



Reviewing the E-PRTR Regulation

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To cover:

- 1. Background to E-PRTR revision**
- 2. Overview of the impact assessment process(es)**
- 3. Topic areas for the impact assessment**



1.1 E-PRTR evaluation (2015-17)

- REFIT Evaluation SWD(2017) 710 final
- Commission's Article 17 report to the European Parliament and the Council - COM(2017) 810 final
- The evaluation *“did not identify obvious need for major simplification of, or big improvements to, the existing Regulation”*
- But potential for further E-PRTR refinements:
 - a) Guidance document (**partly done - Aether/ICF study**)
 - b) Streamlining with related reporting, especially the IED (**✓ Industrial Emissions Registry**)
 - c) Article 16 triennial reporting obligation on Member States (**✓ deleted via Regulation 2019/1010**)
 - d) Data context (**in progress – proposed Decision on ‘Units and metrics’ for reporting ‘Production Volume’**)

However, subsequent developments complement this picture



1.2 Contract (Aether/ICF) – 'Review of E-PRTR implementation and related guidance'

CIRCABC <https://europa.eu/!xg34Nv> (Feb'20)

Task 1: E-PRTR Annex I activities

- Better align with related EU legislation by adding activities (e.g. waste recovery) or lowering capacity thresholds (e.g. UWWTTP)
- Identifies notable releases from other sources e.g. intensive cattle farming

Task 2: E-PRTR Annex II substances & thresholds

- Better align with related EU legislation by adding substances (x 38)
- Ensure 90% reporting with lower thresholds (11 air, 14 water)
- How to make it a more dynamic list of substances



1.3 IED (Industrial Emissions Directive) evaluation

Staff Working Document: <https://europa.eu/!hR34Qx>

Executive Summary (EN, FR, DE): <https://europa.eu/!HP74fW>

Some findings of E-PRTR relevance:

- Misalignment of sectoral coverage (IED vs E-PRTR)
- E-PRTR reporting thresholds reduce the quantity and quality of available information on IED activities
- There are (agro-)industrial sectors outside the current IED scope with high environmental impacts. May warrant inclusion in the IED (and hence E-PRTR).



1.4 Development of the Kyiv protocol

- Development of the Protocol has been a recurring agenda item at recent meetings of the WGP (Working Group of the Parties)
- Two UNECE consultations / surveys:
 - March 2019
 - March 2020 – EU response providing the Aether/ICF study + some bilateral Member State responses
- WGP#8 (18-20 December 2020) to consider Bureau report on the outcomes of the (second) survey on the experiences in implementing PRTRs
- MoPP#4 (Meeting of Parties to the Protocol) 18-22 October 2021



1.5 European Green Deal (December 2019)

https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

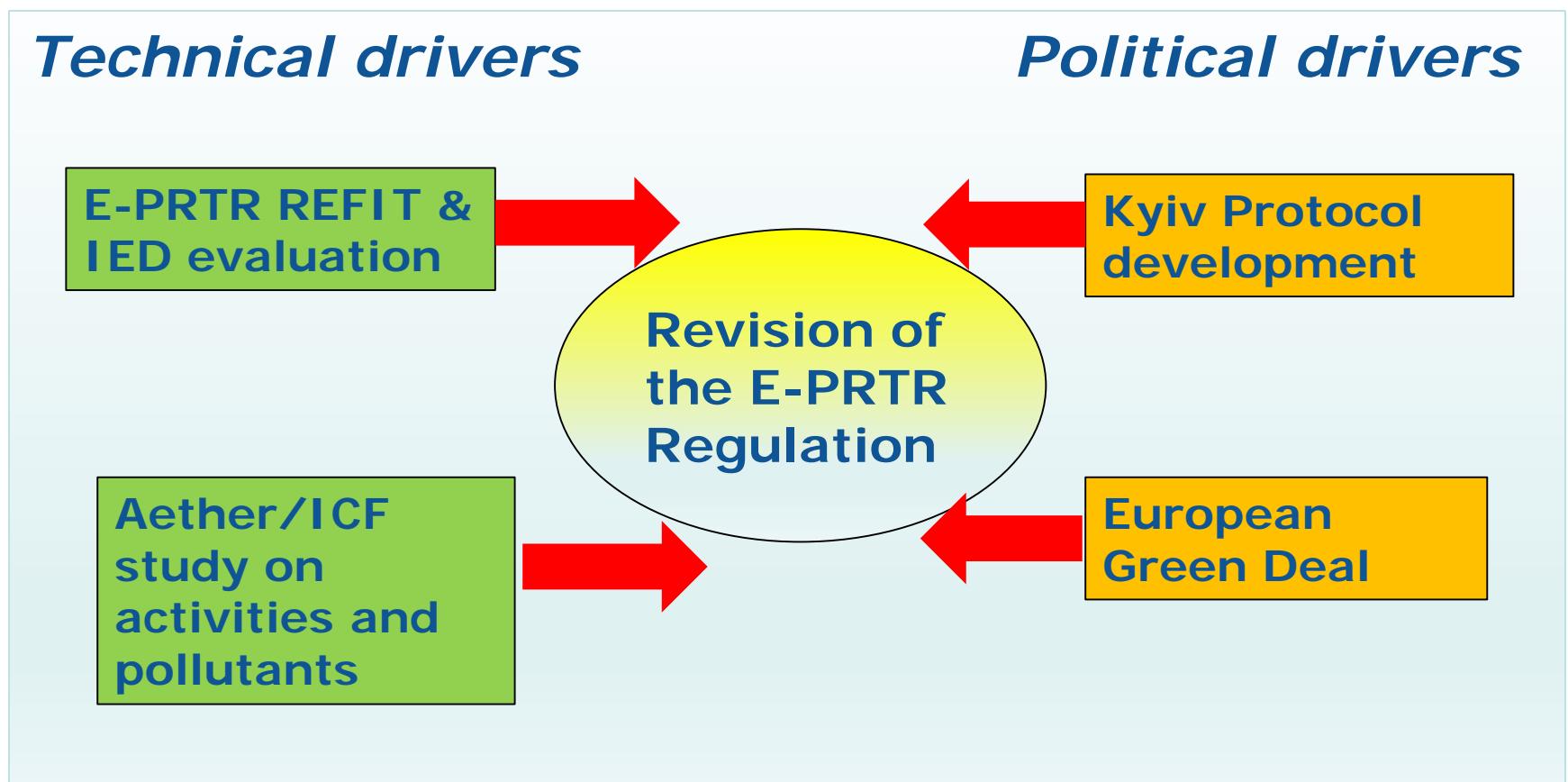
Headline: *'Climate change and environmental degradation are an existential threat to Europe and the world. To overcome these challenges, Europe needs a new growth strategy that will transform the Union into a modern, resource-efficient and competitive economy..'*

