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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL on reporting of environmental data from industrial
installations and establishing an Industrial Emissions Portal
- Outcome of the European Parliament's first reading
(Strasbourg, 11 to 14 March 2024)

I. INTRODUCTION

In accordance with the provisions of Article 294 of the TFEU and the Joint declaration on practical arrangements for the codecision procedure¹, a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this file at first reading.

¹ OJ C 145, 30.6.2007, p. 5.

In this context, the Chair of the Committee on the Environment, Public Health and Food Safety (ENVI) Pascal CANFIN (RE, FR) presented on behalf of ENVI a compromise amendment (amendment number 60) to the abovementioned proposal for a Regulation, for which Radan KANEV (EPP, BG) had prepared a draft report. This amendment had been agreed during the informal contacts referred to above. No other amendments were tabled.

II. VOTE

When it voted on 12 March 2024, the plenary adopted the compromise amendment (amendment number 60) to the abovementioned proposal for a Regulation. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto².

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

² The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

P9_TA(2024)0124

Industrial Emissions Portal

European Parliament legislative resolution of 12 March 2024 on the proposal for a regulation of the European Parliament and of the Council on reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal (COM(2022)0157 – C9-0145/2022 – 2022/0105(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0157),
- having regard to Article 294(2) and Article 192 paragraph 1 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0145/2022),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Economic and Social Committee of 14 July 2022¹,
- having regard to the opinion of the Committee of the Regions of 12 October 2022²,
- having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 15 December 2023 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rule 59 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0211/2023),

¹ OJ C 443, 22.11.2022, p. 130.

² OJ C 498, 30.12.2022, p. 154.

1. Adopts its position at first reading hereinafter set out³;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

³ This position replaces the amendments adopted on 11 July 2023 (Texts adopted, P9_TA(2023)0260).

Position of the European Parliament adopted at first reading on 12 March 2024 with a view to the adoption of Regulation (EU) 2024/... of the European Parliament and of the Council on reporting of environmental data from industrial installations, establishing an Industrial Emissions Portal and repealing Regulation (EC) No 166/2006

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure³,

¹ OJ C 443, 22.11.2022, p. 130.

² OJ C 498, 30.12.2022, p. 154.

³ *Position of the European Parliament of 12 March 2024.*

Whereas:

- (1) The **8th** Environment Action Programme of the European Union adopted by Decision **(EU) 2022/591** of the European Parliament and of the Council⁴ requires the Commission, Member States, regional and local authorities and stakeholders, to apply high standards of transparency, public participation and access to justice **effectively**, in accordance with the **United Nations Economic Commission for Europe (UNECE)** Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the ‘Aarhus Convention’), both at Union and Member State levels.
- (2) The Aarhus Convention, ratified by the European Community on 17 February 2005 by Council Decision 2005/370/EC⁵, recognises that increased public access to environmental information and the dissemination of such information contribute to a greater awareness of environmental matters, a free exchange of views, more effective participation by the public in environmental decision-making and, ultimately, to a better environment. **Moreover, the Aarhus Convention recognises the right to protect the confidentiality of personal data and/or files relating to a natural person, where that person has not consented to the disclosure of the information to the public, where such confidentiality is provided for in national law. Where Union law requires that commercial or industrial information be kept confidential to protect a legitimate economic interest, that confidentiality should be safeguarded.**

⁴ Decision **(EU) 2022/591** of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

⁵ **Council Decision 2005/370/EC of 17 February 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters (OJ L 124, 17.5.2005, p. 1).**

- (3) ***Regulations (EU) 2016/679⁶ and (EU) 2018/1725⁷ of the European Parliament and of the Council apply to the processing of personal data by Member States and by the Union institutions, bodies, offices and agencies, respectively, within the framework of this Regulation. Accordingly, data subjects have the right to be informed about the processing of their data within the framework of this Regulation and about the exercise of their rights under those Regulations.***
- (4) On 2 December 2005, the European Community ratified the UNECE Protocol on Pollutant Release and Transfer Registers (the ‘Protocol’) by Council Decision 2006/61/EC⁸.
- (5) Regulation (EC) No 166/2006 of the European Parliament and of the Council⁹, established a European Pollutant Release and Transfer Register in order to implement the Protocol.

⁶ ***Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).***

⁷ ***Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).***

⁸ ***Council Decision 2006/61/EC of 2 December 2005 on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers (OJ L 32, 4.2.2006, p. 54).***

⁹ 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 (OJ L 33, 4.2.2006, p. 1).

- (6) The Commission's **■** report on *progress in implementing* Regulation (EC) No 166/2006, *published on 13 December 2017*, concluded that reporting obligations should be streamlined by further exploring synergies with other related Union environmental *law* on pollution from industrial installations, including in particular Directive 2010/75/EU of the European Parliament and of the Council¹⁰ and Council Directive 91/271/EEC¹¹. The report also highlighted the need to explore options for additional contextual information to make reported data more effective.
- (7) *The Commission's communication of 12 May 2021, entitled 'Pathway to a Healthy Planet for All EU Action Plan: "Towards Zero Pollution for Air, Water and Soil"',* establishes a Union action plan on zero pollution, energy, decarbonisation and circular economy, and *promotes* the effective use of reported information in the wider zero pollution monitoring and outlook framework and under the monitoring framework provided for in the *8th* Environmental Action Programme.

¹⁰ 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).

¹¹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

- (8) In line with *the Commission's* conclusions *in its* report *on progress in implementing Regulation (EC) No 166/2006, published on 13 December 2017, in June 2021*, the Commission, supported by the European Environment Agency (the 'Agency'), developed an Industrial Emissions Portal (the 'Portal') to replace the European Pollutant Release and Transfer Register, *with the aim of improving* synergies with reporting *carried out* under Directive 2010/75/EU.
- (9) The Portal should provide the public with free-of-charge ■ online access to a *more* integrated and coherent dataset on key environmental pressures generated by industrial installations, since such data constitute a cost-effective tool for drawing comparisons and taking decisions in *relation to* environmental matters, encouraging better environmental performance, tracking trends, demonstrating progress in pollution reduction, benchmarking installations, monitoring compliance with relevant international agreements, setting priorities and evaluating progress achieved through Union and national environmental policies and programmes.

