

Structuring a National PRTR Proposal

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UNITAR Guidance Series for Implementing a National Pollutant Release and Transfer Register (PRTR) Design Project

Complementary to the OECD *Guidance Manual for Governments* and based on the lessons learned through pilot initiatives in Mexico, the Czech Republic and Egypt, UNITAR has developed the following documents in a guidance series intended to assist countries in undertaking a national PRTR design project:

- ▶ Implementing a National PRTR Design Project: A Guidance Document
- ▶ Supplement 1: Preparing a National PRTR Infrastructure Assessment
- ▶ Supplement 2: Designing the Key Features of a National PRTR System
- ▶ Supplement 3: Implementing a PRTR Pilot Reporting Trial
- ▶ Supplement 4: Structuring a National PRTR Proposal

Additional documents, including technical support and general reference materials on various aspects of PRTR design and implementation, are also available from UNITAR.

This document has been prepared in the context of UNITAR's *Training and Capacity Building Programme to Facilitate the Design and Implementation of Pollutant Release and Transfer Registers (PRTRs)*, which is financially support by the U.S. Environmental Protection Agency.

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1. INTRODUCTION TO THE DOCUMENT

This guide is the fourth of four supplements to the main guidance document in the UNITAR *Guidance Series for Implementing a National PRTR Design Project* (see box on inside front cover). The guidance series builds on the substantive and technical information contained in the OECD's *Pollutant Release and Transfer Registers (PRTRs): A Tool for Environmental Policy and Sustainable Development: Guidance Manual for Governments* by providing countries with a suggested step-wise approach for undertaking the design of a national PRTR system. Each of the supplementary documents in the series provides in-depth guidance on a specific stage of UNITAR's suggested approach for implementing a national PRTR design project. The guidance is not meant to be prescriptive and should be adapted by countries in a flexible manner according to their specific needs and circumstances.

The 6 suggested stages of a national PRTR design project are the following:

1. Identifying the Goals of the National PRTR System
2. Assessing the Existing Infrastructure Relevant to a National PRTR
3. Designing the Key Features of a National PRTR System
4. Conducting a PRTR Pilot Reporting Trial
5. ***Finalizing the National PRTR Proposal***
6. Organizing a National PRTR Implementation Workshop

This document provides specific guidance on implementing Stage 5 of the suggested PRTR design process and addresses the preparation of a National PRTR Proposal. The following sections provide an overview and suggested structure of the National PRTR Proposal, including a sample table of contents. The final section provides some important points that the National Coordinating Team (NCT) should consider in preparing the final National PRTR Proposal document.

2. OVERVIEW AND OBJECTIVES OF THE NATIONAL PRTR PROPOSAL

The purpose of the National PRTR Proposal is to present the complete specifications for all technical, administrative, institutional, and legal elements of the national PRTR system, as developed by the NCT throughout the national PRTR design project. Once completed, the National PRTR Proposal should be presented for final approval and execution by decision makers at the national level.

A National PRTR Proposal should provide detailed information on the following aspects of PRTR design and operation:

Legal Implications: The proposal should include a complete scheme for the legal implementation of the national PRTR. It should document the interpretation of current legislation under which the national PRTR might operate, and provide a proposal for any new regulation or law that will need to be considered.

Technical Design: The proposal should cover all technical features of the PRTR system including the list of substances; the thresholds and criteria for reporting; the data elements to be collected; the reporting format; all aspects of data estimation, collection, and management; the design of the PRTR database including software and hardware specifications; and all other PRTR design specifications and details.

Institutional and Administrative Responsibilities: The proposal should clearly outline the specific roles and responsibilities for the operation of the system such as which agency will host and maintain the PRTR database, which agencies will undertake the various phases of data collection, and what agencies and staff will be responsible for data handling procedures, information dissemination and providing access to the PRTR data.

National Implementation of the PRTR System: The proposal should cover all aspects of implementation, including the time frame for execution of the first cycle of PRTR reporting, and all responsibilities and actions to be taken by involved agencies and staff.

