Questions to Estonia

The Committee acknowledges that in its 2021 NIR Estonia mentioned the existence of a national register/information system that doesn't meet the requirements of the Protocol in particular in terms of searchability and accessibility. The Committee in its 2021 synthesis report had also addressed this topic with a chapter on National pollutant release and transfer registers in the European Union member States (see ECE/MP.PRTR/2021/10, paras. 237-244). Estonia mentioned furthermore that it fulfils its obligation through the E-PRTR and that it is in the process of establishing a national PRTR system to better fulfil the requirements under the Protocol on PRTRs. In this regard the Committee wishes to ask the below questions.

	Provision of the Protocol	Text of the provision	Potential issue	Question to Party
1	Art 3(1)	3.1 Each Party shall take the necessary legislative, regulatory and other measures, and appropriate enforcement measures, to implement the provisions of this Protocol	In its 2021 NIR Estonia indicated that at the end of November each year, it submits the data required by the E-PRTR Regulation to the European Commission. In Estonia, the data required by the Protocol are collected as follows: operators submit information on pollutant releases and transfers to their regional Environmental Board via the Environmental Decision Information System KOTKAS. KOTKAS consolidates all the environmental permits (water, waste, air pollution, and integrated permits), related monitoring, reporting, and other obligations. The Committee noted that dissemination of national PRTR data is done through the E-PRTR website (http://prtr.ec.europa.eu) and that a National system (KOTKAS) allows access to parts of the functions of a national PRTR, not fully meeting the requirements for national PRTR systems under the Protocol (see chapter on National pollutant release and transfer registers in the European Union member States (see ECE/MP.PRTR/2021/10, paras. 237-244).	1. Please provide further information on the role of KOTKAS in the PRTR registry under elaboration, and how Estonia intends to implement the provisions of the PRTR Protocol though the new system. *KOTKAS system (https://kotkas.envir.ee/permits/public_index) gathers information on all the relevant data on the permits, also yearly reports of the facilities are presented there. There is also national system Environmental Portal (https://keskkonnaportaal.ee/et) which brings environmental information and services under the Ministry of the Environment's administrative area to one entry point, in order to improve the availability and the usability of information for all parties. The environmental portal is a data catalogue with metadata to facilitate the use of public environmental data, the creation of new knowledge, and the valorisation of data by the public sector, the private sector, and private individuals. It is planned to link the E-PRTR data to other environmental data and it would be available to the public as open data.* 2. If appropriate, please clarify what provisions of the PRTR protocol will be met though E-PRTR and what provisions through the national PRTR registry/information system currently under elaboration.

				In the E-PRTR Register (which also includes the annual data of Estonia) enables the search and establishment of releases and transfers according to the geographical location, activity, owner or operator and, if necessary, according to the company, the pollutant or waste, each environmental element where a pollutant has been released and according to the target of transfers and the location of waste disposal or recycling. Thus, upon searching the region Estonia, E-PRTR displays all the necessary parameters on the territory of Estonia. *In the KOTKAS environmental decision information system, it is possible to search and identify emissions and transfers by permit, permits holder, type, area, location and by object.* *In addition, as stated in the subsection 2 of article 11 of the Protocol on PRTR, where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall ensure that its competent authority upon request provides that information by any other effective means, as soon as possible and at the latest within one month after the request has been submitted. For that purpose, a person may address his or her request to the Environment Agency and necessary information shall be issued to him or her.*
2	Art 5(1)	5.1 Each Party shall ensure that the data held on the register referred to in article 4 are presented in both aggregated and non-aggregated forms, so that releases and transfers can be searched and identified according to: (a) Facility and its geographical location; (b) Activity;	In its 2021 NIR, Estonia indicated that the E-PRTR (which also includes the annual data of Estonia) enables the search and establishment of releases and transfers according to the geographical location, activity, owner or operator and, if necessary, according to the company, the pollutant or waste, environmental media where a pollutant has been released and according to the target of transfers and the location of waste disposal or recycling. Thus, upon searching the region Estonia, E-PRTR displays all the necessary search parameters on the territory of Estonia. In the national environmental decision information system "KOTKAS" it is possible to search and identify emissions and transfers by type, area and location of the permit only, and the development of the data	3. Please clarify how Estonia intends to meet the provisions of Article 5.1. in the national PRTR system, including the planned "data disclosure module". – *Information mentioned in Article 5 is available in the KOTKAS system – information is findable but by permit or by annual report of the permit holder. Data disclosure module is under the development (gathering all that information on the map and searching substances, stakeholders etc.). That means that the planned data module will be accessible in the internet, it will be in Estonian. It is planned to be a map based solution where it is easy to look up*

