

24th October 2007

**Consultation on the
implementation of the European
Pollutant Release and Transfer
Register (E-PRTR) Regulation and
the UN-ECE Protocol on Pollutant
Release and Transfer Registers**

Written submission by EEF

Introduction

1. EEF is the representative voice of manufacturing, engineering and technology-based businesses with a membership of 6,000 companies employing around 800,000 people. Comprising 11 regional EEF Associations, the Engineering Construction Industries Association (ECIA) and UK Steel, EEF is one of the leading providers of business services in employment relations and employment law, health, safety and environment, manufacturing performance, education, training and skills.
2. EEF welcomes the opportunity to respond on the proposed implementation of the European Pollutant Release and Transfer Register (E-PRTR) Regulation and UN-ECE Protocol on Pollutant Release and Transfer Registers (PRTR). As indicated in the consultation we have focused our response on the appropriateness and workability of the proposals, reverting specifically to the issues that affect our membership.

New Sector Reporting Arrangements

3. We consider the local authority arrangements appropriate for E-PRTR. EEF members, operating Part A(2) activities, will be affected by the extension to the scope of reporting. We would seek assurance that reporting responsibilities will be made as straightforward as possible.
4. It was disappointing to discover that DEFRA is unlikely to be unable to provide tailored guidance for E-PRTR activities regulated by local authorities for the first reporting year. We are also concerned that many Part A(2) sites have still not been contacted directly by local authorities to inform them of the new reporting requirements. We would request that, in light of these facts, enforcement is not applied too rigidly to new sectors. During this initial stage we would like to see local authorities acting more in an advisory capacity to new sectors than in a strict regulatory role. This will ensure compliance and confidence in operator reporting from the outset.
5. It is important that the web-based reporting process for operators is improved. EEF members have encountered major difficulties with the existing Pollution Inventory reporting system (long delays, crashes, etc.), resulting in a significant administrative burden. We would strongly urge that the alternative paper-based reporting system, or a simple email-based system, should remain an option.
6. We consider the October deadline for registering web-based reports with the Environment Agency as unnecessarily importunate. We would recommend that this deadline be extended to December 2007.

Quality Assessment

7. The risk based approach to applying quality assessment checks to the data submitted to the various competent authorities by operators must be consistently applied. There is concern that the various competent authorities charged with this responsibility could interpret/undertake differing approaches. We would strongly recommend that guidance on a risk based approach to quality assessment be developed for competent authorities, and that this information also be made available to operators. A review of quality assessment performance by competent authorities is essential to ensure consistency and confidence in the process.

Presentation of UK-PRTR

8. The proposal to establish a new publically available web-enabled database that includes data for the UK as a whole (i.e. option 2) is preferred. This is the most cost/administratively effective of the three options put forward. We agree that this system offers a cohesive PRTR reporting framework across the UK, thus simplifying user access.

UK-PRTR Functionality

9. The six criteria outlined in the consultation document should form the only information requirements of UK-PRTR. The only exception to this rule would be to continue to allow users to search for data according to the reporting year. Carrying this function over to the new system would not place any additional burden on the reporter or cost substantially more for the regulator.
10. Efforts to include other items of 'functionality' should be resisted as this would unnecessarily complicate the UK-PRTR system. Once the UK-PRTR has had suitable time to 'bed-down', it would be conceivable that a review of further items of functionality could be examined, assuming that any decision to expand the current criteria proposal is properly justified and consulted upon.

PRTR – General comments

11. We congratulate the Environment Agency for progressively adding to the England and Wales Pollution Inventory over recent years. By managing implementation in a timely manner Part A(1) operators do not have substantial new obligations under UK-PRTR. Operators in England and Wales are therefore well placed to comply with UK-PRTR from the outset.
12. We support the consultation's proposal to establish a UK-PRTR steering group. EEF would welcome participating as an industry stakeholder in this important group.

Kevin Considine – Environmental Policy Adviser

Tel: 020 7654 1572

E-mail: kconsidine@eef-fed.org.uk