



**COUNCIL OF  
THE EUROPEAN UNION**

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Subject :	Proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a <b>European Pollutant Release and Transfer Register</b> and amending Council Directives 91/689/EEC and 96/61/EC - Follow-up of informal trialogue
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1. After the discussion in the Permanent Representatives Committee on 8 June and an informal trialogue meeting with the EP rapporteur Mr.Blokland on 10 June, the Working Party Environment examined outstanding issues on 10 June 2005.

The development of negotiations with the European Parliament can be summarized as follows:

- Concerning the fourteen amendments of the EP ENVI Committee on the recitals and articles of the text, all except one (amendment 13 on Article 11) have been taken into account by the Working Party.

- The EP representatives have opposed a certain number of changes to the initial Commission proposal, which were introduced by the Council Working Party (in particular the removal of Article 13 on access to justice, the more concise wording of Article 16 on reporting requirements and the removal of the procedure for proposals to amend the UN-ECE Protocol from Article 17).
  - In relation to EP ENVI Committee amendments 15 to 24 concerning the Annexes of the Regulation, many delegations continued to have major difficulties, the opposition being particularly strong on amendments 17 to 20.
2. The Presidency, in an attempt at the same time to solve outstanding divergences between Member States and to bridge the gap between the Parliament and the Council, is submitting a global compromise package (see Annex) to the Permanent Representatives' Committee.

This compromise package includes:

- 1) A reworded Article 5 (2) on the issue of data related to accidental releases;
- 2) A changed period for the availability of data to be kept by the operator in Article 5(5);
- 3) A slightly modified time schedule for reporting by Member States in Article 7;
- 4) Article 13 on access to justice;
- 5) A recital and a Commission declaration in order to clarify consequences of Article 21(2) (reference to IPPC Directive);
- 6) In Annex I, Point 3 b), wording as in EP Committee's amendments 15 and 16 (mining);
- 7) Annex II row 47 as in the EP Committee's amendment 21 (threshold for dioxins/furans);
- 8) Differentiation of release data in Annex III consistent with new Article 5(2).

Delegations are deemed to have a scrutiny reservation on new text compared to the previous doc. 9732/05 which is underlined. Deleted text is shown as [...].

3. The Permanent Representatives Committee is invited to

- take a position on the global compromise package
- give a negotiation mandate to the President of Coreper ,on the basis of the discussion on the package, in view of a first reading agreement with the European Parliament.

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Proposal for a

**REGULATION 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**

**(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1),  
thereof,

Having regard to the Proposal from the Commission \*,

Having regard to the opinion of the European Economic and Social Committee \*\*,

Having regard to the opinion of the Committee of the Regions \*\*\*,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) The Sixth Community Environment Action Programme adopted by Decision  
No 1600/2002/EC of the European Parliament and of the Council \*\*\*\* requires supporting  
the provision of accessible information to citizens on the state on trends of the environment  
in relation to social, economic and health trends as well as the general raising of  
environmental awareness.

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\* OJ C [...], [...], p. [...].

\*\* OJ C [...], [...], p. [...].

\*\*\* OJ C [...], [...], p. [...].

\*\*\*\* OJ L 242, 10.9.2002, p. 1.

- (2) The UN-ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Århus Convention), signed by the European Community on 25 June 1998, 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, eventually, to a better environment.
- (3) Pollutant release and transfer registers (hereafter “PRTRs”) are a cost-effective tool for encouraging improvements in environmental performance, for providing public access to information on releases of pollutants and off-site transfers of pollutants and waste, and for use in tracking trends, demonstrating progress in pollution reduction, monitoring compliance with certain international agreements, setting priorities and evaluating progress achieved through Community and national environmental policies and programmes.
- (4) An integrated and coherent PRTR gives *the public*, industry, scientists, insurance companies, local authorities, non-governmental organisations and other decision-makers a solid database for comparisons and future decisions in environmental matters.
- (5) On 21 May 2003 the European Community signed the UN/ECE Protocol on Pollutant Release and Transfer Registers (the PRTR Protocol). Provisions of Community law must be consistent with that Protocol with a view to its conclusion by the Community.
- (6) A European Pollutant Emission Register (hereinafter “EPER”) was established by Commission Decision 2000/479/EC \*. The PRTR Protocol builds on the same principles as EPER, but goes beyond, by including reporting on more pollutants, more activities, releases to land, releases from diffuse sources and off-site transfers.

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\* OJ L 192, 28.7.2000, p. 36.

- (7) The objectives and goals pursued by a European PRTR can only be achieved if data are reliable and comparable. An adequate harmonisation of the data collection and transfer system is therefore needed to ensure the quality and comparability of data. In accordance with the PRTR Protocol the European PRTR should be designed for maximum ease of public access through the internet. Releases and transfers should be easily identified in different aggregated and non-aggregated forms in order to access a maximum of information in a reasonable time.
- (8) In order to further promote the objective of supporting the provision of accessible information to citizens on the state on trends of the environment as well as the general raising of environmental awareness, the European PRTR should contain links to other similar databases in Member States, non-Member States and international organisations.
- (9) In accordance with the PRTR Protocol, the European PRTR should also contain information on specific waste disposal operations, to be reported as releases to land.
- (10) In order to achieve the objective of the European PRTR to provide reliable information to the public and to allow for knowledge-based decisions it is necessary to provide for reasonable but strict timeframes for data collection and reporting; this is particularly relevant for reporting by Member States to the Commission.
- (11) Reporting of releases from industrial facilities, although not yet always consistent, complete and comparable, is a well established procedure in many Member States. Where appropriate, reporting on releases from diffuse sources should be improved in order to enable decision-makers to better put into context those releases and to choose the most effective solution for pollution reduction.

