

**Spanish Comments to the Draft Guidance Document** (Penultimate version, 31.07.2006, tracked version) for the implementation of the **PRTR Protocol**

**PART 1: General ISSUES**

**I.-Introduction:**

*Paragraph 16, page 8:* at the end of this para. "... For example, the activities listed in annex I to the PRTR Protocol are largely based on annex I to the IPPC Directive, and include energy industries, metal industries, mineral industries, chemical industries, livestock farming and waste management". From our point of view all type of IPPC industrial activities should be named.

**II.-Institutional And Legal Implementation, Including Public Participation And Access To Information And Justice**

*Boxes 9 and 10, page 23 and 24*

May be some additional words to clarify that the information included in theses boxes are examples.

**PART 2: Data collection and management**

**IV.- PRTR data**

**(a) Identification of facilities:**

*Paragraphs 14 to 16; and Table 1 (pages 44-49)*

The criteria to identify "facilities" should be only the Annex I of the Protocol. This idea must be clear in the Guidance. It is important to remind that the obligation of reporting must be complied by facilities which undertake one or more annex I activities.

This first identification can be complemented with economical codes based on ISIC or NACE.

In Table 1 should be mentioned NACE code as well. If it is kept as it is now, it could interpreted that only ISIC code must be used or that the ISIC code is better than NACE.

The solution could be to indicate, in the second column of the Table 1, the legend "ISIC/NACE"

*Tables 3 and 4 (pages 55-60):*

Footnotes in theses tables should be checked

**(b) Releases to water**

*Paragraphs 34 (page 61)*

We would like to propose to copy the text regarding "background load" included on the E-PRTR Guidance document::

"The **background load** of a certain pollutant in water may be taken into account. For example, if water is collected at the site of the facility from a neighbouring river, lake or sea for use as process or cooling water which is afterwards released from the site of the facility into the same river, lake or sea, the "release" caused by the background load of that pollutant can be subtracted from the total release of the facility. The measurements of pollutants in collected inlet water and in released outlet water must be carried out in a way that ensures that they are representative of the conditions occurring over the reporting period. If the additional load results from the use of extracted groundwater or drinking-water, it should not be subtracted since it increases the load of the pollutant in the river, lake or sea".

Tables 5, 6, 7, 8 and 9 (pages 61-75)

We think is clearer to show in all these tables only the respective pollutants and thresholds, not the whole list of pollutant.

For instance, taken the first part of table 5 in page 61:

No.	CAS number	Pollutant	Threshold for releases to water (column 1b)	Manufacture, process or use threshold (column 3)
			kg/year	kg/year
1	74-82-8	Methane (CH <sub>4</sub> )	-	*
2	630-08-0	Carbon monoxide (CO)	-	*
3	124-38-9	Carbon dioxide (CO <sub>2</sub> )	-	*
4		Hydro-fluorocarbons (HFCs)	-	*
5	10024-97-2	Nitrous oxide (N <sub>2</sub> O)	-	*
6	7664-41-7	Ammonia (NH <sub>3</sub> )	-	10 000
7		Non-methane volatile organic compounds (NMVOC)	-	*
8		Nitrogen oxides (NO <sub>x</sub> /NO <sub>2</sub> )	-	*
9		Perfluorocarbons (PFCs)	-	*
10	2551-62-4	Sulphur hexafluoride (SF <sub>6</sub> )	-	*
11		Sulphur oxides (SO <sub>x</sub> /SO <sub>2</sub> )	-	*
12		Total nitrogen	50 000	10 000
13		Total phosphorus	5 000	10 000
14		Hydrochlorofluorocarbons (HCFCs)	-	10 000
15		Chlorofluorocarbons (CFCs)	-	10 000
16		Halons	-	10 000

Our proposal:

No.	CAS number	Pollutant	Threshold for releases to water (column 1b)	Manufacture, process or use threshold (column 3)
			kg/year	kg/year
6	7664-41-7	Ammonia (NH <sub>3</sub> )	-	10 000
12		Total nitrogen	50 000	10 000
13		Total phosphorus	5 000	10 000
14		Hydrochlorofluorocarbons (HCFCs)	-	10 000
15		Chlorofluorocarbons (CFCs)	-	10 000
16		Halons	-	10 000

Etc.etc.

The same for the rest.

Table 10 (page 77)

Some footnotes are needed to explain the meaning of "a" "w" and "o"

Table 12 (page 84)

Taking into account that we are under PRTR Protocol, some adjustments should be done in table 12. Some references to IPPC Directive should be deleted for the purpose of PRTR Protocol. IN the same line "NACE Code" should be changed by "NACE/ISIC code", etc...

Also in this Example Only The Waste Approach Is Considered.

**V.-Data Management**

Paragraph 9 (page 93)

2<sup>nd</sup> sentence says:

" .... For small facilities municipal and regional authorities are often the competent bodies, whereas the national authorities can be competent for the larger facilities..."

From our point of view this sentence should be re wording deeply or deleted, since this fact is not as frequent as it is shown in this text. In many cases other criteria than the size of companies are applied.

Paragraph 13 (page 94)

4<sup>th</sup> sentence says:

". Also the data transfer used in Finland, Italy Spain and Portugal is mainly electronic."

We would like to include "Spain" in this list. Since 2002 in Spain the whole process of collecting and reviewing EPER data is made electronically (via internet) by the majority of facilities and competent authorities.

**PART 3: Data dissemination and public access**

**VI.- Data dissemination**

Paragraph 9 (page 105)

9 The national PRTR web site should be in the national language or languages. In addition, at least basic information of interest to the international community could be provided in **an internationally more widespread language such as English.**<sup>1</sup>

Is this really a requirement of the Protocol?

If this paragraph is supported by the majority of delegations should be redrafted completely. The first part of the sentence seems to be logic although we think it is no necessary to include this paragraph in the final document. But the second one only could be acceptable in terms of a recommendation. The use of words such as "in addition", "at least", etc, really sound too strong.

The best option for us is the deletion of the whole paragraph.

THANK YOU VERY MUCH!

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<sup>1</sup> This is proposed in the "Recommendation on the more effective use of electronic information tools to provide public access to environmental information" (ECE.MP.PP.2005.7 annex), to be considered for adoption by the Second Meeting of the Parties in Almaty, Kazakhstan. See <http://www.unece.org/env/pp/mop2/mop2.docI/htm>