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**United Nations
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**Conference of the Parties to the
Minamata Convention on Mercury
First meeting**

Geneva, 24–29 September 2017

Item 6 (h) of the provisional agenda*

**Matters stipulated by the Convention for action by the
Conference of the Parties: the definition of mercury waste
thresholds referred to in paragraph 2 of article 11**

**Compilation of additional information on the use of mercury
waste thresholds**

Note by the secretariat

1. In paragraph 2 of article 11, the Minamata Convention on Mercury defines mercury wastes as “substances or objects:

- (a) Consisting of mercury or mercury compounds;
- (b) Containing mercury or mercury compounds; or
- (c) Contaminated with mercury or mercury compounds,

in a quantity above the relevant thresholds defined by the Conference of the Parties, in collaboration with the relevant bodies of the Basel Convention [on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal] in a harmonized manner, that are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law or this Convention.”

2. In paragraph 8 of its resolution on arrangements in the interim period (document UNEP(DTIE)/Hg/CONF/4, annex I), the Conference of Plenipotentiaries requested the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury to support, as practicable and consistent with the priorities in the Convention, those activities required or encouraged by the Convention that would facilitate its rapid entry into force and its effective implementation upon entry into force, including in particular thresholds for the identification of mercury waste pursuant to paragraph 2 of article 11, among other things.

3. As a result, the committee considered the issue of mercury waste thresholds at its sixth and seventh sessions. At its sixth session, the committee requested countries to provide the secretariat with information on their use of mercury thresholds and the levels established and the secretariat to compile such information for consideration at its seventh session. Submissions were received from nine countries and one regional economic integration organization. After considering the compilation of those submissions,¹ the committee at its seventh session decided that the secretariat should collect from Governments and others additional information on the use of mercury waste thresholds, and that

* UNEP/MC/COP.1/1.

¹ Compilation of information on the use of mercury waste thresholds (UNEP(DTIE)/Hg/INC.7/19) available at www.mercuryconvention.org/Negotiations/INC7.

informal efforts to propose appropriate thresholds should be pursued by those with the relevant expertise.

4. Further to the call for additional information on the use of mercury waste thresholds, submissions were received from six countries and one regional economic integration organization.² A compilation of those submissions is set out in the annex to the present note. It should be noted that three countries and the regional economic integration organization provided information that complements the information they had already submitted in follow-up to the sixth session of the committee.

5. Finally, further to the request for informal efforts to propose appropriate thresholds, the Government of Japan led an informal process that included consultations with experts including the co-leads of the products, waste and storage areas of the global mercury partnership. The contribution of this process to the Conference at its first meeting is presented in document UNEP/MC/COP.1/INF.10.

Suggested action by the Conference of the Parties

6. The Conference may wish to consider the information provided in the annex to the present note and in document UNEP(DTIE)/Hg/INC.7/19, as well as the information provided through the informal process, and further consider establishing mercury waste thresholds.

² <http://mercuryconvention.org/Negotiations/submissionsforCOP1/tabid/5535/Default.aspx>.

Annex

Compilation of additional information on the use of mercury waste thresholds

The information set out in the table below is a summary of the information on the use of mercury waste thresholds submitted by six countries and one regional economic integration organization. A blank box in any of the columns in the table indicates that no information of the type indicated in the heading of that column was provided.

Submitting party	Use of mercury waste thresholds	Threshold level	Additional information
Brazil – <i>submission complements information provided in follow-up to the sixth session of the intergovernmental negotiating committee and compiled in document UNEP(DTIE)/Hg/IN C.7/19</i>	As per the <i>Technical Standard NBR N° 10.004/2004</i> , which establishes the procedures for classifying solid waste as hazardous or non-hazardous (taking into account the process from which the waste originates, the characteristics of the waste and a comparison of its components), thresholds on mercury levels are used to determine whether certain types of wastes are hazardous, while others are characterized as hazardous simply by the presence of mercury.	When laboratory tests are required to determine whether a waste should be characterized as hazardous, the following thresholds are used: a) The amount of mercury is over 0.1 mg/L in the leaching test; b) The amount of mercury is over 0.001 mg/L in the solubilization test.	
European Union and its member States – <i>submission complements information provided in follow-up to the sixth session of the committee and compiled in document UNEP(DTIE)/Hg/IN C.7/19</i>	The <i>Guidelines for the characterization of dredged material and its reallocation into public waters</i> , ³ developed by the Spanish Interministerial Commission for Marine Strategies, establishes thresholds for a set of contaminants, including mercury, for the consideration of marine dredged material as non-hazardous sediments.	As per the guidelines, the threshold on mercury that is used in the assessment of marine dredged material is 17 mg/kg on a dry weight basis, referred to the non-coarse fraction, less than 2 mm.	

³ http://www.mapama.gob.es/es/costas/temas/proteccion-medio-marino/directrices2015_tcm7-325119.pdf (accessed on 19 April 2017).

