

**Format for the Protocol on Pollutant Release and  
Transfer Registers Implementation Report in accordance  
with Decision I/5  
(ECE/MP.PRTR/2010/2/Add.1)**

**CERTIFICATION SHEET**

The following report is submitted on behalf of

\_\_\_\_\_ **[name of the Party or the Signatory] in accordance with decision I/5**

|   |  |
|---|--|
| Name of officer responsible for submitting the national report: |  |
| Signature:  |  |
| Date:   |  |

**IMPLEMENTATION REPORT**

**Please provide the following details on the origin of this report.**

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|-------------------------------|--|
| <i>Party/Signatory</i>        | UNITED KINGDOM                                     |
| <i>NATIONAL FOCAL POINT</i>   |  |
| Full name of the institution: | Department for Environment, Food and Rural Affairs |
| Name and title of officer:    |  |
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| <i>Designated competent authority responsible for managing the national or regional register (if different):</i> |  |
| Full name of the institution:  |  |
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| <p><b>Provide a brief description of the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account and on the material which was used as a basis for preparing the report.</b></p>   |
| <p>Answer:</p> <p>This report has been produced by the Department for Environment, Food and Rural Affairs (Defra) in consultation with various UK competent authorities including Devolved Governments (DG) in Wales, Scotland and Northern Ireland, government departments (e.g. the Department for Energy Security and Net Zero (DESNZ) and UK environmental agencies (e.g. the Environment Agency).</p> <p>The public will be consulted using Defra's Citizen Space (Call for Views) on gov.uk which will be live between 05 October and 27 November.</p> <p>Web-link: <a href="https://consult.defra.gov.uk">https://consult.defra.gov.uk</a></p> <p>The call for views will be promoted on gov.uk and a request will be sent to the UK competent authorities to inform their facility operators. The public's views will be analysed and where relevant incorporated into the final draft of this report.</p> |

**Articles 3, 4 and 5**

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| <p><b>List legislative, regulatory and other measures that implement the general provisions in articles 3 (general provisions), 4 (core elements of a pollutant release and transfer register system (PRTR)) and 5 (design and structure).</b></p> |
| <p>In particular, describe:</p>  |

(a) With respect to **article 3, paragraph 1**, measures taken to ensure the implementation of the provisions of the Protocol, including enforcement measures;  
Answer:

The United Kingdom Pollutant Release and Transfer Register framework is underpinned by a combination of domestic Regulations. In England and Wales, regulation 61 of the Environmental Permitting (England and Wales) Regulations 2016 establishes the main basis for collecting information from industrial sources more generally but it is used to give effect to PRTR in particular.

In Scotland PRTR data is collected using an Information Notice under the Pollution Prevention and Control (Scotland) Regulations 2012, and via licence conditions under the Waste Management Licensing (Scotland) Regulations 2011 and the Water Environment

(Controlled Activities) Regulations (Scotland) 2005 and 2011.

In Northern Ireland, PRTR relies on Regulation 29 (2) and 29 (3) of the Pollution Prevention and Control Regulations (Northern Ireland) 2003 and Regulations 32(2) and 32(3) of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 to obtain the information required. These Regulations provide a power to issue a notice requiring information for the purpose of compiling an inventory of emissions. Failure to comply with such a notice 'without reasonable excuse' is a criminal offence punishable by a fine, or on indictment, imprisonment.

Relevant data pertaining to eligible offshore installations that are engaged in hydrocarbon-related activities (e.g. oil and gas exploration / production and gas and CO<sub>2</sub> unloading / storage operations) is provided by the Department for Energy Security and Net Zero (DESNZ) = The data that DESNZ uses for PRTR reporting is supplied by operators in accordance with the provisions of a range of UK Regulations (e.g. the Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013(as amended); Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended); and Fluorinated Greenhouse Gases Regulations 2015(as amended); which underpin DESNZ's offshore environmental legislative regime (details on the offshore legislative regime can be accessed at: <https://www.gov.uk/guidance/oil-and-gas-offshore-environmental-legislation>). Regulations which apply to the offshore hydrocarbons sector also contain suitable provisions on the reporting of data; and offences / penalties to appropriately deal with any breaches that may be committed by operators.

