

Juan Luis Martin Ortega
Chair of the Compliance Committee under the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Madrid, 09 February 2024

Dear Ms. Koger,

You may recall that the Compliance Committee, at its twelfth meeting (1 March 2022), considered the issue of national pollutant release and transfer registers in the European Union member States.

Pursuant to information provided by Estonia in its 2021 National implementation report, the Committee had send questions to the Party concerned regarding the implementation of the Protocol on Pollutant Release and Transfer Registers in order to clarify the matter further, and received the respective response from the Party concerned. This correspondence has been made available on the Committee's webpage, see: <https://unece.org/env/pp/protocol-on-prtrs/protocol-bodies/cc/advice-or-assistance-Estonia>.

The Committee, noting several issues of potential non-compliance, but at the same time observing a number of measures that the Party concerned is currently implementing or planning to implement, pursuant to paras 14 (b), 40 (a) and 40 (e) of the annex to Decision I/2 (ECE/MP.PRTR/2010/2/Add.1), the Committee agreed to provide the Party concerned with advice as to facilitate assistance regarding its compliance with the Protocol.

Please find enclosed the Considerations and Advice prepared by the Committee for your attention. The Committee would be grateful to receive a comprehensive report on implementing measures by 31 January 2025. Please send the report to prtr.survey@un.org and do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,



Juan Luis Martin Ortega

Enc.: Considerations and advice by the Compliance Committee

Ms. Heidi KOGER
Director General
Ambient Air Department
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Estonia

Estonia

Considerations and advice by the Compliance Committee (PRTRCC/A/2022/2)

All answers and additional information received from Estonia were assessed. Results of the assessment are grouped by specific issues and corresponding articles of the Protocol, and are accompanied by relevant advice.

A. Considerations

I. National PRTR (articles 3(1) and 4)

1. In its answers the Party concerned explained that, as indicated in its 2021 National Implementation Report, there are two systems that gather and provide PRTR related information:

- The Environmental Decision Information System “KOTKAS”, (https://kotkas.envir.ee/permits/public_index) which gathers and presents information related to all the relevant data on the permits, including yearly reports of the facilities. It also includes the data from the European Pollutant Release and Transfer Register (E-PRTR, <http://prtr.ec.europa.eu>) but is not searchable by facility but by permit-holder;
- The 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 stakeholders. The Environmental Portal is a data catalogue, including metadata, aimed to facilitate the use of public environmental data, the creation of new knowledge, and the use 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 contained in the Portal, also ensuring its availability to the public as open data.

2. Furthermore, the Party concerned explained that E-PRTR (which also includes the annual PRTR 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, it is possible to search and identify emissions and transfers by permit, permits holder, type, area, location and by object. In addition, pursuant to subsection 2 of article 11 of the Protocol on PRTRs, where the information contained in the register is not easily publicly accessible by direct electronic means, any person may address a request to the Environment Agency and necessary information shall be provided to that person.

(See answers to Questions 1-2)

II. Search function (article 5(1))

3. The Party concerned explained that information referred to in article 5 of the Protocol is available in the KOTKAS and is findable, but by permit or by annual report of the permit holder. A data disclosure module, including search- and map- related functions, is under development. The future planned data disclosure module, to be accessible through the Internet, will be in Estonian language. It is planned to apply a map-based solution as it will allow for easy search of information required by the Protocol, such as facility, location, activity, etc.

4. The Information Technology Centre of the Ministry of the Environment (KEMIT) is currently working with the experts from the Ministry and from the Estonian Environmental Agency on an initial task, namely analysing the possibilities and describing the needs for the development of the data disclosure module. This initial task consists of several parts, and the first part is expected to be ready in 2023.

(See answers to Questions 3-4)

III. The register shall be designed for maximum ease of public access through electronic means, such as the Internet (article 5(4))

5. The Party concerned explained that the planned data disclosure module will be accessible online in Estonian language. Estonia plans a map-based solution which will allow for easy search of information required by the Protocol, such as facility, location, activity, etc.

(See answer to Question 3, 4 and 5)

IV. Access to information (articles 11 and 4(h))

6. The Party concerned explained that all the information that is presented in the E-PRTR registry is currently also available in the KOTKAS, but information is presented by permit and by permits holder annual reports. Therefore, searching module is better in E-PRTR system. Since data is reachable also in KOTKAS in Estonian language, the Party concerned does not consider that provision of information in the E-PRTR registry in English only poses any problem. Nevertheless, the Party concerned plans to have a convenient data disclosure module in Estonian language in the future.

7. Thus, the data required by the Protocol on PRTRs is collected and processed in the KOTKAS in Estonian language. Additional information is provided by the Environment Agency through environmental reviews on its website, and upon request on a specific issue from any person. The data of the Estonian PRTR is also available to the public electronically on the website of E-PRTR in English language.

(See answers to Questions 6-7)

V. Public participation in the development of national pollutant release and transfer register (article 13)

8. The Party concerned explained that stakeholders will be included in the process of describing the system and the initial task. When the data disclosure module will be developed it is planned that the system will be tested by competent authorities, and also to invite interested stakeholders to test it. Good practice on public participation of the Ministry of the Environment is available through the following link: <https://envir.ee/kaasamine-keskko-nnateadlikkus/kaasamine-ja-osalemine>.

(See answers to Questions 8-9)

B. Advice

a) Establish "national release and transfer register" (PRTR portal) without any delay.

b) Provide opportunities for effective public participation in the development or modification of the PRTR portal.

c) Ensure that the PRTR portal meets the requirements of the Protocol on PRTRs. This includes that: (i) the PRTR portal is designed to ease public access; (ii) the system which is used to disseminate PRTR data collected within Estonia provides these data and other relevant information online in Estonian language; (iii) the data in national language is easily searchable; and (iv) releases and transfers can be searched and identified as a minimum.

d) Ensure that, taken as a whole, the national pollutant release and transfer register, which may include elements of the E-PRTR, meets all requirements of the Protocol.

In addition, please consult the Committee's considerations regarding National pollutant release and transfer registers in the European Union member States, as provided in the 2021 Synthesis report on the status of implementation of the Protocol (paras. 237-244; ECE/MP.PRTR/2021/10).
