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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**concerning the establishment of a European Pollutant Release and Transfer Register
and amending Council Directives 91/689/EEC and 96/61/EC**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. OBJECTIVE OF THE PROPOSAL

The overall objective is to enhance public access to environmental information through the establishment of a coherent, integrated, European-wide PRTR, thereby finally also contributing to the prevention and reduction of pollution, delivering data for policy makers and facilitating public participation in environmental decision making.

The European Community and its Member States negotiated and finally adopted and signed, with the exception of Malta and Slovakia, an UN-ECE Protocol on Pollutant Release and Transfer Registers (PRTRs) on the fifth Ministerial Conference "Environment for Europe" in Kiev, May 2003.

At present there is no coherent, integrated, publicly accessible European-wide pollutant release and transfer register existing yet that is fully in line with the criteria set forth in the UN-ECE PRTR Protocol.

In order to ratify the UN-ECE PRTR Protocol, the already existing more limited European Pollutant Emission Register (EPER), based on Commission Decision 2000/479/EC of 17 July 2000¹ according to Article 15(3) of Council Directive 96/61/EC of 24 September 1996 concerning Integrated Pollution Prevention and Control (IPPC)² has to be replaced by a comprehensive European PRTR. The European PRTR will fully succeed the existing EPER.

2. THE UN-ECE PROTOCOL ON POLLUTANT RELEASE AND TRANSFER REGISTERS (PRTRs)

The UN-ECE Protocol on Pollutant Release and Transfer Registers was signed at an extraordinary meeting of the Parties to the Convention on 21 May 2003. The meeting took place in the framework of the Fifth 'Environment for Europe' Ministerial Conference, Kiev, 21-23 May 2003.

The Protocol is the first legally binding multilateral agreement, beyond the borders of the EU, on pollutant release and transfer registers. Its objective is "to enhance public access to information through the establishment of coherent, nationwide pollutant release and transfer registers (PRTRs) ..." Although regulating information on pollution, rather than pollution directly, the Protocol is expected to exert a significant downward pressure on levels of pollution.

The establishment of coherent pollution inventories or registers on a structured, computerized and publicly accessible database compiled through standardised reporting is one of the obligations of the Århus Convention on access to information, public participation in decision-making and access to justice in environmental matters laid down in its Article 5(9).

¹ OJ L 192, 28.7.2000, p. 36.

² OJ L 257, 10.10.1996, p. 26.

All States as well as regional economic integration organisations can sign and ratify the Protocol, including those which have not ratified the Århus Convention and those which are not members of the Economic Commission for Europe, and is thus an open protocol.

3. EXISTING COMMUNITY LEGISLATION

On 17 July 2000 the Commission adopted a Decision on the implementation of a European pollutant emission register (EPER) according to Article 15(3) of Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC). The Register became operational by a launch event on 23 February 2004³.

EPER already implements many key elements of the Protocol: harmonised reporting rules, public accessibility by electronic means, broad coverage of sources (industrial facilities) and polluting substances. Thanks to a remarkably well-developed co-ordination between Member States and the Commission during the negotiations, the main provisions of the Protocol are fully compatible with the approach set out by EPER. The upgrading of EPER into a European PRTR therefore does not entail any conceptual change. No efforts or resources invested so far in EPER will be lost.

The obligations of the Protocol extend beyond the scope of EPER mainly in terms of facilities included, substances to report, coverage of releases to land, coverage of off-site waste transfers, coverage of releases from diffuse sources, public participation and the periodicity of reporting.

In order to ensure ratification of the Protocol in due time, the Commission submits in parallel a Proposal for a Council Decision on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers, COM (2004) xxx final. This legal Community act is also designed to ensure full compliance with Article 5(9) of the Århus Convention.

It is worth noting that the Community signed the Århus Convention and the Commission recently adopted a proposal for its approval (COM (2003)625 final of 24.10.2003). A number of other legislative acts have already been adopted or at least proposed in order to ensure the Community's compliance with the provisions of the Convention⁴.

³ OJ C 55, 3.3.2004, p. 6.

⁴ Directive 2003/4/EC on public access to environmental information, OJ L 41, 14.2.2003, p. 26; Directive 2003/35/EC providing for public participation, OJ L 156, 25.6.2003, p. 17, Proposal for a Directive on access to justice in environmental matters, COM(2003) 624 final; Proposal for a Regulation on the application of the provisions of the Aarhus Convention to EC institutions and bodies, COM(2003) 622 final.

4. ELEMENTS OF THE PROPOSAL

4.1. Legal basis

The European Community, in accordance with the Treaty and in particular Article 175(1) in conjunction with Article 300, is competent for entering into international agreements and for implementing the obligations resulting there from, obligations which contribute to the pursuit of the objectives listed in Article 174(1) of the EC Treaty.

Under this Article, the Treaty establishes the objectives of the Community policy on the environment as follows: preserving, protecting and improving the quality of the environment, protecting human health, prudent and rational utilisation of natural resources, promoting measures at the international level to deal with regional or worldwide environmental problems.

The improvement of the public's access to information by means of a PRTR is an essential tool to ensure public awareness on environmental issues and to promote better implementation of environmental legislation. A PRTR is also a powerful information tool for the policy makers themselves. Thus, it contributes to strengthen the effectiveness of environmental policy established in the view of the above mentioned objectives.

Moreover, Community competence has already been exerted in this field by the establishment of a Community-wide European Pollutant Emission Register (EPER).

The chosen policy option for implementation of the UN-ECE PRTR Protocol is a Regulation of the European Parliament and of the Council.

In a "Study on the outline of impacts of UN-ECE PRTR Protocol on EU legislation" made by Milieu Ltd⁵ different policy options were investigated.

One policy option would be to upgrade the existing EPER Decision. However, this would also imply revisions of the IPPC Directive now and possibly in future, whenever major revisions of the UN-ECE PRTR Protocol or its Annexes take place.

