

# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2022/142

of 31 January 2022

### amending Implementing Decision (EU) 2019/1741 as regards the reporting on production volume and correcting that Implementing Decision

(notified under document C(2022) 451)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC <sup>(1)</sup>, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2019/1741 <sup>(2)</sup> sets out the format and frequency of the annual reporting of data on releases of pollutants to air, water and land and on off-site waste transfers.
- (2) It follows from Implementing Decision (EU) 2019/1741 that the Member States are required to report data on production volume for each facility concerned with regard to sectors where the Commission has established units and metrics for reporting.
- (3) In order to improve the effectiveness of the European Pollutant Release and Transfer Register (E-PRTR) as a comprehensive source of environmental information and the use of reported data for benchmarking the environmental performance of industrial facilities, there is a need for mandatory reporting on production volume for each facility concerned and, consequently, for establishing the units and metrics to be used for such reporting and for setting out in further detail the format for the reporting on production volume.
- (4) It is appropriate to provide sufficient time for the operators of concerned facilities and Member States' competent authorities to take the measures necessary to enable the reporting of production volume in accordance with the new format. The requirement to report such data should therefore apply from the reporting year 2023.
- (5) Table notes (9) and (10) in the Annex to Implementing Decision (EU) 2019/1741 refer to table note (7) of that Annex, which concerns the mandatory nature and date of application of the reporting on production volume, whereas they should have referred to table note (8) of that Annex, which concerns the publication of individual data points.
- (6) Implementing Decision (EU) 2019/1741 should therefore be amended and corrected accordingly.

<sup>(1)</sup> OJ L 33, 4.2.2006, p. 1.

<sup>(2)</sup> Commission Implementing Decision (EU) 2019/1741 of 23 September 2019 establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 267, 21.10.2019, p. 3).

- (7) These efforts will feed into the outlook and foresight dimension of the Zero Pollution Monitoring Framework under the EU's Action Plan 'Towards a Zero Pollution for Air, Water and Soil' <sup>(3)</sup>, thus helping anticipate policy challenges and identify the most effective and preventive solutions.
- (8) The measures provided for in this Decision are in accordance with the opinion of the committee established by Article 19(1) of Regulation (EC) No 166/2006,

HAS ADOPTED THIS DECISION:

*Article 1*

**Amendments to Implementing Decision (EU) 2019/1741**

Article 1, third subparagraph, is replaced by the following:

'The administrative information set out in Sections 1 to 4 of the Annex shall be submitted to the Commission, at the latest, by 30 September of the following reporting year. By derogation, the Administrative Information set out in fields 2.12, 2.13 and 2.14 shall be submitted to the Commission, at the latest, by 30 November of the following reporting year.'

The Annex is amended in accordance with the Annex to this Decision.

*Article 2*

**Corrections to Implementing Decision (EU) 2019/1741**

In the Annex, in the text of table notes (9) and (10), 'No 7' is replaced by 'No 8'.

This Decision is addressed to the Member States.

Done at Brussels, 31 January 2022.

*For the Commission*  
Virginijus SINKEVIČIUS  
*Member of the Commission*

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<sup>(3)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' (COM/2021/400 final).

## ANNEX

The Annex is amended as follows:

- (1) after the title, the following text is inserted:

‘Part 1

Administrative and thematic information’;

- (2) the text of table note (7) is replaced by the following:

‘(7) Optional for the 2019, 2020, 2021 and 2022 reporting years. From the reporting year 2023, the production volume of each facility shall be reported in accordance with the rules set out in Part 2.’;

- (3) the following Part 2 is added:

‘Part 2

Establishing the units and metrics to be reported by Member States under field 2.12 “Production volume”

### 1. Definitions

For the purposes of this Part, the following definitions shall apply:

- (1) “tonnes of products/extracted material” means, unless otherwise stated, the weight of the stated metric, including any inherent moisture content of the products or extracted material, but excluding any product packaging/containment;
- (2) “tonnes of products as oil equivalents” means the output of a facility expressed as the amount of energy released by burning 1 tonne of crude oil, considering that the energy content of a tonne of crude oil is 42 gigajoules;
- (3) “gigajoules of useful energy output” means the energy effectively converted into electricity or heat expressed in gigajoules and served to the grid or the final user;
- (4) “tonnes of incoming waste” means the weight of all incoming waste, within a calendar year, to a facility that is further dealt within the defined recovery or disposal activity performed by the same facility and which excludes waste quantities transferred to other facilities without treatment;
- (5) “cubic metres of incoming waste-water” means the volume of water that enters the treatment operations of the relevant waste-water treatment facility;
- (6) “tonnes of organic solvent” means the weight of the total amount of solvents consumed in the operations performed within the facility;
- (7) “tonnes of paint used and/or removed” means the weight of the paint consumed, the best estimate of the paint removed, or, when performing painting and removal activities within the same facility, the sum of both;
- (8) “number of livestock units (LSU)” means the conversion rates in Annex II of Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) <sup>(1)</sup>; the livestock units for animals not covered explicitly by this Regulation should be based on scientific evidence e.g. broilers 0,007 LSU, ostriches 0,350 LSU.

