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Meeting of the Group of Technical Experts on

Waste Thresholds to be Established Pursuant to

Paragraph 2 of Article 11 of the Convention

Minamata Convention on Mercury

Osaka, Japan, 27-29 May 2019

Report of Meeting of the Group of Technical Experts on Waste Thresholds to be Established Pursuant to Paragraph 2 of Article 11 of the Convention Minamata Convention on Mercury[[1]](#footnote-2)

 Introduction

1. Meeting of the Group of Technical Experts on Waste Thresholds to be Established Pursuant to Paragraph 2 of Article 11 of the Minamata Convention on Mercury was held on 27-29 May 2019 in Osaka, Japan. The meeting was attended by 18 experts, 8 observers, 2 invitees for cooperation between Secretariat of the Minamata Convention and chemical clusters, 5 persons from the host country and 2 persons from the secretariat. The list of participants is attached as annex. Skype sessions were convened to receive input from members who could not participate in the meeting.
2. Article 11 defines mercury waste as substances or objects:
3. Consisting of mercury or mercury compounds (Category A);
4. Containing mercury or mercury compounds (Category B); or
5. Contaminated with mercury or mercury compounds (Category C).

that are disposed of or are intended to be disposed of or required to be disposed of by the provisions of national law or of the Minamata Convention.

1. The Conference of the Parties (COP) decided in its decision MC-2/2 to establish a group of technical experts to proceed with the discussion on mercury waste thresholds during the intersessional period leading up to the third meeting of COP, as per the provisions of paragraph 2 of article 11 of the Convention. The group of experts was mandated to consider the following matters, taking into account the previous work done by experts in the open-ended process pursuant to decision MC-1/19 and by the second meeting of COP:
2. Work to further clarify and refine the coverage of each of the three categories;
3. The development of a comprehensive list of Category A, as well as an indicative list of mercury waste that might fall under Category B and Category C;
4. The development, as a priority, of relevant approaches and methodologies for establishing thresholds for Category C and, if possible, the recommendation of specific thresholds for this waste; the group would also consider the relevance of thresholds for Categories A and B;
5. Work, as a separate and differentiated matter, to identify approaches for establishing thresholds for overburden, waste rock and tailings, except from primary mercury mining, during the intersessional period.
6. Opening of the meeting
7. The meeting was opened at 9.00 a.m. on Monday, 27 May 2019 by Co-chairs of the group, Ms. Oluwatoyin Olabanji (Nigeria) and Mr. Andreas Gössnitzer (Switzerland). Co-chairs welcomed the participants and thanked the secretariat of the Minamata Convention, the International Environmental Technology Centre, United Nations Environment Programme, and the government of Japan for organizing and hosting the meeting. They emphasized that the group had clear mandates from COP, and that the purpose of this meeting is to develop a report to COP.
8. Opening remarks were delivered by Mr. Akitoshi Kawamoto, Director, Kinki Regional Environmental Office. He showed his appreciation to the secretariat, the International Environmental Technology Centre and all the participants. He explained enforcement of the Mercury Management Act in Japan, and he gave the example of municipalities’ efforts to deal with mercury waste. He hoped that the group would have productive discussions to manage mercury waste management for the Minamata Convention on Mercury.
9. Co-chairs invited all the participants to briefly introduced themselves.
10. Organizational matters
11. Adoption of the agenda
12. Co-chairs adopted the proposed agenda items without any amendment.
13. Organization of work
14. Co-chairs invited the secretariat to introduce the meeting document UNEP/MC/WT.1/2. COP-1 established an open-ended process to initiate work on the thresholds, and COP-2 adopted the decision MC-2/2 and established a group of technical experts. The secretariat also indicated that the Conference of the Parties to the Basel Convention at its 14th session in May 2019 adopted the decision to update the guidelines. The secretariat also mentioned that Government of Japan provided financial contribution to the secretariat to organise the expert meeting and a back-to-back workshop on synergies in mercury waste management.
15. Prior to the meeting, there were two teleconferences of the group to discuss how it will conduct its work, including election of co-chairs. The secretariat also shared information on other intersessional work, including mercury releases, contaminated sites, and emissions of mercury from the open burning of waste. The secretariat also introduced a proposed composition of three working groups that will discuss technical matters during the meeting.
16. The group agreed on the arrangements for three working groups as follows: (1) Listing group chaired by Ms. Oluwatoyin Olabanji (Nigeria); (2) Threshold group chaired by Mr. Masaki Takaoka (Japan); and (3) Mining Group chaired by Mr. Andreas Gössnitzer (Switzerland).
17. Clarification and refinement of the coverage of each of the three categories of mercury waste listed in paragraph 2 of article 11
18. Co-chairs invited the secretariat to introduce the meeting document, UNEP/MC/WT.1/3. The group discussed the matter of clarification and refinement of three categories of mercury waste listed in paragraph 2 of article 11.
19. The group considered whether Category B3 in Basel Guidelines (“wastes containing mercury or mercury compounds that result from the treatment of mercury wastes listed as A, B1, B2 or C”) is relevant.
20. The group also considered whether tailings from artisanal and small-scale gold mining and processing in which mercury amalgamation was used to extract gold from ore were excluded from the definition in article 11. The group developed a clarifying language on how these wastes should be dealt with.
21. The group also noted that illegal or informal activities have been known where mercury is being extracted from tailings that had been disposed of in mining of other metals. The group considered that these activities should be regarded as primary mercury mining.
22. The group further discussed whether mercury waste may include wastewater. Different views were expressed as to the coverage of waste management legislation for wastewater. The group noted that a different intersessional work was underway to discuss the sources of mercury releases to land and water not addressed by provisions other than article 9.
23. The Listing Group was tasked to develop text for further clarification and refinement of the coverage of the three categories.
24. Listing of mercury waste
25. Co-chairs invited the secretariat to introduce the meeting document, UNEP/MC/WT.1/4. The group reviewed all the items listed in Annex 1 at plenary. One expert shared a list of mercury waste recently published by United States Environmental Protection Agency as a good reference to refine the list. Several experts expressed concerns on the confusions in the current list which, for example, mentioned waste contaminated with mercury or mercury compounds in Category A. Co-chairs requested the listing group to check all items carefully and to refine the lists.
26. Co-chairs gave four mandates to the listing group as follows:
27. Development of text on the clarification and refinement of the coverage of each of three categories on mercury waste (see the section above);
28. Development of a draft comprehensive list of Category A;
29. Development of a draft indicative list of Category B; and
30. Development of a draft indicative list of Category C.
31. The working group reviewed the lists as mandated, and reported back to the plenary the outcome of its work, with simplified structure of the list organized by the type of waste.
32. Establishing mercury waste thresholds
33. Co-chairs invited the secretariat to introduce the meeting document, UNEP/MC/WT.1/5 and UNEP/MC/WT.1/5/Add.1. The document described three possible approaches: thresholds based on total mercury content; thresholds based on release potentials; and a listing approach. Secretariat reminded the group of the mandate from COP regarding thresholds.
34. After plenary discussion on this issue, the co-chairs gave three mandates to the threshold group to develop draft documents discussing:
35. Relevant approaches and methodologies for establishing thresholds for Category C (including analytical methods);
36. Recommendation of specific thresholds for Category C; and
37. Relevance of thresholds for categories of waste falling under Category A and B.
38. Based on the outcome from the discussion in the working group, the group considered recommended approach to thresholds for category C waste.
39. One proposal put forward was a concentration limit of 25 mg/kg as a threshold for identifying waste falling under Category C. This proposal was based on the classification of mixtures of mercury under the Globally Harmonized System of the United Nations for aquatic acute and chronic hazard. No other proposal was made on specific threshold value.
40. The group also considered the relevance of thresholds for categories A and B waste.
41. Approaches for establishing thresholds for overburden, waste rock and tailings, except from primary mercury mining
42. Co-chairs invited the secretariat to introduce the meeting document, UNEP/MC/WT.1/6.
43. After plenary discussion on this issue, co-chairs gave one mandate to the mining group as follows:

Development of text describing approaches for establishing thresholds for overburden, waste rock and tailings, except from primary mercury mining.

1. Based on the report from the working group, the group considered the relevance of thresholds for waste rock, overburden and tailings from industrial-scale non-ferrous metals mines, and approached to establish such thresholds.
2. Adoption of the report, identification of remaining work, and agreement on the way forward
3. The group agreed on the following schedule for finalising the report to COP:
* Compilation of reports from working groups will be made available by 31 May for a quick review.
* A draft report will be ready for review by the group in late June, for commenting for three weeks.
* Co-chairs and the secretariat will finalise a report and submit it to the headquarters of United Nations Environment Programme for editing and translation by 9th August 2019.
1. The co-chair mentioned the plan for a meeting between them and the secretariat in the week of 17 June to develop the draft report, and mentioned the possibility of contacting relevant members and observers as needed during the process of developing the draft.
2. Other matters
3. Secretariat briefly introduced Workshop on Synergies in Mercury Waste Management to be held on 30-31 May 2019 at the same venue. A representative from Secretariat of the Basel, Rotterdam and Stockholm conventions shared one decision on the Basel Convention Technical Guidelines which called nomination to join a small-intersessional working group to update the guidelines.
4. Closure of the meeting
5. Co-chairs gave final remarks and declared the meeting closed at 6.40 p.m. on Wednesday, 29 May 2019.

**Annex**

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1. This document has not been formally edited. [↑](#footnote-ref-2)