Another policy option for implementation would be a Directive. The major disadvantage of this option is its incompatibility with the need for comparable and therefore harmonised data to be delivered to the European PRTR central database. Comparability of data is a priority because the UN-ECE PRTR Protocol sets forth a number of technical options and approaches, which could – if not stringently harmonised – lead to totally different national systems and the impossibility to collect and disseminate meaningful data on European level. The level of discretion, left open for Member States in a Directive would risk discrepancies and incomparability of data. Moreover, risk of delays in transposition by the MS could frustrate the objective of a speedy conclusion and implementation of the PRTR Protocol.

The third option of adopting an independent instrument in the form of a Regulation, based on Article 175(1) of the EC Treaty, therefore seems to be the best option.

⁵ Study contract no. B4-3040/2003/356360/MAR/G2.

4.2. Subsidiarity and Proportionality

The eight each one week lasting negotiations on the UN-ECE PRTR Protocol were accompanied by intensive EU co-ordination meetings with participation of nearly all Member states and accession countries. The finally adopted and signed UN-ECE Protocol could be roughly regarded as “widely discussed and agreed position” of the Member States and accession countries at the time of the negotiations.

This Proposal for a Regulation on the establishment of the European PRTR follows largely the provisions of the UN-ECE Protocol. The few divergences are justified by the need to ensure consistency with other legislative acts at Community level.

As the European Community signed the Protocol and aims at its ratification, there is no alternative to the creation of an appropriate legal act at Community level to ensure compliance with the obligations of the Protocol.

Member States are obliged, when becoming Parties to the Protocol, to implement national PRTRs. Respecting the principle of subsidiarity, the Commission proposal leaves the design of such national PRTRs entirely to Member States. Considerations of compliance with the Protocol and of practicability are expected to be strong incentives for Member States to ensure full compatibility of their national PRTRs with the European PRTR.

4.3. Consistency with other Community Policies

This Proposal concerning the establishment of a European PRTR is in line with the agenda for EU environmental policymaking until 2012 outlined in the Communication from the Commission on the **6th Environment Action Programme (6th EAP)**⁶. In the chapter entitled "Empowering Citizens and Changing Behaviour", the 6th EAP stresses that "well-informed citizens, who are actively involved in environmental decision-making, are a powerful new force in achieving environmental results". To be effective, however, the 6th EAP emphasises that "they need quality information that they can use and understand" and that "they need the appropriate access to decision-makers to be able to express their views".

The Communication further states that environmental reporting by companies and authorities needs to make information available at a local level so that people can easily obtain data on emissions from factories or other installations in their area.

The European PRTR serves further one priority action of the 6th EAP of reviewing and regularly monitoring information systems with a view to a more coherent and effective system to ensure streamlined reporting of high quality, comparable and relevant environmental data and information.

This Proposal is also consistent with existing EU legislation on Public Access to Environmental Information, Public Participation in Decision making and Access to Justice. Articles 11 and 13 on confidentiality and access to justice are referring directly to the relevant EU legislation.

⁶ COM(2001) 31 final of 24.1.2001.

Further this Proposal is consistent with EU legislation in the field of air, water and waste. Wherever possible and in line with an intended fully implementation of the UN-ECE Protocol, definitions and provisions from existing EU legislation have been used. There are a few exceptions, notably the definition of the capacity thresholds for the activities cement and ceramics industry in Annex I which differ from those set out in Annex I of the Council Directive 96/61/EC concerning integrated pollution prevention and control (“IPPC Directive”) and are necessary for compliance with the provisions of the Protocol. This proposal should be seen as a separate legal instrument and will not pre-empt a future amendment to the IPPC Directive, including any revised definitions for the Annex I activities. The Commission will inform the Parties regarding possible changes to the E-PRTR Regulation which could result from an amendment to the IPPC Directive.

In the sense of harmonising and streamlining reporting requirements the European PRTR repeals Article 8(3) of the Directive 91/689/EEC of 12 December 1991 on hazardous waste⁷ and includes further provisions to harmonise the obligations from the UN-ECE Protocol with existing EU legislation.

In the following two items the Proposal differs from the UN-ECE PRTR Protocol:

- In order to streamline with existing EU legislation in the field of water, especially the Water Framework Directive⁸ and its Annexes IX and X (Priority substances), the list of substances of the UN-ECE PRTR Protocol is extended by three substances; for five other substances on the UN-ECE list additional reporting of releases to water is asked for. In order to streamline with future reporting on persistent organic pollutants according to a proposal by the Commission for a Regulation on persistent organic pollutants⁹ another additional substance is included.
- The reporting timeframe of the UN-ECE Protocol is shortened in this Proposal, bearing in mind that the public is asking for timely information and the first reporting year will be 2007; those data to be published as first European PRTR on the internet in October 2009 according to this Proposal.

It is also worth noting that many of the additional 36 substances to be reported in addition to EPER are pesticides no longer marketed and used in the EU.

The reporting of releases and transfers by Member States for the purpose of the European PRTR may also be considered as fulfilment of other reporting obligations stipulated in other environmental Community legislation, thereby avoiding double reporting. This might be specified in the questionnaires established in accordance with the Comitology procedure under Directive 91/692/EEC¹⁰.

⁷ OJ L 377, 31.12.1991, p. 20.

⁸ Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy; OJ L 327, 22.12.2000. p. 1.

⁹ COM(2003) 333 final of 12.6.2003.

¹⁰ OJ L 377, 31.12.1991, p. 48.

4.4. Content of the Proposal

For an extensive presentation of this chapter please visit www.eper.cec.eu.int (“Explanatory Memorandum of future European PRTR”).

5. IMPACT ASSESSMENT

The economic impacts of the implementation of a PRTR were intensively investigated by the ECE Economic Analysis Division in a study titled “Analysis of the Costs and Benefits of PRTRs”¹¹ in 2002. All Parties negotiating the UN-ECE Protocol had the opportunity to contribute data and comment on the study. The study was finally accepted by all Parties for publication.

In the case of the implementation of the European PRTR the results of the study, although interesting, can not be adequately applied, since

- Member States are already obliged to establish their own national PRTR according to the UN-ECE Protocol;
- Key elements of the European PRTR (data collection systems, electronic tools) are already in place under EPER.