- (12) Data reported by the Member States should be of high quality in particular as regards their [...] completeness, [...] consistency and [...] credibility. It is of great importance to coordinate future efforts of both operators and Member States to improve the quality of the reported data. The Commission will therefore initiate work, together with the Member States, on quality assurance.
- (13) In accordance with the Århus Convention, the public should be granted access to the information contained in the European PRTR without an interest to be stated, primarily by ensuring that the European PRTR provides for direct electronic access through Internet.
- (14) Access to information provided by the European PRTR should be unrestricted and exceptions from this rule should only be possible where explicitly granted by existing Community legislation.
- (15) In accordance with the Århus Convention, public participation should be guaranteed in the further development of the European PRTR by early and effective opportunities to submit comments, information, analysis or relevant opinions for the decision-making process. Applicants should be able to seek an administrative or judicial review of the acts or omissions of a public authority in relation to a request.
- (16) In order to enhance the usefulness and impact of the PRTR, the Commission and the Member States should co-operate in developing guidance supporting the implementation of the European PRTR, in promoting awareness of the public and in providing appropriate and timely technical assistance.
- (17) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission \*.

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\* OJ L 184, 17.7.1999, p. 23.

- (18) Since the objectives of the action to be taken, namely to enhance public access to environmental information through the establishment of an integrated, coherent Community-wide electronic database, cannot be sufficiently achieved by the Member States, since the need for comparability of data throughout the Member States argues for a high level of harmonisation, and can therefore be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. 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.
- (19) In order to simplify and streamline reporting requirements Council Directive 91/689/EEC of 12 December 1991 on hazardous waste \* and Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control \*\* should be amended.
- (20) The European PRTR aims, among others, at informing the public on important pollutants emissions due to activities especially those covered by Directive 96/61 of 24 September 1996; this implies that information of the public on emissions by installations covered by Annex I of the before-mentioned Directive is done through the European Regulation on Pollutant Release.
- (21) To reduce duplicative reporting, pollutant release and transfer register systems may, according to the PRTR Protocol, be integrated to the degree practicable with existing information sources such as reporting mechanisms under licenses or operating permit. In accordance with the PRTR Protocol, the provisions of this Regulation shall not affect the right of Member States to maintain or introduce a more extensive or more publicly accessible pollutant release and transfer register than required by the Protocol.

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\* OJ L 377, 31.12.1991, p. 20; Directive as amended by Council Directive 94/31/EC (OJ L 168, 2.7.1994, p. 28).

\*\* OJ L 257, 10.10.1996, p. 26.



HAVE ADOPTED THIS REGULATION:

*Article 1*

**Subject Matter**

This Regulation establishes an integrated pollutant release and transfer register at Community level (European PRTR) in the form of a publicly accessible electronic database and lays down rules for its functioning, in order to implement the UN-ECE Protocol on Pollutant Release and Transfer Registers (hereinafter “the Protocol”) *and facilitate public participation in environmental decision-making, as well as contributing to the prevention and reduction of pollution of the environment.*

*Article 2*

**Definitions**

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

- (1) “The public” means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups;
- (2) “Competent authority” means the national authority or authorities, or any other competent body or bodies, designated by the Member States;
- (3) “Installation” means a stationary technical unit where one or more activities listed in Annex I are carried out, and any other directly associated activities which have a technical connection with the activities carried out on that site and which could have an effect on emissions and pollution;
- (4) “Facility” means [...] one or more installations on the same site that are operated by the same natural or legal person;

- (5) “Site” means the geographical location of the facility;
- (6) “Operator” means any natural or legal person who operates or controls the facility or, where this is provided for in national legislation, to whom decisive economic power over the technical functioning of the facility has been delegated;
- (7) “Reporting year” means the calendar year for which data on releases of pollutants and off-site transfers must be gathered;
- (8) “Substance” means any chemical element and its compounds, with the exception of radioactive substances;
- (9) “Pollutant” means a substance or a group of substances that may be harmful to the environment or to human health in account of its properties and of its introduction into the environment;
- (10) “Release” means any introduction of pollutants 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;
- (11) “Off-site transfer” means the movement beyond the boundaries of a facility of waste destined for disposal or recovery and of pollutants in waste water destined for waste water treatment;
- (12) “Diffuse sources” means the many smaller or scattered sources from which pollutants may be released to land, air or water, whose combined impact on those media may be significant and for which it is impractical to collect reports from each individual source;

- (13) “Waste” means any substance or object as defined in Article 1(a) of Directive 75/442/EEC \*;
- (14) “Hazardous waste” means any substance or object as defined in Article 1(4) of Directive 91/689/EEC;
- (15) “Waste water” means urban, domestic and industrial waste water, as defined in Article 2 of Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment \*\*, and any other used water *which is subject, because of the substances or objects it contains, to regulation by Community law*;
- (16) “Disposal” means any of the operations provided for in Annex II, A of Directive 75/442/EEC;
- (17) “Recovery” means any of the operations provided for in Annex II, B of Directive 75/442/EEC.