- (10) The Portal should present the data ***included in it*** in aggregated and non-aggregated forms to ***enable*** users to ***carry out*** targeted searches ***as well as to provide an electronic means of extracting data in an easy manner, including in the form of query-based datasets.***
- (11) The reporting requirements should apply at installation level in order to implement synergies between the Portal and databases on environmental pressures from industrial installations, including those covered by Directive 2010/75/EU, and to ensure coherence with, and support, the implementation of that Directive.
- (12) To comply with ***the*** requirements of the Protocol, ***the*** reporting requirements ***provided for in this Regulation*** should apply to all activities listed in **■ Annex I to the Protocol and, in fulfilling those reporting requirements, the facility to which the installation, or part thereof, belongs should be indicated.** In addition, and with a view to achieving synergies with related Union environmental law affecting industrial installations, the scope of this Regulation should also ***be aligned*** with the industrial activities under Annexes I and Ia to Directive 2010/75/EU and with ***certain*** activities covered by Directive (EU) 2015/2193 of the European Parliament and of the Council¹².

¹² Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants (OJ L 313, 28.11.2015, p. 1).

- (13) In order to monitor the environmental performance of industrial installations, the data to be included in the Portal should cover, above ***the applicable*** quantitative thresholds ***listed in Annex II***, ***the*** release to the environment of certain pollutants, off-site transfers of waste water containing ***those*** pollutants and off-site transfers of waste.
- (14) The Portal should also include data on the use of water, energy and ***relevant*** raw materials by the installations ***concerned***, to allow ***the*** monitoring of progress towards a circular ***and*** highly resource-efficient economy. ***The data to be included in the Portal should cover relevant raw materials that are used in the production process and have a significant effect or impact on the environment. The determination of what are to be considered as relevant raw materials should be based on the work done in the process leading to the drawing up of the best available techniques (BAT) reference documents pursuant to Directive 2010/75/EU.***

(15) *In order to ensure uniform conditions for the implementation of this Regulation regarding the reporting by operators to competent authorities, implementing powers should be conferred on the Commission to establish the list of relevant raw materials to be reported by the operators after consultation of Member States, the industries concerned and non-governmental organisations promoting human health and environmental protection. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹³.*

¹³ ***Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).***

- (16) Operators of installations should report information concerning the production volume and operating hours of the installation concerned in order to *make it possible to contextualise data reported* on pollutant releases, off-site transfers of waste *water containing those pollutants* and *off-site transfers of* waste. *That information should, where applicable, be handled in accordance with the confidentiality provisions of this Regulation.*
- (17) The overall benefit of the Portal for access to environmental information concerning industrial installations should be maximised by including *information reported by the Member States to the Commission in accordance with Directive 2010/75/EU as well as* other information flows that stem from Union environmental *law* on climate change, air, water and land protection, *Union law* on waste management, including reporting under Directive 2012/18/EU of the European Parliament and of the Council¹⁴, Directive 2008/98/EC of the European Parliament and of the Council¹⁵ and Directive 2010/75/EU. Moreover, in order to maximise the Portal's value to users, it should be designed to facilitate future integration with other relevant environmental data flows.

¹⁴ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).

¹⁵ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

- (18) For the purpose of legal certainty, operators *or Member States* should *indicate whether data on the release of pollutants, off-site transfers of waste water containing those pollutants and off-site transfers of waste* ■ are below reporting thresholds.
- (19) To improve the quality of reported data and to ensure their comparability, it is appropriate to harmonise quantification methods to be used by operators when reporting *the release of pollutants, off-site transfers of waste water containing those pollutants, off-site transfers of waste* ■ and resource use. *Since measurement is the most accurate quantification method*, operators should ■ use *measurement for the purposes of quantification. If measurement is not practicable, operators should use calculation. Estimation* should only be used as a last resort.
- (20) As the operators of livestock production and aquaculture installations *might* lack the necessary resources to accurately quantify the deliberate release of pollutants, Member States should be entitled to quantify such *releases* on their behalf.

- (21) In order to ensure uniform conditions for the implementation ■ of this Regulation regarding reporting by Member States, implementing powers should be conferred on the Commission to establish the type and format of information to be provided and the reporting deadlines. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 ■ .
- (22) Given the importance for ■ Union citizens of quick access to environmental information, it is essential that Member States and the Commission make data publicly available as fast as technically feasible. To that end, whereas the precise reporting deadline is to be established in an implementing act, it should be no later than **11** months **from** the end of the reporting year **concerned**.
- (23) Where appropriate, the Portal should also facilitate access to information on **the release of pollutants** from diffuse sources in order to enable decision-makers to better put **the release of pollutants** into context ■ and to choose the most effective solution for pollution reduction.

- (24) Data reported by the Member States **and operators** should be of high quality, in particular as regards their accuracy, completeness, consistency and credibility. Competent authorities should therefore assess the quality of the data provided by operators.
- (25) Public access to environmental information reported by Member States should be unrestricted and exceptions from **that** rule should only be possible in accordance with Directive 2003/4/EC of the European Parliament and of the Council¹⁶ or with Regulation (EC) No 1049/2001 of the European Parliament and of the Council¹⁷, as appropriate.
- (26) Public participation should be ensured in **any** further development of the Portal by providing early and effective opportunities to submit comments, information, analysis and opinions for the decision-making process **in that regard**.
- (27) In order to enhance the usefulness and impact of the Portal, the Commission, supported by the Agency, should develop guidance supporting the implementation of this Regulation **paying particular attention to the implementation of provisions that were not part of Regulation (EC) No 166/2006, and potential effects on sectors not covered by that Regulation**.