The European PRTR is basically only a transfer of data, already collected by the Member States for their national PRTRs, to the Commission/EEA. The additional obligations in the European PRTR compared to the UN-ECE Protocol are moderate, since the data flow from the Member States to EEA/Commission is already being well organised under existing EPER procedures. The costs are considered to be low and mainly accrue to the Commission, since it must publish the data on the internet and deliver guidance and review documents. The EEA is in need of a small yearly budget for the maintenance of hard- and software for the European PRTR.

On the side of the Member States, additional but limited costs may arise for compiling a national report according to Article 16 of the Regulation.

As this Proposal repeals the reporting of Article 8(3) of Directive 91/689/EEC of 12 December 1991 on hazardous waste, costs which had to be allocated for this reporting in the past could now be saved.

In terms of social consequences this Proposal is regarded as positive, since the European PRTR will allow the public better access to environmental information and will improve public participation in decision-making. The European PRTR will implement Article 5(9) of the Århus Convention.

¹¹ Document no. CEP/WG.5/AC.2/2002/4, 11.02.2002, available under www.unece.org

In terms of the environmental consequences, public access and public participation regarding the European PRTR will raise public awareness in industrial pollution. This will certainly result in public pressure on introducing measures for pollution reduction. The integrated and coherent database of the European PRTR will give policy-makers, scientists, industry and other organisations a solid database for their future decisions.

The harmonising and streamlining of reporting by facilities will enhance and facilitate future development of coherent and effective monitoring and reporting. Further potential for coordinating reporting and optimising business costs could be explored where there is a high degree of integration of similar facilities based on the same site e.g. sharing a common waste water treatment plant.

6. CONSULTATION WITH STAKEHOLDERS

To ensure a broad consultation process on the potential scope and content of this Proposal, the Environment Directorate-General of the Commission launched a study, organised a number of meetings and developed a working draft document of the Proposal.

The “Study on the outline of impacts of UN-ECE Protocol on EU legislation” carried out by Milieu Limited built up the basis for discussions with Member States and Accession Countries on the IPPC Article 19 Meeting on 25 November 2003 and in addition together with stakeholders on the 1st Meeting of the ad hoc working group on the development of the European PRTR on 26 November 2003.

The results of these discussions were considered in developing a Working Draft for the Proposal, which was basis for discussions on the IPPC Article 19 Meeting on 5 April 2004 with Member States and Accession Countries and in addition together with stakeholders on the 2nd Meeting of the ad hoc working group on the development of the European PRTR on 6 April 2004.

The positions of the consultees (Member States, Accession Countries, industry, NGOs and international organisations) are presented in detail on www.eper.cec.eu.int (“Explanatory Memorandum of future European PRTR”).

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(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1), thereof,

Having regard to the Proposal from the Commission¹²,

Having regard to the opinion of the European Economic and Social Committee¹³,

Having regard to the opinion of the Committee of the Regions¹⁴,

Acting in accordance with the procedure laid down in Article 251 of the Treaty¹⁵,

Whereas:

- (1) The Sixth Community Environment Action Programme adopted by Decision No 1600/2002/EC of the European Parliament and of the Council¹⁶ requires supporting the provision of accessible information to citizens on the state on trends of the environment in relation to social, economic and health trends as well as the general raising of environmental awareness.
- (2) The UN-ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Århus Convention), signed by the European Community on 25 June 1998, recognises that increased public access to environmental information and the dissemination of such information contribute to a greater awareness of environmental matters, a free exchange of views, more effective participation by the public in environmental decision-making and, eventually, to a better environment.

¹² OJ C [...], [...], p. [...].

¹³ OJ C [...], [...], p. [...].

¹⁴ OJ C [...], [...], p. [...].

¹⁵ Opinion of the European Parliament of xxx and Council Decision of xxx.

¹⁶ OJ L 242, 10.9.2002, p. 1.

- (3) Pollutant release and transfer registers (hereafter “PRTRs”) are a cost-effective tool for encouraging improvements in environmental performance, 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.
- (4) An integrated and coherent PRTR gives industry, scientists, insurance companies, local authorities, non-governmental organisations and other decision-makers a solid database for comparisons and future decisions in environmental matters.
- (5) On 21 May 2003 the European Community signed the UN/ECE Protocol on Pollutant Release and Transfer Registers (the PRTR Protocol). Provisions of Community law must be consistent with that Protocol with a view to its conclusion by the Community.
- (6) A European Pollutant Emission Register (hereinafter “EPER”) was established by Commission Decision 2000/479/EC¹⁷. The PRTR Protocol builds on the same principles as EPER, but goes beyond, by including reporting on more pollutants, more activities, releases to land, releases from diffuse sources and off-site transfers.
- (7) The objectives and goals pursued by a European PRTR can only be achieved if data are reliable and comparable. An adequate harmonisation of the data collection and transfer system is therefore needed to ensure the quality and comparability of data. In accordance with the PRTR Protocol the European PRTR should be designed for maximum ease of public access through the internet. Releases and transfers should be easily identified in different aggregated and non-aggregated forms in order to access a maximum of information in a reasonable time.
- (8) In order to further promote the objective of supporting the provision of accessible information to citizens on the state on trends of the environment as well as the general raising of environmental awareness, the European PRTR should contain links to other similar databases in Member States, non-Member States and international organisations.
- (9) In accordance with the PRTR Protocol, the European PRTR should also contain information on specific waste disposal operations, to be reported as releases to land.
- (10) In order to achieve the objective of the European PRTR to provide reliable information to the public and to allow for knowledge-based decisions it is necessary to provide for reasonable but strict timeframes for data collection and reporting; this is particularly relevant for reporting by Member States to the Commission.

¹⁷ OJ L 192, 28.7.2000, p. 36.

