



CANADIAN INSTITUTE FOR ENVIRONMENTAL LAW AND POLICY
L'INSTITUT CANADIEN DU DROIT ET DE LA POLITIQUE DE L'ENVIRONNEMENT

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**Notes and Observations on OECD PRTR Conference
Tokyo, Japan
September 9-11, 1998**

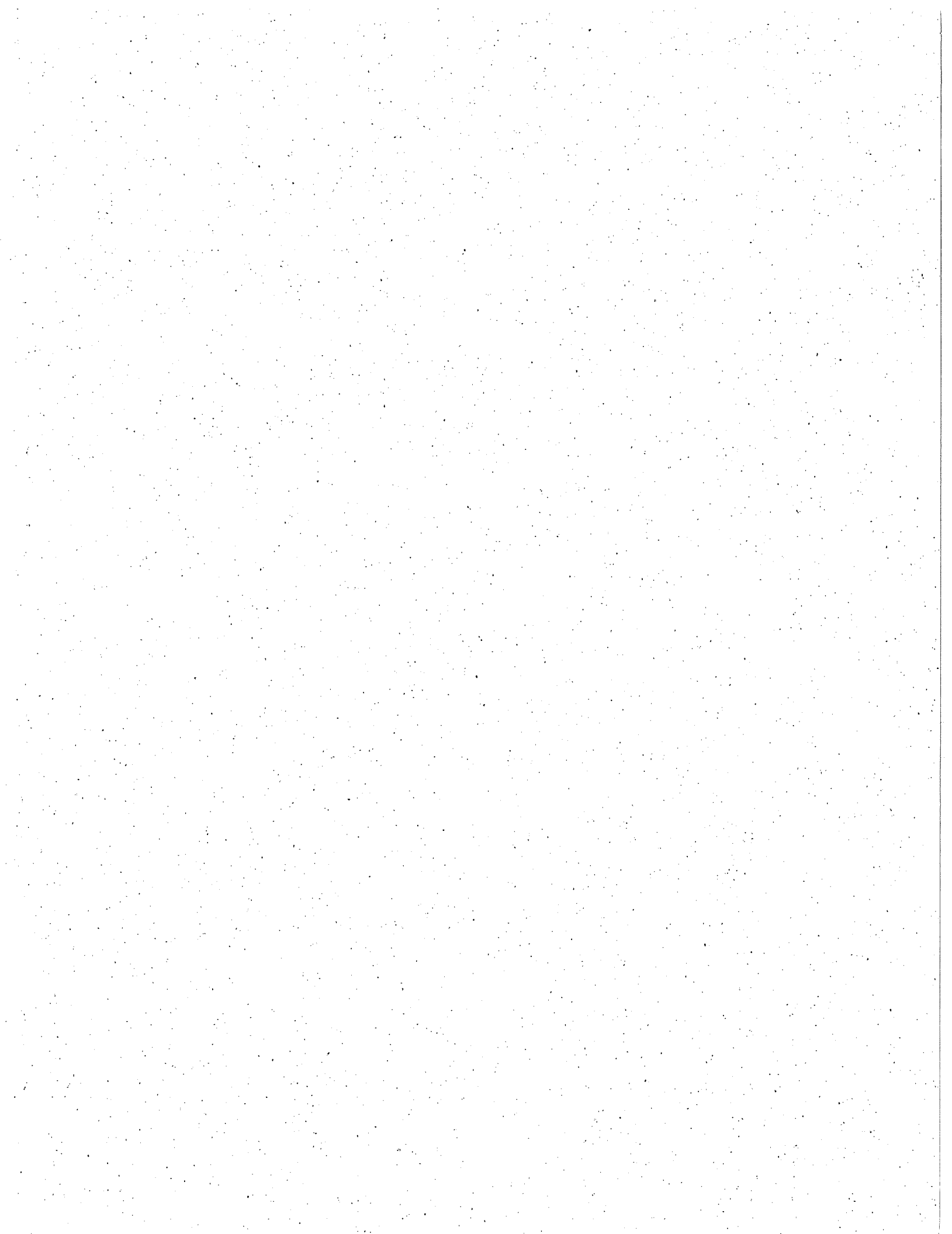
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Introduction

This conference was presented by the Organization for Economic Cooperation and Development (OECD) to review progress on the 1996 OECD Council Recommendation on the establishment of Pollutant Release and Transfer Registries (PRTR). The conference was hosted by the Japan Environmental Agency (JEA). Dr. Winfield attended through the sponsorship of Environment Canada and the North American Commission on Environmental Cooperation.

Attendance

The Conference was attended by representatives of a number of OECD Countries including: Japan; Canada; United States; United Kingdom; Australia; the Netherlands; Germany; Switzerland; Czech Republic; Slovak Republic; Mexico; and South Africa. A number of countries from the far east were also represented, including Thailand, Indonesia, and Hong Kong. Representatives of many International Government Organizations, including UNEP, UNITAR, UNDEP, OECD, NACEC and the European Commission, were also present.