Submitting party	Use of mercury waste thresholds	Threshold level	Additional information
<p>Japan – <i>submission complements information provided in follow-up to the sixth session of the committee and compiled in document UNEP(DTIE)/Hg/IN C.7/19</i></p>	<p>Thresholds are being developed for two new mercury waste categories:</p> <ul style="list-style-type: none"> • Dust and other wastes containing mercury, which include burnt residues, dust, sludge, waste acid, waste alkali and slag containing mercury or mercury compounds with a mercury concentration above a certain threshold; • Industrial wastes of mercury-added products. 	<p>For dust and other wastes containing mercury, the planned threshold is 15 mg/kg. For the recovery of mercury from such wastes prior to their disposal, the planned threshold is a mercury content of at least 1,000 mg/kg.</p> <p>Categorization as “industrial wastes of mercury-added products” will be according to the product type and not the mercury content. The same approach will apply to the requirement for mercury recovery prior to the disposal of such wastes.</p> <p>Public comments have been solicited on the above thresholds and approach.</p>	<p>“Specifically controlled industrial wastes”, which refer to wastes generated from specified facilities exceeding 0.005 mg-Hg/L in Japan’s official leaching test, along with “dust and other wastes containing mercury” would correspond to “substances or objects contaminated with mercury or mercury compounds” as per article 11 of the Minamata Convention, while “industrial wastes of mercury-added products” would correspond to “substances or objects containing mercury or mercury compounds” as per article 11.</p> <p>Mixing “industrial wastes of mercury-added products” with other types of waste and disposing of them in landfills dedicated to inert wastes are prohibited. Mercury must be recovered from industrial wastes of mercury-added products, such as sphygmomanometers that contain elemental mercury, prior to their disposal.</p>
<p>Madagascar</p>	<p>No threshold has been established to define solid waste containing mercury.</p> <p>Decree 2003/464 of 15/04/2003 sets the national standard in relation to the classification of surface waters and the release of liquid effluents into the environment. The decree defines polluting liquid effluents and establishes norms for wastewater from hotel infrastructures, from manufacturing or transformation activity, as well as drain waters from petroleum-related activities (gas stations, vehicle wash water, garages, storage units).</p>	<ul style="list-style-type: none"> • For the discharge of mercury in liquid effluents, the threshold is 0.005 mg/l. • For the spreading of sludges from wastewater treatment, the maximum concentration in the sludge is 20 mg/kg of dry matter, with a maximum intake of 1 kg/ha/10 years. 	<p>Waste management is still limited in Madagascar, and in general no sorting of waste is done. Mercury-containing wastes (batteries, lamps, electrical switches, etc.) are mixed with other household waste. Hence the steps to ensure the environmentally sound management of wastes containing mercury, including in handling, sorting, collection, packaging, labelling, transportation and storage, are not met.</p> <p>Despite the existence of norms for wastewater, Madagascar does not have equipment for measuring mercury.</p>
<p>Republic of Korea</p>	<p>A threshold for mercury is used in the classification of waste as hazardous waste.</p> <p>Mercury-added products that are disposed of are recycled, following prior recovery of the mercury, and the residues are disposed of in general waste landfill provided the mercury content is below the threshold.</p>	<p>Wastes containing more than 0.005 mg/L of total mercury by leaching test are classified as hazardous wastes and disposed of in hazardous waste landfill sites.</p>	<p>The Wastes Control Act is the Korean waste management legislation.</p>

Submitting party	Use of mercury waste thresholds	Threshold level	Additional information
<p>Switzerland – <i>submission complements information provided in follow-up to the sixth session of the committee and compiled in document UNEP(DTIE)/Hg/IN C.7/19</i></p>	<p>Mercury waste thresholds are not yet specified in the new ordinances elaborated to contribute to the implementation of the Minamata Convention.</p> <p>However, the Waste Ordinance⁴ sets thresholds for mercury content in recycled materials, raw materials used in cement and concrete production, and for landfill sites.</p>	<p>The Waste Ordinance sets the following mercury thresholds:</p> <ul style="list-style-type: none"> • 0.5 mg/kg dry matter for demolition and excavation material (unpolluted) • 1 mg/kg dry matter for demolition and excavation material (subject to further use in construction materials) • 1 mg/kg dry matter for waste used as raw material in cement and concrete production (use of waste as raw material, raw mix corrective and alternative fuel in cement clinker production) • 2 mg/kg dry matter for waste disposed of in a type B landfill (inert waste) • 0.01 mg/L dry matter (leaching) for waste disposed of in a type C landfill (solidified fly ashes of municipal solid waste incineration). The total content of mercury may not exceed 5 mg/kg dry matter for metal-containing, inorganic and badly soluble waste • 5 mg/kg dry matter for waste put in a type D landfill (slag of municipal solid waste incineration) and type E landfill (other waste, slightly reactive) 	
<p>Thailand</p>	<p>Mercury waste thresholds are used to classify waste as hazardous.</p>	<p>The total threshold limit concentration (TTLC) is 20 mg/kg.</p> <p>The soluble threshold limit concentration (STLC) is 0.2 mg/L.</p> <p>The waste extraction test is applied when the total concentration of mercury waste is not above the TTLC but is equal to or above the STLC or if the waste is disposed of in a secured landfill.</p>	<p>Industrial waste contaminated with mercury or mercury compounds above the standard level or classified as hazardous waste needs appropriate management by a licensed waste processor for disposal or recycling. Wastes that cannot be treated in Thailand, such as petroleum wastes, are exported to other countries, according to the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal.</p>

⁴ <https://www.admin.ch/opc/de/classified-compilation/20141858/index.html> (accessed on 19 April 2017).