



Brazilian Institute of Environment and Renewable Natural Resources

TECHNICAL NOTE No. 30/2025/COREM/CGQUA/DIQUA

PROCESS NO. 02001.010336/2025-62

INTERESTED PARTY: Aethra Automotive Systems SA

1. SUBJECT

1.1. This Technical Note aims to analyze the information provided by the company Aethra. Automotive Systems SA for the purpose of obtaining authorization to purchase and use metallic mercury.

2. REFERENCES

2.1. **Decree No. 9470, of August 14, 2018**, which promulgates the Minamata Convention on Mercury, signed by the Federative Republic of Brazil, in Kumamoto, on October 10, 2013;

2.2. **IBAMA Normative Instruction No. 26, of December 10, 2024**, which establishes the requirements and environmental control procedures for import, export, trade, transfer, recycling, recovery, use and transport of metallic mercury, as well as denaturation of mercury waste in the national territory.

3. ANALYSIS

3.1. The company Aethra Sistemas Automovos SA specializes in supplying products. and high-tech services for the automotive and aerospace industries. In the Ocio that forwarded to Ibama (Sei document nº 22893115) requests the company to be eligible for mercury purchase analysis. metallic for use in welding machine heads, seam welding for the manufacture of reservoirs. Fuel for motor vehicles.

3.2. According to Decree No. 9470, of August 14, 2018, the activities and products Areas covered by the Minamata Convention regarding the use of mercury are delimited. in the following articles and Annexes:

- Article 4 - Products with added mercury;
- Annex A, Part I - Products subject to Article 4, paragraph 1 and Part II - Products subject to Article 4, paragraph 3;
- Article 5 - Manufacturing processes in which mercury and mercury compounds are used;
- Annex B, Part I - Processes subject to article 5, paragraph 2 and Part II - Processes subject to article 5, paragraph 3;
- Document that produced amendments to Annexes A and B (MC5/4);
- Article 7 - Small-scale gold mining.

3.3. It is important to point out that Ibama Normative Instruction No. 26, of December 10, 2024 reproduces the information contained in Decree No. 9470, of August 14, 2018, as well as in the Decision. MC5/4 with regard to the permission and control of activities and products that use mercury, as per Annex I, Sections II and III, and Annex II, Sections I and II.

3.4. After analyzing the normative instruments used as a reference for this Technical Note, It is possible to state that the product mentioned by the company Aethra Sistemas is not included. Automovos SA "seam welding machine heads for the manufacture of reservoirs of

"fuel for motor vehicles" in the original text of the Minamata Convention (Decree No. 9470, of August 14, 2018), in the official document compiling all amendments to Annexes A and B, as well as in the text of Ibama Normative Instruction No. 26, of December 10, 2024.

3.5. Article 4 of Decree No. 9,470, of August 14, 2018, also highlights, in its item 5, the next measure:

Decree No. 9,470, of August 14, 2018

Article 4

Products with added mercury

5. Each Party shall take measures to prevent the incorporation, into assembled products, of products with added mercury from manufacture, import and export not authorized by this Article.

to It should be noted that the product to which the company intends to add mercury also does not fall under the exclusions the elimination deadlines for manufacturing, import and export present in Annex A, Part I and Annex B, Part I, explicitly listed in Annex A of Decree No. 9470, of August 14, 2018.

3.7. Given that the control of metallic mercury in the country is primarily based on the text of the Minamata Convention and its amendments, as well as the national regulations derived from it, and considering IBAMA Normative Instruction No. 26, of December 10, 2024, for the purposes of the matter analyzed in this Technical Note, it is possible to state that products with added mercury or activities that use metallic mercury that are not explicitly authorized and controlled by current regulations, or are not included in any specific exception case, may not contain mercury, in the case of products, or use mercury in their operations, in the case of activities.

4. CONCLUSION

In light of the above, it is concluded that the application for qualification of the company Aethra Sistemas 4.1. The request from Automovos SA cannot be granted because the intended use for the mercury mentioned by the company (use in welding machine heads for the manufacture of fuel tanks for motor vehicles) does not fall within the provisions of Article 4 - Products with added mercury, nor is it included in Annex A, Part I (Products subject to Article 4, paragraph 1) of the original text of the Convention (Decree No. 9470, of August 14, 2018), nor was it added in decision MC-5/4 (UNEP/MC/COP.5/Dec.4), which contains the amendments to Annexes A and B defined at the 4th and 5th Conferences of the Parties to the Minamata Convention on Mercury.