¹⁶ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

¹⁷ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

- (28) ***In order to enable*** the Commission to update the list of industrial or agricultural activities in relation to which reporting requirements apply, ***the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to*** the Commission ***to amend*** this Regulation ***for the purpose of aligning*** Annex I with amendments to the Protocol.
- (29) The Commission should also be empowered to adopt delegated acts in accordance with Article 290 ***TFEU*** to amend Annex II to this Regulation to determine reporting thresholds, to add pollutants which are subject to specific regulatory measures under Union law on water and air quality and on chemicals, including Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹⁸ ***and*** Directives 2000/60/EC¹⁹, 2004/107/EC²⁰, 2006/118/EC²¹, 2008/50/EC²², ***2008/105/EC***²³ and (EU) 2020/2184²⁴ of the European Parliament and of the Council, ***and*** to reflect changes made to the Protocol with regard to

¹⁸ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

¹⁹ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

²⁰ Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 23, 26.1.2005, p. 3).

²¹ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

²² Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1).


²³ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

²⁴ Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1).

the pollutants to be reported or their reporting thresholds. *To facilitate the full application of this Regulation, the Commission should, by 31 December 2025, adopt a delegated act reviewing the list of substances and thresholds set out in Annex II to this Regulation, including, inter alia, an assessment of the need to reduce the reporting thresholds for per- and polyfluoroalkyl substances (PFAS) and other relevant substances.*

- (30) When adopting delegated acts, it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making²⁵. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (31) In order to ensure effective implementation of this Regulation, Member States should lay down rules on penalties applicable to its infringements and should ensure that they are implemented.

²⁵ OJ L 123, 12.5.2016, p. 1.

- (32) Since Regulation (EC) No 166/2006 needs to be substantially modified, it should be repealed and replaced by this Regulation for reasons of legal certainty, clarity and transparency.
- (33) Since the objectives of this Regulation, namely to enhance public access to environmental information through the establishment of an integrated *and* coherent Union-wide electronic database *and to enable industrial pollution to be monitored in order to contribute to its prevention and reduction*, cannot be sufficiently achieved by the Member States as the need for comparability of data in Member States argues for a high level of harmonisation, but can rather, *by reason of the scale and effects of the action*, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (34) The reporting requirements established by this Regulation should apply as from the reporting year **2027** in order to provide sufficient time for Member States and  operators to take the necessary measures.
- (35) In order to ensure data continuity and legal certainty, Regulation (EC) No 166/2006 should continue to apply for the reporting year **2026**,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation *lays* down rules on the collection and reporting of environmental data on industrial installations and establishes an Industrial Emissions Portal (*the* ‘Portal’) at Union level in the form of an online database giving *public* access to such data.

This Regulation implements the UNECE Protocol on Pollutant Release and Transfer Registers (the ‘Protocol’).

Article 2

Objectives

The objectives of this Regulation are to enhance public access to information through the establishment of the Portal, thereby facilitating public participation in environmental decision-making as well as identifying sources of industrial pollution, and to enable industrial pollution to be monitored in order to contribute to its prevention and reduction.

Article 3
Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘installation’ means a stationary technical unit *within which* one or more activities listed in Annex I are carried out, and any other directly associated activities *on the same site* which have a technical connection with the activities *listed in that Annex* and which could have an effect on emissions and pollution;
- (2) ‘*facility*’ means *one or more installations, or parts thereof, that are on the same site and that are operated by the same natural or legal person;*
- (3) ‘site’ means the geographical location of the installation *and the facility*;
- (4) ‘the public’ means the public as defined in Article 3, point (16), of Directive 2010/75/EU;
- (5) ‘release’ means any introduction of *a pollutant* into the environment as a result of any human activity, whether deliberate or accidental, routine or non-routine, including spilling, emitting, discharging, injecting, disposing or dumping, or through sewer systems without final waste water treatment;

- (6) ‘pollutant’ means a substance or a group of substances that *can* be harmful to the environment or to human health on account of its properties and of its introduction into the environment;
- (7) ‘substance’ means a substance as defined in Article 3, point (1), of Directive 2010/75/EU;
- (8) ‘operator’ means an operator as defined in Article 3, point (15), of Directive 2010/75/EU;
- (9) ‘off-site transfer’ means the movement, beyond the boundaries of an installation, of waste destined for recovery or disposal *operations* and of pollutants in waste water destined for waste water treatment;
- (10) ‘waste’ means waste as defined in Article 3, point (1), of Directive 2008/98/EC ■ ;

- (11) ‘waste water’ means urban, domestic and industrial waste water, as defined in Article 2, points (1), (2) and (3), of Directive 91/271/EEC, respectively, and any other used water which is subject, due to the substances or objects it contains, to regulation by Union law;
- (12) ‘diffuse sources’ means the many smaller or scattered sources from which pollutants *can* be released to *air, water or land, the combined impact of which* on those media *can* be significant and for which it is impractical to collect reports from each individual source;
- (13) ‘competent authority’ means the national authority or authorities, or any other competent body or bodies, designated by Member States;
- (14) ‘hazardous waste’ means hazardous waste as defined in Article 3, *point* (2), of Directive 2008/98/EC;
- (15) ‘recovery *operation*’ means any of the operations referred to in Annex II to Directive 2008/98/EC;
- (16) ‘disposal *operation*’ means any of the operations referred to in Annex I to Directive 2008/98/EC;
- (17) ‘reporting year’ means the calendar year for which data must be gathered;
- (18) ‘*aquaculture*’ means *aquaculture as defined in Article 4, point (25), of Regulation (EU) No 1380/2013 of the European Parliament and of the Council*²⁶.

