
Evaluation of EPER, E-PRTR and IPPC implementation in the Danube River Basin



Annex 6 of the DRBM Plan



Evaluation of EPER, E-PRTR and IPPC implementation in the Danube River Basin*

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
AT	EPER was implemented in line with the EPER Ordinance (26th July 2002). Since 2005, Austria has collected the data for EPER II that were published in 2006. In 2003 (EPER I), 368 reports were made by the industry, from which 128 exceeded the threshold values for air or water. The EPER I data are at: www.umweltbundesamt.at .	The PRTR as further development of EPER is currently under preparation in Austria. According to the timeframe of the PRTR Protocol, it will take several more years before the PRTR is available via internet for the public.	The IPPC Directive demands the adaptation of existing facilities to its requirements by 30th October 2007 at the latest and intends regular inspection and updating of approval conditions by competent authorities. The IPPC fully implements: the Industrial Code 1994, the Waste Management Act 2002, the Mineral Materials Act 1999 and the Water Act 1959 as being in the framework of some provincial laws. Operating permits for industrial plants apply to production sites and include provisions for environmental protection and procedural regulations, as well as rules to ensure health and safety. Demands on plants and any established emission standards are based on the implementation of BAT.	
DE	Germany is now collecting the data for the EPER 2 round. At the end of 2005, the data were transferred from the Federal State authorities to the UBA and its consultant LfU BW where the complete dataset will be generated. The work is on schedule.	Germany is currently preparing the PRTR. Presentation of the EPER data is improving as a prototype for the PRTR. Preparation of legal implementation in accordance with the EPER Protocol and the E-PRTR Regulation is taking place as well as: the streamlining of data collection and data flows with the E-PRTR, using the experiences of EPER as much as possible (see www.eper.de and www.prtr.de); and integration of available information on diffuse sources.	IPPC Directive has been fully implemented into national legislation. Details can be taken from the last article 16(1) and 16(3) reports to the European Commission (EC).	
CZ	In 2003, Act No. 76/2002 Coll. on IPPC and the Integrated Register of Pollution entered into force. It has been supplemented by the Government Decree No. 368/2003 Coll. On the Integrated Pollution Register which already considers provisions of the Protocol	In 2008, Act No. 25/2008 Coll. entered into force. This Act has regulated the conditions of the Integrated Pollution Register (IRZ) and at the same time implements EC Regulation No. 166/2006. First data according to regulation No. 166/2006 has been reported for the reporting	The IPPC Directive has been fully implemented in the CZ by Act No. 76/2002 Coll. on Integrated Pollution Prevention and Control and on the Integrated Register of Pollution which entered into force in 2003 and has been supplemented by other executive legislation.	

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
	on PRTR. The legislation also covers issues of release of information to the public, penalties etc. The Report for 2004 has been sent to EC. The Report for the year 2007 will be sent to EC in June 2009.	year 2007. Also in 2008, new government regulation No. 145/2008 Coll. was adopted. This regulation contains thresholds for air pollutants (styrene, formaldehyde) and pollutants in waste, which does not contain EC Regulation No. 166/2006. All reported data are available on Integrated pollution register website: www.irz.cz.	Details can be taken from the last article 16 (1) and 16 (3) reports to the EC (September 2006). The second implementation report will be sent to the EC in September 2009 (covering years 2006-2008).	
HU	Hungary took part in the first EPER reporting on a voluntary basis as the first representative of the new Member States. Hungary prepared for the second reporting of EPER data for reporting year 2004 in June 2006. The 2004 emission data was reported by the facilities in the first quarter of 2005 and they are checked and recorded to the databases by the responsible authorities. The quality assessment of the data was finalised in 2005.	The final text of the new EU regulation on E-PRTR was published in September 2005 and reviewed in 2006. The databases concerning waste transfers and emissions to land already exist; they need to be slightly modified and included to the integrated software system. The whole system will be established for 2007 as the first year of reporting.	The Directive was transposed into national law by October 2001 and established the necessary institutional framework for the permitting procedure ensuring that new installations cannot start their operation without an integrated permit from that date. The number of installations falling under the IPPC is approx. 1000; the number of permits issued by the end of July 2005 is more than 300. All installations will be operated according to the integrated permits by October 2007.	Some difficulties still exist concerning data collection. The software tool containing data on emissions to surface water still does not exist. New software tools querying data for EPER purposes are being tested. Problems occur with the calculations of agricultural diffuse emissions. For July 2004 onwards: http://eper-prtr.kvvm.hu .
SK	Data and information concerning facilities and emissions to air and water from 2004 were reported to EPER. The register of facilities and their emissions to air and water are publicly accessible at the national level on the web site of the Ministry of the environment and Slovak Hydrometeorological Institute .	The Slovak Republic is in the accession process for the PRTR Protocol (Slovakia is not a signatory country). Activities on the implementation of the requirements for the "Regulation of the European Parliament and of the Council 166/2006 concerning the establishment of a PRTR and amending Council Directives 91/689/EEC and 96/61 EC" (IPPC Directive) into national legislative are finalised. This relevant legislation came into force in September 2007. SHMI, as the responsible institution for data collection, validation and data reporting, is at the stage of preparing first reporting to E-PRTR.	The IPPC Directive is fully implemented into national legislation in Law No. 245/2003 Coll. regarding IPPC and public notice. For integrated permitting process in the Slovak Republic, the Slovak Inspectorate of Environments is responsible. This process was finalised in October 2007.	Waste disposal operators have problems providing emission data into air and water. There is a need to prepare a methodology at the national level and inform operators with the calculation methodology for the amount of emissions. SHMI has experience with IPCC methodology (EC methodology for National Greenhouse Gas Inventories). SHMI states insufficient range of monitored and logically