The European-PRTR Regulation (166/2006/EC) is assimilated EU law ~~directly binding on all UK competent authorities and installations~~. In addition, the Environmental Information Regulations 2004 and the Environmental Information (Scotland) Regulations 2004 set conditions for the handling of information received by competent authorities from operators of installations subject to the requirements of the Protocol.

The United Kingdom exited the European Union on 31 January 2020. Upon exit, the UK entered a Transition Period which ended on 31 December 2020. For the PRTR reporting period that this report covers (2020-2023) the UK continued to implement EU law until 31 December 2020 ~~and followed UK law from then onwards~~.

(b) With respect to **article 3, paragraph 2**, measures taken to introduce a more extensive or more publicly accessible PRTR than required by the Protocol;

Answer:

The UK's implementation of the Kiev Protocol covers all requirements of the Protocol and includes five additional substances which derive from EU legislation. The total number of substances covered by the UK PRTR is therefore 91.

The UK submitted its annual datasets to the European Environment Agency for inclusion on the European PRTR until 31 December 2020. The UK data set for 2020 was eventually uploaded on to the European Environment PRTR Agency at the end of 2021. Since then the UK has published and displayed the UK PRTR data freely and publicly accessible at <http://prtr.defra.gov.uk/>, which will continue to be used now that the UK has left the EU. In addition, the UK PRTR website is linked with the National Atmospheric Emissions Inventory (NAEI) public website which ensures wider public engagement.

(c) With respect to **article 3, paragraph 3**, measures taken to require that employees of a facility and members of the public who report a violation by a facility of national laws implementing this Protocol to public authorities are not penalized, persecuted or harassed for their actions in reporting the violation;

Answer:

We treat all members of the public equally, regardless of nationality, citizenship and domicile. Any person has equal access to the courts.

Several legal and administrative measures are available in the UK to protect people from penalisation, persecution or harassment in pursuing matters covered by the Convention. Some of these measures relate to the avoidance of discrimination against particular members of the public, such as at work or in the provision of services (e.g., the Equality Act 2010). Others have more general application, or are based on fundamental human rights. Examples include the Protection from Harassment Act 1997, which makes it a criminal offence to behave in a way amounting to the harassment of another person, or the Human Rights Act 1998, which makes rights from the European Convention of Human Rights enforceable in UK courts (<https://www.gov.uk/society-and-culture/equality-rightsand-citizenship>).

Information on citizen's rights in Northern Ireland can be accessed here:

<https://www.nidirect.gov.uk/information-and-services/living-northern-ireland/your-rights-and-responsibilities>.

(d) With respect to **article 3, paragraph 5**, whether the PRTR system has been integrated into other reporting mechanisms and, if such integration has been undertaken, into which systems. Did such integration lead to elimination of duplicative reporting? Were any special challenges encountered or overcome in undertaking the integration, and how?

Answer:

The UK PRTR dataset is derived primarily from:

- The Environment Agency's Pollution Inventory,
- Local Authorities (in England and Wales),
- Natural Resources Wales (NRW) Emissions Inventory (from 2015),
- The Scottish Environment Protection Agency's Scottish Pollutant Release Inventory (SPRI)
- The Department of Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland and,
- The Department for Energy Security and Net Zero's (DESNZ's) Environmental and Emissions Monitoring System (EEMS).

Data from local authorities in England is fed into the central PRTR data system (which is managed by an external contractor) with some format exercises and QAQC to ensure data accuracy. Data for Wales is submitted directly by Facilities into the central PRTR Data System. There is close integration between all systems (the central PRTR and the national inventories) which reduces unnecessary duplication.

We are aware of some limited duplication in parts of the UK, notably that the waste transfer data duplicates waste returns required by permits.

NRW, like the Environment Agency, take waste transfer data from waste site returns for waste facilities that are only expected to report waste transfer data, not emissions. This eliminates duplication in reporting for these facilities. Some installations are required to report site waste returns as well as reporting via the PRTR reporting system.