Suggested Contents of A National PRTR Proposal

- Section 1: Introduction
- Section 2: Goals of the National PRTR System
- Section 3: Legal Implementation of the National PRTR System
- Section 4: Reporting Requirements and Data Estimation Procedures for Point Sources of Emissions
- Section 5: Estimation of Emissions from Non-Point Sources and Non-Reporting Point Sources (*if applicable*)
- Section 6: PRTR Data Management System
- Section 7: Administration of the National PRTR System
- Section 8: National Implementation Work Plan
- Section 9: Review Procedures
- Section 10: Recommendations for Further Development of the PRTR System

3. SUGGESTED STRUCTURE FOR THE NATIONAL PRTR PROPOSAL

The following is a suggested outline for a National PRTR Proposal, which may serve as a useful starting point for a table of contents for the final document. It is intended only as a guide: the National Coordinating Team will probably find it necessary to include additional elements or delete others, depending on the nature of the national PRTR system to be developed.

1. INTRODUCTION
2. OBJECTIVES OF THE NATIONAL PRTR SYSTEM
3. LEGAL IMPLEMENTATION OF THE NATIONAL PRTR SYSTEM
 - 3.1 New or existing regulations and legislation under which the PRTR system will operate
 - 3.2 Schedule for development of the requisite legislation
 - 3.3 Current environmental data reporting requirements to be replaced, modified, or integrated with the PRTR reporting scheme
4. REPORTING REQUIREMENTS AND PROCEDURES FOR POINT SOURCES OF EMISSIONS
 - 4.1 Definition of technical terms

Note: All terms used in the context of the national PRTR proposal should be clearly defined, in particular those related to the chemical/pollutant waste streams to be reported (e.g. emissions, releases, transfers, units of reporting, facility, production unit, amounts generated, processed, consumed, otherwise used, etc.)
 - 4.2 List of substances subject to PRTR reporting
 - 4.2.1 The PRTR list of substances
 - 4.2.3 Procedures for reviewing, adding, or deleting substances from the PRTR list
 - 4.3 Criteria and thresholds that trigger PRTR reporting by facilities/emissions sources
 - 4.4 Facilities or sources exempted from PRTR reporting
 - 4.5 Management of confidentiality claims
 - 4.5.1 Procedures for filing, reviewing and granting/denying confidentiality claims

4.5.2 Procedures for entry of generic data into the PRTR database in place of data claimed as confidential

4.6 Data elements to be included in the reporting format

4.6.1 Facility specific data elements

- Company name;
- Location, latitude and longitude of the plant site;
- Standard Industrial Classification (SIC) or other industrial sector classification;
- Number of employees;
- Environmental operating permits and licenses;
- Name and telephone number/address of facility contact person;
- Signature of a plant executive or other high level company official.

4.6.2 Chemical specific data elements

- Identification of the substance (Chemical Abstract Service (CAS) number or other standard chemical classification);
- On-site emissions/discharges to air, water, land (specify units of measurement);
- Off-site transfers (specify units of measurement and quantities recycled, recovered, treated, and/or finally disposed including identification of the receiving locations);
- Accidental releases to air, water, land;
- Explanations of changes in quantities emitted/released or transferred since the previous report;
- Anticipated or planned reductions in quantities emitted or transferred.

4.7 Emissions Estimation Methods

4.7.1 Acceptable procedures for estimating emissions

4.8 Assistance or support provided to reporting facilities

4.8.1 Information, instructions, and training activities for reporting industries

4.8.2 Assistance and services to be provided during the first reporting cycle

5. TREATMENT OF NON-POINT AND NON-REPORTING POINT SOURCES OF EMISSIONS

Note: These sources include run-off from agricultural activities, transportation emissions, small and medium industries from which PRTR reporting is impractical/unrealistic, etc.