4.2. For your consideration.

Yours sincerely,

(electronically signed)

CÂNDIDA MARIA DE OLIVEIRA VIRGENS PAIM

Environmental Analyst

Waste and Emissions Control Coordination



This document was electronically signed by **CÂNDIDA MARIA DE OLIVEIRA VIRGENS PAIM, Environmental Analyst**, on April 14, 2025, at 3:07 PM, Brasília time, pursuant to Article 6, § 1, of [Decree No. 8,539, of October 8, 2015](#).



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Brazilian Institute of Environment and Renewable Natural Resources

TECHNICAL NOTE No. 49/2025/COREM/CGQUA/DIQUA

PROCESS NO. 02001.010336/2025-62

INTERESTED PARTY: Aethra Automotive Systems SA

1. SUBJECT

1.1. In response to the official communication forwarded to IBAMA by the company Aethra Sistemas Automovos SA (Sei document no. 23220785) which submits a request for reconsideration of the rejection of Regarding the company's qualification, this Technical Note will present an analysis of the submitted documents. to support the request for reconsideration of the denial of authorization for the use of mercury metallic

2. REFERENCES

2.1. **Decree No. 9470, of August 14, 2018**, which promulgates the Minamata Convention on Mercury, signed by the Federative Republic of Brazil, in Kumamoto, on October 10, 2013;

2.2. **IBAMA Normative Instruction No. 26, of December 10, 2024**, which establishes the requirements and procedures for environmental control of import, export, trade, transfer, recycling, recovery, use and transport of metallic mercury, as well as denaturation of mercury waste in the national territory.

3. ANALYSIS

3.1. In the official communication forwarded to Ibama (Sei document nº 23220785), the company Aethra Sistemas Automovos SA presents in its initial considerations various information about the controls. quality assurances delivered internally, as well as reaffirmation of compliance with legal requirements. for the use of mercury.

3.2. To supplement the justification for reconsideration of the denial of eligibility, the following are Two images are presented on page 4 of the document. One of them depicts the welding head for the manufacturing of fuel tanks, in which metallic mercury is used, and the second The image shows the welding heads installed on the welding machine itself.

3.3. Using Decree No. 9470, of August 14, 2018, article 3, item 6, subparagraph a declares the following:

Article 3

Sources of mercury supply and trade

6. No Party shall permit the export of mercury, except:

(a) For a Party that has provided the exporting Party with written consent, and solely for the purpose of:

(i) A use permitted by the Convention for the importing Party; or

(ii) Environmentally sound temporary storage, as established in Article 10

3.4. Therefore, a country that is a Party to the Convention may only authorize the importation of mercury. for a use permitted by the Minamata Convention or for temporary storage.

As mentioned in the analysis carried out in Technical Note No. 30 (Sei document No. 23043557): the

Intended use for the mercury mentioned by the company (use in welding machine heads)

(sewing for the manufacture of fuel tanks for motor vehicles) is not

framed within the provisions of Article 4 - Products with added mercury and not included in Annex A, Part I (Products subject to Article 4, paragraph 1) of the original text of the Convention (Decree No. 9470, of August 14, 2018), nor was it added in decision MC-5/4 (UNEP/MC/COP.5/Dec.4), which contains the amendments to Annexes A and B defined in the 4th and 5th Conferences of the Parties to the Minamata Convention on Mercury.

3.5. Another article that should be mentioned again in this second analysis is article 4, paragraph 5 of Decree No. 9,470, of August 14, 2018:

Article 4

Products with added mercury

5. Each Party shall take measures to prevent the incorporation, into assembled products, of products with added mercury from manufacture, import and export not authorized by this Article.

3.6. Based on the argument highlighted above, it is possible to affirm that the company's intended use of mercury falls under this prohibition of the Convention, since the inclusion of mercury in the welding heads would represent the manufacture of a product with added mercury not authorized by Article 4 (Products with added mercury), which would later be incorporated into an already assembled product, in this case the welding machine.

3.7. Finally, it should be noted that the product to which the company intends to add mercury does not fall under the exclusions to the deadlines for the elimination of mercury in manufacturing, import and export, as set out in Annex A, Part I and Annex B, Part I, explicitly listed in Annex A of Decree No. 9470, of August 14, 2018.