### 2. General rules

- (a) Unless otherwise stated, the data on production volume shall cover total viable outputs from a facility and shall include the sum of all outputs during the year that are sold, stored on-site, and used on-site for further processing. The sum of outputs that are spoiled, rejected or off-specification shall be excluded.

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<sup>(1)</sup> Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 227, 31.7.2014, p. 18).

- (b) The production volume field 2.12 of Part 1 has a multiplicity of “one to many”. The reporting on production volume shall cover activities performed in the facility and that are reported to the EU Registry on Industrial Sites <sup>(?)</sup> with reference to the relevant facility. The reporting shall cover at least one activity.
- (c) Where possible, the data on production volume shall be reported in accordance with the Prodcom methodology for national statistics on the production of manufactured goods and with the methodology laid down in Regulation (EU) 2019/2152 of the European parliament and of the Council <sup>(?)</sup>.
- (d) The following data shall be reported under field 2.12 of Part 1:
- (i) quantity expressed in the unit/metric set out in point 3;
- (ii) comments (optional).

### 3. Units and metrics

	Activity	Unit/metric
<b>1. Energy sector</b>		
<b>1(a)</b>	Mineral oil and gas refineries	Tonnes of products as oil equivalents
<b>1(b)</b>	Installations for gasification and liquefaction	Tonnes of products as oil equivalents
<b>1(c)</b>	Thermal power stations and other combustion installations	Gigajoules of useful energy output
<b>1(d)</b>	Coke ovens	Tonnes of products as oil equivalents
<b>1(e)</b>	Coal rolling mills	Tonnes of products as oil equivalents
<b>1(f)</b>	Installations for manufacture of coal products and solid smokeless fuel	Tonnes of products as oil equivalents
<b>2. Production and processing of metals</b>		
<b>2(a)</b>	Metal ore (including sulphide ore) roasting or sintering installations	Tonnes of products
<b>2(b)</b>	Installations for the production of pig iron or steel (primary or secondary melting) including continuous casting	Tonnes of products
<b>2(c)(i)</b>	Installations for the processing of ferrous metals: Hot-rolling mills	Tonnes of products
<b>2(c)(ii)</b>	Installations for the processing of ferrous metals: Smitheries with hammers	Tonnes of products
<b>2(c)(iii)</b>	Installations for the processing of ferrous metals: Application of protective fused metal coats	Tonnes of products
<b>2(d)</b>	Ferrous metal foundries	Tonnes of products
<b>2(e)(i)</b>	Installations: For the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical, or electrolytic processes	Tonnes of products
<b>2(e)(ii)</b>	Installations: For the smelting, including the alloying, of non-ferrous metals, including recovered products (refining, foundry casting, etc.	Tonnes of products

<sup>(?)</sup> <https://cdr.eionet.europa.eu/help/euregistry>

<sup>(?)</sup> Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics (OJ L 327, 17.12.2019, p. 1). ‘PRODUCTION COMMUNAUTAIRE’ (Community Production). See <https://ec.europa.eu/eurostat/web/prodcom/overview>

2(f)	Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process	Tonnes of the surface treatment substances (input)
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### 3. Mineral industry

3(a)	Underground mining and related operations	Tonnes of extracted material
3(b)	Opencast mining and quarrying	Tonnes of extracted material
3(c)(i)	Installations for the production of: Cement clinker in rotary kilns	Tonnes of products
3(c)(ii)	Installations for the production of: Lime in rotary kilns	Tonnes of products
3(c)(iii)	Installations for the production of: Cement clinker or lime in other furnaces	Tonnes of products
3(d)	Installations for the production of asbestos and the manufacture of asbestos-based products	Tonnes of products
3(e)	Installations for the manufacture of glass, including glass fibre	Tonnes of products
3(f)	Installations for melting mineral substances, including the production of mineral fibres	Tonnes of products
3(g)	Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain	Tonnes of products