(e) With respect to **article 5, paragraph 1**, how releases and transfers can be searched and identified according to the parameters listed in subparagraphs (a) to (f);

Answer:

The UK PRTR website makes information on pollutants and waste available in a variety of ways:

- facility information including its name, operator, activity (or activities), geographical location (including using Google maps and Google Earth), address and regulatory authority;
- pollutants and waste releases reported over thresholds by each reporting facility;
- the environmental medium (air, water and land) to which each reported pollutant

is released; and

- the destination of waste transferred and where appropriate, the disposal or recovery operation (if abroad then this includes details of the receiving installation).

In addition, users can also search for period trends (time series) displayed using graphs for pollutant releases, pollutant transfers and waste transfers. Features of the UK PRTR database includes viewing current and previous records for each pollutant release using the time series feature (dating back to 2007), accessing facility-specific data and viewing facility locations using Google Earth, view the destination of hazardous waste transferred out of the UK and the ability for users to freely download data.

(f) With respect to **article 5, paragraph 4**, provide the Universal Resource Locator (url) or Internet address where the register can be continuously and immediately accessed, or other electronic means with equivalent effect;

Answer:

The UK PRTR website can be viewed here: <http://prtr.defra.gov.uk/>.

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| <p>(g) With respect to <b>article 5, paragraphs 5 and 6</b>, provide information on links from the Party's register to relevant existing, publicly accessible databases on subject matters related to environmental protection, if any, and a link to PRTRs of other Parties.</p>  |
| <p>Answer:<br/> There are links on the UK PRTR website to the National Atmospheric Emissions Inventory (NAEI) which holds information on diffuse sources and emissions factors (<a href="http://naei.defra.gov.uk/">http://naei.defra.gov.uk/</a>).<br/> There is also a web-link to the E-PRTR search portal (<a href="https://www.eea.europa.eu/data-and-maps/data/member-states-reporting-art-7-under-the-european-pollutant-release-and-transfer-register-e-prtr-regulation-23/european-pollutant-release-and-transfer-register-e-prtr-data-base">https://www.eea.europa.eu/data-and-maps/data/member-states-reporting-art-7-under-the-european-pollutant-release-and-transfer-register-e-prtr-regulation-23/european-pollutant-release-and-transfer-register-e-prtr-data-base</a>) and the UKAIR (Air Information Resource) (<a href="http://uk-air.defra.gov.uk/">http://uk-air.defra.gov.uk/</a>) which provides in-depth information on air quality and air pollution in the UK.<br/> These web-links can be accessed in the supporting information page: <a href="http://prtr.defra.gov.uk/supporting-information">http://prtr.defra.gov.uk/supporting-information</a>.</p> |

**Article 7**

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| <p><b>List legislative, regulatory and other measures that implement article 7 (reporting requirements).</b></p>   |
| <p>Describe or identify as appropriate:</p>  |
| <p>(a) With respect to <b>paragraph 1</b>, whether the reporting requirements of paragraph 1 (a) are required by the national system, or whether those of paragraph 1 (b) are required by the national system;</p> <p>Answer:<br/> The UK's PRTR implementation follows the option in Article 7(1)(a) of the Kiev Protocol, i.e. applicable descriptions and thresholds in Annexes I and II are applied to determine who should report. This is the same as article 5 and Annex I of the E-PRTR Regulation which applies directly, as assimilated law, in the UK and includes the EU Implementing Decision 2019/1741 (<a href="https://www.legislation.gov.uk/eudn/2019/1741/contents">https://www.legislation.gov.uk/eudn/2019/1741/contents</a>) and omni-bus Regulation (<a href="https://www.legislation.gov.uk/eur/2006/166/article/5">https://www.legislation.gov.uk/eur/2006/166/article/5</a>)</p> |
| <p>(b) With respect to <b>paragraphs 1, 2 and 5</b>, whether it is the owner of each individual facility that is required to fulfil the reporting requirements or whether it is the operator;</p> <p>Answer:<br/> The operator is required to prepare and submit the report outlined in Article 7(1)(2) and (5). This is the same as the requirements of the E-PRTR Regulation which applies directly, as assimilated law, in the UK and includes the EU Implementing Decision implementing decision 2019/1741 (<a href="https://www.legislation.gov.uk/eudn/2019/1741/contents">https://www.legislation.gov.uk/eudn/2019/1741/contents</a>) and omni-bus Regulation (<a href="https://www.legislation.gov.uk/eur/2006/166/article/5">https://www.legislation.gov.uk/eur/2006/166/article/5</a>).</p>  |

