



Recommendation of the Council on
Establishing and Implementing
Pollutant Release and Transfer
Registers (PRTRs)

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Date(s)

Adopted on 10/04/2018

Background Information

The Recommendation on Implementing Pollutant Release and Transfer Registers (PRTRs) was adopted by the OECD Council on 10 April 2018 on the proposal of the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology. It replaces the 1996 Recommendation on Implementing Pollutant Release and Transfer Registers in order to taken into account new experiences, knowledge and good practices that emerged due to the wide-spread development of PRTRs. The revised Recommendation aims to provide a coherent guidance for Adherents, especially those establishing and revising their PRTRs, and eventually generate high quality and compatible PRTR data across all Adherents.

THE COUNCIL,

HAVING REGARD to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

HAVING REGARD to the experience and best practices that emerged from the implementation of the Recommendation of the Council on Implementing Pollutant Release and Transfer Registers (PRTRs) [C(96)41/FINAL] amended by [C(2003)87], which this Recommendation replaces;

HAVING REGARD to the series of OECD Guidance Documents on PRTRs, as they may be developed and revised by the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology;

HAVING REGARD to Principle 10 of the 1992 Rio Declaration on Environment and Development, adopted by the United Nations Conference on Environment and Development (including all OECD Members) and endorsed by the United Nations General Assembly (A/RES/47/190), which states that “each individual shall have appropriate access to information concerning the environment that is held by public authorities, and the opportunity to participate in decision-making processes” and that countries “shall facilitate and encourage public awareness and participation by making information widely available”;

HAVING REGARD to Chapter 19 of the Report of the United Nations Conference on Environment and Development of 3 to 14 June 1992 (Agenda 21), which states, inter alia, that governments, with the cooperation of Industry, should “[i]mprove databases and information systems on toxic chemicals, such as emission inventory programmes”, and that “[t]he broadest possible awareness of chemical risks is a prerequisite for achieving chemical safety”;

HAVING REGARD to Paragraphs 18 (b) and 23 (f) of the 2002 Johannesburg Plan of Implementation of the World Summit on Sustainable Development;

HAVING REGARD to the Dubai Declaration on International Chemicals Management and the Overarching Policy Strategy, adopted by the International Conference on Chemicals Management of 4 to 6 February 2006, as part of the Strategic Approach to International Chemicals Management (SAICM);

HAVING REGARD to the Resolution of the Council on the Implementation of the Strategic Approach to International Chemicals Management (SAICM) [C(2008)32];

HAVING REGARD to the Sustainable Development Goals, in particular targets 3.9, target 6.3, target 9.4, target 12.4, target 12.5, target 12.8, and target 16.10 set out in the 2030 Agenda for Sustainable Development adopted by the United Nations General Assembly (A/RES/70/1);

RECOGNISING the value of PRTRs as a tool for measuring and promoting improved environmental performance of industrial activities;

RECOGNISING that reducing releases and transfers of pollutants that are harmful or potentially pose risks to human health and the environment while promoting green growth is a foundation for achieving sustainable development;

RECOGNISING the work of the United Nations Environmental Programme (UNEP) in the protection of human health and the environment related to chemicals;

RECOGNISING the work of the United Nations Economic Commission for Europe (UNECE), in particular the Kiev Protocol on Pollutant Release and Transfer Registers to the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters;

NOTING that a number of countries within the OECD and the European Union are operating PRTRs and that countries which do not have PRTRs are also exploring ways to establish and implement PRTRs;

On the proposal of the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology:

Goals and objectives of PRTRs

- I. AGREES** that PRTRs should be used to:
- a. Provide data to support the identification and assessment of possible risks to human health and/or the environment by identifying sources and amounts of pollutant releases and transfers to all environmental media;
 - b. Promote the prevention of pollution at source, e.g., by encouraging implementation of cleaner technologies or closed processes;
 - c. Evaluate the progress of environmental policies and assess to what extent environmental goals are or can be achieved;
 - d. Promote corporate accountability and compliance with environmental obligations; and
 - e. Strengthen access and participation by the public in environmentally related decision-making.

Establishment of PRTRs

II. RECOMMENDS that Members and non-Members having adhered to this Recommendation (hereafter the "Adherents") estimate the potential benefits and costs of PRTRs to data reporters, government, and society as a whole, prior to the establishment of a PRTR.