- (11) Reporting of releases from industrial facilities, although not yet always consistent, complete and comparable, is a well established procedure in many Member States. Compared to this procedure, reporting on releases from diffuse sources should be improved in order to enable decision-makers to better put into context those releases and to choose the most effective solution for pollution reduction; in accordance with the PRTR Protocol, initial steps should therefore be taken to ensure such improvements.
- (12) Data reported by the Member States should be of high quality in particular as regards their timeliness, completeness, uncertainty, comparability, consistency and transparency. It is of great importance to coordinate future efforts of both operators and Member States to improve the quality of the reported data. The Commission will therefore initiate work, together with the Member States, on quality assurance.
- (13) In accordance with the Århus Convention, the public should be granted access to the information contained in the European PRTR without an interest to be stated, primarily by ensuring that the European PRTR provides for direct electronic access through Internet.
- (14) Access to information provided by the European PRTR should be unrestricted and exceptions from this rule should only be possible where explicitly granted by existing Community legislation.
- (15) In accordance with the Århus Convention, public participation should be guaranteed in the further development of the European PRTR by early and effective opportunities to submit comments, information, analysis or relevant opinions for the decision-making process. Applicants should be able to seek an administrative or judicial review of the acts or omissions of a public authority in relation to a request.
- (16) In order to enhance the usefulness and impact of the PRTR, the Commission and the Member States should co-operate in developing guidance supporting the implementation of the European PRTR, in promoting awareness of the public and in providing appropriate and timely technical assistance.
- (17) In order to keep in line with technical and scientific progress, the European PRTR should be open for further developments, in particular with regard to information concerning releases from diffuse sources.
- (18) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹⁸.

¹⁸ OJ L 184, 17.7.1999, p. 23.

- (19) Since the objectives of the action to be taken, namely to enhance public access to environmental information through the establishment of an integrated, coherent Community-wide electronic database, cannot be sufficiently achieved by the Member States, since the need for comparability of data throughout the Member States argues for a high level of harmonisation, and can therefore be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (20) In order to simplify and streamline reporting requirements Council Directive 91/689/EEC of 12 December 1991 on hazardous waste¹⁹ and Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control²⁰ should be amended.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject Matter

This Regulation establishes an integrated pollutant release and transfer register at Community level (European PRTR) in the form of a publicly accessible electronic database and lays down rules for its functioning, in order to implement the UN-ECE Protocol on Pollutant Release and Transfer Registers (hereinafter “the Protocol”).

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

- (1) “The public” means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups;
- (2) “Competent authority” means the national authority or authorities, or any other competent body or bodies, designated by the Member States to manage the national part of the European PRTR;

¹⁹ OJ L 377, 31.12.1991, p. 20; Directive as amended by Council Directive 94/31/EC (OJ L 168, 2.7.1994, p. 28).

²⁰ OJ L 257, 10.10.1996, p. 26.

- (3) “Installation” means a stationary technical unit where one or more activities listed in Annex I are carried out, and any other directly associated activities which have a technical connection with the activities carried out on that site and which could have an effect on emissions and pollution;
- (4) “Facility” means one or more installations on the same site that are operated by the same natural or legal person;
- (5) “Site” means the geographical location of the facility including any adjoining land that is separated by a road, railway or water channel;
- (6) “Operator” means any natural or legal person who operates or controls the facility or, where this is provided for in national legislation, to whom decisive economic power over the technical functioning of the facility has been delegated;
- (7) “Reporting year” means the calendar year for which data on releases of pollutants and off-site transfers must be gathered;
- (8) “Substance” means any chemical element and its compounds, with the exception of radioactive substances;
- (9) “Pollutant” means a substance or a group of substances that may be harmful to the environment or to human health in account of its properties and of its introduction into the environment;
- (10) “Release” means any introduction of pollutants into the environment as a result of any human activity, whether deliberate or accidental, routine or non-routine, including spilling, emitting, discharging, injecting, disposing or dumping, or through sewer systems without final waste water treatment;
- (11) “Off-site transfer” means the movement beyond the boundaries of a facility of waste destined for disposal or recovery and of pollutants in waste water destined for waste water treatment;
- (12) “Channelled releases” means the releases of pollutants into the environment through any kind of pipe, regardless of the shape of its cross-section;
- (13) “Diffuse sources” means the many smaller or scattered sources from which pollutants may be released to land, air or water, whose combined impact on those media may be significant and for which it is impractical to collect reports from each individual source;
- (14) “Waste” means any substance or object as defined in Article 1(a) of Directive 75/442/EEC²¹;

²¹ OJ L 194, 25.7.1975, p. 39.

- (15) “Hazardous waste” means any substance or object as defined in Article 1(4) of Directive 91/689/EEC;
- (16) “Waste water” means urban, domestic and industrial waste water, as defined in Article 2 of Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment²², and any other used water containing substances or objects subject to regulation by Community law;
- (17) “Disposal” means any of the operations provided for in Annex II, A of Directive 75/442/EEC;
- (18) “Recovery” means any of the operations provided for in Annex II, B of Directive 75/442/EEC.

Article 3

Contents of the European PRTR

The European PRTR shall include information on:

- (a) releases of the pollutants referred to in Article 5(1)(a) that must be reported by the operators of the facilities carrying out the activities listed in Annex I;
- (b) off-site transfers of waste referred to in Article 5(1)(b) and of pollutants in wastewater referred to in article 5(1)(c), that must be reported by the operators of the facilities carrying out the activities listed in Annex I;
- (c) releases of pollutants from diffuse sources, where available.

Article 4

Design and Structure

1. The Commission shall publish the European PRTR presenting data in both aggregated and non-aggregated forms, so that releases and transfers can be searched and identified according to:
 - (a) facility and its geographical location;
 - (b) activity;
 - (c) occurrence on Member State or Community level;
 - (d) pollutant or waste, as appropriate;

²² OJ L 135, 30.5.1991, p. 40.

- (e) each environmental media into which the pollutant is released;
 - (f) off-site transfers of waste and their destination, as appropriate;
 - (g) off-site transfers of waste water;
 - (h) diffuse sources.
2. The European PRTR shall be designed for maximum ease of public access to allow the information, under normal operating conditions, to be continuously and immediately available through the Internet and other electronic means. Its design shall take into account the possibility of its future expansion and shall include all data reported for previous reporting years, progressively up to at least the last ten previous reporting years.
3. The European PRTR shall include links to the following:
- (a) facilities' websites if such websites exist and are provided by the facilities;
 - (b) the national PRTRs of Member States;
 - (c) other relevant existing, publicly accessible databases on subject matters related to PRTRs, including national PRTRs of other Parties to the Protocol and, where feasible, to those of other countries.