- (c) With respect to **paragraph 1 and annex I**, any difference between the list of activities for which reporting is required under the Protocol, or their associated thresholds, and the list of activities and associated thresholds for which reporting is required under the national PRTR system;

Answer:

There is no difference in the list of activities covered by the UK PRTR as required by the Protocol. The UK PRTR uses only the capacity threshold and not the employee threshold. As with the requirements of the E-PRTR, the UK PRTR also includes activity 3(b) opencast mining for quarries above 25 hectares.

- (d) With respect to **paragraph 1 and annex II**, any difference between the

list of pollutants for which reporting is required under the Protocol, or their associated thresholds, and the list of pollutants and associated thresholds for which reporting is required under the national PRTR system;

Answer:

The UK PRTR includes all of the substances in Annex I of the Protocol in addition to requiring (where over reporting thresholds) the reporting on five additional pollutants: octylphenols and octylphenol ethoxylates; fluoranthene; Isodrin; hexabromobiphenyl; benzo(g,h,i)perylene; and imposing more stringent thresholds for another 6 pollutants; PCDD (dioxins) and PCDF (furans), tetrachloroethylene, tetrachloromethane, trichlorobenzene, trichloroethylene and trichloromethane. These differences reflect the additional requirements of EU legislation (i.e. the E-PRTR Regulation).

- (e) With respect to **paragraph 3 and annex II**, whether for any particular pollutant or pollutants listed in annex II of the Protocol, the Party applies a type of threshold other than the one referred to in the responses to paragraph (a) above and, if so, why;

Answer:

For the transfer of pollutants in waste water, the thresholds in the UK PRTR are more stringent for many pollutants compared to the thresholds in the PRTR Protocol. This derives from the EU Regulation on PRTRs which is directly binding in its entirety across the EU. The UK has fed into the E-PRTR and UK PRTR - after the Transition Period we have continued to report into the UK PRTR as per our commitment to the Kiev Protocol.



(f) With respect to **paragraph 4**, the competent authority designated to collect the information on releases of pollutants from diffuse sources specified in paragraphs 7 and 8;

Answer:

The emissions of pollutants from the sectors covered by PRTR are typically referred to as 'point source' data, because emissions can be tied to a specific facility or site of operation. Diffuse emissions occur when the source of emission is more difficult to place at a specific geographic location, or where the nature of the activity that generates the emission is scattered amongst multiple small-scale sites which are difficult to quantify. The UK publishes data from total diffuse sources on the National Atmospheric Emissions Inventory (NAEI) which is linked to from the UK PRTR. These are not linked directly to a given site.

Regarding responsibility for the data on emissions from diffuse sources, the NAEI is developed and maintained by a consortium of private contractors funded by the Department for Energy Security and Net Zero (DESNZ), Department for Environment, Food and Rural Affairs (Defra), the Welsh Government, the Scottish Government and the Northern Ireland Department of Agriculture, Environment and Rural Affairs. Information on the methodology used to develop the NAEI can be accessed at the following web address: <http://naei.defra.gov.uk/about/methodology>. The inventory goes through an annual cycle where the latest data is added to the inventory and the full time series is updated to take account of new data and any advances in the methodology used to estimate the emissions.

PRTRs represent bottom-up point source data, however emissions from diffuse sources (top-down) are mapped using proxy data and statistics, as well as a number of assumptions, these can be found in the annual NAEI mapping methodology report. The inventory is compiled on an annual basis and a programme of continuous improvement is in place to make use of the latest available evidence. In addition, the full time series is updated to take account of new data and any advances in the methodology used to estimate the emissions.

