

**Revisions made or suggested by the Working Group
to the 13 May 2006 version of the draft guidance**

1. Page 1, Title II

Complete phrase access...to information and justice

2. Page 1, Section D

Complete phrase access...to information and justice

3. Page 7, paragraph 12

Add Croatia and Slovakia under UNITAR pilot projects

4. Page 8, paragraph 16

Add Livestock farming

5. Page 8, paragraph 17

In the fourth line, replace has signed the PRTR Protocol, EPER will be upgraded to a European PRTR (E-PRTR) that will meet the provisions of the Protocol by had signed the PRTR Protocol, EPER was upgraded to a European PRTR (E-PRTR) and add which was published as Regulation (EC) No 166/2006 on 4 February 2006 (OJ L 33, 4.02.2006, p.1) and entered into force 20 days later. The European PRTR meets the provisions of the Protocol, therefore the European Community deposited its document for approval on 21 February 2006 as second signatory after Luxembourg. The first reporting year under the European PRTR will be the year 2007; the results will be disseminated on the internet in October 2009.

6. Page 9, paragraph 23

Replace part one by Part two

7. Page 11, Title II

Complete phrase access...to information and justice

8. Page 14, Box 3

Replace are by may be

9. Page 14, paragraph 3

Insert a new paragraph before paragraph 3 about the responsibility of the operator for data quality

Replace final sentence by One possible way of validating the data may be to use information from other controls of facilities, e.g., via regular or extraordinary environmental inspections.

10. Page 15, paragraph 8

Insert references

Delete final sentence

11. Page 16, Box 4

Replace are by may be

12. Page 17, Box 5

In General provisions point 1, replace 1 by 4

In General provisions point 2, replace parenthetical remark by art. 3, para 1 in connection with Article 4 (j)) (Management of the PRTR, data collection, and enforcement of reporting obligations will not necessarily be carried out by the same authority.)

In General provisions point 3, insert compare before art. 2 and add , where necessary

In Obligations for Parties point 1, insert , failing this, after networks

In Obligations for Parties point 2, insert in particular assess whether after register

13. Page 18, paragraph 15

Replace emission by releases

14. Page 19, paragraph 19

At the end of the third line, add 96/61/EC and footnote citation OJ L 257, 10.10.1996, p.26.

In the fifth line, capitalize Decision and add 2000/479/EC and footnote citation OJ L 192, 28.7.2000, p.36.

15.

Page 20, section D heading

Add to information and justice

16. Page 20, paragraph 25

In the first sentence, at the end add where this behaviour is apt to hamper the implementation of the Protocol.

From the third sentence to the end of paragraph, replace existing text by The introduction of both types of sanctions would create a gradual system in the use of sanctions. The same result would be achieved by providing for different levels of administrative sanctions depending on the gravity of the offence. Sanctions have to be proportionate. A repeated violation of the reporting obligation or the submission of false data, would be considered a graver offence than the mere delay in delivering information.

17. Page 23, paragraph 40

Replace entire paragraph by Public participation shall be allowed in the development and modification of the PRTR, (Article 4 (i)). Article 13 para. 1, which stipulates that each Party shall ensure appropriate opportunities for public participation in the development of its national registers, within the framework of its national law and Article 13 para. 3 which stipulates that each party shall ensure, when a decision to establish or significantly change the register has been taken, information on the decision and the considerations on which it is based are made publicly available in a timely manner, shall be interpreted in the light of the more general Article 4 (i).

18. Page 23, paragraph 41

Replace sentence by Significant changes to the PRTR system might be the inclusion of additional activities and pollutants or the lowering of thresholds.

19. Page 24, Box 10

To the Box title add – TRI stakeholder dialogue

To the interior header add : TRI stakeholder dialogue

In the first line, delete TRI stakeholder dialogue

20. Page 25, paragraph 49

Delete The

21.

Page 26, Table 1

Replace table by Annex 1 activities (listed in the ‘Activity’ column)

22. Page 27, paragraph 5

Replace a country’s citizens by the public

23. Page 31, Figure 1

Enlarge figure

add disposal recovery and disposal recovery for capacity threshold

add D and R

24. Page 30, paragraph 17

Replace deliberate by expected

25. Page 30

Introduce the two-track approach earlier and set the scene for subsequent discussion in section D

26. Page 33, paragraph 27

In last sentence, replace many by some and delete gives a clear picture of

27. Page 33, paragraph 28

Replace Citizens’ and other PRTR users by The public

28. Page 33, footnote 6

Replace Directive by Regulation

29. Page 33, paragraph 29

Delete last 3 sentences

30. Page 34, paragraph 34

Add at the end Concerning the European PRTR (E-PRTR) only the two disposal-operations “land treatment” and “deep injection” are supposed to be releases to land as other operations do not lead to an introduction of pollutants into the environment and are therefore no releases to land.