Article 5

Reporting by Operators

1. The operator of each facility that undertakes one or more activities specified in Annex I above the applicable capacity thresholds specified in Annex I shall report to its competent authority in the Member State the amounts per calendar year, along with an indication of whether the information is based on measurement, calculation or estimation, of the following:
- (a) releases to air, water and land of any pollutant specified in Annex II for which the applicable threshold value specified in Annex II is exceeded;
 - (b) off-site transfers of hazardous waste exceeding 2 tonnes per year or of non hazardous waste exceeding 2,000 tonnes per year, for any operations of recovery and disposal, indicating respectively with "R" or "D" whether the waste is destined for recovery or disposal and, for transboundary movements of hazardous waste, the name and address of the recoverer or the disposer of the waste and the actual recovery or disposal site;
 - (c) off-site transfers of any pollutant specified in Annex II in waste water destined for waste water treatment for which the threshold value specified in Annex II, column 1b is exceeded;

In the case of data indicated as being based on measurement or calculation the analytical method and/or the method of calculation shall be reported.

Releases from diffuse sources on the site of the facility shall be reported together with the channelled releases of the facility.

2. The information referred to in paragraph 1 shall include information on releases and transfers resulting as totals of all deliberate, accidental, routine and non-routine activities.
3. The operator of each facility shall collect with appropriate frequency the data needed to determine the facility's releases and off-site transfers subject to reporting requirements under paragraph 1.
4. When preparing the report the operator concerned shall use the best available information, which may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgements and other methods in line with the provision of Article 9(1) and in accordance with internationally approved methodologies, whenever these are available.
5. 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 ten years, starting from the end of the reporting year concerned. These records shall also describe the methodology used for data gathering.

Article 6

Releases to land

1. Waste generated on the site of the facility, which is subject to disposal operations 'land treatment' or 'deep injection', as specified in Annex II, A of Directive 75/442/EEC, on the site of the facility, shall be reported as a release to land by the operator of the facility.
2. Waste transferred off-site, which is subject to subsequent disposal operations 'land treatment' or 'deep injection', as specified in Annex II, A of Directive 75/442/EEC, shall be reported as a release to land by the operator of the facility originating the off-site transfer of that waste.

Article 7

Reporting by Member States

1. The Member States shall determine, having regard to the requirements set out in paragraphs 2 and 3 of this Article, a date by which operators shall provide all data referred to in Article 5(1) and (2) and information referred to in Article 5(3), (4) and (5) to its competent authority.

2. Member States shall provide all data referred to in Article 5(1) and (2) to the Commission by electronic transfer according to the format of Annex III and the following schedule:
 - (a) for the first reporting year, within 15 months after the end of the reporting year;
 - (b) for all reporting years thereafter, within 12 months after the end of the reporting year.

The first reporting year shall be the year 2007.

3. The Commission, assisted by the European Environment Agency, shall incorporate the information reported by the Member States into the European PRTR according to the following schedule:
 - (a) for the first reporting year, within 21 months after the end of the reporting year;
 - (b) for all reporting years thereafter, within 16 months after the end of the reporting year.

Article 8

Releases from Diffuse Sources

1. The Commission shall establish the timeframe, the format and particulars needed for the collection and transmission of information existing in the Member States on releases from diffuse sources in accordance with the procedure referred to in Article 19(2).
2. The information referred to in paragraph 1 shall be organised such as to allow users to search and identify releases of pollutants from diffuse sources according to an adequate spatial des-aggregation and shall include information on the type of methodology used to derive the information.
3. Where the Commission determines that no data on the releases from diffuse sources exists, it shall take measures to initiate reporting on releases of relevant pollutants from one or more diffuse sources in accordance with its priorities.

Article 9

Quality Assurance

1. The operator of each facility subject to the reporting requirements set out in Article 5 shall assure the quality of the information that they report.
2. The competent authorities shall assess the quality of the data provided by the operators of the facilities, in particular as to their timeliness, completeness, uncertainty, comparability, consistency and transparency.

3. The Commission shall coordinate work on quality assurance and quality assessment in consultation with the Committee referred to in Article 19(1).
4. The Commission may adopt guidelines for the monitoring and reporting of emissions in accordance with the procedure referred to in Article 19(2).

Article 10

Access to information

1. The Commission, assisted by the European Environment Agency, shall make the European PRTR publicly accessible by dissemination on the Internet according to the timeframe set out in Article 7(3).
2. Where the information contained in the European PRTR is not easily publicly accessible by direct electronic means, the Member State concerned and the Commission shall facilitate electronic access to the European PRTR in publicly accessible locations.

Article 11

Confidentiality

Whenever information is kept confidential by a Member State in accordance with Article 4 of Directive 2003/4/EC of the European Parliament and of the Council²³, the Member State shall indicate in its report according to Article 7(2) of this Regulation for every reporting year separately for each facility claiming confidentiality what type of information has been withheld and for what reason it has been withheld.

Article 12

Public Participation

1. The Commission shall provide the public with early and effective opportunities to participate in the further development of the European PRTR, including capacity building and the preparation of amendments of this Regulation.

The public shall have the opportunity to submit comments, information, analyses or opinions that are relevant within a reasonable timeframe.

2. The Commission shall take due account of such input and shall inform the public about the outcome of the public participation.

²³ OJ L 41,14.2.2003, p. 26.

Article 13

Access to Justice

Access to justice relating to the public access to environmental information shall be granted according to Article 6 of Directive 2003/4/EC and for the institutions of the Community according to Articles 6, 7 and 8 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council²⁴ in conjunction with Article 3 of Regulation (EC) No .../...of the European Parliament and of the Council²⁵.

Article 14

Capacity Building

The Commission shall develop a guidance document supporting the implementation of the European PRTR within nine months after the entry into force of this Regulation and in consultation with the Committee referred to in Article 19(1).

The guidance document for implementation of the European PRTR shall address in particular details on the following:

- (a) reporting procedures;
- (b) the data to be reported;
- (c) quality assurance;
- (d) indication of type of withheld data and reasons why they were withheld in the case of confidential data;
- (e) reference to internationally approved release determination and analytical methods, sampling methodologies;
- (f) indication of parent companies;
- (g) coding of activities according to Annex I of this Regulation and of Council Directive 96/61/EC.

