

10 points for pollution prevention reporting fit for the digital age

The Regulation establishing the Industrial Emissions Portal (IEP-R) is a review of the 2004 European Pollutant Release and Transfer Register Regulation (E-PRTR), based on the Kyiv Protocol of 2003. Currently reporting streams of activities regulated by the Industrial Emissions Directive and by the Portal operate in parallel, but data is not used to its full potential: The tool does not allow EU-wide benchmarking of the environmental performance of industrial activities covered by the Industrial Emissions Directive (performance data is provided in different format, in tonnes per site and year in the Portal, whilst pollution prevention standards under the EU BREF benchmarks are mostly expressed in concentrations), permit conditions in force nor compliance information are not directly integrated, making data not comparable at Union level for similar activities in a few clicks. Data related to inputs (e.g., water and energy consumption) is not made available. Information is not put in context: it is difficult for citizens to understand the scale of pollution and health and hazard relevance to which they might be exposed, but, more importantly, it is not clear whether the operators and permit writers have taken best of the efforts to act on pollution prevention and reduction at source. Putting the performance data into context would also enable to provide for a more accurate picture of the good performers, thereby levelling the environmental playing field and making data more useful for various users. Now is the opportunity to make better use of current reporting requirements, improving knowledge sharing on pollution prevention efforts taken by both operators and enforcement authorities and improve public accountability. EU decisionmakers have the chance to demonstrate their commitment to the EU Green Deal ambitions by supporting this 10-point action plan.

Making better use of information for benchmarking and compliance

Provide a strong mandate to the European Environment Agency to improve the current Portal and to develop to a centralised powerful Pollution Prevention (Tracker) Portal

The Portal should allow for the better benchmarking of real-time environmental performance and better use of information for other purposes e.g., Best Available techniques (BAT) Reference Documents (BREF) reviews. Integrating site-specific resource consumption data and production volumes, performance and compliance information generated under other IED provisions, notably within the annual compliance report (Art 14(1)) and elements of the Environmental Management System (EMS), as well as permit conditions in force will ensure information is brought in proper context.

Require operators to integrate data through electronic input forms, retain validation check responsibility on competent authorities

The European Environment Agency (EEA) should be mandated to develop electronic input forms e.g., harmonized electronic annual compliance report, so to allow direct reporting by the operators, at least monthly, on monitoring results or adapted to applicable periodic measurements frequency. The EEA shall conduct automatic quality controls on supplied data, flagging data as to its status (“verified/not verified by the competent authority”). The competent authority in charge retains the obligation to validate or correct the content in a 6-month frequency for IED activities, for other activities a frequency of 1 year could be kept (Amend Art. 8). Other information that exists in standalone electronic format could be linked via an URL.

Clarify meaning of “contextualisation of data”

More useful metrics should be provided, e.g., ratio of lowest negative environmental impact of the activity compared to product or service output; pollution intensities (e.g., carbon intensity, resource consumption intensity) per unit of production. Performance data in the context of environmental quality index (including air, water, soil, hazard risk) need to be set as allowing comparison with ambition level compared to reference benchmarks such as the BAT Conclusions (e.g. stricter than the ambitious BATAE(P)L/10% best in class/mid-range/upper 10% level/ above the BAT-AE(P)L). Relevant EU Waste Codes and waste management operations (R/D codes) should be reported.

Ensuring comprehensive scope: list of pollutants and activities

Prevent backtracking of the regulated pollutants under the IED

Many substance groups covered by the IED Annex II have dropped out. Sulphur compounds, fluorinated gases for the air pathway and for waters pathway organohalogen, organophosphorus compounds, CMR substances, biocides and plant protection products must be reinstated. Add a safeguard clause to Art. 19: *"The list of pollutant substances referred to in Annex II of Directive 2010/75/EU shall continue to apply pending their inclusions in Annex II and entry into force of this Regulation"*. [More information](#)

Add emerging concern pollutants and substances of (very) high concern in Annex II

Persistent mobile organic chemicals (PMOCs) are substances that have been identified as being persistent and mobile. Pollutants listed under the listed EU environmental acquis referred to under Article 14(2b) have already gone a scrutiny check by the co-legislators and considered as important for regulatory controls. Substances meeting the properties of a substance of very high concern (SVHC) of Article 57 or listed to 59(1) of Regulation (EC) No 1907/2006 of REACH are the proper reference instead of the Annex XIV list (already subject to authorisation). Substances of concerns such as classified by the CLP Regulation and with a hazard class of Persistent, Mobile and Toxic (PBTs) or very Persistent and Very Mobile PvM) or endocrine disruption are to be listed, this is aligned with the IED referring to hazardous chemicals. Explicitly list PFAS, PFHxS, SCFPs, their salts and related compounds and Micro-pollutants.

Provide an honest picture of reporting on pollution

Delete reporting thresholds (column 1 of Annex II). Where "relevance thresholds" are proposed, e.g., 1 ton/yr. for benzene or 10kg/yr. mercury per facility, an operator may indicate '0' which is simply untrue for certain activities. Where monitoring data exists, this should be used. In certain cases, high reporting thresholds are undercut due to changes in the processes, that information would be lost due to accounting tricks and thresholds set on arbitrary grounds two decades ago. The objective of broad coverage and truthfulness of reporting would be compromised if thresholds are retained. Reduce the reporting threshold for waste transfer and require reporting on EU waste codes and management type (D/R codes). The current proposal proposes high reporting threshold for off-site transfer of hazardous (2 tonnes) and non-hazardous waste (1 000 tonnes) at facility level. The absence of reporting by EU codes is counter-productive to the circular economy objective. Where measurement uncertainty is applied, the levels should be reported and a link to the latest accredited calibration tests provided. This would enable to compare quality of reported data.

Ensure an inclusive scope of the activities subject to basic reporting obligations

Lower to 1MWth for combustion plants. The EU Medium Combustion Plants Directive applies as from 1MWt, in the US comprehensive data sets are available as from [1MWeletric](#). The threshold for mining activities should be lowered to at least 10ha or less. For coal and lignite mining activities the threshold should be removed due to high climate impact.

Reporting on products 'diffuse' emissions

Despite the obligation set within the 2003 Kiev Protocol to require the reporting on diffuse emission from products, this is hardly ever done in Europe (the [Norwegian PRTR](#) is an exception). Art. 7 should be amended to provide a clear policy mandate for the European Commission to do so by a given deadline e.g., 2025, by using release emissions factors applied pursuant to the information contained in the Annex to the Resource compendium of PRTR release estimation techniques of the OECD for the product category listed in that compendium ([2021](#)).

For more details, see the link to [Dedicated briefing, joint NGO position and thematic briefings](#).