31. Page 35, Figure 1

Delink and make equal in size intersecting circles and delete (* are below-threshold facilities)

32. Page 36

Reformat headline

33. Page 36, paragraph 1

In line four, add of pollutants in waste water and pollutants in waste or waste amounts

34. Page 39, Box 3

In first sentence, add to

In line 8 at the end of example 1), add a cross-reference to Figure II appearing on page 40

35. Page 40, paragraph 11 and elsewhere

The two capacity methods for determining facilities required to report are not clearly separated; these two strands of the guidance should be separated.

36. Page 45, Box 4

In line four, delete main

In line six, delete main

37. Page 46, Box 5

In line three, delete main

In line five, delete main

38. Page 49, table 2

Make into separate tables Threshold for releases to air tables and MPU

In number 3, align million on same line as 100

39. Page 51

Add missing text after indicates

40. Page 52, Table 3

Add (see remark on annual mass flow on page 59, paragraph 40)

41. Page 56, paragraph 34

Delete for Parties

42. Page 59, Table 6

Add using a pollutant specific approach

43. Page 63, no. 6

For water under column 8, add W

44. Page 64, no. 40

Add W under column 6 paper and wood production

Add W under column 2 production and processing of metals

45. Page 68, paragraph 49

To the end of the sentence, add as an example

46. Page 69-71, table 9

Add reporting form concerning off-site transfer of waste, giving 'R' and 'D' for each pollutant, name and address of the facility receiving the transfer

Add r at end of Off-site transfer of pollutants in waste water

Delete r in non waster water

Concerning the waste-specific method, give name and address of the disposer/recycler and the address of the actual disposing/recycling site only for transboundary transfers of hazardous waste,

or

replace table by examples such as given in E-PRTR guidance in tables 24-35,

or

replace table by annex III of European PRTR regulation as follows

Format for the reporting of release and transfer data

Reference year

Identification of the facility

Name of the parent company
 Name of the facility
 Identification number of facility
 Street address
 Town/village
 Postal code
 Country
 Coordinates of the location
 River basin district
 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
 T: Total in kg/year
 A: accidental 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
 T: Total in kg/year
 A: accidental 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
 T: Total in kg/year
 A: accidental 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)
 Within the country: For Recovery (R)
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 Within the country: For Disposal (D)
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 To other countries: For Recovery (R)
 Name of the recoverer
 Address of the recoverer
 Address of actual recovery site receiving the transfer
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 To other countries: For Disposal (D)
 Name of the disposer
 Address of the disposer
 Address of actual disposal site receiving the transfer
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 Off-site transfer of non-hazardous waste for the facility exceeding threshold value (according to Article 5)
 For Recovery (R)
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 For Disposal (D)
 M: measured; Analytical Method used
 C: calculated; Calculation Method used
 E: estimated in tonnes/year
 Competent authority for requests of the public:
 Name
 Street address
 Town/village

Telephone No Fax No E-mail address
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47. Page 72, paragraph 55

Add by each diffuse source...category

48. Page 72, paragraph 56

In line 4, replace Pollutants by pollutants

In line 11, add responsible for a large part of releases

49. Page 73, table 10

Replace table by text which includes information regarding emissions to water

50. Page 75, paragraphs 60 – 63

Delete paragraphs

51. Page 78, paragraph 1

Delete sentence two and three and add

The operator assures the quality of the information they report (art. 10 (1)) that data quality objectives were met, ensure that the inventory represents the best possible measurements, calculation or estimations of releases and transfers of pollutants given the current state of best available information. The competent authority ensures the quality assessment according completeness, consistency and credibility (art. 10 (2)). Informal public feedback facilitates the exchange between public and operator. The public can address the operator or the competent authority to give feedback. The operator or the competent authority can give a response.

52. Page 80, paragraph (c)

Add to sub-point (c) Collecting the data related to diffuse sources as e.g. and delete Determining

Add to sub-point (d) Collecting the data related to diffuse sources as e.g. and delete Determining

Delete sub-point (f)

53. Page 83, figure 3

Delete validation and verification

54. Page 83, paragraph 19

Delete paragraph

55. Page 83, paragraph 20

Delete the final two sentences of paragraph

56. Page 85, paragraph 27

In line one, second sentence after transparency add supports credibility and consistency and