Article 15

Awareness Raising

The Commission and the Member States shall promote awareness of the public of the European PRTR and shall ensure that assistance is provided in accessing the European PRTR and in understanding and using the information contained in it.

²⁴ OJ L 145, 31.05.2001, p. 43.

²⁵ OJ C [...], [...], p. [...]. (Commission Proposal COM(2003) 622 final of 24.10.2003)

Article 16

Additional information to be reported by the Member States

1. Member States shall, in a report based on the information from the last three reporting years to be delivered every three years together with the data provided in accordance with Article 7, inform the Commission on practice and measures taken regarding the following:
 - (a) requirements according to Article 5;
 - (b) quality assurance according to Article 9;
 - (c) access to information according to Article 10(2);
 - (d) awareness raising activities according to Article 15;
 - (e) confidentiality of data according to Article 11;
 - (f) penalties provided for according to Article 20 and experience with their application.
2. The Commission shall develop the format and particulars of the report referred to in paragraph 1 in consultation with the committee referred to in Article 19(1).

Article 17

Review by the Commission and amendment proposals

The Commission shall review the information provided by Member States according to Article 7 and 16 and shall publish a report every three years based on the information from the last three reporting years available, six months after the presentation of this information on the Internet.

Member States shall submit proposals for amendments of the annexes to the Protocol to the committee mentioned under Article 19(1). The Community position on such amendments shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 18

Amendment of the Annexes

The amendments necessary for adapting the Annexes to this Regulation to scientific and technical progress and to amendments of the Annexes to the Protocol shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 19

Committee

1. The Commission shall be assisted by a committee (hereinafter “the committee”).
2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at three months.

Article 20

Penalties

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission one year after entry into force of this Regulation at the latest and shall notify it without delay of any subsequent amendment affecting them.

Article 21

Amendments to Directives 91/689/EEC and 96/61/EC

1. Article 8(3) of Directive 91/689/EEC is deleted.
2. Article 15(3) of Directive 96/61/EC is deleted.

Article 22

Entry into force

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the European Parliament
The President

For the Council
The President

ANNEX I
ACTIVITIES

No.	Activity	Capacity threshold
1.	Energy sector	
(a)	Mineral oil and gas refineries	*(1)
(b)	Installations for gasification and liquefaction	*
(c)	Thermal power stations and other combustion installations	With a heat input of 50 megawatts (MW)
(d)	Coke ovens	*
(e)	Coal rolling mills	With a capacity of 1 tonne per hour
(f)	Installations for the manufacture of coal products and solid smokeless fuel	*
2.	Production and processing of metals	
(a)	Metal ore (including sulphide ore) roasting or sintering installations	*
(b)	Installations for the production of pig iron or steel (primary or secondary melting) including continuous casting	With a capacity of 2.5 tonnes per hour
(c)	Installations for the processing of ferrous metals: (i) Hot-rolling mills (ii) Smitheries with hammers (iii) Application of protective fused metal coats	With a capacity of 20 tonnes of crude steel per hour With an energy of 50 kilojoules per hammer, where the calorific power used exceeds 20 MW With an input of 2 tonnes of crude steel per hour
(d)	Ferrous metal foundries	With a production capacity of 20 tonnes per day

(e)	Installations: (i) For the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes	*
	(ii) For the smelting, including the alloying, of non-ferrous metals, including recovered products (refining, foundry casting, etc.)	With a melting capacity of 4 tons per day for lead and cadmium or 20 tonnes per day for all other metals
(f)	Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process	Where the volume of the treatment vats equals 30 m ³
3. Mineral industry		
(a)	Underground mining and related operations	*
(b)	Opencast mining	Where the surface of the area being mined equals 25 hectares
(c)	Installations for the production of: (i) Cement clinker in rotary kilns (ii) Lime in rotary kilns (iii) Cement clinker or lime in other furnaces	With a production capacity of 500 tonnes per day With a production capacity exceeding 50 tonnes per day With a production capacity of 50 tonnes per day
(d)	Installations for the production of asbestos and the manufacture of asbestos-based products	*
(e)	Installations for the manufacture of glass, including glass fibre	With a melting capacity of 20 tonnes per day
(f)	Installations for melting mineral substances, including the production of mineral fibres	With a melting capacity of 20 tonnes per day
(g)	Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain	With a production capacity of 75 tonnes per day, or with a kiln capacity of 4 m ³ and with a setting density per kiln of 300 kg/m ³

4.	Chemical industry	
(a)	<p>Chemical installations for the production on an industrial scale of basic organic chemicals, such as:</p> <ul style="list-style-type: none"> (i) Simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic) (ii) Oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins (iii) Sulphurous hydrocarbons (iv) Nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates (v) Phosphorus-containing hydrocarbons (vi) Halogenic hydrocarbons (vii) Organometallic compounds (viii) Basic plastic materials (polymers, synthetic fibres and cellulose-based fibres) (ix) Synthetic rubbers (x) Dyes and pigments (xi) Surface-active agents and surfactants 	*
(b)	<p>Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as:</p> <ul style="list-style-type: none"> (i) Gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride (ii) Acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids (iii) Bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide (iv) Salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate (v) Non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide 	*

(c)	Chemical installations for the production on an industrial scale of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers)	*
(d)	Chemical installations for the production on an industrial scale of basic plant health products and of biocides	*
(e)	Installations using a chemical or biological process for the production on an industrial scale of basic pharmaceutical products	*
(f)	Installations for the production on an industrial scale of explosives and pyrotechnic products	*
5.	Waste and wastewater management	
(a)	Installations for the disposal or recovery of hazardous waste	Receiving 10 tonnes per day
(b)	Installations for the incineration of non-hazardous waste in the scope of Directive 2000/76/EC	With a capacity of 3 tonnes per hour
(c)	Installations for the disposal of non-hazardous waste	With a capacity of 50 tonnes per day
(d)	Landfills (excluding landfills of inert waste and landfills, which have been definitely closed before the 16.7.2001 or for which the after-care phase required by the competent authorities according to Article 13 of Council Directive 1999/31/EC ²⁶ has expired)	Receiving 10 tonnes per day or with a total capacity of 25,000 tonnes
(e)	Installations for the disposal or recycling of animal carcasses and animal waste	With a treatment capacity of 10 tonnes per day
(f)	Urban waste-water treatment plants	With a capacity of 100,000 population equivalents
(g)	Independently operated industrial waste-water treatment plants which serve one or more activities of this annex	With a capacity of 10,000 m ³ per day

²⁶

OJ L 182, 16.7.1999, p. 1.

