



## ZMWG RECOMMENDATION ON SETTING WASTE THRESHOLDS UNDER ARTICLE 11

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1. Under Article 11 of the Convention, mercury wastes are divided into three categories: (1) **wastes consisting of mercury or mercury compounds**, such as excess mercury from closing or converting chlor-alkali facilities or calomel generated from mining operations; (2) **wastes containing mercury or mercury compounds**, such as mercury products at the end of their useful life; and (3) **wastes contaminated with mercury or mercury compounds**, such as industrial process wastes and contaminated soil at remediation sites.
2. At COP 1, an open-ended expert group was established for the purposes of identifying wastes falling within these categories, recommending priorities for setting waste thresholds among the wastes identified, and identifying the possible approaches for setting thresholds for the prioritized wastes.
3. The outcome of the expert group deliberations is reflected in document 2/6. The document can be hard to follow because of the technical details, but the key outcomes were a rough table of wastes within each waste category that still needs further work, and an “emerging consensus” that category 3 wastes was a high priority for threshold development (par. 15). There was significant disagreement among the experts on the need for thresholds on the first two categories of wastes, since the thresholds are set to remove wastes from Convention coverage, and the experts believed all the wastes within these categories should be covered by the Convention (par. 18, 21).
4. **Accordingly, ZMWG recommends that further work focus on completing the Category 3 identification of wastes, and then identifying priorities and possible approaches for threshold development within Category 3.**
5. Given scarce resources, we do not recommend devoting resources to further discussions on Categories 1 and 2, particularly when developing world countries are facing more immediate and significant problems involving mercury wastes.