57. Page 85, paragraph 28

In line two, replace this by these

In line three, delete s after form and replace three by two

In sub-point (b), replace sources or sectors by activities

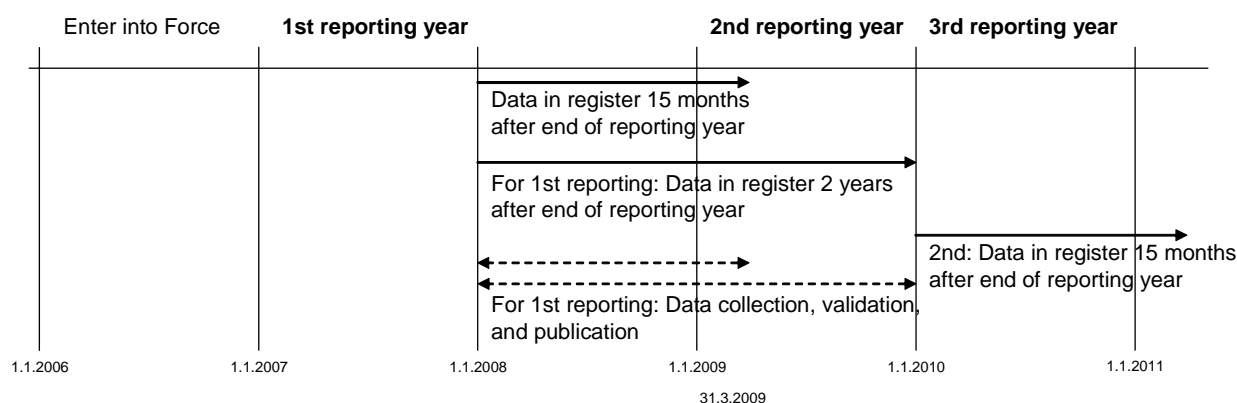
58. Page 85, paragraph 29

In final line, delete are and but not all national systems have done so and add , e.g. England and Wales' In Your Backyard and the U. S. Toxics Release Inventory.

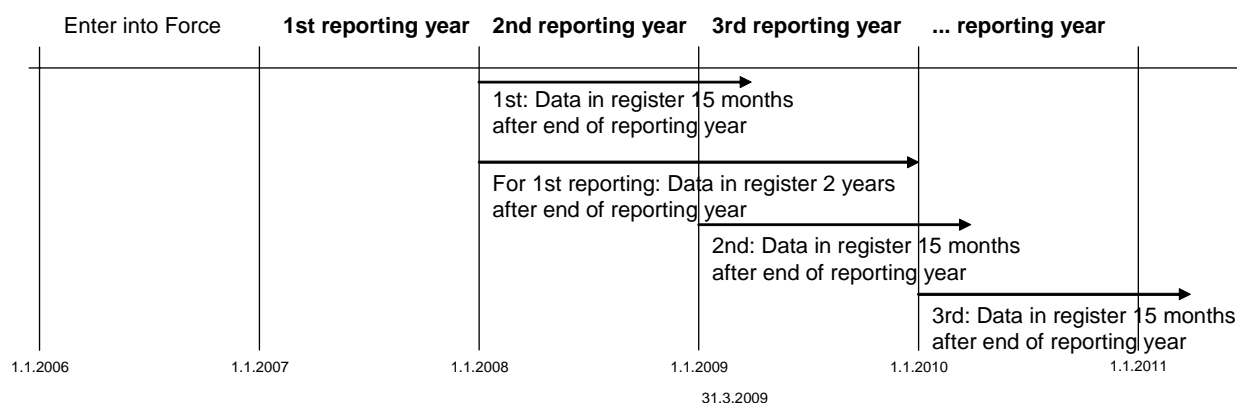
59. Page 86-87, paragraph 35 and Box 7

Replace by

Concerning the first reporting year an example is given below (presuming that the protocol enters into force for the Party in 2006):



If a Party does not need the two years to publish its data, the following example shows the “Reporting Cycle” according to article 8 of the Protocol in this case:



60. Page 86, Box 4

Replace entire text by The Environment Agency of England and Wales has a “What’s in Your Backyard” web site that is an example of a PRTR with spatial disaggregation. The web site gives online access to a range of environmental information for England and Wales, including the Pollution Inventory, which is a PRTR of facilities. Information on pollution hazards of waste facilities, water quality, discharges to sea, floodplains and landfill sites can also be accessed.
[<http://www.environment-agency.gov.uk/maps>]

61. Page 88, paragraph 37

In line one, insert year following the

62. Page 89, paragraph 5

In the fourth line, replace should by may

63. Page 89, paragraph 38

After during the first six months of the insert year following the

64. Page 89, paragraph 39

In line one, after in the first three months of the insert year after the

65. Page 89, paragraph 40

In line two, after during the insert year after the and delete whole

66. Page 90, paragraph 4

Replace citizen by public

67. Page 90, paragraph 4

Delete (Germany: may), retain should

68. Page 92 - 93, Box 1

Replace by updated graphic from EPER website

69. Page 94, paragraph 11

In line two, replace citizen by public

70. Page 94, paragraph 12

In line two, replace citizen by public

71. Page 94, paragraph 13

In line one, after refers to add cases where a register is

Replace the second sentence by The Protocol foresees here situations where it is not easy to access electronic tools, such as computers, or where connection to the Internet is not easy.

