

COMMISSION IMPLEMENTING DECISION (EU) 2019/1741**of 23 September 2019****establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC***(notified under document C(2019) 6745)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC ⁽¹⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) In accordance with Article 7 of Regulation (EC) No 166/2006 (hereafter ‘the Regulation’), Member States report data to the Commission on pollutant releases and transfers from large industrial facilities. The Commission compiles these data in an electronic and publicly available European Pollutant Release and Transfer Register (hereafter ‘E-PRTR’) in order to facilitate public participation in environmental decision-making and the reduction of pollution of the environment.
- (2) In order to enhance coherence with reporting under Directive 2010/75/EU of the European Parliament and of the Council ⁽²⁾ on industrial emissions whose format, frequency and content is established by Commission Implementing Decision (EU) 2018/1135 ⁽³⁾, the Regulation was amended by Regulation (EU) 2019/1010 of the European Parliament and of the Council ⁽⁴⁾ (hereafter ‘the Amendment’) to confer implementing powers on the Commission to establish the information to be made available under the Regulation, and to abolish the reporting format currently laid down in that Regulation.
- (3) The Amendment emphasised the over-riding importance of enabling Union citizens to quickly access environmental information and the necessity for Member States and the Commission to make data publicly available as fast as technically feasible. The Amendment also determined that Member State reporting should occur no later than 11 months after the year-end and set the aim of having information available within three months of the year-end, including by progressing towards this objective through an implementing act under the Regulation.

⁽¹⁾ OJ L 33, 4.2.2006, p. 1.

⁽²⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁽³⁾ Commission Implementing Decision (EU) 2018/1135 of 10 August 2018 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 205, 14.8.2018, p. 40).

⁽⁴⁾ Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC (OJ L 170, 25.6.2019, p. 115).

- (4) The current practices and information technology used for reporting aim at ensuring the high quality of data included in both national pollutant release and transfer registers and in the E-PRTR. The objective of making E-PRTR information available earlier to the public should further promote the reporting of high-quality information. Since this objective requires the implementation of a stepwise approach and careful preparation, including the testing of new reporting methods and the development of new reporting tools, notably for the purpose of validation and quality control of reported data, the reporting deadlines should be reviewed in light of progress in information technology, the results of pilot testing and Member State best practices.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 19 of the Regulation,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall provide the information set out in the Annex, using the specific electronic format to be developed for the purposes of this reporting.

The information set out in the Annex shall be first submitted for the reporting year 2019, unless otherwise stated in that Annex.

The administrative information set out in Sections 1 to 4 of the Annex shall be submitted to the Commission, at the latest, by 30 September of the following reporting year.

The thematic information set out in Sections 5 to 10 of the Annex shall be submitted to the Commission, at the latest, by 30 November of the following reporting year.

Article 2

This Decision shall be reviewed by 31 December 2024, at the latest, with a view to assessing the feasibility of progressing towards the objective of earlier public availability of E-PRTR data. This review shall include an exchange of information between the Member States, the Commission and the European Environment Agency on national best practices and available techniques and tools allowing earlier reporting.

This Decision is addressed to the Member States.

Done at Brussels, 23 September 2019.

For the Commission
Karmenu VELLA
Member of the Commission

ANNEX

Establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006

Note:

Member States may indicate information that they consider to be confidential, giving the grounds that are considered to preclude the Commission from making it publicly available.

A. ADMINISTRATIVE INFORMATION

1. Reporter identification		
	Type	Format
1.1.	Country identifier	Identification of the country where the reported facility is located.
1.2.	Reporting year	Calendar year to which the reporting refers.
2. Identification of the facility ⁽¹⁾, ⁽²⁾		
	Type	Format
2.1.	inspireId	Unique identifier of the facility that follows the requirements of Directive 2007/2/EC of the European Parliament and of the Council ⁽³⁾
2.2.	thematicId ⁽⁴⁾	Thematic object identifier.
2.3.	Emissions Trading Scheme identifier	Where the installation is, fully or partly, covered by Directive 2003/87/EC of the European Parliament and of the Council ⁽⁵⁾ , the identifier used for reporting under that Directive.
2.4.	Name of the facility	Official denomination, proper name or conventional name of the facility.
2.5.	Name of the parent company	A parent company is a company that owns or controls the company operating the facility (for example by holding more than 50 % of the company's share capital or a majority of voting rights of the shareholders or associates) — see Directive 2013/34/EU of the European Parliament and of the Council ⁽⁶⁾ .
2.6.	Address	Postal address of the facility as defined by building number, street, city/town, postal code, country.
2.7.	Geometry	Latitude and longitude (coordinates for the approximate centre of the facility) expressed with reference to the ETRS89 (2D)-EPSG:4258 coordinate reference system to a precision of 5 decimal places.
2.8.	River Basin District	Code identifier and/or name assigned to the basin district of a watercourse.
2.9.	Function	Activities performed by the facility. Function is described by the activities of the facility expressed as NACE-codes.
2.10.	E-PRTR Annex I activities	Annex I activities carried out at the facility, indicating the main activity and all others.
2.11.	Status	The operational status of the facility.
2.12.	Production volume ⁽⁷⁾ , ⁽⁸⁾	
2.13.	Number of operating hours in the year ⁽⁹⁾	Optional.

