

CEFIC N°212

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UN-ECE PRTR

Written Commenting Procedures in Preparation of a PRTR Instrument CEFIC Input on Issues to be dealt with in the Technical Working Group

CEFIC highly recommends to put the focus of PRTR on emissions of pollutants from point sources into the environment. That means, for an industrial site, emissions to air, water, soil and underground. Transfers should be considered as transfers of waste to final disposal (e.g. incineration, landfill) only.

Our basic comments on the four issues mentioned in the secretarial letter of March 9th, 2001 are developed below. New comments will be given during the detailed discussions of the coming months.

(a) Substances

We recommend for a start to use the “**EPER approach**“ as outlined below:

- First of all, for future discussion, use term “**pollutant**” instead of “**substances**”. After all, the instrument to be developed under the Aarhus is a “**P**”RTR and not an instrument related to substances.
- With respect to the list of pollutants, indicate which path of emission might be the most relevant. In several cases only one or two paths are relevant, e. g. several pollutants such as NO_x, SO_x are solely airborne.
- Thresholds for reporting have to be applied, the objective could be to cover x % of emissions in a given country. Consequently thresholds would differ in different UN-ECE countries.
- The list of pollutants should also include sum parameters e. g. for water emissions “Chemical Oxygen Demand” (COD) or “Total Organic Carbon” (TOC). In reporting a figure for the total organic load to water, organic pollutants, which are not listed separately, would be covered.

- The total list of pollutants to be reported should be restricted at least for the first PRTR to a manageable number, e. g. 50 to 60 pollutants. Of course, any Contracting Parties would be free to cover additional pollutants, which are relevant for their country in their national PRTR systems.

We recommend not to discuss criteria for the selection of pollutants, at least not as a priority. We propose to use the EPER list and thresholds as a starting point, working from that on forward, and always having in mind to end up with a manageable number of pollutants.

(b) Activities/facilities

Annex 1 to the Aarhus Convention already contains a list of activities. This could be the starting list of installations which are likely to emit one or more of the listed pollutants. Nevertheless, to avoid getting bogged down by a discussion whether single entries should be added or amended, we propose to stick to this list and not to discuss any changes. As before, Contracting Parties are free to include any other relevant activities/facilities in their respective country in their national PRTR systems.

(c) Transfers (on-site, off-site)

“Transfers” have been a rather controversial issue at the last meetings and as stated in the draft report on the first meeting of the PRTR Working Group (19) *“the working group agreed that releases and transfers should be covered, provided an appropriate definition of transfers could be found”*. We feel, at least now, that such a definition has not been found. Therefore, we propose to restrict “transfer” to the transfer of waste either on- or off-site to final disposal.

If waste for recovery would be covered, inevitably we would have to start to discuss the borderline between waste / secondary raw material / by-product / product. Moreover also the borderline between recovery / recycling / reconditioning would need to be explored. Since other fora (EU, OECD, Basel Convention) are discussing this for more than ten years with inconclusive results we recommend not to start this discussion in yet another forum. Ultimately, to take on board conclusions from the Basel Convention context in an UN-ECE context could be possibly appropriate.

No other “transfer” should be covered, and CEFIC will discuss this in more detail in our comments on the draft PRTR.

(d) Validation of data

We agree, that this issue is of “*less immediate importance*” and consequently will not be discussed at the first TWG meeting. However, this does not imply that data should be provided regardless of the quality. CEFIC will come back on this when the issue will be addressed in more detail in future meetings.

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