(g) With respect to **paragraphs 5 and 6**, any differences between the scope

of information to be provided by owners or operators under the Protocol and the information required under the national PRTR system, and whether the national system is based on pollutant-specific (paragraph 5 (d) (i)) or waste-specific (paragraph 5 (d) (ii)) reporting of transfers;

Answer:

The UK PRTR also requires the operator to provide additional information, in line with UK PRTR legislation and main economic activity description (NACE). The UK PRTR uses the waste specific approach for its waste data.

- (h) With respect to **paragraphs 4 and 7**, where diffuse sources have been included in the register, which diffuse sources have been included and how these can be searched and identified by users, in an adequate spatial disaggregation; or where they have not been included, provide information on measures to initiate reporting on diffuse sources;

Answer:

Information on diffuse sources is included via a link to the National Atmospheric Emissions Inventory (NAEI) from the UK PRTR page: <http://naei.defra.gov.uk/>. This site shows diffuse sources to air and is a separate website to the UK PRTR. The resource shows spatial data on a 1km by 1km grid for most pollutants and includes emissions from the following sectors: energy industries (combustion in power plants and energy production), manufacturing industries and construction, non-road transport (aviation, national navigation, rail and off road), road transport, small stationary combustion and non-road mobile sources and machinery, other mobile combustion (military aircraft and naval shipping), fugitive emissions, industrial processes, agriculture and waste.

Spatial maps can be viewed at the following web-link:

<https://naei.beis.gov.uk/data/mapping>

Detailed information on the methodology used to compile the NAEI can be found at the following web-link: <http://naei.defra.gov.uk/about/methodology>.

Detailed source data can be downloaded through available spreadsheets and manipulated depending on need, see: <https://naei.beis.gov.uk/data/>

- (i) With respect to **paragraph 8**, the types of methodology used to derive the information on diffuse sources.

Answer:

Detailed information on the methodology used to compile the NAEI can be found at the following web-link: <http://naei.defra.gov.uk/about/methodology>. The NAEI is subject to compilation methodology revisions on an annual basis with the aim of improving overall completeness and accuracy of the inventory. The UK emission inventories are compiled according to international good practice guidance for national inventories; for air quality pollutants the inventory methodological guidance is the latest European Monitoring and Evaluation Program Emission Inventory Guidebook (EMEP/EEA) 2019, whilst for Greenhouse Gas inventories the latest guidance is the 2019 refinement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories. The UK Informative Inventory Report (1990 – 2018) from the UK NAEI, which accompanied the UK's 2020 data submission under the revised EU Directive 2016/2284/EU on National Emissions Ceilings (NECD) and the United Nations Economic Commission for Europe (UNECE) Convention on Long-Range Transboundary Air Pollution (CLRTAP) can be read at the following web address: [https://uk-air.defra.gov.uk/assets/documents/reports/cat07/2003131327\\_GB\\_IIR\\_2020\\_v1.0.pdf](https://uk-air.defra.gov.uk/assets/documents/reports/cat07/2003131327_GB_IIR_2020_v1.0.pdf)

## Article 8

**For each reporting cycle since the last national implementation report (or date of entry into force of the Protocol), please indicate:**

- (a) The reporting year (the calendar year to which the reported information relates);

Answer:

The report covers the period 2020 - 2023 calendar years.

- (b) The deadline(s) by which the owners or operators of facilities were required to report to the competent authority;

Answer:

In England operators are required to report relevant data by the end of February each year (i.e. data pertaining to the previous calendar year) to the relevant competent authority, a requirement of an Information Notice issued under the Environmental Permitting (England and Wales) Regulations 2016, (regulation 61). Local authorities in England, as well as the Environment Agency, are required to report relevant data by the end of July each year.

The reporting deadline has now been changed to 31 December of the previous year. This is to ensure PRTR data is made public more efficiently each year.

Natural Resources Wales requires operators to report for every calendar year by March 31st of the following year. This deadline is set in an Information Notice issued under the Environmental Permitting (England and Wales) Regulations 2016, regulation 61.