5.1 Definitions of non-point, diffuse, and non-reporting sources

5.2 Procedures for estimating emissions/releases from non-point, diffuse, or non-reporting point sources

5.3 Procedures and format for including these emissions estimates in the general PRTR database

6. PRTR DATA MANAGEMENT SYSTEM

6.1 Software requirements and specifications for the PRTR system

6.2 Hardware requirements and configuration for the PRTR system

7. ADMINISTRATION OF THE NATIONAL PRTR SYSTEM

7.1 Institutional responsibilities for data collection and management

7.1.1 Specification of procedures and agencies responsible for:

- data collection;
- data verification and quality check;
- error correction;
- support/assistance services for data estimation;
- data entry;
- database maintenance.

7.1.2 Staffing and training needs for the operation of data collection and management procedures

7.1.3 Infrastructure and budget requirements for the operation of data collection and management procedures

7.2 Institutional responsibilities for data analysis and dissemination

7.2.1 Specification of procedures and agencies responsible for:

- data aggregation;
- data analysis;
- data access and dissemination;
- data use and applications.

7.2.2 Data access and dissemination mechanisms

- data distribution/access mechanisms;
- specifications for annual PRTR report.

7.2.3 Staffing and training needs for the operation of data analysis and dissemination procedures

7.2.4 Infrastructure and budget requirements for the operation of data analysis and dissemination procedures

7.3 Coordination and enforcement of the national PRTR system

- coordination mechanism among agencies involved in the operation of the PRTR system;
- enforcement provisions.

8. NATIONAL IMPLEMENTATION WORK PLAN

8.1 Preparatory activities

- installation of the required technical infrastructure;
- distribution of reporting materials, instructions, and data estimation guides;
- operating support/assistance services for reporting facilities;
- training of staff on all aspects of PRTR operation.

8.2 Activities in preparation for the first PRTR reporting cycle

- agenda of operations for data collection, management, analysis, dissemination and publication of results.

9. REVIEW PROCEDURES

9.1 Responsibilities and procedures for periodic review and update of the national PRTR system

10. RECOMMENDATIONS FOR FURTHER DEVELOPMENT OF THE PRTR SYSTEM

10.1 Additional elements to be phased into the PRTR system

10.2 Possible additional applications/uses of the PRTR system

4. COMPLETING THE NATIONAL PRTR PROPOSAL

It is suggested that a person or working group that has been in close contact with the NCT throughout the design process be appointed to oversee the preparation of the National PRTR Proposal. Ideally, the National Coordinating Team will have already produced a preliminary draft of each of the sections of the National PRTR Proposal as a result of the PRTR design activities and stakeholder consultations undertaken during the national PRTR design project. If these preliminary drafts do not yet exist, the group will need to ensure that all recommendations and decisions generated by the National Coordinating Team during the PRTR design project are collected and compiled into draft chapters. For practical reasons it might be useful to assign the drafting of certain sections of the proposal to members of the National Coordinating Team who have specific expertise. For example, the legal implementation specifications might be written by a lawyer, the technical and database specifications by an expert on computer systems, etc. The various draft chapters should then be assembled into a draft National PRTR Proposal document.

The National Coordinating Team should supervise the drafting process and carefully review its results to ensure that the document accurately captures all of the recommendations and PRTR design elements as agreed by the members of the National Coordinating Team.

The success of the National PRTR Proposal depends on the degree to which it receives the endorsement of key authorities as well as the level of support generated among the national stakeholders that have an interest in the proposed PRTR system. Thus, in developing the National PRTR Proposal, the NCT should ensure that key authorities, such as the high level decision makers in the various ministries or agencies that will be involved in the operation of the PRTR, as well as other political or scientific figures whose support could be instrumental to the successful implementation of the proposal, are kept informed and involved, as appropriate. To ensure that all key figures are well aware of the document before its final publication, the preliminary draft should be circulated among relevant authorities. Broad policy support is instrumental for taking action on the National PRTR Proposal and implementing the national PRTR system. The NCT should strive to build this support throughout the entire PRTR design project.