		(c) Owner or operator, and, as appropriate, company; (d) Pollutant or waste, as appropriate; (e) Each of the environmental media into which the pollutant is released; and (f) As specified in article 7, paragraph 5, the destination of the transfer and, where appropriate, the disposal or recovery operation for waste.	disclosure module required by the Protocol on PRTRs is being planned. The Committee noted that, in contrast to the KOTKAS system established at the national level, the E-PRTR is not available in national language.	*information required by the protocol: Facility, location, activity, etc.* 4. Please provide a time schedule for the planned development of the data dissemination module of the national PRTR system, including information on any draft legislation, regulation or other proposals related to the planned development. *The Information Technology Centre of the Ministry of the Environment (KEMIT) is currently analysing the possibilities and describing the needs of the development (initial task), working with the experts from the ministry and also from Estonian Environmental Agency. Initial task consists of several parts and the first part is expected to be ready in 2023.*
3	Art 5(4)	5.4 The register shall be designed for maximum ease of public access through electronic means, such as the Internet. The design shall allow that, under normal operating conditions, the information on the register is continuously and immediately available through electronic means.	Estonia stated in its 2021 NIR that its PRTR register is integrated into the environmental decision information system KOTKAS (https://kotkas.envir.ee), in order to avoid duplication of data. The development of the data disclosure module required by the PRTR protocol is being planned, which in turn would be integrated with the EU Registry on Industrial Sites datasets. The Estonian data on pollutant releases and transfers is also available on the web page of E-PRTR (http://prtr.ec.europa.eu). The CC noted that information is not provided in the NIR on how the new system will ease public access, and whether information is immediately available through electronic means.	5. Please clarify how the national PRTR registry under elaboration is being designed to ease public access, ensuring information on the register is continuously and immediately available through electronic means. – *The planned data module will be accessible in the internet, it will be in Estonian. It is planned to be a map based solution where it is easy to look up information required by the protocol: Facility, location, activity, etc.*
4	Art 11 (access to information) and 4(h)	11.1 Each Party shall ensure public access to information contained in its pollutant release and transfer register, without an interest having to be stated, and according to the provisions of this Protocol, primarily by ensuring that its register provides for direct electronic access through public telecommunications networks. 11.2 Where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall ensure that its competent authority upon request provides that information by any other	In its 2021 NIR Estonia refers both to the E-PRTR and the KOSKA system, stating that obligations on access to information are fulfilled through publication of data within E-PRTR and if needed, additional information is provided by the Environment Agency. The Committee notes that the E-PRTR isn't available in the national language.	*6.* Please clarify if Estonia considers that information in English is sufficient to ensure proper information and dissemination of the data at national level. – *All the information that is presented in the E-PRTR registry is available also in the KOTKAS database, but the information is presented by permit and by permits holder annual report. Therefore, searching module is better in the E-PRTR system. We don't see it as a problem that currently the information is provided in English, since data is reachable also in KOTKAS. Nevertheless, we are working on the data disclosure module and it is planned to have convenient data search module and it will be in Estonian.* 7. Please provide further details on how the planned PRTR portal will meet the Protocol requirements related to:

effective means, as soon as possible and at the latest within one month after the request has been submitted.

11.3 Subject to paragraph 4, each Party shall ensure that access to information contained in its register is free of charge.

11.4 Each Party may allow its competent authority to make a charge for reproducing and mailing the specific information referred to in paragraph 2, but such charge shall not exceed a reasonable amount.

11.5 Where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall facilitate electronic access to its register in publicly accessible locations, for example in public libraries, offices of local authorities or other appropriate places.

Art 4 (h)
In accordance with this Protocol, each Party shall establish and maintain a publicly accessible national pollutant release and transfer register that: (h) Is coherent and designed to be user-friendly and publicly accessible, including in electronic form;

(a) article 11 of the Protocol; and

The data required by the PRTR protocol are collected and processed in the KOTKAS information system, which contains data provided by the operators on water, air, and waste. The data of the Estonian Pollutant Release and Transfer Register are also available to the public electronically on the website of the European Pollutant Release and Transfer Register: http://prtr.ec.europa.eu. In addition, if needed, additional information is provided by the Environment Agency, which publishes environmental reviews on its website and can also be requested to provide information on a specific issue.

In case the necessary information is not publicly accessible on the internet, then, pursuant to the Council Decision no. 2006/61/EC, i.e. article 11 (2) of the Protocol on PRTR, where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall ensure that its competent authority upon request provides that information by any other effective means, as soon as possible and at the latest within one month after the request has been submitted. For that purpose, a person may address the Environment Agency with the respective request and he or she shall be provided with the necessary information.

(b) article 4(h) of the Protocol.

All the information that is presented in the E-PRTR registry is accessible also in the KOTKAS database, but the information is presented by permit and by permits holder annual report. Therefore, searching module is better in the E-PRTR system. We don't see it as a problem that currently the information is provided in English, since data is reachable also in KOTKAS. Nevertheless, we are working on the data disclosure module and it is planned to have convenient data search module and it will be in Estonian.

				Please provide substantiation for your answers to questions by referencing to any relevant legislation, measures, and practice, when appropriate.
5	Article 13 (public participation)	13.1 Each Party shall ensure appropriate opportunities for public participation in the development of its national pollutant release and transfer register, within the framework of its national law. 13.2 For the purpose of paragraph 1, each Party shall provide the opportunity for free public access to the information on the proposed measures concerning the development of its national pollutant release and transfer register and for the submission of any comments, information, analyses or opinions that are relevant to the decision-making process, and the relevant authority shall take due account of such public input. 13.3 Each Party shall ensure that, when a decision to establish or significantly change its register has been taken, information on the decision and the considerations on which it is based are made publicly available in a timely manner.	In its 2021 NIR Estonia stated that the Estonian PRTR is partially integrated into the environmental decision information system KOTKAS. The Party described that in the development of KOTKAS, companies that use the system are involved in pilot tests which are carried out to assess needs and take opinions into account. Further, the Party described that in a wider perspective, the public can have a say in environmental matters. For example, draft acts are published in the information system of draft legislation, EIS. The drafts acts and draft regulations are submitted for approval to relevant organisations representing the public: NGOs, professional associations, etc..	8. Please provide further information on how public participation is ensured in PRTR development. Further, please clarify how public participation is being ensured in the national PRTR system under construction. *Stakeholders will be included in the process of describing the system and initial task. When the data disclosure module is developed it is planned to have system tested by competent authorities and also interested stakeholders are invited to test the new system.* 9. Please clarify what national legislation ensure appropriate opportunities for public participation in the development of its national pollutant release and transfer register. – *Good practice of public participation of the Ministry of the environment can be found here: https://envir.ee/kaasamine-keskko nnateadlikkus/kaasamine-ja-osalemine*