Implementation Review and Support: Article 11 Mercury Wastes

This session will outline how the Minamata Convention sets out obligations with respect to the management of mercury wastes (Article 11) and how the Minamata Convention interacts with the Basel Convention and its mercury waste technical guidelines. The session will also provide information on waste management efforts undertaken by the Secretariat, UNEP, and the Global Mercury Partnership.

Thursday, 12 November 2020

10h00-11h00 CET
16h00-17h00 CET

Please register for the WebEx session using the links above.

Check the Minamata Online calendar for other upcoming events and the presentations and video recording from the previous sessions.

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THIS SESSION WILL COVER

• Overview – Why the Minamata Convention controls waste

• ARTICLE 11 – Mercury Wastes

• Basel Convention Technical Guidelines on Mercury Waste

• Current Information on mercury waste
  • Information from MIAs and reports
  • Intersessional work related to mercury waste

• UNEP and Global Mercury Partnership work related to mercury waste management

• Questions and Answers
Logic of the Minamata Convention

Control Measures

- Reduce mercury underground
- Keep mercury underground
- Art. 3.3: No new primary mines
- Art. 3.4: Existing mines - 15 years

- Reduce the use and presence of mercury in the economy, industry and society
- Art. 3.3 (a): Stocks
- Art. 3.4 (b): Excess mercury from decommissioned chlor-alkali facilities
- Art. 3.6 – 3.10: Trade of mercury
- Art. 4: Mercury-added Products
- Art. 5: Manufacturing Processes
- Art. 7: ASGM
- Art. 10: Interim Storage
- Art. 11: Mercury wastes
- Art. 12: Contaminated sites

- Reduce mercury to the environment

Enabling / Supportive Context

- Art. 8: Emissions
- Art. 9: Releases
- Art. 13: Financial Mechanism
- Art. 14: Capacity-building, technical assistance and technical transfer
- Art. 15: Implementation and Compliance Committee
- Art. 16: Health aspects
- Art. 17: Information Exchange
- Art. 18: Public information, awareness and education
- Art. 19: Research, development and monitoring
- Art. 20: Implementation plans
- Art. 21: Reporting
- Art. 22: Effectiveness evaluation
- Art. 23: Conference of the Parties
- Art. 24: Secretariat
- Arts. 25-35: Various procedural articles
Life-cycle approach: Reducing demand, and managing excess mercury

Sources: UNEP, 2006; AMMP, 2013; this report.

2. Flasks, laboratory, pharmaceutical, cultural/traditional uses, etc.
SECTION ONE

ARTICLE 11 BASIC OBLIGATIONS

PARAGRAPH 3:

Each Party shall take appropriate measures using relevant definitions of the Basel Convention

- Recovery
- Management
- International Transport

using relevant definitions of the Basel Convention
ARTICLE 11 SCOPE — Three types of mercury wastes

Substances or objects:

- Consisting of mercury or mercury compounds
- Containing mercury or mercury compounds
- Contaminated with mercury or mercury compounds

........that are disposed of or are intended to be disposed of or are required to be disposed of by the provision of national law or this Convention
SCOPE SUBJECT TO THRESHOLDS AND EXCLUSIONS

Para 2: In a quantity above the relevant thresholds defined by the Conference of the Parties, in collaboration with the relevant bodies of the Basel Convention in a harmonized manner,

EXCLUDES: Overburden, waste rock and tailings from mining other than primary mercury mining

UNLESS: they contain mercury or mercury compounds above the thresholds

INTERSESSIONAL PROCESS → Report to COP-4 November 2021
THRESHOLD DETERMINATION PROCESS TO DATE:
COP DECISION MC-3/5: MERCURY WASTE THRESHOLDS

• No threshold needs to be established for waste consisting of Hg and Hg compounds
  • waste listed in table 1 of the annex to MC-3/5 shall be regarded as such mercury waste.