### *Article 3*

### **Contents of the European PRTR**

The European PRTR shall include information on:

- (a) releases of the pollutants referred to in Article 5(1)(a) that must be reported by the operators of the facilities carrying out the activities listed in Annex I;
- (b) off-site transfers of waste referred to in Article 5(1)(b) and of pollutants in wastewater referred to in article 5(1)(c), that must be reported by the operators of the facilities carrying out the activities listed in Annex I;
- (c) releases of pollutants from diffuse sources referred to in Article 8(1) where available.

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\* OJ L 194, 25.7.1975, p. 39.

\*\* OJ L 135, 30.5.1991, p. 40.

## Article 4

### Design and Structure

1. The Commission shall publish the European PRTR presenting data in both aggregated and non-aggregated forms, so that releases and transfers can be searched and identified according to:
  - (a) facility, *including [...] when applicable its parent company*, and its geographical location, *including river basin*;
  - (b) activity;
  - (c) occurrence at Member State or Community level;
  - (d) pollutant or waste, as appropriate;
  - (e) each environmental media into which the pollutant is released;
  - (f) off-site transfers of waste and their destination, as appropriate;
  - (g) off-site transfers of pollutants in waste water;
  - (h) diffuse sources;
  - (i) owner or <sup>1</sup> operator.

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<sup>1</sup> **DELETED**: delete "owner or".

2. The European PRTR shall be designed for maximum ease of public access to allow the information, under normal operating conditions, to be continuously and readily accessible on the Internet and by other electronic means. Its design shall take into account the possibility of its future expansion and shall include all data reported for previous reporting years, progressively up to at least the last ten previous reporting years.
3. The European PRTR shall include links to the following:
  - (1) the national PRTRs of Member States;
  - (2) other relevant existing, publicly accessible databases on subject matters related to PRTRs, including national PRTRs of other Parties to the Protocol and, where feasible, to those of other countries;
  - (3) facilities' websites if they exist and links are volunteered by the facilities.

#### *Article 5*

#### **Reporting by Operators**

1. The operator of each facility that undertakes one or more of the activities specified in Annex I above the applicable capacity thresholds specified therein shall report the amounts annually to its competent authority [...], along with an indication of whether the information is based on measurement, calculation or estimation, of the following:
  - (a) releases to air, water and land of any pollutant specified in Annex II for which the applicable threshold value specified in Annex II is exceeded;

- (b) off-site transfers of hazardous waste exceeding 2 tonnes per year or of non hazardous waste exceeding 2,000 tonnes per year, for any operations of recovery or disposal with the exception of the disposal operations of land treatment and deep injections as mentioned in Article 6(1), indicating respectively with “R” or “D” whether the waste is destined for recovery or disposal and, for transboundary movements of hazardous waste, the name and address of the recoverer or the disposer of the waste and the actual recovery or disposal site;
- (c) off-site transfers of any pollutant specified in Annex II in waste water destined for waste water treatment for which the threshold value specified in Annex II, column 1b is exceeded;

The operator of each facility that undertakes one or more of the activities specified in Annex I above the applicable capacity thresholds specified in therein shall communicate to its competent authority [...] the information identifying the facility in accordance with Annex III [...] unless the information is already available to the competent authority.

In the case of data indicated as being based on measurement or calculation the analytical method and/or the method of calculation shall be reported.

The releases referred to in Annex II reported under 1(a) shall include all releases from all sources included in Annex I at the site of the facility.

2. The information referred to in paragraph 1 shall include information on releases and transfers resulting as totals of all deliberate, accidental, routine and non-routine activities.

In providing this information operators shall [...] specify, where available, any data that relate to accidental releases.

3. The operator of each facility shall collect with appropriate frequency the data needed to determine the facility's releases and off-site transfers subject to reporting requirements under paragraph 1.
4. When preparing the report the operator concerned shall use the best available information, which may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgements and other methods in line with the provision of Article 9(1) and in accordance with internationally approved methodologies, whenever these are available.
5. The operator of each facility concerned shall keep available for the competent authorities of the Member State the records of the data from which the reported information was derived for a period of [...] five years, starting from the end of the reporting year concerned. These records shall also describe the methodology used for data gathering.

## *Article 6*

### **Releases to land**

Waste which is subject to disposal operations ‘land treatment’ or ‘deep injection’, as specified in Annex II, A of Directive 75/442/EEC, shall be reported as a release to land only by the operator of the facility originating the waste.

