registers.

The E-PRTR has proven to be a pivotal knowledge base on releases from EU industrial activities. It provides easily accessible and high-quality data. It gives the public access to this valuable information, thereby supporting environmental decision-making. However, the E-PRTR can be further improved and made more effective by being aligned with reporting obligations set out in other environmental legislation, as well as by having it report additional contextual information.

CONTENT: this proposed Regulation seeks to **enhance public access to environmental information** through the establishment of an integrated, coherent Union-wide electronic database, the **Industrial Emissions Portal**.

In this regard, its main objectives are to:

- update the European Pollutant Release and Transfer Register (E-PRTR) in line with findings of the recently completed impact assessment by creating an Industrial Emissions Portal (Portal);

- re-establish the Portal as a supporting instrument to the Industrial Emissions Directive (IED) and related EU environmental law.

Content of the Portal

The Portal should include data on:

- releases of pollutants;

- off-site transfers of waste and of pollutants in wastewater;

- use of water resources, energy and raw materials;

- where available, data on releases of pollutants from diffuse sources.

Design and structure of the Portal

The Commission should make the Portal publicly accessible, presenting the data in both aggregated and non-aggregated forms to enable Portal users to undertake specific searches by inter alia installation or activity. The objective is to ensure maximum ease and usefulness for Portal users in terms of access to relevant reported data.

The Portal should be designed for maximum ease of public access to allow the data, under normal operating conditions, to be continuously and readily accessible on the internet. Its design should take into account the possibility of its future expansion and should include all data reported for previous reporting years, up to at least the previous ten reporting years.

Member States and the Commission should **promote public awareness** of the Portal and understanding and use of the data contained in it.

Access to information

The proposal suggests that the Commission, assisted by the Agency, should make the data contained in the Portal **publicly accessible and free of charge on the internet** within 1 month of completion of reporting by Member States. Moreover, each Member State should make available to the public its data, in a continuous manner, free of charge and without restricting access to registered users.

Industrial Emissions Portal

2022/0105(COD) - 12/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 506 votes to 82, with 25 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject matter

The proposed Regulation lays down rules on the collection and reporting of environmental data on industrial installations and establishes an **Industrial Emissions Portal at Union level** in the form of an online database giving public access to such data. The Regulation implements the UNECE Protocol on Pollutant Release and Transfer Registers.

The objectives of this Regulation are to **enhance public access to information** through the establishment of the Portal, thereby facilitating public participation in environmental decision-making as well as identifying sources of industrial pollution, and to enable industrial pollution to be monitored in order to contribute to its prevention and reduction.

Content of the Portal

The Portal should include the following: (i) data on the release of pollutants; (ii) data on off-site transfers of waste and of pollutants in waste water; (iii) information on individual installations, reported by the Member States to the Commission; (iv) data on the use of water, energy and relevant raw materials; (v) data on the release of pollutants from diffuse sources.

Review

The amended text introduced a general review clause to assess activities and pollutants covered by the regulation, as well as the applicable thresholds in Annex I (concerning the activities that require reporting above set thresholds) and II (concerning the pollutants that need to be reported above set thresholds).

The Commission should carry out a review of the implementation of this Regulation and its Annexes, at least every five years from its date of application. The purpose of the review should be, amongst other things, to ensure the alignment of this Regulation and its Annexes with scientific and technical progress.

The review process should take due account of international initiatives addressing the release of pollutants from industrial activities and the impact of the release of such pollutants on human health or the environment, Member States' best practices and progress in that regard, and progress in research and technology.

Where appropriate, the Commission should submit a legislative proposal to the European Parliament and to the Council to amend this Regulation or the Annexes thereto, or both.

Substances listed in Annex II

Dicofol and two types of PFAS - perfluorooctanoic acid (PFOA) and its salts and perfluorohexane-1-sulfonic acid (PFHxS) - have been added to the substances listed in Annex II. By 2026, the Commission must issue a review of Annex II and provide guidance on the measurement methodology for these substances.

Implementing powers

In order to ensure uniform conditions for the implementation of this Regulation regarding the reporting by operators to competent authorities, implementing powers should be conferred on the Commission to establish the list of relevant raw materials to be reported by the operators after consultation of Member States, the industries concerned and non-governmental organisations promoting human health and environmental protection.

The Regulation will enter into force in **2028** to give Member States sufficient time to adapt to the new rules.

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.

Industrial Emissions Portal

2022/0105(COD) - 11/07/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 563 votes to 51 with 18 abstentions, **amendments** to the proposal for a regulation of the European Parliament and of the Council on reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal.

The matter was referred back to the committee responsible for inter-institutional negotiations.

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 where citizens could access data on all permits granted by the EU and on local polluting activities.

Content of the Portal

The Portal should:

- **provide the public with free-of-charge and online access** to a further integrated and coherent dataset in all official languages of the Union on key environmental pressures generated by industrial installations;

- present the data it contains in aggregated and non-aggregated forms to permit users to undertake targeted searches as well as to allow for **user-friendly, electronic means of extraction of data**, including query-based datasets;

- include basic data on the **use of water, energy and raw materials** by the concerned installations, provided that the extent of those data does not exceed what is necessary to allow monitoring of progress towards a circular, highly resource-efficient economy;

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

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 European Environment 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 should 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.