Non-governmental organizations in attendance included groups from Canada, U.S., Australia, UK, Ireland, Japan, Mexico and Taiwan. A number of Japanese academics also attended.

Industry representation from outside of Japan was limited to a few U.S. industries. One industry representative from the UK (ICI) and one from Canada (ICME) attended. A large number of Japanese industry representatives were also present.

Purposes and Conference Dynamics

The primary purpose of the conference was to review progress against the 1996 OECD council recommendation on the establishment of PRTRs. A sub-text to this purpose was a concern among many government, NGO and industry supporters of the PRTR concept that progress on the implementation of PRTRs within the OECD was proceeding very slowly, and, in fact, appears to have stalled in a number of countries.

To date, only the U.S. and Canada have established full PRTR systems, with publicly available chemical and site specific data. The Netherlands, has had a system for more than 20 years, but has only moved to require facility specific public reporting recently.

The systems which have been adopted in England and Wales (CIS) and Australia (NPI) were subject to criticism that they were incomplete and suffered from numerous flaws and weaknesses, particularly from NGO representatives. The European Union is moving forward with a PRTR system for EU members. However, it will initially only report releases of less than 30 substances to air, and the first data is unlikely to be publicly released before 2001. Progress in a number of countries receiving OECD assistance with the development of PRTRs, including the Czech Republic, the Slovak Republic, South Africa, and Mexico appears to be stalling.

There was also a significant Japanese sub-text to the conference. There is currently a debate taking place within Japan as to whether the Japanese PRTR should be operated by JEA or the Ministry of International Trade and Industry (MITI). Japanese industry, through the Kieredan (the Association of Economic Associations) has established a voluntary PRTR system and supports a MITI operated system. Japanese NGO's and the academics in attendance strongly supported a JEA operated, mandatory PRTR system. JEA seemed to hope to support its position by acting as host to the OECD conference.

The conference received extensive coverage in the Japanese media.

Conference Conclusions

A number of general conclusions were drawn out in the closing sessions of the conference. These included the following.

PRTR design

The role of multi-stakeholder processes in the design of PRTRs was highlighted. However the need for clear ground rules, balanced representation, and government respect for results of such processes was also stressed.

Pilot programs for PRTR systems were seen to be a useful step. However, it was pointed out that both TRI and NPRI had been successfully implemented without significant pilot phases.

PRTR Implementation

Public access to PRTR data was seen to be a critical step in PRTR implementation. The provision of data on chemical characteristics to the public was also seen to be important.

The design of PRTR systems to permit international comparisons of data was seen as a useful step. The potential value of international comparisons was seen to be demonstrated by the North American Commission on Environmental Cooperation's "Taking Stock" report.

Data Access and Use.

The need to provide for public access to PRTR data was highlighted. This includes facility and chemical specific data. The data should be disseminated to the public in easy to use and understand formats. Easier access was seen to be critical to increasing the use of PRTR data by all constituencies.

The provision of information to the public on the scope and limits of PRTR data was also seen to be a useful step. The provision of interpretations of the data was seen to have some value as a supplement to the release of the basic PRTR data, but not as a replacement for full data release.

Many potential uses for PRTR data were discussed. These included the promotion of pollution prevention, particularly through programs like the Massachusetts and New Jersey 'materials accounting' systems. PRTR data was also seen to be useful in priority setting by governments and industry, tracking the results of voluntary environmental programs, and the evaluation of industry and government environmental performance.

The mapping of PRTR data was seen to be a very powerful tool, especially when geographic analysis is carried out in conjunction with other datasets, such as health, epidemiological, and demographic data.

Topics in Need for More Work/Discussion

Capacity building among governments, industry, NGOs and the public was seen to be critical to the success of PRTR programs. Capacity needs to be in place from the outset of PRTR programs.

PRTRs were seen to be potentially strong tools for priority setting. However, this was seen as both a potential benefit and risk. The provision of information to industry, especially in terms of facilities' positioning among their peers, was highlighted in this context.

Issues for the future

Issues for the future identified included the role of PRTRs in monitoring pressures on the environment and monitoring progress on international commitments. The internationalization of PRTR data was also seen as an important issue, as was the role of PRTRs in sustainable development.