In Scotland the reporting deadline is also the end of February.

Operators in Northern Ireland are required to submit information to the competent authority by the end of January which is a requirement of their PPC permit.

Operators of relevant offshore installations engaged in hydrocarbon-related activities are required to report by the end of March each year, data to the EEMS on atmospheric emissions, water discharges and waste transfers (pertaining to the previous calendar year).

- (c) The date by which the information was required to be publicly accessible on the register, having regard to the requirements of **article 8** (reporting cycle);

Answer:

The reporting dates were revised by EU Commission Implementing Decision 2019/1741, therefore, information is now in the public domain within 11 months instead of 15 months. This revision ensures the public can access UK PRTR data four months earlier.

- (d) Whether the various deadlines for reporting by facilities and for having the information publicly accessible on the register were met in practice; and if they were delayed, the reasons for this; Answer:

There have not been any significant delays which have affected the ability to compile, verify, and submit the PRTR data on time. In 2022, operators from approximately 6320 facilities in the UK compiled data to produce the annual return. Due to the large number of facilities, some operators miss deadlines set by the competent authorities, but this is generally not significant and does not impact on the date by when the UK publishes the data each year.

- (e) Whether methods of electronic reporting were used to facilitate the incorporation of the information required in the national register, and if such methods were used, the proportion of electronic reporting by facilities and any software applications used to support such reporting.

Answer:

All competent authorities use electronic reporting. Since 2012, data from Local Authority regulated facilities in England and Wales has been collected using an online portal.

Facilities in England can use the Environment Agency's online reporting portal. Over 96% of operators submit their data using this method, with 4% still choosing to use paper forms.

Natural Resources Wales requires operators to report via an online portal. This is the only method of reporting available to operators.

Information from the Scottish Environment Protection Agency (SEPA) and the Department for Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland are collected using an EEA Microsoft Access template.

Relevant data on pollutant emissions to air and discharges to water, plus waste transfers from eligible offshore hydrocarbon installations are reported by operators to the EEMS.

#### Article 9

**Describe the legislative, regulatory and other measures ensuring the collection of data and the keeping of records, and establishing the types of methodologies used in gathering the information on releases and transfers, in accordance with article 9 (data collection and record-keeping).**

Answer:

Various guidance documents are also available to operators which have been developed to ensure the best possible methods are used to derive data before submission.

In England and Wales, Local Authority and Welsh regulated facilities have access to guidance (<http://prtr.defra.gov.uk/data-entry-system/>).

In England, relevant installations are served with a legal information notice that requires them to provide emissions data for the Pollution Inventory annually. Guidance notes are provided for operators submitting their Pollution Inventory return at:

<https://www.gov.uk/government/collections/pollution-inventory-reporting>

Natural Resources Wales also publishes guidance about how to derive the data to report on its website <https://naturalresourceswales.gov.uk>

SEPA uses the Scottish PPC Regulations to collect information under a Notice for the purposes of an inventory. Guidance documents for operators are provided on SEPA's website at <https://www.sepa.org.uk/environment/environmental-data/spri/operator-guidance/>.

Northern Ireland's Pollution Inventory guidance can be accessed at the following weblink:

<https://www.daera-ni.gov.uk/publications/pollution-inventory-reporting-guidance>

DESNZ has prepared legislative guidance documents for the offshore hydrocarbons sector which are accessible from: <https://www.gov.uk/guidance/oil-and-gas-eems-database>.

#### Article 10

**Describe the rules, procedures and mechanisms ensuring the quality of the data contained in the national PRTR and what these revealed about the quality of data reported, having regard to the requirements of article 10 (quality assessment).**

Answer:

The UK PRTR data quality assurance uses the following process:

- 1) Online data entry system (used by local authorities in England and Wales, and Welsh regulated sites) allows for initial validation of submitted data to ensure mandatory data is complete within given rules, e.g. releases are above reporting threshold. When a mandatory validation rule is triggered the user must address the issue identified before submitting their data. The system will prevent data with mandatory validation issues from being submitted.
- 2) For other UK competent authorities who don't use the online data entry system for collating operators' data there are a series of manual QA checks which are

undertaken to ensure accuracy of data. The European Environment Agency (EEA) provides additional QA functions where you can check data for any mandatory validation issues which is used by competent authorities to ensure data accuracy.