6.	Paper and wood production and processing	
(a)	Industrial plants for the production of pulp from timber or similar fibrous materials	*
(b)	Industrial plants for the production of paper and board and other primary wood products (such as chipboard, fibreboard and plywood)	With a production capacity of 20 tonnes per day
(c)	Industrial plants for the preservation of wood and wood products with chemicals	With a production capacity of 50 m ³ per day
7.	Intensive livestock production and aquaculture	
(a)	Installations for the intensive rearing of poultry or pigs	(i) With 40,000 places for poultry (ii) With 2,000 places for production pigs (over 30 kg) (iii) With 750 places for sows
(b)	Intensive aquaculture	With a production capacity of 1,000 tonnes of fish or shellfish per year

8.	Animal and vegetable products from the food and beverage sector	
(a)	Slaughterhouses	With a carcass production capacity of 50 tonnes per day
(b)	Treatment and processing intended for the production of food and beverage products from: (i) Animal raw materials (other than milk) (ii) Vegetable raw materials	With a finished product production capacity of 75 tonnes per day With a finished product production capacity of 300 tonnes per day (average value on a quarterly basis)
(c)	Treatment and processing of milk	With a capacity to receive 200 tonnes of milk per day (average value on an annual basis)
9.	Other activities	
(a)	Plants for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles	With a treatment capacity of 10 tonnes per day
(b)	Plants for the tanning of hides and skins	With a treatment capacity of 12 tonnes of finished product per day
(c)	Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating	With a consumption capacity of 150 kg per hour or 200 tonnes per year
(d)	Installations for the production of carbon (hard-burnt coal) or electro-graphite by means of incineration or graphitization	*
(e)	Installations for the building of, and painting or removal of paint from ships	With a capacity for ships 100 m long

⁽¹⁾ An asterisk (*) indicates that no capacity threshold is applicable (all facilities are subject to reporting).

ANNEX II

POLLUTANTS

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
1	74-82-8	Methane (CH ₄)	100 000	-(¹)	-
2	630-08-0	Carbon monoxide (CO)	500 000	-	-
3	124-38-9	Carbon dioxide (CO ₂)	100 million	-	-
4		Hydro-fluorocarbons (HFCs)	100	-	-
5	10024-97-2	Nitrous oxide (N ₂ O)	10 000	-	-
6	7664-41-7	Ammonia (NH ₃)	10 000	-	-
7		Non-methane volatile organic compounds (NMVOC)	100 000	-	-
8		Nitrogen oxides (NO _x /NO ₂)	100 000	-	-
9		Perfluorocarbons (PFCs)	100	-	-
10	2551-62-4	Sulphur hexafluoride (SF ₆)	50	-	-
11		Sulphur oxides (SO _x /SO ₂)	150 000	-	-
12		Total nitrogen	-	50 000	50 000
13		Total phosphorus	-	5 000	5 000
14		Hydrochlorofluorocarbons (HCFCs)	1	-	-
15		Chlorofluorocarbons (CFCs)	1	-	-
16		Halons	1	-	-
17	7440-38-2	Arsenic and compounds (as As)	20	5	5
18	7440-43-9	Cadmium and compounds (as Cd)	10	5	5

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a)	to water (column 1b)	to land (column 1c)
			kg/year	kg/year	kg/year
19	7440-47-3	Chromium and compounds (as Cr)	100	50	50
20	7440-50-8	Copper and compounds (as Cu)	100	50	50
21	7439-97-6	Mercury and compounds (as Hg)	10	1	1
22	7440-02-0	Nickel and compounds (as Ni)	50	20	20
23	7439-92-1	Lead and compounds (as Pb)	200	20	20
24	7440-66-6	Zinc and compounds (as Zn)	200	100	100
25	15972-60-8	Alachlor	-	1	1
26	309-00-2	Aldrin	1	1	1
27	1912-24-9	Atrazine	-	1	1
28	57-74-9	Chlordane	1	1	1
29	143-50-0	Chlordecone	1	1	1
30	470-90-6	Chlorfenvinphos	-	1	1
31	85535-84-8	Chloro-alkanes, C ₁₀ -C ₁₃	-	1	1
32	2921-88-2	Chlorpyrifos	-	1	1
33	50-29-3	DDT	1	1	1
34	107-06-2	1,2-dichloroethane (EDC)	1 000	10	10
35	75-09-2	Dichloromethane (DCM)	1 000	10	10
36	60-57-1	Dieldrin	1	1	1
37	330-54-1	Diuron	-	1	1
38	115-29-7	Endosulphan	-	1	1

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a)	to water (column 1b)	to land (column 1c)
			kg/year	kg/year	kg/year
39	72-20-8	Endrin	1	1	1
40		Halogenated organic compounds (as AOX)	-	1 000	1 000
41	76-44-8	Heptachlor	1	1	1
42	118-74-1	Hexachlorobenzene (HCB)	10	1	1
43	87-68-3	Hexachlorobutadiene (HCBd)	-	1	1
44	608-73-1	1,2,3,4,5, 6-hexachlorocyclohexane (HCH)	10	1	1
45	58-89-9	Lindane	1	1	1
46	2385-85-5	Mirex	1	1	1
47		PCDD +PCDF (dioxins +furans) (as Teq)	0.001	0.001	0.001
48	608-93-5	Pentachlorobenzene	1	1	1
49	87-86-5	Pentachlorophenol (PCP)	10	1	1
50	1336-36-3	Polychlorinated biphenyls (PCBs)	0.1	0.1	0.1
51	122-34-9	Simazine	-	1	1
52	127-18-4	Tetrachloroethylene (PER)	2 000	10	-
53	56-23-5	Tetrachloromethane (TCM)	100	1	-
54	2002-48-1	Trichlorobenzenes (TCBs)	10	1	-
55	71-55-6	1,1,1-trichloroethane	100	-	-
56	79-34-5	1,1,2,2-tetrachloroethane	50	-	-
57	79-01-6	Trichloroethylene	2 000	10	-

