

German Comments to the penultimate version of the

“GUIDANCE TO IMPLEMENTATION OF THE PROTOCOL ON POLLUTANT RELEASE AND TRANSFER REGISTERS”

31 July 2006

I. Proposals for amendments

New No.	Old No.	Chapter, page	Original text from PRTR Guidance Draft 13.05.06	Proposed Amendment	Justification
1	2	Ch. II para 16, first sentence, p. 14	Owners or operators of facilities subject to reporting are required to to ensure the quality of the information they report and to use the “best available information”.	Delete second “to”	
2		Ch III, para 20, p. 34/35	The PRTR Protocol covers only “off-site” transfers. Figure 1 illustrates the reporting requirements for off-site transfers. Under the Protocol, each Party has to choose between the pollutant-specific approach and the waste-specific approach for reporting off-site transfers of waste. These alternatives are sometimes referred to as the ‘two-track approach’ to reporting. Figures I, II and III give three variants of off-site reporting of waste. Actually reporting requirements will depend on which of the two-tracks each Party or regional economic integration organization selects and additionally on whether a capacity or employee threshold is chosen. Whichever combination of track and threshold are selected, facilities in any case will report on transfers of pollutants in waste water.	<p>Replace Figure 1 by “Figures I, II, III”</p> <p>These alternatives are sometimes referred to as the ‘two-track approach’ to reporting and are also illustrated in Figure 2 as options 1 (waste-specific) and options 2 and 3 (pollutant specific).</p> <p>Delete last sentence: Whichever combination of track and threshold are selected, facilities in any case will report on transfers of pollutants in waste water.</p>	<p>Attention, there is another figure I on p. 40!</p> <p>Cross-reference to figure 2 should be given as this could give additional assistance.</p> <p>It could be misleading, because pollutants in waste-water are reported in option 3 according to MPU-thresholds and not according to pollutant release thresholds (Annex II, column 1b of options 1 and 2)</p>
PPT- pre- sentation		Figure I Figure II	Title Title	<p>Add at the end of the title of figure I: “(option 1 of figure 2)”</p> <p>Add at the end of the title of figure II: “(option 2 of figure 2)”</p>	<p>Cross-reference to figure 2 should be given as this could give additional assistance.</p>

		Figure III: Figure III Figure III Figure III Figure III	Title: Reporting Requirements for off-site Transfers – Employee thresholds and MPU pollutants Text field “Pollutants in waste water.....” text field “MPU pollutants” text field “Pollutant-specific” tree “waste-specific”	Figure III: new title: Reporting Requirements for off-site Transfers – pollutant-specific approach and MPU thresholds (option 3 of figure 2) Deletion of this field add: “in quantities exceeding annex II, column 3 thresholds Article 7, paragraph 1 b) Deletion of this field, “Disposal” and “Recovery” can be plugged directly to the text field “MPU pollutants” Deletion	Cross-reference and Clarification Off-site Transfers of pollutants in waste-water are reported in option 3 only according to MPU-thresholds (Annex II, Column 3) and not according to pollutant release thresholds (Annex II, column 1b of options 1 and 2) Clarification analogue to the other fields MPU is completely pollutant-specific! No waste-specific option is foreseen by the protocol in combination with employee-thresholds
3	13	Ch. IV Figure I, p. 40	In figure I: Releases to land, water and off-site transfers of waste	b) Releases to land and off-site transfers of pollutants in waste water and pollutants in waste or waste amounts	b) completing releases and transfers in figure I in the sense of the protocol.
4		Ch. IV para 1, p. 40	The data for these different types of sources must be integrated into an overall picture of the releases and transfers of pollutants in waste water and pollutants in waste or waste amounts.	Delete last part: The data for these different types of sources must be integrated into an overall picture of the releases and transfers.	Misleading extension.
5	-	Ch. IV, para 12, p.43	Parties must choose either to employ exclusively capacity thresholds or pollutant release thresholds for all reporting activities. They may not mix them. Experiences with current PRTRs show that the two approaches do not cause large differences in the selection. The number and character of	Parties must choose either to employ exclusively capacity thresholds or employee thresholds for all reporting activities. They may not mix them. Experiences with current PRTRs show that the two approaches do not cause large differences in	As this chapter deals with threshold systems for the selection of facilities so in the first sentence these two approaches have to

			facilities in both types of PRTR selections are similar and the expectation is that with either approach the majority of releases and transfers of pollutants will be reported.	the selection of the covered facilities . The number and character of facilities in both types of PRTR selections are similar and the expectation is that with either approach the majority of releases and transfers of pollutants will be reported. Keep in mind, that the employee-approach may only be used in combination with the MPU- (manufacture, process or use) thresholds (historically based on TRI and NPRI of USA and Canada) (Art.7, para 1 b) (option 3 of figure 2, p. 36) while the capacity-threshold can be combined with the pollutant release and transfer off-site of waste amount thresholds (historically European approach) (Art. 7, para 1 a i), iii), iv)) (option 1 of figure 2, p. 36) or the pollutant release and transfer off-site of pollutants in waste thresholds (compromise solution for those who wanted capacity-thresholds and pollutant-specific reporting of off-site transfers) (Art. 7, para 1 a i), ii), iv)) (option 2 of figure 2, p. 36).	be compared and not mixed up with the pollutant release and MPU-approaches for the reported pollutants! The last sentence tries to make clear the combination of the various threshold in addition to figure 2 on page 36.
6	-	Ch. IV, para 13, p.43	The capacity thresholds for the given activity are shown in column 1 of Table 1 below.	Move whole para to (b) Selecting facilities using capacity thresholds	Content of this para belongs to chapter (b)...
7		Ch. IV, Table 5, p.62/63/64		Deletion of MPU-thresholds	MPU-thresholds are given in table 6
8		Ch. IV, para 43, p.72	Pollutant specific reporting can be generated by analyzing the various wastes on their chemical composition. With the chemical composition the annual mass flow for each pollutant can be calculated. Table 9 reproduces the list of pollutants for off site transfers from annex II of the PRTR Protocol using a pollutant-specific approach.	Add at the end: (options 2 and 3 of figure 2). Choosing option 2, column 2 of annex II is relevant, choosing option 3 (employee-threshold) column 3 of annex II and its MPU-thresholds are relevant.	Clarification