- 3) Non-release data is reviewed for changes from the previous year, e.g. company name change, new reporting facility etc.
- 4) Release data is subject to outlier checks - all values greater than +/- 50% of previous year's values (in regional PRTR database) which are sent to the competent authorities to review for accuracy.
- 5) Data is uploaded and published on the UK PRTR website by 31 December each year.
- 6) Where issues are identified the data is rectified and re-submitted;

As with previous reports the quality of data has seen year on year improvements since additional checks were introduced. The requirements of quality assurance in Article 10 have generally been met.

#### **Article 11**

**Describe the way(s) in which public access to the information contained in the register is facilitated, having regard to the requirements of article 11 (public access to information).**

Answer:

The UK PRTR inventory is web-based thereby enabling access by the wider public globally. Between 18 August 2009 and 15 November 2022 over 21,177 individual users had accessed the UK's PRTR website. Each year the publication is announced on the Defra website and those of the competent authorities. Links are also created from various competent authority websites to the national PRTR site to promote enhanced speed of access. The database itself is searchable and various aspects of it can be downloaded without charge.

The Open Government Licence (OGL) allows users to copy, publish, distribute and transmit the information in the PRTR, adapt the information and exploit it commercially and non-commercially as long as Defra is acknowledged as the source of the information.

A monitored email address is also provided for users who would like to contact Defra for more information ([prtr@defra.gov.uk](mailto:prtr@defra.gov.uk)) and a Defra helpline for those who would prefer to call.

#### **Article 12**

**Where any information on the register is kept confidential, give an indication of the types of information that may be withheld and the frequency with which it is withheld, having regard to the requirements of article 12 (confidentiality). Please provide comments on practical experience and challenges encountered with respect to dealing with confidentiality claims, in particular with respect to the requirements set out in paragraph 2.**

Answer:

The position on confidentiality is understood by industry and regulators. There have been no particular challenges around confidentiality as it has been strictly interpreted and only used where there is a strong and justifiable case and the balance of the public interest lies against disclosure.

The vast majority of operators have not claimed confidentiality since 2015. However, in 2017, four UK sites claimed confidentiality at facility level and six at pollutant level.

### Article 13

**Describe the opportunities for public participation in the development of the national PRTR system, in accordance with article 13 (public participation in the development of national pollutant release and transfer registers), and any relevant experience with public participation in the development of the system.**

Answer:

The UK engaged with a large number of stakeholders during the early stages of implementing the UK PRTR system. Defra's contact details (email and telephone) are clearly displayed on the database and the public are encouraged to notify issues with the data, missing links or to ask any questions (<https://www.gov.uk/guidance/uk-pollutantrelease-and-transfer-register-prtr-data-sets#contact>).

The system of verification therefore goes beyond the formal checks employed by competent authorities. Access to information contained on the UK PRTR is free of charge and downloadable. The UK also actively supports engagement with various stakeholders which actively contributes to the development of the UK PRTR.

### Article 14

**Describe the review procedure established by law to which all individuals have access if they consider that their request for information has been ignored, wrongfully refused or otherwise not dealt with in accordance with the provisions of article 14 (access to justice), and any use made of it.**

Answer:

A review of decisions on access to information are within the scope of ~~EU legislation (Directive 2003/4/EC on access to environmental information) and domestic implementing legislation, including~~ the Environmental Information Regulations 2004 and the Environmental Information (Scotland) Regulations 2004.

Following the exercise of a right to request an internal review by the public authority responsible for deciding whether or not to release the information, the Information Commissioner's Office (ICO) examines complaints from members of the public who feel that their request for information has not been dealt with properly by the public authority. The First-tier Tribunal (Information Rights), Upper Tribunal and, ultimately, the Supreme Court give further and higher levels of appeal. The ICO, Tribunals and the Supreme Court have powers to order competent authorities to release information. The Scottish

Information Commissioner has broadly similar powers, although the appeal procedure operates without a tribunal.