[Sludge spreading as defined in Directive 86/278/EEC and manure spreading and any other recovery operations as well as other disposal operations which are not subject to paragraph 1 are not releases to land for the purposes of this Regulation.] <sup>2</sup>

## *Article 7*

### **Reporting by Member States**

1. The Member States shall determine, having regard to the requirements set out in paragraphs 2 and 3 of this Article, a date by which operators shall provide all data referred to in Article 5(1) and (2) and information referred to in Article 5(3), (4) and (5) to its competent authority.
2. Member States shall provide all data referred to in Article 5(1) and (2) to the Commission by electronic transfer according to the format of Annex III and the following schedule:
  - (a) for the first reporting year, within [...] 18 <sup>3</sup> months after the end of the reporting year;
  - (b) for all reporting years thereafter, within [...] 15 <sup>3</sup> months after the end of the reporting year.

The first reporting year shall be the year 2007.

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<sup>2</sup> This provision could be transformed into a recital.

<sup>3</sup> Reservation by Cion who suggested, as an alternative compromise, 18 months for the first year, 15 months for the second and the third year, and 12 months for all the following years.



3. The Commission, assisted by the European Environment Agency, shall incorporate the information reported by the Member States into the European PRTR according to the following schedule:
  - (a) for the first reporting year, within 21 months after the end of the reporting year;
  - (b) for all reporting years thereafter, within 16 months after the end of the reporting year.

#### *Article 8*

#### **Releases from Diffuse Sources**

1. The Commission, assisted by the European Environment Agency, shall include in the European PRTR information on releases from diffuse sources where such information exists and has already been reported by the Member States.
2. The information referred to in paragraph 1 shall be organised such as to allow users to search and identify releases of pollutants from diffuse sources according to an adequate spatial disaggregation and shall include information on the type of methodology used to derive the information.
3. Where the Commission determines that no data on the releases from diffuse sources exists, it shall take measures to initiate reporting on releases of relevant pollutants from one or more diffuse sources in accordance with the procedure referred to in Article 19(2), *using internationally approved methodologies where appropriate.*<sup>4</sup>

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<sup>4</sup>. **DELETED**: delete paragraph 3.

## *Article 9*

### **Quality Assurance and Assessment**

1. The operator of each facility subject to the reporting requirements set out in Article 5 shall assure the quality of the information that they report.
2. The competent authorities shall assess the quality of the data provided by the operators of the facilities, in particular as to their completeness, consistency and *credibility*.
3. The Commission shall coordinate work on quality assurance and quality assessment in consultation with the Committee referred to in Article 19(1).
4. The Commission may adopt guidelines for the monitoring and reporting of emissions in accordance with the procedure referred to in Article 19(2). *These guidelines shall be in accordance with internationally approved methodologies, where appropriate, and shall be consistent with other Community legislation.*

## *Article 10*

### **Access to information**

1. The Commission, assisted by the European Environment Agency, shall make the European PRTR publicly accessible by dissemination *free of charge* on the Internet according to the timeframe set out in Article 7(3).
2. Where the information contained in the European PRTR is not easily publicly accessible by direct electronic means, the Member State concerned and the Commission shall facilitate electronic access to the European PRTR in publicly accessible locations.

## *Article 11*

### **Confidentiality**

Whenever information is kept confidential by a Member State in accordance with Article 4 of Directive 2003/4/EC of the European Parliament and of the Council \*, the Member State shall indicate in its report according to Article 7(2) of this Regulation for every reporting year separately for each facility claiming confidentiality what type of information has been withheld and for what reason it has been withheld.

## *Article 12*

### **Public Participation**

1. The Commission shall provide the public with early and effective opportunities to participate in the further development of the European PRTR, including capacity building and the preparation of amendments of this Regulation.

The public shall have the opportunity to submit comments, information, analyses or opinions within a reasonable timeframe.

2. The Commission shall take due account of such input and shall inform the public about the outcome of the public participation.

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\* OJ L 41,14.2.2003, p. 26.

*Article 13* <sup>5</sup>

**Access to Justice**

Access to justice relating to the public access to environmental information shall be granted according to Article 6 of Directive 2003/4/EC and for the institutions of the Community according to Articles 6, 7 and 8 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council. <sup>\*</sup>

*Article 14*

**Guidance document**

The Commission shall develop a guidance document supporting the implementation of the European PRTR as soon as possible and at the latest 4 months before the beginning of the first reporting year and in consultation with the Committee referred to in Article 19(1).

The guidance document for implementation of the European PRTR shall address in particular details on the following:

- (a) reporting procedures;
- (b) the data to be reported;
- (c) quality assurance and assessment;
- (d) indication of type of withheld data and reasons why they were withheld in the case of confidential data;

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<sup>5</sup> An appropriate recital would refer also to future legislation.

<sup>\*</sup> OJ L 145, 31.05.2001, p. 43.

- (e) reference to internationally approved release determination and analytical methods, sampling methodologies;
- (f) indication of parent companies;
- (g) coding of activities according to Annex I of this Regulation and of Council Directive 96/61/EC.

### *Article 15*

#### **Awareness Raising**

The Commission and the Member States shall promote public awareness of the European PRTR and shall ensure that assistance is provided in accessing the European PRTR and in understanding and using the information contained in it.

### *Article 16*

#### **Additional information to be reported by the Member States**

1. Member States shall, in support of the development of the review by the Commission according to Article 17, inform the Commission on practice and measures taken regarding the data collection process from the last three reporting years. This information shall be reported by the Member States to the Commission every three years together with the data provided in accordance with Article 7.
2. To facilitate the reporting by Member States referred to in paragraph 1 the Commission shall submit a proposal for a questionnaire, which shall be adopted in accordance with the procedure referred to in Article 19(2).

