

Dangerous substances, metallic mercury: banning of exports, safe storage

2006/0206(COD) - 26/03/2008

The Committee on the Environment, Public Health and Food Safety adopted the recommendation for second reading in the report by Dimitrios **PAPADIMOULIS** (GUE/NGL, EL), amending the common position of the Council on the adoption of the Regulation of the European Parliament and of the Council on the banning of exports and the safe storage of metallic mercury.

The majority of the amendments adopted are taken from the 1st reading:

- while the Council plans to ban exports of metallic mercury only, MEPs ask that this ban also apply to cinnabar ore, mercury compounds and certain mercury-containing products;
- the export of metallic mercury should be **banned as from 1 December 2010**, i.e. 7 months before the date proposed by the Commission and the Council (1 July 2011);
- although the Commission and the Council propose that the ban be limited to exports, MEPs believe that the export ban should be complemented by a similar **import ban** applicable at the same time as the export ban, i.e. 1 December 2010. Member States should meet their own mercury requirements from recovery from waste and raw materials;
- from 1 December 2010, metallic mercury that is no longer used in the chlor-alkali industry, mercury from the cleaning of natural gas and mercury as a by-product from non-ferrous mining and smelting operations shall be considered as stocked waste temporarily and then it will be disposed of within the Community. This disposal must take place in appropriate facilities that qualify for that purpose, accompanied by a safety assessment and the relevant permit, pursuant to this Regulation;
- prior to any other alternative, the parliamentary committee proposes considering the possibility of using Almadén for the safe storage of the existing metallic mercury stocks or metallic mercury sub-produced by industry all over Europe;
- during temporary storage, responsibility for safety shall lie with the owner of the storage facility. MEPs request that Member States set up a fund to ensure that financial resources are in place for the temporary storage and safe final disposal of mercury. The fund will be created on the basis of a financial contribution by the chlor-alkali industry and other mercury-using industries, with contributions proportional to the amount of mercury sent for temporary storage;
- Member States shall draw up a register of buyers, sellers and traders of mercury, cinnabar ore and mercury compounds, and collect relevant information. They shall inform the Commission on the application and market effects of this Regulation in their respective territory every two years, within six months from the end of the period covered. The Commission shall publish the information in a concise report within one year from the submission by the Member States;
- the Commission is asked to organise an initial exchange of information between Member States and the relevant stakeholders by 1 July 2010. This exchange of information should examine, from now to 1 July 2009, the research activities on the possibilities of safe disposal;

- taking into account the needs of the developing countries concerned and countries with economies in transition, the Commission and the Member States should cooperate in promoting technical assistance, including training, for the development of the infrastructure, the capacity and the expertise necessary in order to make progress in the shift towards alternative mercury-free technologies and to eventually phase out the use and release of mercury and mercury compounds;
- the Commission is called on to submit a report to the European Parliament and the Council, by 30 June 2012 at the latest, accompanied by proposals for revision of the Regulation, if necessary;
- lastly, MEPs consider Article 175(1) of the EC Treaty to be the sole legal base of the proposal.