RE: Zero Mercury Working Group Comments on the Supply - Storage Partnership business plan, communication plan and wish list

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Dear Ana and Judith,

Thank you for the opportunity to provide input on the Storage – Supply Partnership business plan, and Partnership Advisory Group communication plan and "wish list."

Overall, we'd like to make the following observation. While we agree the partnership could play a useful role in identifying priority storage projects over the next several years, there are two essential components of project prioritization which appear to be either missing or insuffiently emphasized in the current planning documents.

- The first is the role and responsibility of the private sector to manage their own mercury, particularly the chlor-alkali and mining sectors, which will be responsible for the bulk of the mercury entering the global marketplace over the next 10 years. The partnership should be facilitating the development of storage plans from these industrial sectors, either globally and/or regionally, which reflect their primary role in providing for or arranging for the storage capacity as needed to sequester their mercury from the global marketplace. Development of these sector plans should one of the highest priorities for the partnership, with a goal of plan completion by the end of 2013. This time frame would enable the interim INC and secretariat to use this formation and plan next steps following the Diplomatic Conference.

- The second component needing greater emphasis is gathering additional data on the extent to which the existing waste infrastructure could be used for elements of the surplus mercury storage needs for the near-term at least. In this regard, we note the project underway in several Latin America countries, and suggest a lot more can be done regionally and globally in the way of a "gap analysis" to identify near-term needs for restricting the global mercury supply. In addition, these kinds of projects will inform technical and financial assistance decisions for the interim INC and Secretariat, and therefore have immediate value for treaty implementation.

In our comments below, we reiterate some of the comments we made during the call on 27 February and provide some additional comments as well.

Business Plan

As stated on the call, we believe that the business plan for the Storage – Supply Partnership should be updated (see attached business plan input) and we offer the following input.

1) the first for Spain, as co-lead of the partnership, to work in consort with Eurochlor and the World Chlorine Council to inventory quantities of mercury that will become available globally from chlor alkali facilities by 2013 and 2016, 2019 and 2022, respectively;
2) the second for Uruguay, as co-lead of the partnership, to work with the relevant large-scale mining and metals processing associations to determine the quantities of byproduct mercury that will be generated globally from lead, zinc, and copper smelting by 2013 and 2016, 2019 and 2022, respectively.

As noted above, these inventories would then become part of mercury management plans to be developed by these sectors, dictating how these industrial sectors intend to respond to treaty control measures restricting the trade of this mercury. The plans would be completed by the end of 2013.

UNEP Partnership Advisory Group "wish list"

We welcome Spain's interest in co-funding a workshop in the GRULAC Region prior to the regional meeting 14-18 May on stabilization technologies for metallic mercury and mercury containing wastes, but would encourage you to broaden the scope of this workshop, given the gaps in information on what kind of new storage facilites would be needed. Part of the challenge is a lack of diagnosis of the problem in this Region – so it would be helpful if the partnership focus on better identifying what the future needs will be. As part of this, it could be useful to engage country representatives during the workshop to identify and outline what the information gaps are so as to help determine what the country needs are in the Region. During the workshop, it could also be advantageous for the countries to hear from industry on their designs for managment plans to store their surplus mercury.

We also have comments in a few other areas, including the following:

1. We of course are supportive of the links to other partnership areas, including waste, chlor-alkali, ASGM. Per our suggestion on the call we would encourage you to consider a joint call with the chlor-alkali partnership to request their assistance in gathering data

on estimated quantities of surplus mercury worldwide that are projected to be available by 2013 and 2016, and also 2019 and 2022, respectively.

2. As also suggested on the call, we encourage you to review existing documents, including the recently adopted Basel guidelines on managing mercury wastes and the 9th draft glossary of terms before developing new stand alone "protocols regarding storage of mercury wastes."
3. Regarding "Training projects related to management and stabilization of mercury wastes," we would suggest that you first solicit input from other governments as well as other members of the partnership to determine what has already been done in this area.
4. Finally,concerning "Monitoring activities for the characterisation of mercury polluted areas," as was noted on the call, we do not believe that this activity falls under the purview of the Supply – Storage Partnership. Instead, we believe that activities such as these should be undertaken by the Waste Partnership Area.

<u>Partnership Advisory Group Communication Plan</u>

We would also like to provide input on the following Supply – Storage Partnership activities, as listed in the Partnership Advisory Group's Communication Plan.

- *Developing countries have difficulties to identify and fund the construction of appropriate facilities for the safe and environmentally sound storage of mercury wastes.*
- *It could be convenient to develop storage protocols regarding different types of mercury wastes.*
- *It is important to improve the tools to gather information on trade and supply flows related to mercury wastes and products.*

First, as discussed above, we question the built in assumption that many new facilities are needed for mercury or waste storage. Unless and until more information is obtained, the private sector role is fully understood, and existing facility capabilities are assessed, we cannot agree with the emphasis on "construction" suggested here. Moreover, we would urge you to review both the recently adopted Basel guidelines on managing mercury wastes and the 9th draft glossary of terms before developing new stand alone "*storage protocols regarding different types of mercury waste."*

We also support the idea of gathering better up-to-date information *"on trade and supply flows related to mercury wastes and products."* As such, we already have a request into the Products Partnership lead (US EPA) to solicit current and projected future annual usage of mercury from dental amalgam manufacturers nationally and globally. We support the Partnership leads going a step further and requesting that the Products Partnership send letters to all major mercury-added product and device manufacturers requesting annual mercury use data, where such data is currently limited or "soft."

Again, thanks for the opportunity to provide input.

Sincerely,

Michael & Elena

Zero Mercury Working Group Co-Coordinators