## *Article 17*

### **Review by the Commission [...]**

The Commission shall review the information provided by Member States according to Article 7 and after consultation with the Member States shall publish a report every three years based on the information from the last three reporting years available, six months after the presentation of this information on the Internet.

*This report shall be submitted to the European Parliament and the Council, together with an assessment of the operation of the European PRTR.*

## *Article 18*

### **Amendment of the Annexes**

Any amendments necessary for adapting:

- (a) Annexes II or III to this Regulation to scientific or technical progress; or
- (b) the Annexes II and III <sup>6</sup>to this Regulation as a result of the adoption by the Meeting of the Parties to the Protocol of any amendment of the Annexes to the Protocol

shall be adopted in accordance with the procedure referred to in Article 19(2).

## *Article 19*

### **Committee**

1. The Commission shall be assisted by a committee (hereinafter “the committee”).
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period provided for in Article 5(6) of Decision 1999/468/EC shall be set at three months.

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<sup>6</sup> **DELETED** want to include here all Annexes.

## *Article 20*

### **Penalties \***

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission one year after entry into force of this Regulation at the latest and shall notify it without delay of any subsequent amendment affecting them.

## *Article 21*

### **Amendments to Directives 91/689/EEC and 96/61/EC**

1. Article 8(3) of Directive 91/689/EEC is deleted.
2. Article 15(3) of Directive 96/61/EC is deleted. <sup>7</sup>

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\* Council statement to be made.

<sup>7</sup> The Presidency suggests that this provision would be explained by the new recital 20 and the Cion could present two statements as follows:

- "It is the intention of the Commission, at the time of entry into force of this Regulation, to withdraw the Commission Decision 2000/479/EC on the implementation of the European Pollutant Emission Register (EPER)."
- "For activities which should be introduced to Annex I of the IPPC Directive and which are not covered by the PRTR Regulation, the Commission may propose measures to include those new activities in this Regulation (to be confirmed by the Commission)."

**DELETED**: scrutiny reservation.

*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*.

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

Done at Brussels, [...]

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

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**ACTIVITIES**

<b>No.</b>	<b>Activity</b>	<b>Capacity threshold</b>
<b>1.</b>	<b>Energy sector</b>	
(a)	Mineral oil and gas refineries	*(1)
(b)	Installations for gasification and liquefaction	*
(c)	Thermal power stations and other combustion installations	With a heat input of 50 megawatts (MW)
(d)	Coke ovens	*
(e)	Coal rolling mills	With a capacity of 1 tonne per hour
(f)	Installations for the manufacture of coal products and solid smokeless fuel	*
<b>2.</b>	<b>Production and processing of metals</b>	
(a)	Metal ore (including sulphide ore) roasting or sintering installations	*
(b)	Installations for the production of pig iron or steel (primary or secondary melting) including continuous casting	With a capacity of 2.5 tonnes per hour
(c)	Installations for the processing of ferrous metals: (i) Hot-rolling mills  (ii) Smitheries with hammers  (iii) Application of protective fused metal coats	With a capacity of 20 tonnes of crude steel per hour  With an energy of 50 kilojoules per hammer, where the calorific power used exceeds 20 MW  With an input of 2 tonnes of crude steel per hour

(d)	Ferrous metal foundries	With a production capacity of 20 tonnes per day
(e)	Installations: (i) For the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes	*
	(ii) For the smelting, including the alloying, of non-ferrous metals, including recovered products (refining, foundry casting, etc.)	With a melting capacity of 4 tonnes per day for lead and cadmium or 20 tonnes per day for all other metals
(f)	Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process	Where the volume of the treatment vats equals 30 m <sup>3</sup>
<b>3.</b>	<b>Mineral industry</b>	
(a)	Underground mining and related operations	*
(b)	Opencast mining <u>and quarrying</u>	Where the surface of the area [...] <u>effectively under extractive</u> operation equals 25 hectares
(c)	Installations for the production of: (i) Cement clinker in rotary kilns  (ii) Lime in rotary kilns  (iii) Cement clinker or lime in other furnaces	With a production capacity of 500 tonnes per day  With a production capacity exceeding 50 tonnes per day  With a production capacity of 50 tonnes per day

(d)	Installations for the production of asbestos and the manufacture of asbestos-based products	*
(e)	Installations for the manufacture of glass, including glass fibre	With a melting capacity of 20 tonnes per day
(f)	Installations for melting mineral substances, including the production of mineral fibres	With a melting capacity of 20 tonnes per day
(g)	Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain	With a production capacity of 75 tonnes per day, or with a kiln capacity of 4 m <sup>3</sup> and with a setting density per kiln of 300 kg/m <sup>3</sup>

