

Non-official speaking point EcoForum (Item 6)

By Christian.Schaible@eeb.org on behalf of European ECO Forum

European ECO Forum on Draft proposal on a possible decision on promoting innovative approaches for modernizing pollutant release and transfer registers, their global promotion and synergy, available [here](#)

First regret that no party has formally submitted amendment proposals to make the PRTR more effective and useful for different purposes.

However, we welcomed the initial Bureau draft proposal (discussed under this agenda item), it is a very useful interim starting point to advance concretely as to how to make PRTRs more useful for the public in env. decision making. NGO focus is on: achieving environmental performance improvements by the competent authorities (permit ambition) as well as operators of the Annex I activities. Information sharing systems shall maximise / promote concrete actions to prevent/ reduce negative environmental impacts, not just better report about it.

I will try to be succinct and just explain roughly a few of the main finetuning amendment proposals made by the EcoForum. Thank you very much to the Secretariat for having uploaded them online in the 'Statements, Comments and Presentation' section of the documents for this meeting and for allowing me to present those again here to you today. If could recap the main suggestions:

1) **In the listing of priorities / recommendation section, to add a new point :**

"c) Integrating and enabling comparability of permit conditions and environmental performance data or other contextual information for PRTR activities, according to the Protocol's provisions, recalling the respective definitions under art.1 of the Protocol, recalling as an objective to on well as contribute to the prevention and reduction of pollution of the environment;"

This proposal links to the proposal

2) **in the section on "Furthering synergy and global promotion", on the point that is about exchange of experience, here we suggest to add a Point v) "*comparability of permit conditions and benchmarking of performance and uptake of state-of the art pollution prevention standards*"**

Rationale:

1) the EU (Industrial emissions) Portal Regulation is referring to the 'contextual information' so to give proper meaning as to what this pollutants transfer/release info actually means.

2) PRTR recitals state to "using data from pollutant release and transfer registers, combined with [...] other types of relevant information, **for the purpose of gaining a better understanding of potential problems, identifying 'hot spots', taking preventive and mitigating measures, and setting environmental management priorities** " it is clear that the actual performance of Annex I activities is directly related to the permit conditions themselves (emission limit values set, stringency of other conditions relating to environmental impacts)

3) worth to remind that in accordance to Article 1 PRTR Protocol, the purpose of PRTR is to "*facilitate public participation in environmental decision-making as well as contribute to the prevention and reduction of pollution of the environment*". This typically happens during permit reviews / or due to improved (=tightened) permit conditions. Many national country examples with improved permit information access exist that have been cited in the comments and related EEB briefings, of course this is a non-exhaustive list (e.g. Ukraine has also and e-permit system and luckily improvements happened since then within some countries e.g. Spain, Netherlands).

4) The text addition is also reflected in section II of the "Progress report in implementing the strategic plan for 2015–2020" https://unece.org/fileadmin/DAM/env/pp/prtr/WGP-6/ODS/ECE_MP.PRTR_WG.1_2018_5_E.pdf

7) the IED review is also going in the same direction (establishing a mandatory e-permit system, even if very late timeline).

3) To add a new point:

"Integrating other tools or databases allowing to act on the environmental footprint of products throughout its life cycle, including the use and end of life phases."

Rationale see PRTR recitals + PRTR Protocol texts precited + understanding of "diffuse" emission sources. We can also use the term "environmental impact" instead of "environmental footprint", if that language is more acceptable. Thanks also to UNEP delegate for having reminded about the SAICM Target B3 to ensure that by 2035 chemicals use info in production is made publicly available (chemicals in use).

4) In the section on "Furthering synergy and global promotion" as to the encouragement sections suggest the following:

In section a) we would suggest a more action oriented / dynamic name e.g. to refer to **prevention or Pollution Reduction Tracker Register (to keep the PRTR acronym) or a Pollution Prevention Portal.**

Rationale: A more "action oriented" title would be appreciated and possibly needed to create more dynamics... The main objective is not to report better and more adequately on a status quo (pollution) but rather to exchange information with the objective to prevent / reduce that pollution

a. To add a new point vi "addressing other aspects such as consumption of energy, water and raw materials;

Rationale: 1) already concluded as new elements for the revised EEA Portal Regulation 2) already mentioned since **2014!** in the strategic plan of 2015-2020 in Focus Area " Considering the inclusion of other aspects, such as information on energy and water consumption, on-site transfers of waste or storage (art. 6, para. 2); " 3: https://unece.org/fileadmin/DAM/env/pp/prtr/MOPP2/Post-session_documents/ECE.MP.PRTR.2014.4.Add.1_e.pdf 3) it is key and accepted by all stakeholders that the consumption of materials, energy and water are CRITICAL elements as to pollution / negative environmental impacts from the Annex I activities

b. To add a new point vii" approaches and initiatives to disclose material ingredients and substances of concern in products"

Rationale: 1) see earlier comment as need to address also diffuse emissions 2) the text in [brackets] is just 2 examples of (EU) databases that already exist at the regional level or will exist very soon that are readily available for the integration in the timescale of action. SCIP link <https://echa.europa.eu/scip-database>

c. To add a new point viii "integration of other environmental reporting for PRTR activities, such as generated by the use of environmental management systems"

Rationale: 1) the ISO 14001 and EMAS are the "standard" information reporting systems that are used by the Annex I activities in relation to environmental management systems (EMS), which contain environmental performance information / objectives for improvements that could be used more efficiently 2) the revised Industrial Emissions Directive proposes to strengthen the integration of information generated by EMS

There are more finetuning proposals, also included for the Annex, as you have noticed from the document with the rationale provided directly in the document as comments, but will not be able to present all of those within the 3 minutes allocated today.

In Conclusion let me say the following: If I may humbly say what we propose is not really “innovative”. Our suggested amendments

- 1) Are just to ensure efforts sharing is done within all the PRTR engaged communities to ensure the IT infrastructure is working for all those e.g. permit writers/enforcers and the wider public, the industry implementing Best Available Techniques Standards or willing to identify hotspots /improvement potential;
- 2) we want to suggest making better use of available data, lift paperwork admin burden hassle and ensure the data sharing serves a purpose (i.e. the pollution prevention / reduction). My personal view is that reporting more (scope wise) and more accurately on a bad pollution situation whilst leaving out completely the action-oriented efforts sharing of information on best practice to prevent/reduce pollution may mean we do not see the same role of what PRTRs are actually good for... we need this to work as a tool for benchmarking and tracking progress made by all stakeholders involved
- 3) Thirdly, a certain emissions / pollution situation is closely linked to the permit ambition (conditions) set for the very same industry sources. We are all talking about the same high threshold industrial activities (Annex I) which must have a sort of permit system in place – at least I haven’t heard so far that those activities would operate in a legal vacuum in PRTR community countries- hence the link and importance of this information is obvious.
- 4) Finally, what we suggest here has already been agreed upon dating back to 2014! as in the previously cited UNECE document.

I know that the EU is finally trying to make the Union wide PRTR (run by the EEA) more aligned to the pollution prevention and control framework (IED) but still it seems the integration is not yet there, so the proposals are very aligned to the EU situation as to what is ongoing as to PRTR developments let alone many countries are progressing very well on this path. We are celebrating the 20th PRTRT and Aarhus Convention 25th anniversaries. It is the right moment to hence join the efforts sharing and send the right signals by being more forward-looking draft proposal to be reflected in the final text. You can do your share by endorsing our text proposals.