Action plan:

- Includes - *'Revision of measures to address pollution from large industrial installations'* (Indicative timetable = 2021).
- To consider: sectoral scope of legislation & consistency with climate, energy and circular economy policies.

Implications = revision of the E-PRTR Regulation and IED 7

1.6 Overview of the key drivers for change





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2.1 Impact assessment main steps

Date	Event
28/09/20 – 26/10/20	<i>Consultation on inception impact assessment (roadmap)</i> - ✓ Done
12/2020	Launch of the 12 week Open Public Consultation (OPC) – IED and E-PRTR
Q1 2021	First stakeholders workshop (online)
Q1/Q2 2021	Targeted stakeholders consultations (web survey, interviews, focus groups)
Q2 2021	Final stakeholders workshop
Q3 2021	Internal work (Regulatory Scrutiny Board)
Q4 2021	Adoption of Commission proposals



2.2 Actions that you can take

A. Inception Impact Assessment (roadmap)

- Commenting window now closed (28/9 to 26/10/20)
- Read the roadmap on '*Have your say*' <https://europa.eu/!MR96xJ>
- ES comments submitted by: UNESID, OFICEMEN

B. Online Public Consultation (OPC) – simple questions

- 12 week window (start December 2020)
- Publicise and encourage input from national PRTR stakeholders (industry, NGOs, the public)

C. Targeted consultations / two workshops

- Consider what you want to say/contribute
- Liaise with your counterparts for other policies (IED, circular economy, de-carbonisation)



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3. Topic areas for the impact assessment

Proposed Impact Assessment work on the following topics:

1. Inclusion of additional sectors
2. Inclusion of additional pollutants
3. Access to information and participation in decision making
4. Reporting modalities
5. Contribution to the circular economy and the decarbonisation of industry
6. Other?



3.1 Topic: Inclusion of additional sectors

Background: Informed by Aether/ICF report, IED evaluation

Possibilities:

Better align with related EU legislation:

- By adding activities?
 - IED: MgO production, Carbon Capture & Storage (CCS), waste recovery, waste storage, wood-based panels
 - NECD (national emissions ceilings directive): intensive cattle
 - Batteries directive: battery manufacture
- By lowering activity capacity thresholds?
 - UWWTP: 100,000 p.e. → 15,000 p.e.
 - Medium Combustion Plants (MCP): 50 MW → 20 MW



3.2 Topic: Inclusion of additional pollutants

Background: Informed by Aether/ICF report

Possibilities:

- 1) Better align with related EU legislation by adding substances (x 38 substances, see Table 3.1)
- 2) Ensure 90% reporting with lower thresholds (11 air, 14 water) vs. removal of reporting thresholds?
- 3) Disaggregating pollutant groups e.g. HCFCs, CFCs
- 4) How to make Annex II more dynamic (WFD 'watch list') to catch emerging issues – 'sunrise' clause
- 5) 'Sunset' clause? – 24 substances that are banned or very low release. Retain?



3.3 Topic: Access to information and participation in decision making

Background: This is the underlying rationale for E-PRTR

Possibilities:

- For E-PRTR end users - how to improve the quality, ease and speed of access to data
- Raise awareness of the E-PRTR and the Industrial Emissions Registry



3.4 Topic: Reporting modalities

Background: How best to collect data?

Possibilities:

- 1) Could top-down reporting be more efficient and effective for some sectors? e.g. IRPP (wide use of emission factors and calculations), cattle (Aether/ICF)
- 2) How to improve areas of known weakness – waste transfers, diffuse sources
- 3) Interface with wealth of information from IED monitoring / real-time data
- 4) Digital solutions to increase data quality and timeliness (3 month aspiration in CID 2019/1741)



3.5 Topic: Contribution to the circular economy and the de-carbonisation of industry

Background: Identified by European Green Deal as a crucial issue. But a challenging area for E-PRTR to make contributions?

Possibilities:

- 1) Contextual fields to normalise release data
- 2) Resource consumption data – use of energy, water, raw materials
- 3) Releases via products



3.6 Other E-PRTR issues to address?

Background:

- The last 5 slides represent the main E-PRTR issues identified by recent work
- Are there other important issues that should be investigated?



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Further information

	E-PRTR	IED
European Commission - Better Regulation Portal	https://europa.eu/!MR96xJ	https://europa.eu/!Y73wT
DG ENV – evaluation & revision info	https://europa.eu/!uD47Kd	https://europa.eu/!QB86dV
DG ENV – CIRCABC portal	https://europa.eu/!cy64Wu	https://europa.eu/!yt69nt