²⁶ *Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).*

Article 4
Content of the Portal

1. The Portal shall include *the following*:
 - (a) *data on the* release of pollutants as referred to in Article 6(1), point (a);
 - (b) *data on* off-site transfers of waste as referred to in Article 6(1), point (b), and of pollutants in waste water as referred to in Article 6(1), point (c);
 - (c) *information on individual installations, reported by the Member States to the Commission in accordance with Directive 2010/75/EU, in particular Article 72 thereof*;
 - (d) *data on the* use of water, energy and *relevant* raw materials as referred to in Article 6(1), point (d);
 - (e) contextual information as referred to in Article 6(1), point (e);
 - (f) **■** *data on the* release of pollutants from diffuse sources as referred to in Article 8(1), *where such data are available*.

2. The Portal shall include links to the following:
- (a) national pollutant release and transfer registers established by the Member States in accordance with the Protocol;
 - (b) other existing publicly accessible registers, databases or websites, established at Member State or Union level, that provide access to the reporting requirements set out in Union *law* on climate change, *on* air, water and land protection, and on waste management.

Article 5

Design and structure of the Portal

1. The Commission shall make the Portal publicly accessible, presenting the data in ***a standardised format, in*** both aggregated and non-aggregated forms with a view to ***enabling at least*** searches, ***data extraction and query-based downloads of datasets*** by:
 - (a) ***facility***, including the ***facility's*** parent company where applicable, and its geographical location, including the river basin;
 - (b) ***installation***;
 - (c) activity;
 - (d) occurrence at Member State or Union level;
 - (e) pollutant, waste or resource, as appropriate;

- (f) the environmental medium, *namely* air, water *or* land, into which the pollutant is released;
- (g) off-site transfers of waste and, as appropriate, their destination;
- (h) off-site transfers of pollutants in waste water;
- (i) diffuse sources; and
- (j) installation owner or operator.

2. The Portal shall be designed *so as to make it as easy as possible for the public to access the data and* to allow the data, under normal operating conditions, to be continuously and readily accessible on the internet. *The Portal shall include all data reported for at least the previous 10 reporting years. The design of the Portal shall* take into account the possibility of its future expansion.

Article 6

Reporting by operators to competent authorities

1. **Each** operator of **an installation** that undertakes one or more of the activities **listed** in Annex I which meet or exceed the applicable capacity thresholds specified in that Annex **and either releases any of the pollutants listed in Annex II in a quantity above the applicable thresholds, or exceeds the waste thresholds set out in point (b) of this paragraph**, shall report annually to its competent authority **at least** the following **information and data**, unless **such information or data are** already available to the competent authority:
 - (a) **data on the** release to air, water and land of any pollutant **listed** in Annex II for which the applicable threshold **■** specified in **that** Annex **■** is exceeded;
 - (b) **data on** off-site transfers of hazardous waste exceeding 2 tonnes per year **per facility** or of non-hazardous waste exceeding 2 000 tonnes per year **per facility**, for any **■** recovery or disposal **operation** with the exception of **■** land treatment and deep injection **■**, as specified in Annex I to Directive 2008/98/EC, indicating with ‘R’ or ‘D’ **■** whether the waste is destined for recovery or disposal **operations, respectively**, and, for transboundary movements of hazardous waste, the name and address of the **undertaking which carried out the recovery or disposal operations** involving the waste and of the actual recovery or disposal **operations** site; **waste** which is subject to land treatment or deep injection disposal operations shall be reported as a release to land only by the operator of the installation, from which the waste originates;

- (c) **data on** off-site transfers of any pollutant **listed** in Annex II in waste water destined for waste water treatment for which the threshold **█** specified in **column 1b of that Annex █** is exceeded;
- (d) **data on the** use of water, energy and **relevant** raw materials **as determined in the implementing act referred to in the second subparagraph**;
- (e) information allowing contextualisation of the data reported under points (a) to (d), including production volume **and** number of **█** operating hours **█** ;
- (f) information on whether the installation is covered by **Directive** 2003/87/EC of the European Parliament and of the Council²⁷, Directive 91/271/EEC, Directive 2010/75/EU, Directive 2012/18/EU, Directive (EU) 2015/2193 or any other Union environmental **law** identified in the reporting format referred to in Article 7 **of this Regulation**;
- (g) **information on the facility to which the installation belongs.**

²⁷ 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).

The Commission shall, by 31 December 2025, adopt by means of implementing acts a list of relevant raw materials to be reported under point (d) of the first subparagraph of this paragraph, specifying the types and the units, on the basis of the best available techniques (BAT) reference documents as defined in Article 3, point (11), of Directive 2010/75/EU. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2) of this Regulation. The Commission shall review those implementing acts and shall revise them, where relevant.

2. Where *a* release *as* referred to in paragraph 1, *first subparagraph*, point (a), or an off-site transfer of pollutants referred to in paragraph 1, *first subparagraph*, point (c), *does* not exceed the applicable *thresholds* specified in Annex II, or where off-site transfers of waste do not exceed the thresholds set out in paragraph 1, *first subparagraph*, point (b), the operator of the installation concerned shall declare, in its report, that *the* release *of pollutants* or off-site transfers of pollutants or waste are below those **█** thresholds.

Member States may decide to report the information referred to in the first subparagraph only in the first report for an installation, or part thereof, drawn up by an operator after the entry into force of this Regulation or in the first report drawn up by an operator after the release of pollutants or off-site transfers of pollutants or waste no longer exceed the applicable thresholds specified in Annex II.

3. ***When preparing the report referred to in paragraph 1, first subparagraph, of this Article, operators shall make use of the best available information. Operators shall obtain the data by means of measurement. Where measurement does not result in the best available information, is not practicable or is not technologically and economically viable, operators shall obtain the data by means of calculation. Where neither measurement nor calculation is practicable, operators may obtain the data by estimation. The information may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgements and other methods that are in accordance with Article 9(1) and, where available, internationally approved methodologies.***
4. Operators shall specify in the report *referred to in paragraph 1* the methods used for obtaining the data. Where the data were obtained by measurement, the analytical method shall be indicated. Where the data were obtained by calculation, the method of calculation shall be indicated.