• No threshold needs to be established for waste containing Hg and Hg compounds
  • mercury-added products that are disposed of, are intended to be disposed of or are required to be disposed of, including those listed in table 2 of the annex to MC-3/5 will be regarded as such mercury waste;

• Extended the mandate of the group of technical experts to develop thresholds for waste contaminated with Hg or Hg compounds.
• Taking into account the Basel Convention guidelines

• In accordance with requirements that the COP shall adopt in an additional annex

• The COP shall take into account Parties’ waste management regulations and programmes
ONLY RECOVERED, RECYCLED, RECLAIMED OR DIRECTLY RE-USED FOR:

• A use allowed to a Party under the Convention
  OR
• For environmentally sound disposal
NOT TRANSPORTED ACROSS INTERNATIONAL BOUNDARIES EXCEPT:

- For the purpose of environmentally sound disposal in conformity with this Article and with the Basel Convention

- In circumstances where the Basel Convention does not apply to transport across international boundaries – the party must take into account relevant international rules, standards, and guidelines

For Basel parties

Paragraph 3 (c)

For Basel non-parties
The COP is to seek to cooperate closely with Basel Convention bodies on the ESM guidelines.

Parties are encouraged to cooperate with each other and with relevant intergovernmental organizations and other entities, as appropriate.
• Adopted by Basel Convention COP in 2015
• SIWG to update the guidelines by decision BC-12/8 (in 2019)
• SIWG open to Parties and observers
• Lead country: Japan
• Third draft of the updated guidelines developed
• To be discussed at SIWG meeting on 8-11 December 2020
Technical guidelines on mercury wastes

I. Introduction (scope)

II. BC provisions & international linkages (including to Minamata Convention)

III. Guidance on ESM
   • General considerations
   • Legislative and regulatory framework
   • Identification and inventory
   • Waste prevention and minimization: for industrial and non-industrial processes; for mercury-added products
   • Handling, separation, collection, packaging, labelling, transportation & storage
   • Environmentally sound disposal
   • Reduction of releases from thermal treatment and landfilling
   • Management of contaminated sites
   • Health and safety
   • Emergency response
   • Awareness and participation
Cooperation with Minamata Convention

COP Decision MC-3/5:

- Invites the appropriate bodies of the Basel Convention to take into account the present decision in updating the technical guidelines
- Secretariats to facilitate cooperation between SIWG and Expert group on mercury thresholds
- Parties and stakeholders are encouraged to provide comments on draft guidelines

SIWG to revise third draft of guidelines for possible consideration by Basel Convention COP15 in July 2021
CURRENT INFORMATION ON MERCURY WASTES

SECTION THREE

- Initial review of MIA and national reports
- Intersessional work on mercury wastes
National priorities described in MIA reports

Priority actions identified in 39 MIA reports

- Phasing-out mercury-added products (MAPs)
- Mercury waste management
- Strengthening legal framework
- Strengthening institutional capacity
- Awareness raising/education to stakeholders & public
- Phasing-out/down the use of dental amalgam
- Emissions/releases (incl. incorporation of BAT/BEP)
- Reducing/eliminating mercury from ASGM sector
- Interim storage of mercury or/and discarded MAPs
- Monitoring (background, biota, emissions/releases)
- Health aspects (incl. caring vulnerable population)
- Reducing releases from primary metal production
- Assessment/identification of Contaminated sites
- Improving wastewater treatment system

The diagram shows the frequency of each priority action across 39 MIA reports, with the highest priority actions being Phasing-out mercury-added products (MAPs) and Mercury waste management.
National reporting; Article 11 Mercury wastes

Article 11, Q2: Are there facilities for final disposal of waste consisting of mercury or mercury compounds in the party's territory?

19 Parties have identified facilities for final disposal of waste consisting of mercury or mercury compounds (waste category Art.11 para 2(a) ).
National reporting; Article 11 Mercury wastes

Article 11, Q1: (included in full-reporting)
Have measures outlined in Article11, paragraph3, been implemented for the party’s mercury waste?

☐ Yes
☐ No

If yes, please describe the measures implemented pursuant to paragraph3, and please also describe the effectiveness of those measures.
COP Decision MC-3/5: Mercury waste thresholds

• No threshold needs to be established for waste consisting of Hg and Hg compounds, and waste listed in table 1 of the annex to the decision shall be regarded as such mercury waste.