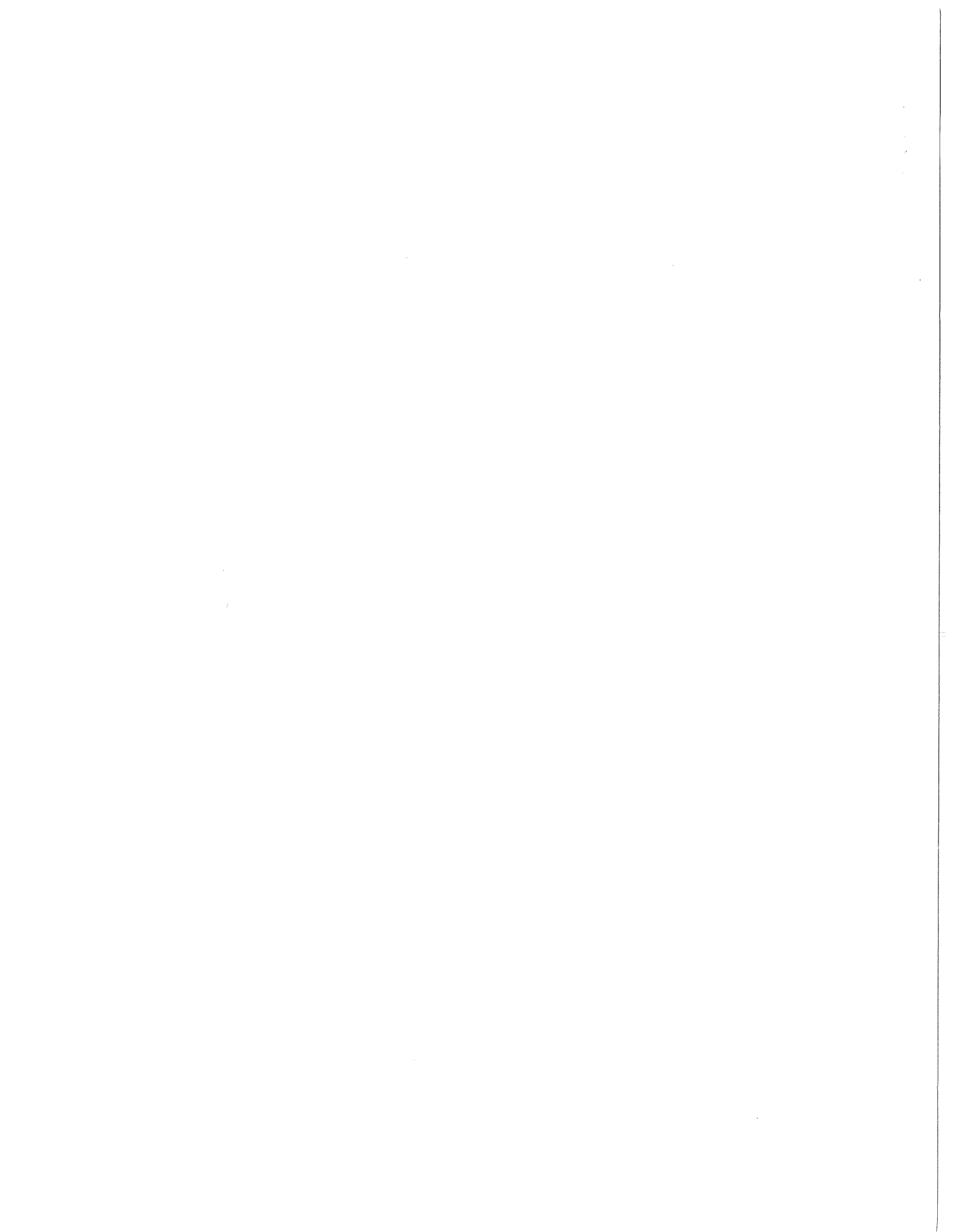
PRTR coverage of transfers of pollutants/substances in products emerged as a controversial issue. This was supported by the NGO communities and some governments and international governmental organizations. However, it was opposed by industry and other governments.

Final Conference Statement

The final conference statement was a somewhat bland exhortation to governments and international governmental organizations to continue their efforts to establish and support PRTR programs.

The NGO community sought two amendments to this statement. The first sought to encourage governments to follow through on the commitment to explore the establishment of a binding international instrument on PRTRs pursuant to the recently signed UNECE Convention on Access to Information.

The second NGO proposal sought a more rigorous review of progress by countries on the implementation of the OECD PRTR recommendation by the OECD secretariat. This was agreed to in a modified form that emphasized the analytic as opposed to evaluative role of the secretariat.



Opportunities for CIELAP to be pursued

- the need for active training and outreach programs in relation to PRTR programs was highlighted, particularly through U.S. experience. These are an obvious next step beyond the Citizen's Guide and CIELAP is seeking to develop. The 'extension' or 'circuit rider' model seems to be a particularly effective means of delivering these services.

- power of mapping PRTR data outlined, particularly through interactive internet formats was also highlighted by the EDF's 'scorecard' system. Discussions were held with EDF re: entering of NPRI data into their system. They have agreed to explore the technical feasibility and potential costs of doing this. Support for such an effort was expressed by both Environment Canada and the CEC.