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a)	to water (column 1b)	to land (column 1c)
			kg/year	kg/year	kg/year
58	67-66-3	Trichloromethane	500	10	-
59	8001-35-2	Toxaphene	1	1	1
60	75-01-4	Vinyl chloride	1 000	10	10
61	120-12-7	Anthracene	50	1	1
62	71-43-2	Benzene	1 000	200 (as BTEX) ⁽²⁾	200 (as BTEX) ⁽²⁾
63		Brominated diphenylethers (PBDE)	-	1	1
64		Nonylphenol ethoxylates (NP/NPEs) and related substances	-	1	1
65	100-41-4	Ethyl benzene	-	200 as BTEX) ⁽²⁾	200 (as BTEX) ⁽²⁾
66	75-21-8	Ethylene oxide	1 000	10	10
67	34123-59-6	Isoproturon	-	1	1
68	91-20-3	Naphthalene	100	10	10
69		Organotin compounds (as total Sn)	-	50	50
70	117-81-7	Di-(2-ethyl hexyl) phthalate (DEHP)	10	1	1
71	108-95-2	Phenols (as total C)	-	20	20
72		Polycyclic aromatic hydrocarbons (PAHs) ⁽³⁾	50	5	5
73	108-88-3	Toluene	-	200 (as BTEX) ⁽²⁾	200 (as BTEX) ⁽²⁾
74		Tributyltin and compounds	-	1	1

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a)	to water (column 1b)	to land (column 1c)
			kg/year	kg/year	kg/year
75		Triphenyltin and compounds	-	1	1
76		Total organic carbon (TOC) (as total C or COD/3)	-	50 000	-
77	1582-09-8	Trifluralin	-	1	1
78	1330-20-7	Xylenes	-	200 (as BTEX) ⁽²⁾	200 (as BTEX) ⁽²⁾
79		Chlorides (as total Cl)	-	2 million	2 million
80		Chlorine and inorganic compounds (as HCl)	10 000	-	-
81	1332-21-4	Asbestos	1	1	1
82		Cyanides (as total CN)	-	50	50
83		Fluorides (as total F)	-	2 000	2 000
84		Fluorine and inorganic compounds (as HF)	5 000	-	-

No.	CAS number	Pollutant	Threshold for releases (column 1)		
			to air (column 1a)	to water (column 1b)	to land (column 1c)
			kg/year	kg/year	kg/year
85	74-90-8	Hydrogen cyanide (HCN)	200	-	-
86		Particulate matter (PM ₁₀)	50 000	-	-
87	1806-26-4	Octylphenols	-	1	-
88	206-44-0	Fluoranthene	-	2	-
89	465-73-6	Isodrin	-	1	-
90	36355-1-8	Hexabromobiphenyl	0.1	0.1	0.1

Footnotes:

- (1) A hyphen (-) indicates that the parameter and media in question does not trigger a reporting requirement.
- (2) Single pollutants are to be reported if the threshold for BTEX (the sum parameter of benzene, toluene, ethyl benzene, xylenes) is exceeded.
- (3) Polycyclic aromatic hydrocarbons (PAHs) are to be measured for reporting of releases to air as benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9), indeno(1,2,3-cd)pyrene (193-39-5) (derived from the Protocol on Persistent Organic Pollutants to the Convention on Long-range Transboundary Air Pollution). For reporting of releases to water and land as well as for reporting of off-site transfers, in addition to those four single substances the substances Benzo-(g,h,i)perylene (191-24-2) and Fluoranthene (206-44-0) are to be included.

ANNEX III

FORMAT FOR THE REPORTING OF RELEASE AND TRANSFER DATA

Identification of the facility		
Name of the parent company Name of the facility (operator) Identification number of facility Street address Town/village Postal code Country Coordinates of the location River basin district ⁽¹⁾ NACE-code (4 digits) Main economic activity Production volume (optional) Number of installations (optional) Number of operating hours in year (optional) Number of employees (optional) Text field for textual information or website address delivered by facility or parent company (optional)		
All Annex I activities of the facility (according to the coding system given in Annex I and the IPPC code where available)		
Activity 1 (main Annex I activity) Activity 2 Activity N		
Release data to air for the facility for each pollutant exceeding threshold value (according to Annex II)		Releases to air
Pollutant 1 Pollutant 2 Pollutant N	M: measured; Analytical Method used C: calculated; Calculation Method used E: estimated	in kg/year
Release data to water for the facility for each pollutant exceeding threshold value (according to Annex II)		Releases to water
Pollutant 1 Pollutant 2 Pollutant N	M: measured; Analytical Method used C: calculated; Calculation Method used E: estimated	in kg/year
Release data to land for the facility for each pollutant exceeding threshold value (according to Annex II)		Releases to land
Pollutant 1 Pollutant 2 Pollutant N	M: measured; Analytical Method used C: calculated; Calculation Method used E: estimated	in kg/year
Off-site transfer of each pollutant destined for waste-water treatment in quantities exceeding threshold value (according to Annex II)		
Pollutant 1 Pollutant 2 Pollutant N	M: measured; Analytical Method used C: calculated; Calculation Method used E: estimated	in kg/year

Off-site transfers of hazardous waste for the facility exceeding threshold value (according to Article 5)	
<u>Within the country :</u> For Recovery (R) For Disposal (D)	in tonnes/year in tonnes/year
<u>To other countries:</u> For Recovery (R) Name of the recoverer Address of the recoverer Address of actual recovery site receiving the transfer	in tonnes/year
<u>To other countries:</u> For Disposal (D) Name of the disposer Address of the disposer Address of actual disposal site receiving the transfer	in tonnes/year
Off-site transfer of non-hazardous waste for the facility exceeding threshold value (according to Article 5)	
For Recovery (R)	in tonnes/year
For Disposal (D)	in tonnes/year
Competent authority for requests of the public: Name Street address Town/village Telephone No Fax No E-mail address	

⁽¹⁾ According to Article 3(1) of Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy²⁷.

²⁷ OJ L 327, 22.12.2000, p. 1.