### Article 15

**Describe how the Party has promoted public awareness of its PRTR and provide detail, in accordance with article 15 (capacity-building), on:**

- (a) Efforts to provide adequate capacity-building for and guidance to public authorities and bodies to assist them in carrying out their duties under the Protocol;
- (b) Assistance and guidance to the public in accessing the national register and in understanding the use of the information contained in it.

Answer:

Defra, as the lead department, publishes information on its website relating to PRTR and other associated measures. In addition, competent authorities and the Devolved Governments - publish relevant PRTR information with links to the main PRTR page which can be viewed by the public.

The UK has developed various tools and templates which enable competent authorities to carry out their PRTR functions more easily. These include guidance documents for each sector, an emissions factor database and sector expertise in each of the main agencies to assist and guide industry in providing credible data and the public in understanding it.

The UK PRTR site has an email link through which any member of the public can get in touch by, for example, asking questions on emissions or seeking more general information or for research purposes, all of which are dealt with promptly by the Industrial Emissions Team. The site has an FAQ section as well as useful information on each of the 91 pollutants it covers.

#### **Article 16**

**Describe how the Party has cooperated and assisted other Parties and encouraged cooperation among relevant international organizations, as appropriate, in particular:**

- (a) In international actions in support of the objectives of this Protocol, in accordance with **paragraph 1 (a)**;

Answer:

The UK shares its experience in implementing PRTR widely. The UK has fed into the E-PRTR and UK PRTR and, after the Transition Period ended on 31<sup>st</sup> December 2020 we continued to report into the UK PRTR as per our commitment to the Kiev Protocol. The UK is also a party to international working groups on PRTRs such as:

- OECD WG-PRTRs (outreach)
- UNECE WG-PRTRs (reviewing progress and development of the Protocol)
- UNECE coordinating group for PRTRs (outreach)

- (b) On the basis of mutual agreements between the Parties concerned, in implementing national systems in pursuance of this Protocol, in accordance with **paragraph 1 (b)**; Answer:

The UK provided the majority of its input through existing EU Member States' processes and networks. After the Transition Period ended, we continued to report into the UK PRTR as per our commitment to the Kiev Protocol.

- (c) In sharing information under this Protocol on releases and transfers

within border areas, in accordance with **paragraph 1 (c)**;

Answer:

Most competent authorities in the UK have inventories which are freely accessible to the public and agencies.

A UK industrial reporting group, which includes representation from all competent authorities, regularly meets to consider all aspects of PRTR data – (e.g. trends, issues, improvements etc.) and takes joint steps to secure uniform action.

- (d) In sharing information under this Protocol concerning transfers among Parties, in accordance with **paragraph 1 (d)**; Answer:

The UK PRTR website provides free access to waste transfer data both within and outside of the UK. The database includes information on the origin and destination of waste.

- (e) Through the provision of technical assistance to Parties that are developing countries and Parties with economies in transition in matters relating to this Protocol, in accordance with **paragraph 2 (c)**.

Answer:

The UK has highly developed resources on emission factors and sector guidance notes from a variety of competent authorities. The UK is party to international working groups on PRTRs, through which we are committed to sharing our expertise with developing countries and parties to the Protocol.

**Provide any further comments relevant to the Party's implementation, or in the case of Signatories, preparation for implementation, of the Protocol. Parties and Signatories are invited to identify any challenges or obstacles encountered in setting up, gathering data for and filling in the register.**

Answer:

The UK remains committed to the objectives of PRTR both domestically and on the international scene. Domestic implementation includes a free, publicly accessible Pollutant Release and Transfer Register. There is also in place strong legislative and administrative frameworks.

The UK competent authorities will continue to work closely with industry and other relevant stakeholders to ensure that we continue to meet our obligations under the Kiev Protocol, review the existing processes and implement potential improvements where these have been identified in the call for views.