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
				provided information about pollution substances at some point sources. Operators mainly provide data from self-monitoring (M-measured) and do not use expert judgement (E-estimation).
SI	Data for the reference year 2004 were reported in June 2006 to EPER II on 93 facilities that exceeded threshold values for air and water emissions. From those reported, 72 facilities had emissions to air, 15 direct to water and 17 had indirect emissions to water.	Slovenia was active in the process of adopting the E-PRTR regulation. The E-PRTR Protocol (Regulation 166/2006/EC) has been fully implemented into national legislation. Regulation on implementing Regulation 166/2006/ES (O.J. of the Republic of Slovenia, No. 77/06) was adopted. Slovenia will make its first E-PRTR report in 2009 for the reference year 2007. The national E-PRTR database is already established and is in the testing phase.	The IPPC Directive was fully implemented in national legislation through the Environment Protection Act (O.J. of the Republic of Slovenia, No. 39/06, 49/06, 66/06 in 33/07) and the Regulation on Activities and Facilities that can cause Environment Pollution of a Greater Extent (O.J. of the Republic of Slovenia, No. 97/04 and 71/07). The IPPC permits are issued for approx. 170 installations. For 17, a transitional period up to 2015 was allowed during accession negotiations. See: www.arso.gov.si/ippc	
HR	The Agency for Environmental Protection is responsible for establishing a reporting system for emissions to air. The Ministry of Agriculture, Forestry and Water Management will be responsible for establishing a reporting system for emissions to water. The register to collate all individual reports will be established by the Agency for Environmental Protection on the basis of a governmental order. Target date for implementation: 2009.	The Agency for Environmental Protection is responsible for establishing the Register. At the moment, the target date is 2009.	The Ministry of Environmental Protection, Physical Planning and Construction is responsible for transposing and implementing the Directive. The State Inspectorate and inspectorate departments in various ministries will be involved in enforcement. A first inventory of the installations covered by the IPPC Directive was carried out by the Croatian Centre for Cleaner Production under the supervision of the Ministry of Environmental Protection, Physical Planning and Construction during 2006. The timing of the full implementation of the obligation to identify all relevant installations is approx. 2013. A draft timetable for the technical assessment of	