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5. The releases referred to in Annex II which are reported under paragraph 1, first subparagraph, shall include all releases from all sources included in Annex I at the site of the installation.
6. ***For the purposes of*** paragraph 1, ***first subparagraph, data on releases and transfers shall be*** reported as totals of all deliberate, accidental, routine and non-routine activities. In providing ***those*** data, operators shall specify, where available, any data that relate to ***the*** accidental release ***of pollutants***.
7. The operator of each installation shall collect with appropriate frequency the data needed to determine which of the ***releases and off-site transfers of the installation, or part thereof***, are subject to reporting requirements under paragraph 1, ***first subparagraph***.
8. The operator of each installation shall keep the records from which the reported data were derived ***available for its competent authority*** for ***five*** years from the end of the reporting year concerned. ***Those*** records shall also describe the methodology used for data gathering.

9. Member States may decide to quantify deliberate releases as referred to in paragraph 1, ***first subparagraph***, point (a), ***of this Article*** themselves on behalf of operators of installations covered by ***the activities referred to in the second and the seventh rows of Annex I***. In ***such*** cases, paragraphs 1 to 8 ***of this Article*** shall not apply to those operators in respect of such releases.
10. ***For the purposes of*** Article 7, Member States shall determine a date by ***which*** operators ***are to*** provide the data referred to in this Article to ***their*** competent ***authorities***.
11. ***Until the date of entry into force of the delegated act referred to in Article 15(3), where an installation, or part thereof, does not meet the conditions laid down in paragraph 1, first subparagraph, of this Article, but is part of a facility which meets those conditions, that installation, or part thereof, shall be subject to the reporting obligations established in this Article, except for the obligations established in paragraph 2 of this Article.***

Article 7

Reporting by Member States to the Commission

1. On an annual basis, no later than **11** months *from* the end of the reporting year, Member States shall **submit** to the Commission, by electronic means, a report **including** all the data referred to in Article **6**, in a format **■** to be established by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article **17(2)**.
2. The Commission services, assisted by the European Environment Agency (the ‘Agency’), shall incorporate the data reported by Member States into the Portal within **one** month of **the** completion of reporting by Member States in accordance with paragraph 1.

Article 8

Data on the release of pollutants from diffuse sources

1. The Commission, assisted by the Agency, shall include in the Portal data on the release of pollutants from diffuse sources, where such data *exist* and *have* already been reported by Member States.
2. The data available on the Portal shall allow users to search for and identify *the* release of pollutants from diffuse sources according to an adequate geographical disaggregation and shall include information on the type of methodology used to derive the data.
3. Where it determines that no data on the release *of pollutants* from diffuse sources exist, the Commission is empowered to adopt delegated acts in accordance with Article 16 in order to supplement this Regulation by initiating reporting on *the* release of relevant pollutants from one or more diffuse sources using, where appropriate, internationally approved methodologies.

Article 9

Quality assurance and assessment

1. The operators of *an* installation ***that are*** subject to the reporting requirements set out in Article 6 shall ensure that the data they report are of high quality.
2. The competent authorities shall assess the quality of the data provided by the operators as referred to in paragraph 1 ***of this Article***, in particular as to ***the*** accuracy, completeness, consistency and credibility ***of those data***. ***In the event of qualitative deficiencies being present in the data provided pursuant to Article 6, at the request of the competent authorities, the operators concerned shall provide the corrected data to the competent authorities without delay.***

Article 10

Access to information

1. The Commission, assisted by the Agency, shall make the data ***included*** in the Portal publicly accessible and free of charge on the internet within ***one*** month of ***the submission of the reports*** by Member States in accordance with Article 7(1).
2. Where ***the public cannot easily access*** the data ***included*** in the Portal , the Member State concerned and the Commission shall facilitate electronic access to the Portal in publicly accessible locations.
3. Each Member State shall make available to the public its data, reported in accordance with Article 6 and, where available, Article 8(1), in a continuous manner, free of charge and without access ***being conditional on registration***.

Article 11
Confidentiality

Where data *are* considered confidential by a Member State in accordance with Article 4(2) of Directive 2003/4/EC, the report referred to in Article 7(1) of this Regulation for the reporting year concerned shall indicate separately for each installation which data cannot be made public and provide the reasons for that.

Article 12
Public participation

1. The Commission shall provide the public with early and effective opportunities to participate in the further development of the Portal, including *through* capacity-building and the preparation of amendments to this Regulation.
2. The public shall have the opportunity to submit comments, information, analyses and opinions within a reasonable timeframe *and in any of the official languages of the Union*.
3. The Commission shall take due account of such input and shall inform the public about the outcome of the public participation.

Article 13

Guidance

The Commission, assisted by the Agency *and in consultation with the Member States*, shall draw up and periodically update guidance supporting the implementation of this Regulation, addressing at least the following:

- (a) reporting procedures, *with particular attention to be paid to provisions that were not part of Regulation (EC) No 166/2006 and sectors that were not covered by that Regulation, including technical guidelines regarding methods facilitating analysis for monitoring of PFAS, such as detection limits, parametric values and frequency of sampling;*
- (b) the data to be reported;
- (c) quality assurance and assessment;
- (d) *an indication of the type of data which can be withheld and, in the case of confidential data, the reasons for withholding them;*

- (e) reference to internationally approved methods for release determination, analysis and sampling;
- (f) the *names* of any parent companies;
- (g) *calculation methods, including emission factors per abatement technology, for livestock production and aquaculture;*
- (h) *how to apply in practice the definitions laid down in this Regulation for sites, facilities and installations, by means of, inter alia, a list of examples or specific explanations, pictures, drawings, diagrams or any other visual reference or support.*

The guidelines concerning points (a) to (g) of the first paragraph, shall be drawn up for the first time by 1 January 2026.

The guidelines concerning point (h) of the first paragraph, shall be drawn up for the first time by 1 January 2025, after consulting the Member States.

Article 14

Awareness raising

The Member States and the Commission shall promote public awareness of the Portal and understanding and use of the data *included* in it.

