

Department for Environment, Food and Rural Affairs

Implementation of the Pollutant Release and Transfer Register (PRTR) under the Kiev Protocol – Call for views

March 2017

Introduction

The UK has a publically available inventory of pollution from industrial sites and other specified sources. Known as the UK Pollutant Release and Transfer Register (PRTR), this is a searchable database providing information on the pollution from a wide range of industrial sites and for 91 pollutants dating back to 2007.

The UK's PRTR can be accessed at the following web link:

<https://www.gov.uk/guidance/uk-pollutant-release-and-transfer-register-prtr-data-sets#>. In essence the PRTR is an environmental database of potentially hazardous chemical substances and / or pollutants released to air, water and soil, and transferred off-site for treatment or disposal. It applies to specific industrial activities which meet or exceed stated pollutant thresholds. This means that an installation whose details are not shown on the PRTR is either not an industrial activity covered by PRTR or it has not reached the stated pollutant specific thresholds. Further detail on the applicable industrial activities, pollutants and thresholds can be accessed at the following web link: <https://www.gov.uk/guidance/uk-pollutant-release-and-transfer-register-prtr-data-sets#pollutants-and-thresholds-list>.

The United Kingdom (UK) is a signatory to the UN Kiev Protocol on Pollutant Release and Transfer Registers (PRTR) which aims 'to enhance public access to information through the establishment of coherent, nationwide PRTRs'. This international Protocol puts in place a legally binding requirement on the signatories to provide information on pollution sources to members of the public. The UK PRTR website and database are important milestones towards the UK Government's ratification and implementation of the Kiev Protocol on PRTRs.

Parties to the Protocol are required to prepare a national implementation report which contains information on:

- The legislative, regulatory or other measures that have been taken to implement the provisions of the Kiev Protocol
- The practical implementation of these measures at the national and regional levels

The UK submitted an implementation report in 2014 which can be viewed at the following web link: https://www.unece.org/env/pp/reports_trc_implementation_2014.html

Call for views

We are seeking views from interested organisations and individuals on the UK's implementation of the Kiev Protocol on PRTR to inform the implementation report. We invite you to submit your thoughts and ideas with supporting evidence where possible, specifically on the below questions. The Protocol has been included in the supporting documents so that it can be reviewed alongside the questions for additional context. Once

the call for views has closed all responses which have been submitted will be reviewed and considered for inclusion into the UK's report. We will provide a summary of responses which will be published on gov.uk within three months of the closure of the call for views. This document will provide an analysis of all responses received.

There are several ways to send us your views. You can either email them to control.pollution@defra.gsi.gov.uk or complete the online questionnaire on the call for views page. Responses must be submitted by 23.59 on **06 April 2017**.

When answering the questions please indicate with either a yes, no, or unsure response. You are welcome to provide additional information or supporting evidence to support your answer although we ask that you limit responses to 200 words per question.

- 1) In your opinion, do you agree that the UK has made the PRTR publically accessible? Do you have any comments on how it could be improved?
- 2) The UK is required to take measures to ensure that employees of a facility and members of the public who report a violation of national laws (by the facility) to public authorities are not penalised, persecuted or harassed for their actions. In your opinion, do you agree that the UK meets this requirement?
- 3) Where practicable the UK will take efforts to reduce duplicative reporting by integrating PRTR systems with existing information sources such as reporting mechanisms under licences or permits. In your opinion, do you think the UK's reporting systems reduce potential duplicate reporting requirements? Do you have any comments on how it could be improved?
- 4) The UK has developed the UK PRTR website so that it can be searched and identified in a number of ways and that it is presented in both aggregated and non-aggregated forms (which can be found here: <https://www.gov.uk/guidance/uk-pollutant-release-and-transfer-register-prtr-data-sets>). The available search functions include:
 - a. Facility and its geographical location;
 - b. Activity
 - c. Owner or operator, and, as appropriate, company
 - d. Pollutant or waste, as appropriate
 - e. Each of the environmental media (air, land or water) which the pollutant is released;
 - f. The destination of the waste transfer and, where appropriate, the disposal or recovery operation

In your opinion, do you agree that the UK meets this requirement? Are there other criteria you feel should be included in the search functions?