### 4. Chemical industry

4(a)(i)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Simple hydrocarbons (linear or cyclic, saturated, or unsaturated, aliphatic, or aromatic)	Tonnes of products
4(a)(ii)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins	Tonnes of products
4(a)(iii)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Sulphurous hydrocarbons	Tonnes of products
4(a)(iv)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates	Tonnes of products
4(a)(v)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Phosphorus-containing hydrocarbons	Tonnes of products
4(a)(vi)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Halogenic hydrocarbons	Tonnes of products
4(a)(vii)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Organometallic compounds	Tonnes of products

<b>4(a)(viii)</b>	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Basic plastic materials (polymers, synthetic fibres, and cellulose-based fibres)	Tonnes of products
<b>4(a)(ix)</b>	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Synthetic rubbers	Tonnes of products
<b>4(a)(x)</b>	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Dyes and pigments	Tonnes of products
<b>4(a)(xi)</b>	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: Surface-active agents and surfactants	Tonnes of products
<b>4(b)(i)</b>	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: Gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride	Tonnes of products
<b>4(b)(ii)</b>	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: Acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids	Tonnes of products
<b>4(b)(iii)</b>	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: Bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide	Tonnes of products
<b>4(b)(iv)</b>	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: Salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate	Tonnes of products
<b>4(b)(v)</b>	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: Non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide	Tonnes of products
<b>4(c)</b>	Chemical installations for the production on an industrial scale of phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers)	Tonnes of products
<b>4(d)</b>	Chemical installations for the production on an industrial scale of basic plant health products and of biocides	Tonnes of products
<b>4(e)</b>	Installations using a chemical or biological process for the production on an industrial scale of basic pharmaceutical products	Tonnes of products
<b>4(f)</b>	Installations for the production on an industrial scale of explosives and pyrotechnic products	Tonnes of products

## 5. Waste and wastewater management

<b>5(a)</b>	Installations for the recovery or disposal of hazardous waste	Tonnes of incoming waste
<b>5(b)</b>	Installations for the incineration of non-hazardous waste in the scope of Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste	Tonnes of incoming waste

5(c)	Installations for the disposal of non-hazardous waste	Tonnes of incoming waste
5(d)	Landfills (excluding landfills of inert waste and landfills, which were definitively closed before 16 July 2001 or for which the after-care phase required by the competent authorities according to Article 13 of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste has expired)	Tonnes of incoming waste
5(e)	Installations for the disposal or recycling of animal carcasses and animal waste	Tonnes of incoming waste
5(f)	Urban waste-water treatment plants	Cubic metres of incoming waste-water
5(g)	Independently operated industrial waste-water treatment plants which serve one or more activities of this Annex	Cubic metres of incoming waste-water

#### 6. Paper and wood production and processing

6(a)	Industrial plants for the production of pulp from timber or similar fibrous materials	Tonnes of products
6(b)	Industrial plants for the production of paper and board and other primary wood products (such as chipboard, fibreboard and plywood)	Tonnes of products
6(c)	Industrial plants for the preservation of wood and wood products with chemicals	Tonnes of products

#### 7. Intensive livestock production and aquaculture

7(a)(i)	Installations for the intensive rearing of poultry or pigs: With 40 000 places for poultry	Number of livestock units
7(a)(ii)	Installations for the intensive rearing of poultry or pigs: With 2 000 places for production pigs (over 30 kg)	Number of livestock units
7(a)(iii)	Installations for the intensive rearing of poultry or pigs: With 750 places for sows	Number of livestock units
7(b)	Intensive aquaculture	Tonnes of products

#### 8. Animal and vegetable products from the food and beverage sector

8(a)	Slaughterhouses	Tonnes of products
8(b)(i)	Treatment and processing intended for the production of food and beverage products from: Animal raw materials (other than milk)	Tonnes of products
8(b)(ii)	Treatment and processing intended for the production of food and beverage products from: Vegetable raw materials	Tonnes of products
8(c)	Treatment and processing of milk	Tonnes of products

#### 9. Other activities

9(a)	Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles	Tonnes of products
9(b)	Plants for the tanning of hides and skins	Tonnes of products

<b>9(c)</b>	Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning, or impregnating	Tonnes of organic solvent (input)
<b>9(d)</b>	Installations for the production of carbon (hard-burnt coal) or electro-graphite by means of incineration or graphitisation	Tonnes of products
<b>9(e)</b>	Installations for the building of, and painting or removal of paint from ships	Tonnes of paint used and/or removed'