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
			installations covered will be prepared during 2008/2009. A new Regulation on the Procedure for Establishing Integrated Environmental Requirements (OG No. 114/08) is planned - permitting for existing installations will be phased over several years.	
BA	No obligation to provide data for EPER.	No obligation to provide data for EPER.	The IPPC is conditionally reflected through the Law on Environmental Protection (LEP). This Law is harmonized for both Entities and Brcko District (BD). The Law is adopted in RS in 2002, B&H in 2003 and in BD in 2004. LEP introduces the concept of the “environmental permit” and “environmental permitting”, equivalents of the terms “IPPC permit” and “IPPC permitting”. Principles of the IPPC are mentioned in Article 12 of each entity’s LEP defining integrated environmental protection. The EU CARDS project estimated 55 installations under IPPC, of which 3 were granted.	
RS	No obligation to provide data for EPER.	A new Law on IPPC was adopted in Dec 2004. Permits are to be issued at the latest by 2015. (A program and time schedule exists for harmonising industrial sectors with this law.) There is still no national database on pollution emission either to water, air or land. At present there is a project under implementation on the national register of polluters (database with innovated data).		
RO	The EPER Decision was transposed into Romanian law by the Order of the Minister of Waters and Environment Protection no. 1144/2002. In order to facilitate the application of the EPER Decision provisions,	From a legal point of view, the Ministry of Environment is implementing Regulation 166/2006 of the European Parliament and European Council on the setting up of the European Pollutant Release and Transfer	The IPPC Directive is fully transposed into Romanian legislation by Emergency Governmental Ordinance no. 152/2005 amended and approved by Law no. 84/2006. Related to the Best Available Techniques	

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
	<p>"The EPER Implementation Guide" was transposed into Romanian law through the Order of the Ministry no. 1440/2003 for approving the National Guide for completion of the Pollutant Emission Register (RPE), in accordance with the provisions of Article 3 of the EPER. In June 2007, according to Article 1, 2 and 3 of the EPER Decision, Romania has voluntarily decided to provide the "National EPER Report 2005 of Romania Emission Data of Individual Facilities" having in view the format of Annex 2 of the EPER Decision. The Ministry, in cooperation with the National Environmental Protection Agency (NEPA), has prepared the report and it has been sent to the DG ENV (EC) - EEA. This report is available to the public (on the internet).</p> <p>The total number of installations which have been reported under EPER is 260, representing approximately 40% of the total number of 638 IPPC installations inventoried. Out of a total of 260 reported EPER installations, 75 have reported emissions to water. Responsibility: Technical Secretariat for the elaboration of the EPER - Ministry of Environment and Sustainable Development, Interministerial Committee, Environmental authorities.</p>	<p>Register (European PRTR). The EU Regulation has been transposed into Romanian legislation through Governmental Decision no.140/2008.</p> <p>Also, in the framework of Twinning Projects for technical assistance, some efforts are being made for the drafting of the database and software endowment.</p> <p>Like all other MS, Romania is preparing the first E-PRTR report, using data and information for 2007. The deadline for reporting is 30th June 2009. The process is on-going.</p>	<p>(BAT), there have been three Orders (37/2003, 566/2003 and 169/2004) issued for the approval of the Guidelines on BAT and Reference Documents on BAT in some industry categories/types. In 2005, according to Minister Order no. 249/2005, the "National Centre for Coordination, Information and Updating of BAT Guidelines and Communication with the European IPPC Bureau and European Forum of Information" has been set up.</p> <p>In January 2008, Romania sent to EC the first report regarding the status of the environmental integrated permitting process for existing installations.</p> <p>Yearly, the inventory of IPPC installations is updated and the updated document is available on the website of the National Agency for Environmental Protection. In 2008 the total number of IPPC installations was 693.</p>	
BG	<p>In September 2002, Bulgaria adopted the Environment Protection Act (EPA), which brought the requirement of integrated permitting for a wide range of installations.</p> <p>Article 130 of the EPA requires the Executive Environment Agency to maintain a public</p>	<p>The information provided should be assimilated into databases that allow Bulgaria to meet its commitments under the IPPC Directive, the European Pollution Emission Register Decision and the Protocol on Pollution Release and Transfer Registers.</p>	<p>In March 2003, the Bulgarian Council of Ministries issued a Regulation setting out the conditions and procedure for the issuing of IPPC permits for the construction of new, and the operation of both new and existing, industrial installations and equipment. These</p>	