Article 15

Amendments to the Annexes

1. The Commission is empowered to adopt delegated acts in accordance with Article **16 of this Regulation** in order to amend Annex I thereof **■** to align it with the Protocol following the adoption of any amendment to its annexes.

2. The Commission is empowered to adopt delegated acts in accordance with Article **16** in order to amend Annex II for one or more of the following purposes:

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- (a) to add a pollutant, *where the release of that pollutant* to air, water *or* land has, or *can* have, an adverse impact on the environment or human health, including *a pollutant* that *is* released from activities referred to in Annex I **I**, and that meets one of the following conditions:
- (i) *the pollutant is* designated as a substance *covered by an entry* in Annex XIV to Regulation (EC) No 1907/2006 *or by a restriction contained in Annex XVII to that Regulation*;
 - (ii) *the pollutant is* designated as *a* priority substance under *Directive* 2000/60/EC or 2008/105/EC;
 - (iii) *the pollutant is* included in the watch lists established in the framework of *Directive* 2006/118/EC *or 2008/105/EC or Directive (EU) 2020/2184*;
 - (iv) the pollutant is subject to limit values or other restrictions under *Directive* 2004/107/EC, *2006/118/EC, 2008/50/EC or (EU) 2020/2184*;

- (b) to set and update thresholds for *the* release *of pollutants* so as to achieve the goal of capturing at least 90 % of *the* release of each pollutant to air, water and land from activities referred to in Annex I, including thresholds of zero for substances constituting a particularly high hazard for human health *or the environment*;
- (c) to *add or remove a pollutant and, where necessary, amend the applicable threshold in order to align Annex II to this Regulation with the Protocol*;
- (d) *to remove a pollutant that is no longer designated as a priority substance as referred to in point (a)(ii) of this paragraph or that is removed from the watch lists referred to in point (a)(iii).*

3. *The Commission shall adopt a delegated act in accordance with paragraph 2 by 31 December 2025. The Commission may adopt additional delegated acts after that date in accordance with paragraph 2.*

Article 16

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 8(3) and Article 15(1) and (2) shall be conferred on the Commission for a period of five years from ... [■ the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of power referred to in Article 8(3) and Article 15(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 8(3) or Article **15(1) or (2)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 17
Committee Procedure

1. The Commission shall be assisted by a committee. ***That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.***
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 18
Penalties and compliance assurance measures

1. Member States shall lay down the rules on penalties applicable to infringements of █ this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. ***Member States shall, without undue delay, notify the Commission of those rules and of those measures and shall notify it, without undue delay, of any subsequent amendments to those rules or measures.***
2. The penalties referred to in paragraph 1 shall include fines █ .
3. Member States shall ensure that the penalties ***established pursuant to this Article*** give due regard to the following, as applicable:
 - (a) the nature, gravity and extent of the infringement, ***bearing in mind the objective of achieving a high level of protection of human health and the environment;***
 - (b) the ***degree of the fault involved in the infringement;***
█
 - (c) ***the repetitive or one-off character of the infringement.***

4. Member States shall adopt compliance assurance measures to prevent and detect the infringements referred to in paragraph 1.

Article 19

Review

The Commission shall carry out a review of the implementation of this Regulation and its Annexes, at least every five years from its date of application. The purpose of the review shall be, amongst other things, to ensure the alignment of this Regulation and its Annexes with scientific and technical progress. The review process shall take due account of international initiatives addressing the release of pollutants from industrial activities and the impact of the release of such pollutants on human health or the environment, Member States' best practices and progress in that regard, and progress in research and technology.

Where appropriate, the Commission shall submit a legislative proposal to the European Parliament and to the Council to amend this Regulation or the Annexes thereto, or both.

Article 20

Repeal

Regulation (EC) No 166/2006 is repealed with effect from 1 January 2028.

References to the repealed Regulation (EC) No 166/2006 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III *to this Regulation*.

Article 21

Transitional provisions

Notwithstanding Article 20, first paragraph, *of this Regulation*, Regulation (EC) No 166/2006 shall continue to apply as regards reporting for the year 2026.

Article 22

Entry into force

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2028.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

For the European Parliament
The President

For the Council
The President

ANNEX I

Activities

	Activity	Capacity Threshold
1	Activities listed in Annex I to Directive 2010/75/EU	Above the applicable capacity thresholds set out in Directive 2010/75/EU
2	Activities listed in Annex Ia to Directive 2010/75/EU	Above the applicable capacity thresholds set out in Directive 2010/75/EU
3	Activities referred to in Article 2 of Directive (EU) 2015/2193 (where not covered by Annex I to Directive 2010/75/EU)	Combustion plants with a rated thermal input of at least 20 MW and below 50 MW
4	Underground mining and related operations, including the extraction of crude oil or gas either onshore or offshore (where not covered by Annex I to Directive 2010/75/EU)	No capacity threshold (all installations are subject to reporting)
5	Opencast mining and quarrying (where not covered by Annex I to Directive 2010/75/EU)	Where the surface of the area effectively under extractive operation equals 25 hectares
6	Urban waste water treatment plants	With a capacity of 100 000 population equivalents or more
7	<i>Feed-based</i> aquaculture	<i>Exceeding an annual production capacity of 500 tonnes</i>
8	Installations for the building and/or dismantling of ships, and for the painting or removal of paint from ships	With a capacity for ships 100 m long
9	<i>Electrolysis of water for production of hydrogen</i>	<i>Industrial scale production</i>

ANNEX II
Pollutants (*1)