<b>4.</b>	<b>Chemical industry</b>	
(a)	<p>Chemical installations for the production on an industrial scale of basic organic chemicals, such as:</p> <ul style="list-style-type: none"> <li>(i) Simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic)</li> <li>(ii) Oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins</li> <li>(iii) Sulphurous hydrocarbons</li> <li>(iv) Nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates</li> <li>(v) Phosphorus-containing hydrocarbons</li> <li>(vi) Halogenic hydrocarbons</li> <li>(vii) Organometallic compounds</li> <li>(viii) Basic plastic materials (polymers, synthetic fibres and cellulose-based fibres)</li> <li>(ix) Synthetic rubbers</li> <li>(x) Dyes and pigments</li> <li>(xi) Surface-active agents and surfactants</li> </ul>	*

(b)	<p>Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as:</p> <ul style="list-style-type: none"> <li>(i) Gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride</li> <li>(ii) Acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids</li> <li>(iii) Bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide</li> <li>(iv) Salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate</li> <li>(v) Non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide</li> </ul>	*
(c)	Chemical installations for the production on an industrial scale of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers)	*
(d)	Chemical installations for the production on an industrial scale of basic plant health products and of biocides	*

(e)	Installations using a chemical or biological process for the production on an industrial scale of basic pharmaceutical products	*
(f)	Installations for the production on an industrial scale of explosives and pyrotechnic products	*
<b>5.</b>	<b>Waste and wastewater management</b>	
(a)	Installations for the disposal or recovery of hazardous waste	Receiving 10 tonnes per day
(b)	Installations for the incineration of non-hazardous waste in the scope of Directive 2000/76/EC	With a capacity of 3 tonnes per hour
(c)	Installations for the disposal of non-hazardous waste	With a capacity of 50 tonnes per day
(d)	Landfills (excluding landfills of inert waste and landfills, which have been definitely closed before the 16.7.2001 or for which the after-care phase required by the competent authorities according to Article 13 of Council Directive 1999/31/EC * has expired)	Receiving 10 tonnes per day or with a total capacity of 25,000 tonnes
(e)	Installations for the disposal or recycling of animal carcasses and animal waste	With a treatment capacity of 10 tonnes per day
(f)	Urban waste-water treatment plants	With a capacity of 100,000 population equivalents
(g)	Independently operated industrial waste-water treatment plants which serve one or more activities of this annex	With a capacity of 10,000 m <sup>3</sup> per day

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\* OJ L 182, 16.7.1999, p. 1.

<b>6.</b>	<b>Paper and wood production and processing</b>	
(a)	Industrial plants for the production of pulp from timber or similar fibrous materials	*
(b)	Industrial plants for the production of paper and board and other primary wood products (such as chipboard, fibreboard and plywood)	With a production capacity of 20 tonnes per day
(c)	Industrial plants for the preservation of wood and wood products with chemicals	With a production capacity of 50 m <sup>3</sup> per day
<b>7.</b>	<b>Intensive livestock production and aquaculture</b>	
(a)	Installations for the intensive rearing of poultry or pigs	(i) With 40,000 places for poultry (ii) With 2,000 places for production pigs (over 30 kg) (iii) With 750 places for sows
(b)	Intensive aquaculture	With a production capacity of 1,000 tonnes of fish or shellfish per year
<b>8.</b>	<b>Animal and vegetable products from the food and beverage sector</b>	
(a)	Slaughterhouses	With a carcass production capacity of 50 tonnes per day

(b)	Treatment and processing intended for the production of food and beverage products from:	
	(i) Animal raw materials (other than milk)  (ii) Vegetable raw materials	With a finished product production capacity of 75 tonnes per day  With a finished product production capacity of 300 tonnes per day (average value on a quarterly basis)
(c)	Treatment and processing of milk	With a capacity to receive 200 tonnes of milk per day (average value on an annual basis)
<b>9.</b>	<b>Other activities</b>	
(a)	Plants for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles	With a treatment capacity of 10 tonnes per day
(b)	Plants for the tanning of hides and skins	With a treatment capacity of 12 tonnes of finished product per day



(c)	Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating	With a consumption capacity of 150 kg per hour or 200 tonnes per year
(d)	Installations for the production of carbon (hard-burnt coal) or electro-graphite by means of incineration or graphitization	*
(e)	Installations for the building of, and painting or removal of paint from ships	With a capacity for ships 100 m long

- (1) An asterisk (\*) indicates that no capacity threshold is applicable (all facilities are subject to reporting).

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## POLLUTANTS \*

No.	CAS number	Pollutant <sup>(1)</sup>	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 <sub>4</sub> )	100 000	-( <sup>2</sup> )	-
2	630-08-0	Carbon monoxide (CO)	500 000	-	-
3	124-38-9	Carbon dioxide (CO <sub>2</sub> )	100 million	-	-
4		Hydro-fluorocarbons (HFCs) <sup>(3)</sup>	100	-	-
5	10024-97-2	Nitrous oxide (N <sub>2</sub> O)	10 000	-	-
6	7664-41-7	Ammonia (NH <sub>3</sub> )	10 000	-	-
7		Non-methane volatile organic compounds (NMVOC)	100 000	-	-
8		Nitrogen oxides (NO <sub>x</sub> ) as NO <sub>2</sub>	100 000	-	-
9		Perfluorocarbons (PFCs) <sup>(4)</sup>	100	-	-
10	2551-62-4	Sulphur hexafluoride (SF <sub>6</sub> )	50	-	-
11		Sulphur oxides (SO <sub>x</sub> ) as SO <sub>2</sub>	150 000	-	-
12		Total nitrogen	-	50 000	50 000
13		Total phosphorus	-	5 000	5 000
14		Hydrochlorofluorocarbons (HCFCs) <sup>(5)</sup>	1	-	-
15		Chlorofluorocarbons (CFCs) <sup>(6)</sup>	1	-	-
16		Halons <sup>(7)</sup>	1	-	-
17		Arsenic and compounds (as As) <sup>(8)</sup>	20	5	5
18		Cadmium and compounds (as Cd) <sup>(8)</sup>	10	5	5
19		Chromium and compounds (as Cr) <sup>(8)</sup>	100	50	50
20		Copper and compounds (as Cu) <sup>(8)</sup>	100	50	50
21		Mercury and compounds (as Hg) <sup>(8)</sup>	10	1	1