• No threshold needs to be established for waste containing Hg and Hg compounds, and mercury-added products that are disposed of, are intended to be disposed of or are required to be disposed of, including those listed in table 2 of the annex to the decision, will be regarded as such mercury waste;

• Extended the mandate of the group of technical experts to develop thresholds for waste contaminated with Hg or Hg compounds.

Table 1: List of mercury waste consisting of mercury or mercury compounds

• Recovered elemental mercury
• Elemental mercury
• Mercury (I) chloride and mercury (II) chloride
• Mercury (II) oxide (mercuric oxide)
• Mercury (II) sulfate (mercuric sulfate)
• Mercury (II) nitrate (mercuric nitrate)
• Cinnabar concentrate
• Mercury sulfide

Table 2: Non-exhaustive list of waste containing mercury or mercury compounds

• Non-electronic measuring devices containing mercury (barometers, hygrometers, manometers, thermometers, sphygmomanometers)
• Electrical and electronic switches, contacts, relays and rotating electrical connectors with mercury
• Fluorescent bulbs, high intensity discharge (HID) bulbs (mercury vapour bulbs, metal halide and high-pressure sodium bulbs), neon/argon lamps
• Batteries/accumulators containing mercury
• Biocides and pesticides containing mercury and their formulations and products
• Paints and varnishes containing mercury
• Pharmaceuticals containing mercury for human and veterinary uses, including vaccines
• Cosmetics and related products containing mercury
• Dental amalgam
• Scientific instrument used for the calibration of medical or scientific devices containing mercury
COP Decision MC-3/5 – mining waste and ASGM

• At present, there is **no need to develop thresholds for overburden and waste rock** from mining other than primary mercury mining.

• Requested the group of technical experts to work further to **establish thresholds for tailings** from such mining.

• Requested the group of technical experts to conduct analysis of **whether tailings from ASGM should be subject to a threshold**.

• Requested the Secretariat, in cooperation with the Global Mercury Partnership, to **improve the National Action Plan guidance regarding management of tailings**.
Contribution by UNEP and the Global Mercury Partnership to the Mercury Waste agenda – a few highlights
Knowledge and science

- Global Mercury Supply, Trade and Demand report 2017
- Global Mercury Waste Assessment 2017
- Mercury Inventory Toolkit – 2019 update
- Global Mercury Monitoring Project
- Monitoring of open burning of waste and open dumping sites
Support to countries

• 67 countries supported in their Minamata Initial Assessments
• GEF-funded projects in development on mercury-added products with components on waste aspects and on phase out of mercury-cell chlor-alkali plants
• Hosting of the Secretariat of the Special Programme on Institutional Strengthening, which aims to support developing countries and countries with economies in transition in the implementation of the Basel, Rotterdam and Stockholm Conventions, the Minamata Convention and SAICM.
Voluntary multi-stakeholder network initiated in 2005
Over 200 partners from Governments, IGOs, NGOs, industry, academia

**Priority focus:**
- Support timely and effective implementation of the Convention
- Provide knowledge and science on mercury
- Deliver outreach and awareness raising towards global action
UNEP Global Mercury Partnership

Mercury Waste Management Partnership Area

**Objective:**
Minimize and, where feasible, eliminate mercury releases to air, water, and land from mercury waste by following a lifecycle management approach.

**Partnership Area Leads:**
Misuzu Asari, Graduate School of Global Environmental Studies, Kyoto University and the Ministry of the Environment of Japan

Catalogue of Technologies and Services on Mercury Waste Management

This catalogue has been compiled by Associate Professor Misuzu Asari, Kyoto University and Ministry of the Environment, Japan, the leads of the Waste Management Area (WMA) under the UNEP Global Mercury Partnership in cooperation with the partners of the WMA, with a view to disseminate information of technologies, products, services related to mercury waste management owned by partners in an effective manner.

March 2020
UNEP Global Mercury Partnership

EVENT

Mercury Waste Management Partnership Area - 2020 Meeting

27 November 2020
Online - 12.00 pm to 2.30 pm

For more information, visit web.unep.org/globalmercurypartnership or contact the Partnership Area leads at: wastemanagement@exri.co.jp