European PRTR (E-PRTR) - update on implementation

7th meeting of the Working Group of the Parties – UNECE Kiev Protocol
28 November 2019 (Geneva)

Alex RADWAY
European Commission
Directorate General Environment
Industrial Emissions Unit (C.4)
To cover:

1. Contract on ‘Review of E-PRTR implementation and related guidance’

2. Reporting of contextual fields
1. Background

E-PRTR Regulation (EC/2006/166)
- Builds on previous EU initiative (EPER) and enacts Kiev protocol
- Dates from 2006 so many technical / legal developments since then.

E-PRTR Guidance document
- Helps common understanding of the Regulation → consistent implementation
- But published in 2006 so outdated technical and scientific understanding
- And doesn't capture implementation issues that have arisen since 2006

Opportune time to review the legislation and guidance
## 1. Contract tasks

<table>
<thead>
<tr>
<th>Task</th>
<th>E-PRTR Regulation</th>
<th>Guidance document</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Task 1</strong></td>
<td>Annex I activities</td>
<td></td>
</tr>
<tr>
<td><strong>Task 2</strong></td>
<td>Annex II substances &amp; reporting thresholds</td>
<td></td>
</tr>
<tr>
<td><strong>Task 3</strong></td>
<td></td>
<td>Release quantification methods (Appendix 3)</td>
</tr>
<tr>
<td><strong>Task 4</strong></td>
<td></td>
<td>Indicative air and water pollutants (Appendix 4 &amp; 5)</td>
</tr>
</tbody>
</table>
**Task 1: Annex I activities**

**Issue**: Divergence in 2010 between the industrial activities listed for regulatory control (IED) and the E-PRTR.

**Key question**: Is the E-PRTR still a comprehensive inventory for releases/transfers from large industry in Europe?

**Method**: Evaluate E-PRTR coherence with other EU legislation (IED, UWWTD etc.) and other PRTRs (EU and wider).

**Main findings**:
A. There are additional activities that could enhance the E-PRTR’s coverage e.g. intensive cattle rearing, carbon capture & storage (CCS), magnesium oxide production, metal working.
B. Consider new reporting thresholds e.g.
   - combustion plants (50 MW to 20 MW),
   - urban waste water treatment plants (100,000 p.e. to 15,000 p.e.)
**Task 2: Annex II substances / thresholds**

**Issue**: E-PRTR pollutants, and their reporting thresholds, set in 2006.

**Key questions**: Does the list of pollutants reflect current scientific knowledge? Are reporting thresholds still meaningful?

**Methods**:
- Review substances under other legislation, BREFs, guidance and national PRTRs (EU & international).
- ‘Weibull’ statistical analysis of thresholds.

**Main findings**:
A. Possible case for adding pollutants (~38)
B. Track 22 substances on the Water Framework Directive ‘watch list’
C. 24 pollutants are ‘historical’ but suggest to retain
D. Suggests lower reporting threshold for 11 air pollutants and 14 water pollutants to capture 90% of industrial emissions
### 1. Contract tasks

<table>
<thead>
<tr>
<th>E-PRTR Regulation</th>
<th>Guidance document</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Task 1</strong> Annex I activities</td>
<td></td>
</tr>
<tr>
<td><strong>Task 2</strong> Annex II substances &amp; reporting thresholds</td>
<td></td>
</tr>
<tr>
<td><strong>Task 3</strong></td>
<td>Release quantification methods (Appendix 3)</td>
</tr>
<tr>
<td><strong>Task 4</strong></td>
<td>Indicative air and water pollutants (Appendix 4 &amp; 5)</td>
</tr>
</tbody>
</table>
**Task 3: Guidance - release quantification methods**

**Issue**: The guidance has little information on release quantification methods and it’s very dated.

**Key questions**: How can we improve the quality and comparability of E-PRTR data?

**Method**: Assessment of whether releases are measured, calculated or estimated. Survey of other methods e.g. OECD.

**Main findings**:
1. Benefits of stressing the hierarchy – M, then C, then E.
2. Better descriptions of the quantification methods
3. Clarify several issues – consistency checks, facility boundaries, limits of detection, background loads
**Task 4: Guidance - indicative air & water pollutants**

**Issue:** The indicative lists of pollutants contain known errors and are too binary (presence / absence).

**Outputs:**
1. New indicative lists prepared based on actual E-PRTR reporting.
2. A more nuanced system indicating the likelihood of a pollutant’s presence.
3. Links made to substances identified in BREFs (Best Available Techniques reference documents).
1. **Next steps**

A. Contract now finished and is being written up.

B. Final report will soon be available on our (publicly accessible) CIRCABC portal.

C. Contract findings will:
   - Be shared with the E-PRTR Expert Group for peer review
   - Become a key reference for future policy developments on industrial emissions (both in EU and wider)
   - Contribute to the EU’s ongoing evaluation of the IED

D. If there are EU legislative IED/E-PRTR proposals, these contract findings will inform the required impact assessments
To cover:

1. Contract on ‘Review of E-PRTR implementation and related guidance’

2. Reporting of contextual fields
2.1 Reporting of contextual fields – the past

- Annex III of the E-PRTR Regulation (EC/166/2006) includes the optional reporting of 3 contextual fields:
  - Production volume
  - Number of operating hours in the year
  - Number of employees

- We receive some voluntary returns – about 25% of facilities (≈8,500)

- But data difficult to interpret as no agreed reporting metrics

- Identified as a key issue in the Commission’s triennial report to European Parliament & Council (COM(2017)810).
  - “...scope for further improvement of the E-PRTR...[by] ...exploring options for additional contextual information to make E-PRTR data more effective.”
2.2 Reporting of contextual fields – the future

Re-defined E-PRTR reporting obligations (Commission Implementing Decision EU/2019/1741) in order to:

a) Establish an ‘EU registry on industrial sites’ (E-PRTR data plus regulatory information under the Industrial Emissions Directive)
b) Reduce reporting lag from 15 months to 9/11 months (as of 2019)
c) Improve the collection of contextual data.
   • ‘Number of operating hours in the year’ – still Optional
   • ‘Number of employees’ – still Optional
   • ‘Production volume’ - Optional for reporting year 2019 and 2020. Mandatory from 2021 but conditional on establishing reporting ‘units and metrics’. 2019-20 contract to develop those ‘units and metrics’

**But:** Individual data points will not be made public through the E-PRTR

**European Union aspirations:**
1. This will help normalise emission data. Data become information.
2. Help to identify top performers for BREFs.
To cover:

1. Contract on ‘Review of E-PRTR implementation and related guidance’ √

2. Reporting of contextual fields √
Further information


2. Contract on ‘Review of E-PRTR implementation and related guidance’ – final report will be available on CIRCABC portal [https://circabc.europa.eu/w/browse/988dcfdb-7666-4dd2-ba15-63a8d7ebc1f0](https://circabc.europa.eu/w/browse/988dcfdb-7666-4dd2-ba15-63a8d7ebc1f0)
