



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

**OECD Legal
Instruments**

This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at <http://legalinstruments.oecd.org>.

Please cite this document as:

OECD, *Recommendation of the Council on Implementing Pollutant Release and Transfer Registers (PRTRs)*, OECD/LEGAL/0284

Series: OECD Legal Instruments

© OECD 2023

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: *"This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website <http://legalinstruments.oecd.org>"*

Background Information

The Recommendation on Implementing Pollutant Release and Transfer Registers as adopted by the OECD Council on 20 February 1996 on the joint proposal of the Environment Policy Committee (EPOC) and the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology (today under the responsibility of the Chemicals Committee). The Recommendation is an important initiative that helped promote (both within and outside OECD) the establishment of pollutant release and transfer register systems (PRTRs), and provide general principles to guide the design of such systems. When the Council Recommendation was adopted, only four PRTR programmes were in operation. The Recommendation was abrogated on 10 April 2018.

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 Principle 10 of the Report of the United Nations Conference on Environment and Development of 3-14 June 1992 (Agenda 21) to which all OECD Member countries have subscribed, and 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 encourage public awareness and participation by making information widely available";

HAVING REGARD to Chapter 19 of Agenda 21 which states, *inter alia*, that governments with the cooperation of industry should improve data bases and information systems on toxic chemicals, such as emission inventory programmes and that the broadest possible awareness of chemical risks is a prerequisite for chemical safety;

NOTING that several Member countries and the European Community are acting to collect data concerning pollutant releases and transfers from various sources and to make these data publicly accessible;

NOTING that many individual enterprises and industrial sectors within the OECD area are voluntarily providing information about pollutant releases and transfers;

NOTING that a number of non-member countries are also exploring ways to obtain and make available national data about pollutant releases and transfers;

NOTING that the OECD Secretariat with the aid of Member governments and other affected and interested parties has prepared a Guidance for Governments Manual specifically to assist governments wishing to institute a Pollutant Release and Transfer Register;

RECOGNISING that reducing potentially harmful releases and transfers of pollutants while promoting economic progress is a foundation for achieving sustainable development;

On the joint proposal of the Environment Policy Committee (EPOC) and the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology;

I. RECOMMENDS:

1. That Member countries take steps to establish, as appropriate, implement and make publicly available a pollutant release and transfer register (PRTR) system using as a basis the principles and information set forth in the OECD Guidance to Governments Manual for PRTRs.
2. That Member countries in establishing PRTR systems should take into account the set of principles which are contained in the Annex to this Recommendation of which it forms an integral part.
3. That Member countries should consider sharing periodically the results of the implementation of such systems among themselves and with non-member countries with particular emphasis upon sharing of data from border areas among relevant neighbouring countries.

II. FURTHER RECOMMENDS:

That member countries in establishing a Pollutant Release and Transfer Register should take into account the following core elements of a system:

1. A listing of chemicals, groups of chemicals, and, if appropriate, other relevant categories all of which are pollutants when released or transferred;
2. Integrated multi-media reporting of releases and transfers (air, water and land);
3. Reporting of data by source where the reporting sources are defined;

4. Reporting on a periodic basis, preferably annually; and
5. Making data available to the public.

III. INSTRUCTS:

1. The Environment Policy Committee to review actions undertaken by Member countries and to report to Council three years from the date of this Recommendation and periodically thereafter concerning progress.
2. The Environment Policy Committee to consider how OECD can aid other international organisations and bodies, upon their request, in helping non-member countries which may be contemplating the establishment of PRTR systems.

ANNEX

PRINCIPLES CONCERNING ESTABLISHMENT OF PRTR SYSTEMS

1. PRTR systems should provide data to support the identification and assessment of possible risks to humans and the environment by identifying sources and amounts of potentially harmful releases and transfers to all environmental media.
2. The PRTR data should be used to promote prevention of pollution at source, e.g., by encouraging implementation of cleaner technologies. National governments might use PRTR data to evaluate the progress of environmental policies and to assess to what extent national environmental goals are or can be achieved.
3. In devising PRTR systems, governments should co-operate with affected and interested parties to develop a set of goals and objectives for the system and estimate potential benefits and costs to reporters, government and society as a whole.
4. PRTR systems should include coverage of an appropriate number of substances which may be potentially harmful to humans and/or the environment which are released and or transferred.
5. PRTR systems should involve both the public and private sectors as appropriate and include those facilities which might release and/or transfer substances of interest, as well as diffuse sources, if appropriate.
6. To reduce duplicative reporting, PRTR systems should be integrated to the degree practicable with existing information sources such as licenses or operating permits.
7. Both voluntary and mandatory reporting mechanisms for providing PRTR inputs should be considered with a view as to how best to meet the goals and objectives of the system.
8. The comprehensiveness of any PRTR in helping to meet environmental policy goals should be taken into account, e.g., whether to include releases from diffuse sources ought to be determined by national conditions and the need for such data.
9. The results of a PRTR should be made accessible to all affected and interested parties on a timely and regular basis.
10. Any PRTR system should allow for mid-course evaluation and have the flexibility to be altered by affected and interested parties in response to changing needs.
11. The data handling and management capabilities of the system should allow for verification of inputs and outputs and be capable of identifying geographical distribution of releases and transfers.
12. PRTR systems should allow as far as possible comparison and co-operation with other national PRTR systems and possible harmonization with similar international data bases.
13. A compliance mechanism to best meet the needs of the goals and objectives should be agreed by affected and interested parties.
14. The entire process of establishing the PRTR system and its implementation and operation should be transparent and objective.

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

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** are adopted by Council and are legally binding on all Members except those which abstain at the time of adoption. They set out specific rights and obligations and may contain monitoring mechanisms.
- **Recommendations** are adopted by Council and are not legally binding. They represent a political commitment to the principles they contain and entail an expectation that Adherents will do their best to implement them.
- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.
- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.