\* Unless otherwise specified any pollutant specified in Annex II shall be reported where relevant thresholds are exceeded as the total mass of that pollutant and where the pollutant is part of a group of substances, as the total mass of the group.

No.	CAS number	Pollutant <sup>(1)</sup>	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
22		Nickel and compounds (as Ni) <sup>(8)</sup>	50	20	20
23		Lead and compounds (as Pb) <sup>(8)</sup>	200	20	20
24		Zinc and compounds (as Zn) <sup>(8)</sup>	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 <sub>10</sub> -C <sub>13</sub>	-	1	1
32	2921-88-2	Chlorpyrifos	-	1	1
33	50-29-3	DDT	1	1	1
34	107-06-2	1,2-dichloroethane (EDC)	1 000	10	10
35	75-09-2	Dichloromethane (DCM)	1 000	10	10
36	60-57-1	Dieldrin	1	1	1
37	330-54-1	Diuron	-	1	1
38	115-29-7	Endosulphan	-	1	1
39	72-20-8	Endrin	1	1	1
40		Halogenated organic compounds (AOX) <sup>(9)</sup>	-	1 000	1 000
41	76-44-8	Heptachlor	1	1	1
42	118-74-1	Hexachlorobenzene (HCB)	10	1	1
43	87-68-3	Hexachlorobutadiene (HCBd)	-	1	1
44	608-73-1	1,2,3,4,5, 6 -hexachlorocyclohexane (HCH)	10	1	1
45	58-89-9	Lindane	1	1	1
46	2385-85-5	Mirex	1	1	1

No.	CAS number	Pollutant <sup>(1)</sup>	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
47		PCDD +PCDF (dioxins +furans) (as Teq) <sup>(10)</sup>	0.0001	0.0001	0.0001
48	608-93-5	Pentachlorobenzene	1	1	1
49	87-86-5	Pentachlorophenol (PCP)	10	1	1
50	1336-36-3	Polychlorinated biphenyls (PCBs)	0.1	0.1	0.1
51	122-34-9	Simazine	-	1	1
52	127-18-4	Tetrachloroethylene (PER)	2 000	10	-
53	56-23-5	Tetrachloromethane (TCM)	100	1	-
54	12002-48-1	Trichlorobenzenes (TCBs) (all isomers)	10	1	-
55	71-55-6	1,1,1-trichloroethane	100	-	-
56	79-34-5	1,1,2,2-tetrachloroethane	50	-	-
57	79-01-6	Trichloroethylene	2 000	10	-
58	67-66-3	Trichloromethane	500	10	-
59	8001-35-2	Toxaphene	1	1	1
60	75-01-4	Vinyl chloride	1 000	10	10
61	120-12-7	Anthracene	50	1	1
62	71-43-2	Benzene	1 000	200 (as BTEX) <sup>(11)</sup>	200 (as BTEX) <sup>(11)</sup>
63		Brominated diphenylethers (PBDE) <sup>(12)</sup>	-	1	1
64		Nonylphenol and Nonylphenol ethoxylates (NP/NPEs)	-	1	1
65	100-41-4	Ethyl benzene	-	200 as BTEX) <sup>(11)</sup>	200 (as BTEX) <sup>(11)</sup>
66	75-21-8	Ethylene oxide	1 000	10	10
67	34123-59-6	Isoproturon	-	1	1
68	91-20-3	Naphthalene	100	10	10

No.	CAS number	Pollutant <sup>(1)</sup>	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
69		Organotin compounds (as total Sn)	-	50	50
70	117-81-7	Di-(2-ethyl hexyl) phthalate (DEHP)	10	1	1
71	108-95-2	Phenols (as total C) <sup>(13)</sup>	-	20	20
72		Polycyclic aromatic hydrocarbons (PAHs) <sup>(14)</sup>	50	5	5
73	108-88-3	Toluene	-	200 (as BTEX) <sup>(11)</sup>	200 (as BTEX) <sup>(11)</sup>
74		Tributyltin compounds <sup>(15)</sup>	-	1	1
75		Triphenyltin compounds <sup>(16)</sup>	-	1	1
76		Total organic carbon (TOC) (as total C or COD/3)	-	50 000	-
77	1582-09-8	Trifluralin	-	1	1
78	1330-20-7	Xylenes <sup>(17)</sup>	-	200 (as BTEX) <sup>(11)</sup>	200 (as BTEX) <sup>(11)</sup>
79		Chlorides (as total Cl)	-	2 million	2 million
80		Chlorine and inorganic compounds (as HCl)	10 000	-	-
81	1332-21-4	Asbestos	1	1	1
82		Cyanides (as total CN)	-	50	50
83		Fluorides (as total F)	-	2 000	2 000
84		Fluorine and inorganic compounds (as HF)	5 000	-	-
85	74-90-8	Hydrogen cyanide (HCN)	200	-	-
86		Particulate matter (PM <sub>10</sub> )	50 000	-	-
87	1806-26-4	Octylphenols and Octylphenol Ethoxylates	-	1	-
88	206-44-0	Fluoranthene	-	1	-