No	CAS number	Pollutant (1)	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
1	74-82-8	Methane (CH ₄)	100 000	— (2)	—
2	630-08-0	Carbon monoxide (CO)	500 000	—	—
3	124-38-9	Carbon dioxide (CO ₂)	100 million	—	—
4		Hydro-fluorocarbons (HFCs) (3)	100	—	—
5	10024-97-2	Nitrous oxide (N ₂ O)	10 000	—	—
6	7664-41-7	Ammonia (NH ₃)	10 000	—	—
7		Non-methane volatile organic compounds (NMVOC)	100 000	—	—
8		Nitrogen oxides (NO _x /NO ₂)	100 000	—	—
9		Perfluorocarbons (PFCs) (4)	100	—	—
10	2551-62-4	Sulphur hexafluoride (SF ₆)	50	—	—
11		Sulphur oxides (SO _x /SO ₂)	150 000	—	—
12		Total nitrogen	—	50 000	50 000
13		Total phosphorus	—	5 000	5 000
14		Hydrochlorofluorocarbons (HCFCs) (5)	1	—	—
15		Chlorofluorocarbons (CFCs) (6)	1	—	—
16		Halons (7)	1	—	—
17		Arsenic and compounds (as As) (8)	20	5	5
18		Cadmium and compounds (as Cd) (8)	10	5	5
19		Chromium and compounds (as Cr) (8)	100	50	50
20		Copper and compounds (as Cu) (8)	100	50	50
21		Mercury and compounds (as Hg) (8)	10	1	1
22		Nickel and compounds (as Ni) (8)	50	20	20
23		Lead and compounds (as Pb) (8)	200	20	20
24		Zinc and compounds (as Zn) (8)	200	100	100

25	15972-60-8	Alachlor	—	1	1
26	309-00-2	Aldrin	1	1	1
27	1912-24-9	Atrazine	—	1	1
28	57-74-9	Chlordane	1	1	1
29	143-50-0	Chlordecone	1	1	1
30	470-90-6	Chlorfenvinphos	—	1	1
31	85535-84-8	Chloro-alkanes, C ₁₀ -C ₁₃	—	1	1
32	2921-88-2	Chlorpyrifos	—	1	1
33	50-29-3	DDT	1	1	1
34	115-32-2	Dicofol	1	1	1
35	107-06-2	1,2-dichloroethane (EDC)	1 000	10	10
36	75-09-2	Dichloromethane (DCM)	1 000	10	10
37	60-57-1	Dieldrin	1	1	1
38	330-54-1	Diuron	—	1	1
39	115-29-7	Endosulphan	—	1	1
40	72-20-8	Endrin	1	1	1
41		Halogenated organic compounds (as AOX) (°)	—	1 000	1 000
42	76-44-8	Heptachlor	1	1	1
43	118-74-1	Hexachlorobenzene (HCB)	10	1	1
44	87-68-3	Hexachlorobutadiene (HCBd)	—	1	1
45	608-73-1	1,2,3,4,5,6-hexachlorocyclohexane(HCH)	10	1	1
46	58-89-9	Lindane	1	1	1
47	2385-85-5	Mirex	1	1	1
48		PCDD + PCDF (dioxins + furans) (as Teq) (10)	0,0001	0,0001	0,0001
49	608-93-5	Pentachlorobenzene	1	1	1
50	87-86-5	Pentachlorophenol (PCP)	10	1	1
51	335-67-1	Perfluorooctanoic acid (PFOA) and its salts	1	1	1
52	355-46-4	Perfluorohexane-1-sulfonic acid (PFHxS) and its salts	1	1	1
53	1336-36-3	Polychlorinated biphenyls (PCBs)	0,1	0,1	0,1
54	122-34-9	Simazine	—	1	1
55	127-18-4	Tetrachloroethylene (PER)	2 000	10	—
56	56-23-5	Tetrachloromethane (TCM)	100	1	—

57	12002-48-1	Trichlorobenzenes (TCBs) (all isomers)	10	1	—
58	71-55-6	1,1,1-trichloroethane	100	—	—
59	79-34-5	1,1,2,2-tetrachloroethane	50	—	—
60	79-01-6	Trichloroethylene	2 000	10	—
61	67-66-3	Trichloromethane	500	10	—
62	8001-35-2	Toxaphene	1	1	1
63	75-01-4	Vinyl chloride	1 000	10	10
64	120-12-7	Anthracene	50	1	1
65	71-43-2	Benzene	1 000	200 (as BTEX) ⁽¹¹⁾	200 (as BTEX) ⁽¹¹⁾
66		Brominated diphenylethers (PBDE) ⁽¹²⁾	—	1	1
67		Nonylphenol and Nonylphenol ethoxylates (NP/NPEs)	—	1	1
68	100-41-4	Ethyl benzene	—	200 (as BTEX) ⁽¹¹⁾	200 (as BTEX) ⁽¹¹⁾
69	75-21-8	Ethylene oxide	1 000	10	10
70	34123-59-6	Isoproturon	—	1	1
71	91-20-3	Naphthalene	100	10	10
72		Organotin compounds(as total Sn)	—	50	50
73	117-81-7	Di-(2-ethyl hexyl) phthalate (DEHP)	10	1	1
74	108-95-2	Phenols (as total C) ⁽¹³⁾	—	20	20
75		Polycyclic aromatic hydrocarbons (PAHs) ⁽¹⁴⁾	50	5	5
76	108-88-3	Toluene	—	200 (as BTEX) ⁽¹¹⁾	200 (as BTEX) ⁽¹¹⁾
77		Tributyltin and compounds ⁽¹⁵⁾	—	1	1
78		Triphenyltin and compounds ⁽¹⁶⁾	—	1	1
79		Total organic carbon (TOC) (as total C or COD/3)	—	50 000	—
80	1582-09-8	Trifluralin	—	1	1
81	1330-20-7	Xylenes ⁽¹⁷⁾	—	200 (as BTEX) ⁽¹¹⁾	200 (as BTEX) ⁽¹¹⁾
82		Chlorides (as total Cl)	—	2 million	2 million
83		Chlorine and inorganic compounds (as HCl)	10 000	—	—