9		Ch. IV, para 44, p.75	Concerning waste water, pollutant-specific reporting is obligatory. Parties that have decided for a capacity approach have to report pollutants in waste water according to article. 7 para.1(iv) (option 1 and 2 of figure 2). Parties that have decided for an employee approach have to report pollutants in waste water according to article 7 paragraph 1b (option 3 of figure 2).	Concerning waste water, pollutant-specific reporting is obligatory. Parties that have decided for a capacity approach have to report pollutants in waste water according to article. 7 para.1(iv) (option 1 and 2 of figure 2) and have to use thresholds from annex II, column 1b. Parties that have decided for an employee approach have to report pollutants in waste water according to article 7 paragraph 1b (option 3 of figure 2) and have to use thresholds from annex II, column 3 (MPU-thresholds).	Clarification
10	16	Ch. IV Table 12, p.84	Example format, off-site transfers (non waste-water):	Add reporting form concerning off-site transfer of pollutants – regarding the pollutant-specific method, „R“ and „D“ have to be given for each pollutant, as well as the name and the address of the facility receiving the transfer.	Format is incomplete
11	-	Ch. IV para 62, p.88	Diffuse source pollution from agricultural activities is mainly associated with fertilizer and pesticide use and contributes to such water quality problems as eutrophication in surface water, nitrate accumulation in ground water and the leaching of nitrate to both. Releases arising from agriculture-related activities are often treated as diffuse sources because they are caused by a collection of individual events which are impractical to identify and measure as separate point sources. They may represent important contributions to total national pollutant release loads. Rough estimates of pollutant emissions from agriculture-related activities can often be obtained from primary production and use data. These include information on the types and quantities of crops produced, the formulation and volumes of pesticides and fertilizer used, animal censuses, etc. Computer models may be required to go beyond localized estimates to aggregate estimates for watershed or national level water bodies.	Ad at the beginning: Concerning diffuse emissions into water an example regarding agricultural emissions into water is given in the following.	As agricultural emissions are also tightly connected with emissions into air (e.g. NH ₃ , CH ₄ , N ₂ O) clarification concerning the medium water should be given.
12	20	Ch. V para 4, p. 92	The PRTR Protocol assumes that public access to the PRTR data and feedback from the public will result in improvement of the quality of the reported PRTR data. Contrary to other international protocols and conventions as the United Nations	Delete the last sentence: “This chapter on data management and quality assessment, therefore, does not intend to give guidance on data verification but focuses on data validation”	„Verification of data“ is not part of the protocol and therefore not subject of the guidance.

			Framework Convention on Climate Change (UNFCCC) and the United Nations Economic Commission for Europe Convention on Long-Range Transboundary Air Pollution (LRTAP), the quality assessment requirements of the PRTR Protocol do not include independent review as part of the reporting process. This chapter on data management and quality assessment, therefore, does not intend to give guidance on data verification but focuses on data validation”		
13		Ch. V para 23, p. 97	Figure 3: True? verification Guidelines applied? validation	‘validation’ and ‘verification’ have to be deleted from figure 3.	Verification is not the topic of the guidance document. So it is better to avoid to introduce a new word.
14	37	Ch. VI para 12, p. 106	The wording of the article clearly refers to cases where a register is “facilitat[ing] electronic access”. This could be the case in many countries, including many high-income countries , where only a limited sector of the population has access to Internet at reasonable price or knows how to use it, especially among certain age groups .	The wording of the article refers to cases where a register is “not easily accessible by direct electronic means” . This could be the case, where the internet is only accessible for a limited sector of the population at reasonable price.	1 st sentence: The quote did not match the interpretation that followed. 3 rd sentence: Internet illiteracy cannot be invoked. It is the responsibility of the person concerned.
15	41	Ch. VI para 19, p.107	Although the PRTR is, or aims to be, an electronic database, other means will be needed to effectively disseminate and makes accessible PRTR information.	PRTR is, or aims to be, an electronic database. Above that, it appears that other means to disseminate PRTR information are used in practice.	1 st and 2 nd sentence: This is not stated in the Protocol. It goes beyond what is provided for in Article 11 paras. 2 and 5.
16	46	Ch. VI, para 35, p. 111, last but one sentence	In each case, there should be an analysis of each of the claims presented, keeping in mind that the exceptions have to be strictly applied.	In each case, there should be an analysis of each of the claims presented, keeping in mind that the exceptions have to be applied restrictively.	Linguistic change