72. Page 94, paragraph 14

Delete the third sentence

In the fourth sentence, delete , however (and this is the case for accessibility in any appropriate location)

73. Page 95, paragraph 16

In the third sentence, replace public does not have broad access to Internet by Internet is not easily accessible by the public

Delete the fourth sentence

74. Page 95, paragraph 17

Join first two sentences by adding in that

Replace third sentence by The authority that is responsible for managing the PRTR may be designated to be responsible for handling the requests for information. Accessibility of the competent authority has to be ensured, for example by making its name and email, address or telephone number available.

75. Page 95, Box 6

Replace entire text by

REQUESTING INFORMATION

The Environment Agency of England and Wales includes on its web site a section on “Your right to know” with specific information on the ”How to make a request for information” toolkit. This includes a telephone number, links to make a request for information online or to find the local office, an enquiry form and the address of the nearest Environment Agency office.

[<http://www.environment-agency.gov.uk/aboutus/1105530/310151>]

76. Page 96, paragraph 20

In the first sentence, delete electronic means will not always be effective to disseminate and make accessible PRTR data

In the second sentence, replace Thus Parties should consider by Above that, it appears it appears that

77. Page 96, paragraph 26

Add waiver information

78. Page 98, paragraph 27

Delete last sentence

79. Page 99, paragraph 32

In line three, replace must by may be asked to and add with regard to confidentiality ground c), d) and e)

In sentence three, at the end add restrictively

80. Page 99, paragraph 33

Replace the third and fourth sentences by Where a company or an individual invokes a confidentiality ground, the company or individual may be asked to provide reasons to substantiate his/her claim, so that the competent authority can then verify whether there are genuine concerns. If there is no real danger for the private interest in disseminating the information, the competent authority should refuse the claim and allow the public access to the data.

81. Page 99, paragraph 34

In line four, after made add legally

82. Page 99, paragraph 36

After line 9, add The Guidance Document for the implementation of the European PRTR[footnote] includes in its chapter 1.2.4 several examples how to report in the case of confidentiality.

And add footnote See <http://www.prtr.europa.eu>

83. Page 100, paragraph 36

Replace applied restrictively by strictly applied

84. Page 101, Forms for Claiming Trade Secrecy

In line two, insert at beginning If

85. Page 102, paragraph 45

In the second sentence, after scale add than in other cases

Add new sentence However, restrictions should only be foreseen where this is necessary to protect the personal data.

86. Page 103, Showing how PRTR data can be used:

Add at bottom http://www.epa.gov/tri/guide_docs/2003_datausepaper.pdf

87. Page 103, paragraph 48

In lines one and five, replace citizens by public

88. Page 104, paragraph 49

In line one, after impacts): add No direct health risk information can be given by a PRTR, but

Delete last sentence in third bullet

89. Page 104 – PRTR info in context Box

Replace entire text by

Putting PRTR information into context

The Environment Agency of England and Wales and Friends of the Earth (an NGO) worked together to improve the official inventory of industrial emissions, adding a Geographical Information System (GIS) for users to locate polluting facilities as well as other features. This cooperation was a success, and with the improvements Friends of the Earth closed its own Factory Watch web site.

The resulting Pollution Inventory provides fact sheets on pollutants in the “What’s in Your Backyard” glossary. The information includes:

symbols indicating the potential hazards of each substance (eg health effects, local effects, global effects)

- sources
- chemical classification
- the scientific name, alternative and trade names
- CAS number
- why the substance was selected for the Pollution Inventory
- physical properties
- potential uses
- standard risk phrases
- controlling legislation and international agreements
- links to further information

90. Page 105, paragraph 51

Delete second sentence

91. Page 107, paragraph 4

In line five, replace should by may

92. Page 108, paragraph 10

In line four, replace two by three

Add at the end The third workshop was dealing with the development of the EPER to the PRTR, the second EPER-Reporting and the new PRTR-requirements

93. Page 115

Delete definitions in section (b) and replace by

‘reporting year’ means the calendar year for which data on releases of pollutants and off-site transfers must be gathered

‘site’ means the geographical location of the facility

‘substance’ means any chemical element and its compounds, with the exception of radioactive substances

94. Page 118

Add 5. European PRTR Guidance [footnote]

(a) Guidance document for the implementation of the European PRTR (available in 10 languages on 1 September 2006)

(b) Supporting document on the determination of diffuse methane releases from landfill sites (available in English)

(c) Supporting document on the determination of releases from pig and poultry farms (available in English)

and add as footnote

See <http://www.prtr.ec.europa.eu> (Guidance information included under "NEWS", PRTR Guidance or EPER Guidance)