III. RECOMMENDS that Adherents, through a transparent and objective process, design and establish PRTRs.

IV. RECOMMENDS that Adherents:

- a. Define the following components that trigger reporting:
 - i. A list of chemicals, groups of chemicals, and other relevant categories of pollutants that are harmful or potentially pose risks to human health and/or the environment when released or transferred;
 - ii. A list of sectors with point sources, including both public and private sectors, from which relevant pollutants might be released or transferred, and a list of diffuse sources taking into account the need for such data in the Adherent concerned; and
 - iii. Thresholds for quantities of chemicals that are manufactured, processed, or used in a facility, or for quantities of chemicals that are released or transferred from a facility.
- b. Foster enhanced international comparability of PRTR data and cooperation between national PRTRs by promoting harmonised elements as defined in the series of OECD Guidance Documents on PRTRs;
- c. Allow, where the reporting sources are defined, the reporting of data by source;
- d. Encompass data for all media, including releases to air, water and land, and transfers for treatment, recovery, and disposal;
- e. Request reporting on a periodic basis, preferably annually;
- f. Include an online or electronic reporting system and integrate such a system where relevant with existing reporting systems, such as licenses or operating permits, to reduce duplicate reporting;
- g. Use voluntary and mandatory reporting mechanisms for collecting data where appropriate;
- h. Use data management systems which allow for verification of inputs and outputs;
- i. Make data accessible to the public on a timely and regular basis and in a user friendly manner, in order to meet the needs of data reporters and the public. This could be done in a

variety of forms, including electronic, which should provide appropriate multi-query search criteria or tools to enable better location of information. Data should also be provided in such a manner that it is possible to determine the geographical distribution of relevant releases and transfers; and

- j. Provide the flexibility to adapt the PRTRs to the changing needs of affected and interested parties.

Implementation of PRTRs

V. RECOMMENDS that Adherents implement PRTRs through a transparent and objective process, by which they:

- a. Provide guidance and support to data reporters to assist them in meeting their reporting obligations;
- b. Ensure data is generated in a transparent and documented manner through analytical monitoring or applying scientifically-sound release estimation techniques, such as those included in the series of OECD Guidance Documents on PRTRs;
- c. Assess the quality of data provided by the data reporters as to their completeness, consistency, credibility, and accuracy before making the data public;
- d. Ensure timely availability of data to the public with appropriate context for increased understanding by data users;
- e. Use data to derive indicators for measuring environmental performance and progress toward meeting local, national, and international commitments to environmental and health protection goals and targets, evaluating the impact of environmental policies, assessing the risks of pollutants, identifying environmental hot-spots, and addressing chemical accidents as suggested in the series of OECD Guidance Documents on PRTRs; and
- f. Set up and put in place a compliance mechanism which should be agreed by affected and interested parties.

VI. RECOMMENDS that Adherents share the results of implementing their PRTRs periodically, in particular collected data and best practices, among themselves and also with potentially affected neighbouring countries with particular emphasis on sharing data from border areas.

VII. RECOMMENDS that Adherents co-operate with affected and interested parties such as data reporters, local governments, and the public at all stages of the establishment, revision, and implementation of PRTRs.

Evaluation and Revision of PRTRs

VIII. RECOMMENDS that Adherents:

- a. Evaluate regularly, through a transparent and objective process, the effectiveness of the system and the potential to enhance international comparability of PRTR data; and
- b. When revising the system, take into account the provisions above related to the establishment of PRTRs, the series of OECD Guidance Documents on PRTRs, and the latest scientific knowledge regarding the harmfulness or potential risks of pollutants.

Dissemination and Implementation

IX. INVITES the Secretary-General to disseminate this Recommendation.

X. INVITES Adherents to disseminate this Recommendation at all levels of government.

XI. INVITES non-Adherents to take account of, and adhere to, this Recommendation.

XII. INSTRUCTS the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology to:

- a. Monitor the implementation of this Recommendation in consultation with the Environment Policy Committee, and report to Council five years from the date of its adoption and regularly thereafter; and
- b. Administer and update, as appropriate, the series of OECD Guidance Documents on PRTRs and identify priority issues for improving PRTRs.

Adherents*

OECD Members

Australia
Austria
Belgium
Canada
Chile
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Ireland
Israel
Italy
Japan
Korea
Latvia
Lithuania
Luxembourg
Mexico
Netherlands
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Norway
Poland
Portugal
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Slovenia
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All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
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