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
	register of the results of emissions monitoring as provided for in integrated permits and to transmit this data to the European Register of Noxious Substance Emissions.		two pieces of legislation are designed to bring the EU IPPC Directive 61/96 into full force in Bulgaria. Article 125 (5) of the EPA obliges operators of installations to “prepare and publish an annual report on implementation of the activities for which an integrated permit has been granted”. Article 21 of the IPPC Regulation requires an operator of an installation to submit an annual report.	
MD	Currently some attempts to establish a national PRTR for the energy sector are being made. However, to establish the Register there is a need to review the national monitoring parameters and environmental quality standards: (1) to substantially limit the number of regulated parameters by making the remaining ones consistent with international standards and guidelines; (2) to introduce additional parameters and standards monitoring as required by multilateral environmental agreements and EU environmental directives, and to set time schedules for phasing-in of the new parameters and standards that could not be introduced immediately; and (3) to focus on a core set of parameters and standards when planning the upgrade of monitoring stations, equipment and devices, and analytical laboratories including relevant staff retraining; (4) to draft legislation and necessary by-laws to introduce an integrated permitting system for installations which have significant impact on the environment, following the approach of the EU IPPC Directive as a benchmark; (5) to ensure that	The country signed the PRTRs to the Aarhus Convention in Kiev in 2003. Preparations for the protocol ratification need to be intensified by involving key monitoring institutions, compliance authorities, sectoral ministries, business and industry and NGOs in the development of a plan of action to set a legal, institutional and technical framework for the establishment of a national PRTR.	There is widespread agreement on the need to introduce integrated permitting for large industry within the framework of convergence with the EU environmental legislation, in particular, the IPPC Directive. There have been several attempts in recent years to study and plan a transition to integrated permitting e.g. in 2000-2001, an EC project on the country’s prospective approximation to EU legislation produced a draft strategy and recommendations and, also in 2001-2002, another EU-funded project on environmental approximation in the western NIS (Newly Independent States). A group of Ministry of Ecology officials and local experts developed a draft law on integrated environmental permitting (“On Regulation of Economic and Social Activities with an Environmental Impact”) in 2001. However, the draft was not put in the context of other necessary legislative changes to enable the new system; it faced significant opposition from various key stakeholders, and as a result, was not approved by the government.	There is a lack of integrated indicators on the industrial impact on the environment. Emissions of pollutants into the atmosphere and surface waters from industry are not reported in any official statistical data source. Industrial pollution is not being analysed and reduction targets are not established in industrial development programmes or environmental documents. Though enterprises must report annually on their air emissions, wastewater discharges and waste generation, industry does not always fulfil its obligations. Only waste generated by industries is reported on a regular basis in official information sources. The lack of

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
	self-monitoring requirements for enterprises are included in the permits etc.			environmental indicators to monitor pollution in industry is related to environmental standards inherited from the past. A gradual implementation of the IPPC Directive would help improve the situation. The few existing data on industrial pollution, water and energy use show a slight increase in environmental efficiency - decreases in air polluting emissions and industrial waste generation have been sharper than the decrease in total industrial output.
UA	No obligation to provide data for EPER.	The Committee on Water Management is responsible for the National Register on Pollutant Emissions to Water Bodies. At present these data are closed to the public.	The major piece of legislation is the Water Code, June 1995. Article 70 of the Water Code mandates conditions of pollution emission to water bodies. Regulations concerning IPPC Directive include: Hygienic Requirements to Content and Properties of Waters at Sites of Industrial and Drinking, Cultural and Domestic Water Use (4.7.1988); The Maximum Permissible Concentrations of Hazardous Substances in Water of Water Bodies, Used for Industrial, Drinking, Cultural and Domestic Water Use (4.7.1988); Regulation on Protection of Surface Water (typical provisions) (1.3.1991); List of Maximum Permissible Concentrations (MPC) and Approximately Safe Impact Levels of Hazardous Substances on the Water of Fishery Water Bodies (relating to	The software tool containing data on emissions to surface water is out-of-date (in DOS format). The national legislation on statistical data prohibits publishing data on pollution emission for the community.

Country	EPER status	PRTR preparation (status, responsibility, deadlines)	IPPC	Problems identified
			Regulation on Protection of Surface Waters. 1991); Rates of Maximum Permissible Discharges of Polluting Substances where Content is Normalized; Rules on the Protection of Surface Waters from Pollution by Return Waters. Operating permits for industrial plants are given by the State Ecological Inspection which is subordinated to the Ministry.	

* EPER: European Pollutant Emission Register; E-PTR: European Pollutant Release and Transfer Register; IPPC: Directive for Integrated Pollution Prevention and Control.