

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 (Text with EEA relevance)

Article 5

Reporting by operators

1 The operator of each facility that undertakes one or more of the activities specified in Annex I above the applicable capacity thresholds specified therein shall report the amounts annually to its competent authority, along with an indication of whether the information is based on measurement, calculation or estimation, of the following:

- a releases to air, water and land of any pollutant specified in Annex II for which the applicable threshold value specified in Annex II is exceeded;
- b off-site transfers of hazardous waste exceeding 2 tonnes per year or of non hazardous waste exceeding 2 000 tonnes per year, for any operations of recovery or disposal with the exception of the disposal operations of land treatment and deep injection referred to in Article 6, indicating with 'R' or 'D' respectively whether the waste is destined for recovery or disposal and, for transboundary movements of hazardous waste, the name and address of the recoverer or the disposer of the waste and the actual recovery or disposal site;
- c off-site transfers of any pollutant specified in Annex II in waste water destined for waste-water treatment for which the threshold value specified in Annex II, column 1b is exceeded.

[^{F1}The operator of each facility that undertakes one or more of the activities specified in Annex I, above the applicable capacity thresholds specified therein, shall communicate, by electronic means, to its competent authority the information identifying the facility in accordance with the format referred to in Article 7(2) unless that information is already available to the competent authority.]

In the case of data indicated as being based on measurement or calculation the analytical method and/or the method of calculation shall be reported.

The releases referred to in Annex II reported under point (a) of this paragraph shall include all releases from all sources included in Annex I at the site of the facility.

2 The information referred to in paragraph 1 shall include information on releases and transfers resulting as totals of all deliberate, accidental, routine and non-routine activities.

In providing this information operators shall specify, where available, any data that relate to accidental releases.

3 The operator of each facility shall collect with appropriate frequency the information needed to determine which of the facility's releases and off-site transfers are subject to reporting requirements under paragraph 1.

4 When preparing the report, the operator concerned shall use the best available information, which may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgements and other methods in line with Article 9(1) and in accordance with internationally approved methodologies, where these are available.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 166/2006 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

5 The operator of each facility concerned shall keep available for the competent authorities of the Member State the records of the data from which the reported information was derived for a period of five years, starting from the end of the reporting year concerned. These records shall also describe the methodology used for data gathering.

Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations \(EC\) No 166/2006 and \(EU\) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations \(EC\) No 338/97 and \(EC\) No 2173/2005, and Council Directive 86/278/EEC \(Text with EEA relevance\).](#)

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 166/2006 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Art. 5 heading words inserted by [S.I. 2018/1407 reg. 2\(6\)\(a\)](#)
- Art. 5(1) words substituted by S.I. 2018/1407, reg. 2(6)(b)(ii)(aa) (as substituted) by [S.I. 2020/1313 reg. 5\(2\)\(a\)](#)
- Art. 5(1) words substituted by S.I. 2018/1407, reg. 2(6)(b)(ii)(bb) (as substituted) by [S.I. 2020/1313 reg. 5\(2\)\(a\)](#)
- Art. 5(5) words substituted by [S.I. 2018/1407 reg. 2\(6\)\(c\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2018/1407 reg. 2\(17\)](#)
- Art. 2(2) words substituted by [S.I. 2018/1407 reg. 2\(3\)\(a\)](#)
- Art. 2(11) word inserted by [S.I. 2018/1407 reg. 2\(3\)\(b\)](#)
- Art. 2(13) substituted by [S.I. 2018/1407 reg. 2\(3\)\(c\)](#)
- Art. 2(14) substituted by [S.I. 2018/1407 reg. 2\(3\)\(d\)](#)
- Art. 2(15) substituted by [S.I. 2018/1407 reg. 2\(3\)\(e\)](#)
- Art. 2(16) substituted by [S.I. 2018/1407 reg. 2\(3\)\(f\)](#)
- Art. 2(17) substituted by [S.I. 2018/1407 reg. 2\(3\)\(g\)](#)
- Art. 2(18)(19) inserted by [S.I. 2018/1407 reg. 2\(3\)\(h\)](#)
- Art. 3(b) word inserted by [S.I. 2018/1407 reg. 2\(4\)\(b\)](#)
- Art. 4(1)(c) omitted by [S.I. 2018/1407 reg. 2\(5\)\(a\)\(iii\)](#)
- Art. 4(1)(g) word inserted by [S.I. 2018/1407 reg. 2\(5\)\(a\)\(iv\)](#)
- Art. 4(3)(a) omitted by [S.I. 2018/1407 reg. 2\(5\)\(c\)\(ii\)](#)
- Art. 5(1)(c) word inserted by [S.I. 2018/1407 reg. 2\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(6)(b) substituted immediately before IP completion day by S.I. 2020/1313, regs. 1(3), 5(2)(a))
- Art. 5(1)(c) word inserted by S.I. 2018/1407, reg. 2(6)(b)(i) (as substituted) by [S.I. 2020/1313 reg. 5\(2\)\(a\)](#)
- Art. 5(6) inserted by [S.I. 2018/1407 reg. 2\(6\)\(d\)](#)