84	1332-21-4	Asbestos	1	1	1
85		Cyanides (as total CN)	—	50	50
86		Fluorides (as total F)	—	2 000	2 000
87		Fluorine and inorganic compounds (as HF)	5 000	—	—
88	74-90-8	Hydrogen cyanide (HCN)	200	—	—
89		Particulate matter (PM ₁₀)	50 000	—	—
90	1806-26-4	Octylphenols and Octylphenol ethoxylates	—	1	—
91	206-44-0	Fluoranthene	—	1	—
92	465-73-6	Isodrin	—	1	—
93	36355-1-8	Hexabromobiphenyl	0,1	0,1	0,1
94	191-24-2	Benzo(g,h,i)perylene		1	

- (1) Unless otherwise specified, any pollutant specified in this Annex shall be reported as the total mass of that pollutant or, where the pollutant is a group of substances, as the total mass of the group.
- (2) A hyphen (—) indicates that the parameter and medium in question do not trigger a reporting requirement.
- (3) Total mass of hydrogen fluorocarbons: sum of HFC23, HFC32, HFC41, HFC4310mee, HFC125, HFC134, HFC134a, HFC152a, HFC143, HFC143a, HFC227ea, HFC236fa, HFC245ca, HFC365mfc.
- (4) Total mass of perfluorocarbons: sum of CF₄, C₂F₆, C₃F₈, C₄F₁₀, c-C₄F₈, C₅F₁₂, C₆F₁₄.
- (5) Total mass of substances including their isomers listed in Group VIII of Annex I to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer (OJ L 286, 31.10.2009, p. 1).
- (6) Total mass of substances including their isomers listed in Groups I and II of Annex I to Regulation (EC) No 1005/2009.
- (7) Total mass of substances including their isomers listed in Groups III and VI of Annex I to Regulation (EC) No 1005/2009.
- (8) All metals shall be reported as the total mass of the element in all chemical forms present in the release.
- (9) Halogenated organic compounds which can be adsorbed to activated carbon expressed as chloride.
- (10) Expressed as I-TEQ.
- (11) Single pollutants are to be reported if the threshold for BTEX (the sum parameter of benzene, toluene, ethyl benzene, xylenes) is exceeded.
- (12) Total mass of the following brominated diphenylethers: penta-BDE, octa-BDE and deca-BDE.
- (13) Total mass of phenol and simple substituted phenols expressed as total carbon.
- (14) For reporting releases to air, polycyclic aromatic hydrocarbons (PAHs) are to be measured as benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9) and indeno(1,2,3-cd)pyrene (193-39-5) as specified in Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).
- (15) Total mass of tributyltin compounds, expressed as mass of tributyltin.
- (16) Total mass of triphenyltin compounds, expressed as mass of triphenyltin.
- (17) Total mass of xylene (ortho-xylene, meta-xylene, para-xylene).

ANNEX III

Correlation table

Regulation (EC) No 166/2006	This Regulation
Article 1	Article 1
Article 2, <i>point</i> (1)	Article 3, <i>point</i> (4)
Article 2, <i>point</i> (2)	Article 3, <i>point</i> (13)
Article 2, <i>point</i> (3)	Article 3, <i>point</i> (1)
Article 2, <i>point</i> (4)	<i>Article 3, point</i> (2)
Article 2, <i>point</i> (5)	Article 3, <i>point</i> (3)
Article 2, <i>point</i> (6)	Article 3, <i>point</i> (8)
Article 2, <i>point</i> (7)	Article 3, <i>point</i> (17)
Article 2, <i>point</i> (8)	Article 3, <i>point</i> (7)
Article 2, <i>point</i> (9)	Article 3, <i>point</i> (6)
Article 2, <i>point</i> (10)	Article 3, <i>point</i> (5)
Article 2, <i>point</i> (11)	Article 3, <i>point</i> (9)
Article 2, <i>point</i> (12)	Article 3, <i>point</i> (12)
Article 2, <i>point</i> (13)	Article 3, <i>point</i> (10)
Article 2, <i>point</i> (14)	Article 3, <i>point</i> (14)
Article 2, <i>point</i> (15)	Article 3, <i>point</i> (11)
Article 2, <i>point</i> (16)	Article 3, <i>point</i> (16)
Article 2, <i>point</i> (17)	Article 3, <i>point</i> (15)
Article 3, point (a)	Article 4(1), point (a)
Article 3, point (b)	Article 4(1), point (b)

Article 3, point (c)	Article 4 (1), point (f)
Article 4(1)	Article 5 (1)
Article 4(2)	Article 4 (2)
Article 5(1), point (a)	Article 6 (1), point (a)
Article 5(1), point (b)	Article 6 (1), point (b)
Article 5(1), point (c)	Article 6 (1), point (c)
Article 5(1), second subparagraph	
Article 5(1), third subparagraph	Article 6 (4)
Article 5(1), fourth subparagraph	Article 6 (5)
Article 5(2)	Article 6 (6)
Article 5(3)	Article 6 (7)
Article 5(4)	
Article 5(5)	Article 6 (8)
Article 6	Article 6 (1), point (b)
Article 7(1)	Article 6 (10)
Article 7(2)	Article 7 (1)
Article 7(3)	Article 7 (2)
Article 8(1)	Article 8 (1)
Article 8(2)	Article 8 (2)
Article 8(3)	Article 8 (3)
Article 9(1)	Article 9 (1)
Article 9(2)	Article 9 (2)
Article 9(3)	
Article 9(4)	
Article 10(1)	Article 10 (1)

Article 10(2)	Article <i>10</i> (2)
Article 11	Article <i>11</i>
Article 12(1)	Article <i>12</i> (1)
Article 12(2)	Article <i>12</i> (2)
Article 12(3)	Article <i>12</i> (3)
Article 13	
Article 14	Article <i>13</i>
Article 15	Article <i>14</i>
Article 18	Article <i>15</i>
Article 18a	Article <i>16</i>
Article 19	Article <i>17</i>
Article 20	Article <i>18</i>
Article 21	
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Annex II	Annex II