Where practical the UK shall ensure information on the release of pollutants from diffuse sources is collected and presented on the PRTR. Currently this information is presented on the National Atmospheric Emissions Inventory (NAEI) which is linked from the PRTR. In your opinion, do you agree that the UK meets this requirement? Do you have any comments on how it could be improved?

- 5) The UK requires that the owners or operators of the relevant facilities to complete and submit information to the competent authority on a facility-specific basis. This information includes:
- a. The name, street address, geographical location and the activity or activities of the reporting facility, and the name of the owner or operator, and, as appropriate, company;
 - b. The name and numerical identifier of each pollutant required to be reported where thresholds are exceeded.
 - c. The amount of each pollutant where thresholds are exceeded, released from the facility to the environment in the reporting year. This should be in both aggregate and according to whether the release is to air, to water or to land, including by underground injection.
 - d. The amount of waste required to be reported transferred off-site in the reporting year, distinguishing between hazardous waste and other waste, for any operations of recovery or disposal. For transboundary movements of hazardous waste, the name and address of the recoveree or disposer of the waste and the actual recovery or disposal site receiving the transfer.
 - e. The amount of each pollutant in waste water required to be reported transferred off-site in the reporting year;
 - f. The type of methodology used to derive the information referred to in sub-paragraphs (c) to (e) above, indicating whether the information is based on measurement, calculation or estimation.

In relation to paragraphs (c) to (e) above the information shall include releases and transfers from routine activities and from extraordinary events. The UK is required to ensure this information is included in the PRTR.

In your opinion, do you agree that the UK meets this requirement?

- 6) The UK needs to ensure that the information is publically available, compiled and presented on the register by calendar year, and within fifteen months from the end of each reporting year. In your opinion, do you agree that the UK meets this requirement?

- 7) The UK requires the owners or operators of the applicable facilities to quality assure the information that they report. The data contained on the PRTR needs to be subject to quality assessment as to the completeness, consistency and credibility. Information on how this is done in the UK can be found here: (<https://www.gov.uk/guidance/uk-pollutant-release-and-transfer-register-prtr-data-sets#>). In your opinion, do you agree that the UK meets this requirement? Do you have any comments on how it could be improved?
- 8) The UK shall ensure public access to information contained in the PRTR primarily by ensuring the register provides for direct electronic access. Where this isn't possible the UK shall, upon request, provide the information by any other effective means (at the latest within one month after the request). The PRTR is also required to be free of charge. In your opinion, do you agree that the UK meets this requirement? Do you have any comments on how it could be improved?
- 9) The UK may authorise certain information held on the register to be kept confidential where public disclosure of the information would adversely affect international relations, national defence, public security, the course of justice, the confidentiality of commercial and industrial information (where protected by law), intellectual property rights, or the confidentiality of personal data where provided by national law. In your opinion, do you agree that the UK applies this requirement in an appropriate manner? Do you have any comments on how it could be improved?
- 10) The UK shall ensure any person who considers that his or her request for information under the requirements in Article 11, paragraph 2 (public access to information where the information is not publically accessible by direct electronic means), has been ignored, wrongfully refused, inadequately answered or otherwise not dealt with, has access to a review procedure before a court of law or another independent and impartial body. In your opinion, do you have confidence that you would be able to access a review procedure if required?
- 11) The UK shall promote public awareness of the PRTR and shall ensure that assistance and guidance are provided in accessing the register and in understanding and using the information contained in it. In your opinion, do you agree that the UK meets this requirement? Do you have any comments on how it could be improved?
- 12) Please provide any further comments you may have that are relevant to the UK's implementation of the Protocol.



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