2.14.	Number of employees ⁽¹⁰⁾	Optional.
2.15.	Website address	Website address of facility or parent company that shows the environmental report or the EMAS statement of the facility or the parent company.
2.16.	Remarks	Any other relevant information. Optional.
3.	Information on the E-PRTR competent authority for the facility	
	Type	Format
3.1.	Competent authority name	
3.2.	Competent authority address	Postal address as defined by building number, street, city/town, postal code, country.
3.3.	Competent authority email	
3.4.	Competent authority telephone number	
4.	Information where the E-PRTR facility is part of, or coincides with, a 'Production site' ⁽¹¹⁾	
	Type	Format
4.1.	inspireId	Unique identifier of the production site that follows the requirements of Directive 2007/2/EC.
4.2.	thematicId ⁽¹²⁾	Thematic object identifier of the production site.
4.3.	Geometry	Latitude and longitude (coordinates for the approximate centre of the production site) expressed with reference to the ETRS89 (2D)-EPSG:4258 coordinate reference system to a precision of 5 decimal places.
4.4.	Name of production site	Official denomination, proper name or conventional name of the production site.
B. THEMATIC INFORMATION		
5.	Air release data — for each pollutant exceeding a threshold value in Annex II of Regulation (EC) No 166/2006	
	Type	Format
5.1.	Pollutant name	In accordance with Annex II of Regulation (EC) No 166/2006.
5.2.	Total mass release	Total mass per pollutant of all releases from all sources on the facility (kg/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
5.3.	Accidental mass release	The part of the 'total mass release' deriving from accidents (kg/year).
6.	Water release data — for each pollutant exceeding a threshold value in Annex II of Regulation (EC) No 166/2006	
	Type	Format
6.1.	Pollutant name	In accordance with Annex II of Regulation (EC) No 166/2006.
6.2.	Total mass release	Total mass per pollutant of all releases from all sources on the facility (kg/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.

6.3.	Accidental mass release	The part of the 'total mass release' deriving from accidents (kg/year).
7.	Land release data — for each pollutant exceeding a threshold value in Annex II of Regulation (EC) No 166/2006	
	Type	Format
7.1.	Pollutant name	In accordance with Annex II of Regulation (EC) No 166/2006.
7.2.	Total mass release	Total mass per pollutant of all releases from all sources on the facility (kg/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
7.3.	Accidental mass release	The part of the 'total mass release' deriving from accidents (kg/year).
8.	Off-site transfer to waste-water treatment — for each pollutant exceeding a threshold value in Annex II of Regulation (EC) No 166/2006	
	Type	Format
8.1	Pollutant name	In accordance with Annex II of Regulation (EC) No 166/2006.
8.2	Total mass transfer	Total mass per pollutant of all transfers from the facility (kg/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
9.	Off-site transfers of hazardous waste — where exceeding the threshold value in Article 5(1) of Regulation (EC) No 166/2006	
	Type	Format
9.1	Within the country for recovery (R)	Total mass of transfer (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
9.2	Within the country for disposal (D)	Total mass of transfer (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
9.3	To other countries for recovery (R)	Total mass of transfer (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated. Name and address of the recoverer. Address of actual recovery site receiving the transfer.
9.4	To other countries for disposal (D)	Total mass of transfer (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated. Name and address of the disposer. Address of actual disposal site receiving the transfer.

10.	Off-site transfer of non-hazardous waste — where exceeding the threshold value in Article 5(1) of Regulation (EC) No 166/2006	
	Type	Format
10.1	For recovery (R)	Total mass of transfers (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.
10.2	For disposal (D)	Total mass of transfers (tonnes/year). Quantification method used: Measured (indicating analytical method); Calculated (indicating method); Estimated.

⁽¹⁾ This is a 'Production Facility' as defined in Annex IV, point 8.2.1 to Commission Regulation (EU) No 1253/2013 of 21 October 2013 amending Regulation (EU) No 1089/2010 implementing Directive 2007/2/EC as regards interoperability of spatial data sets and services (OJ L 331, 10.12.2013, p. 1) as 'one or more installations on the same site operated by the same natural or legal person, designed, built or installed to serve specific production or industrial purposes, comprehending all infrastructure, equipment and materials' and covered by Regulation (EC) No 166/2006.

⁽²⁾ Where a Facility is also covered by Directive 2010/75/EU, the legal basis for providing this information is Implementing Decision (EU) 2018/1135.

⁽³⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁽⁴⁾ This field has a multiplicity of 0-1 under INSPIRE, and is therefore not a mandatory field.

⁽⁵⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

⁽⁶⁾ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).

⁽⁷⁾ Optional for the 2019 and 2020 reporting years. As from reporting year 2021, reporting is mandatory for sectors where the Commission has established units and metrics for reporting.

⁽⁸⁾ Individual data points will not be made public through the E-PRTR, without prejudice to applicable EU law on public access to environmental information.

⁽⁹⁾ See No 7 (*supra*).

⁽¹⁰⁾ See No 7 (*supra*).

⁽¹¹⁾ This is a 'Production Site' as defined as defined in Regulation (EU) No 1253/2013, Annex IV, point 8.2.4 as 'all land at a distinct geographic location where the production facility was, is, or is intended to be located. This includes all infrastructure, equipment and materials' and covered by Regulation (EC) No 166/2006.

⁽¹²⁾ This field has a multiplicity of 0-1 under INSPIRE.