No.	CAS number	Pollutant <sup>(1)</sup>	Threshold for releases (column 1)		
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) kg/year
89	465-73-6	Isodrin	-	1	-
90	36355-1-8	Hexabromobiphenyl	0.1	0.1	0.1
91	191-24-2	Benzo(g,h,i)perylene		1	

**Footnotes:**

- (1) Unless otherwise specified any pollutant specified in Annex II 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 media in question does 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 CF<sub>4</sub>, C<sub>2</sub>F<sub>6</sub>, C<sub>3</sub>F<sub>8</sub>, C<sub>4</sub>F<sub>10</sub>, c-C<sub>4</sub>F<sub>8</sub>, C<sub>5</sub>F<sub>12</sub>, C<sub>6</sub>F<sub>14</sub>
- (5) Total mass of substances listed in Group VIII of Annex 1 of EC Regulation No. 2037/2000 including their isomers
- (6) Total mass of substances listed in Group I and II of Annex 1 of EC Regulation No. 2037/2000 including their isomers
- (7) Total mass of substances listed in Group III and VI of Annex 1 of EC Regulation No. 2037/2000 including their isomers
- (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) Polycyclic aromatic hydrocarbons (PAHs) are to be measured for reporting of releases to air as benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9), indeno(1,2,3-cd)pyrene (193-39-5) (derived from the Protocol on Persistent Organic Pollutants to the Convention on Long-range Transboundary Air Pollution). \*
- (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)

\* Existing Community legislation to be quoted.

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**FORMAT FOR THE REPORTING OF RELEASE AND TRANSFER DATA  
BY MEMBER STATES TO THE COMMISSION**

<b>Reference year</b>		
<b>Identification of the facility</b>		
Name of the parent company Name of the facility [...] Identification number of facility Street address Town/village Postal code Country Coordinates of the location River basin district <sup>(1)</sup> NACE-code (4 digits) Main economic activity Production volume (optional) Number of installations (optional) Number of operating hours in year (optional) Number of employees (optional) Text field for textual information or website address delivered by facility or parent company (optional)		
<b>All Annex I activities of the facility (according to the coding system given in Annex I and the IPPC code where available)</b>		
Activity 1 (main Annex I activity) Activity 2 Activity N		
<b>Release data to air for the facility for each pollutant exceeding threshold value (according to Annex II)</b>		Releases to air
Pollutant 1	M: measured; Analytical Method used	<u>T: Total</u> in kg/year
Pollutant 2	C: calculated; Calculation Method used	<u>A: Accidental</u> in
Pollutant N	E: estimated	kg/year



<b>Release data to water for the facility for each pollutant exceeding threshold value (according to Annex II)</b>		Releases to water
Pollutant 1	M: measured; Analytical Method used	<u>T: Total</u> in kg/year
Pollutant 2	C: calculated; Calculation Method used	<u>A: Accidental</u> in
Pollutant N	E: estimated	kg/year
<b>Release data to land for the facility for each pollutant exceeding threshold value (according to Annex II)</b>		Releases to land
Pollutant 1	M: measured; Analytical Method used	<u>T: Total</u> in kg/year
Pollutant 2	C: calculated; Calculation Method used	<u>A: Accidental</u> in
Pollutant N	E: estimated	kg/year
<b>Off-site transfer of each pollutant destined for waste-water treatment in quantities exceeding threshold value (according to Annex II)</b>		
Pollutant 1	M: measured; Analytical Method used	in kg/year
Pollutant 2	C: calculated; Calculation Method used	
Pollutant N	E: estimated	
<b>Off-site transfers of hazardous waste for the facility exceeding threshold value (according to Article 5)</b>		
<u>Within the country</u> :		
For Recovery (R)		in tonnes/year
For Disposal (D)		in tonnes/year
<u>To other countries:</u>		in tonnes/year
For Recovery (R)		
Name of the recoverer		
Address of the recoverer		
Address of actual recovery site receiving the transfer		

<u>To other countries:</u> For Disposal (D) Name of the disposer Address of the disposer Address of actual disposal site receiving the transfer	in tonnes/year
<b>Off-site transfer of non-hazardous waste for the facility exceeding threshold value (according to Article 5)</b>	
For Recovery (R)	in tonnes/year
For Disposal (D)	in tonnes/year
<b>Competent authority for requests of the public:</b> Name Street address Town/village Telephone No Fax No E-mail address	

- <sup>(1)</sup> According to Article 3(1) of Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy \*.

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\* OJ L 327, 22.12.2000, p. 1.