

UNECE PRTR Protocol

PRTR España launch event

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UNECE PRTR Protocol

- Aarhus Convention on access to information, public participation in Decision-making and access to justice in environmental matters (entry into force on 30 october 2001, 42 Parties)
- Art.5.9 requires each Party to establish a nationwide system of pollution inventories or registers.



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- Protocol to the Aarhus Convention on PRTR 's adopted at Efe Ministerial conference in Kiev, 21 May 2003
- Protocol open to non UNECE member states and non Parties to the Aarhus Convention (e.g. CH)
- 38 Signatories (25 EU Member States + European Community, not by USA or Canada)
- 14 ratifications (LU, CH, EE, GE, NL, SK, LV, NO, CR, DK, SW, LT, BE + EC)
- 16 ratifications needed for entry into force and expected by July 2009 => MOP1 in 2010
- EPRTTR Regulation mostly based on the Protocol



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Art.4 core elements - Art.5 design & structure

- The Protocol requires each Party to establish a PRTR which
 - covers pollutant releases and transfers from facilities operating at least 1 activity listed in an annex I;
 - transfers means waste water destined for off-site WWTP and off-site transfers of waste
 - includes 86 pollutants (Annex II) , such as greenhouse gases, acid rain pollutants, ozone-depleting substances, heavy metals, substances covered by POP's Convention and certain carcinogens such as dioxins



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Art.4 core elements - Art.5 design & structure

- can be searched for point sources by facility, location, activity, owner or operator, pollutant or waste as appropriate, medium (air, water, land)
- includes available data on releases from diffuse sources (e.g. transport and agriculture);
- is based on mandatory reporting
- presents the data from at least the 10 previous reporting years



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Art.4 core elements - Art.5 design & structure

- is publicly accessible through electronic means, free of charge or, failing that, by other means on request (Art.11 public access to information)
- is user-friendly in its structure and provide links to other relevant registers,
- presents standardized, timely data on a structured, computerized database;
- has limited confidentiality provisions;
- allows for public participation in its development and modification.



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Art.6 scope - Art.7 reporting requirements

- Each Party will require the owner or operator of a concerned facility (Annex I) to report to its competent authority:
 - any release of a pollutant above pollutant and medium-specific threshold specified in Annex II;
 - any off site transfer of a pollutant in waste water destined for WW treatment in quantities above threshold specified in Annex II;



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Art.6 scope - Art.7 reporting requirements

- To report any off-site transfer of waste either:
 - - by pollutant (pollutant-specific transfer threshold specified in Annex II)
 - - or by tons of waste (threshold: 2T/y for hazardous waste and 2000 T/y for non hazardous waste)
- distinguishing the amounts transferred for disposal and for recovery (Annex III)
- for transboundary movements of hazardous waste, indicating name and address of the final recoverer(s) or disposer(s) receiving and treating the waste
- For any release or transfer: to report the type of methodology used to determine the reported data and if it is based on measurement, calculation or estimation



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Art.6 scope - Art.7 reporting requirements

- Report includes releases and transfers resulting from routine activities and extraordinary events
- Operator must keep records of the data used to report for 5 years from the end of a reporting year
- Operator assures quality of the data and must use best available information, in accordance with internationally approved methodologies, where appropriate
- Each party must take measures to initiate reporting on releases of relevant pollutants from diffuse sources where no such data exists and in accordance with its national priorities



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Annexes

- Annex I : activities with either capacity threshold or employee threshold (10 FTE)
- Annex II : pollutants with release thresholds for air, water (also applicable for transfer of WW), land, threshold for off-site transfer of pollutants in waste, MPU threshold
- « North american approach »: facility concerned if > employee threshold and report if a pollutant > MPU threshold
- « European approach »: facility concerned if > capacity threshold and report if release or transfer > release or transfer threshold



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Annexes

- Annex III : list of disposal and recovery operations for waste treatment , in accordance with Basel Convention
- Annex IV: arbitration



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Art.8 reporting cycle

- Annual reporting but 2nd reporting year may be the 2nd calendar year following the 1st reporting year
- Each party incorporates the information within 15 months from the end of each reporting year (24 months for the 1st reporting year)
- For a Party being regional economic integration organization, deadline extended by 6 months



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Deadlines

- If 16 th ratification before 30/09/2009=> entry into force 90 days after & by 31 december 2009
- 1st reporting year for those 16 Parties : 2010
- 2010 datas available to the public by 31/12/2012
- 2011 datas available by 31/03/2013
- 31st March deadline for further annual datas
- Any further ratification before 30/09 year x => 1st reporting year is year x+1



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- Public access to information, participation to the development of PRTRs and access to justice (Art.11, 12 & 14) : provisions in accordance with Aarhus Convention
- Confidentiality (Art.12) tailored to the specificities of registers but in accordance with Aarhus Convention and Directive 2003/4 on access to information
- Guidance document: formally adopted by WG in 2007 and published



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Capacity-building (Art.15) and international cooperation (Art.16)

- Parties will promote public awareness of PRTRs, provide adequate capacity-building and guidance to authorities, cooperate and assist each other (implementation, sharing information, technical assistance)
- Table compiling capacity building activities through bilateral or multilateral cooperation developed by UNECE in cooperation with involved parties, IGOs and NGOs
- To mention: GEF-funded UNITAR pilot projects on POPs monitoring using PRTR to start in 2009 in 6 countries including Ecuador and Peru



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Conclusions


- PRTR = cost-effective tool for encouraging improvement in Env performance, informing the public and assessing environmental policies
- Useful tool for implementation of UNFCCC and Stockholm Convention on POPs
- Comparing to EPRTR Regulation, Implementation of the Protocol requires a Party (also the EU MS) to make data available through its own databases and website(s) in its national languages.



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Conclusions

- Spain deeply involved in international negotiation and implementation processes (UNECE, EU , OECD) for many years
- With PRTR España, Spain has now all needed tools to comply with Protocol's requirements
- Spain is ready for ratification



For more information & guidance document

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