3.8. As attachments to the official letter, Aethra forwarded the following documents:

- a) ISO14001 Certificate (Sei document no. 23220787);
- b) Environmental License (Sei document no. 23220788);
- c) Environmental License Conditions (Sei document no. 23220789);
- d) Fire department inspection report (Sei document no. 23220790);
- e) Location and operating permit (Sei document no. 23220791);
- f) Certificate of Regularity (Sei document no. 23220792).

3.9. The documents listed above, although valid, do not contribute to justifying the...
Request for reconsideration of the rejection of the company's qualification.

3.10. In this regard, it is important to reiterate two pieces of information already stated in Technical Note No. 30:

I - IBAMA Normative Instruction No. 26, of December 10, 2024, as it derives from the basic text of the Minamata Convention, reproduces the information present in Decree No. 9470, of August 14, 2018, as well as Decision MC5/4, regarding the permission and control of activities and products that use mercury, as per Annex I, Sections II and III, and Annex II, Sections I and II; and

II - Products with added mercury or activities that use metallic mercury that are not explicitly authorized and controlled by current regulations or are not included in any specific exception case, may not contain mercury in the case of products or use mercury in operations in the case of activities.

4. CONCLUSION

In response to the request for reconsideration of the rejection of the qualification of the company Aethra 4.1. Sistemas Automovos SA, Corem maintains its position in favor of denying the aforementioned authorization based on the following justifications:

- a) The intended use for the mercury mentioned by the company (use in cylinder heads of

Welding machines for the manufacture of fuel tanks for motor vehicles) **are not covered** by the provisions of Article 4 - Products with added mercury, nor are they included in Annex A, Part I (Products subject to Article 4, paragraph 1) of the original text of the Convention (Decree No. 9470, of August 14, 2018), nor were they added in decision MC-5/4 (UNEP/MC/COP.5/Dec.4), which contains the amendments to Annexes A and B defined at the 4th and 5th Conferences of the Parties to the Minamata Convention on Mercury;

b) The intended use for mercury **falls under the prohibition** declared in Article 4, paragraph 5 of the Convention (Decree No. 9470, of August 14, 2018), which states that "*Each Party shall take measures to prevent the incorporation into assembled products of products with added mercury of manufacture, import and export not authorized by this Article*". The inclusion of mercury in welding heads would represent the manufacture of a product with added mercury not authorized by Article 4 of Decree No. 9470, of August 14, 2018 (Products with added mercury), which would subsequently be incorporated into an already assembled product, in this case the welding machine.

4.2. For your consideration.

Yours sincerely,

(electronically signed)

CÂNDIDA MARIA DE OLIVEIRA VIRGENS PAIM

Environmental Analyst

Waste and Emissions Control Coordination



This document was electronically signed by **CANDIDA MARIA DE OLIVEIRA VIRGENS PAIM, Environmental Analyst**, on May 27, 2025, at 10:51 AM, Brasília time, pursuant to Article 6, § 1, of [Decree No. 8,539, of October 8, 2015](#).



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Brazilian Institute of Environment and Renewable Natural Resources

TECHNICAL NOTE No. 27/2025/COREM/CGQUA/DIQUA

PROCESS NO. 02001.010089/2025-02

INTERESTED PARTY: Aethra Automotive Systems SA

1. SUBJECT

1.1. In response to the Corem Dispatch (Sei document no. 22890832), this Technical Note will present an analysis of the request submitted by the company Aethra Sistemas Automovos SA. for the purpose of authorizing the purchase of 5kg of metallic mercury from the company Construvolts Building and Industrial Materials and Solutions LTDA.

2. REFERENCES

- 2.1. **Decree No. 9470, of August 14, 2018**, which promulgates the Minamata Convention on Mercury, signed by the Federative Republic of Brazil, in Kumamoto, on October 10, 2013;
- 2.2. **IBAMA Normative Instruction No. 26, of December 10, 2024**, which establishes the Environmental control requirements and procedures for import, export, trade, transfer, Recycling, recovery, use and transport of metallic mercury, as well as the desaturation of waste from Mercury in the national territory.

3. ANALYSIS

3.1. The company Aethra Sistemas Automovos SA specializes in supplying products and High-tech services for the automotive and aerospace industries. As per proof of registration and tax status information extracted from the official website of the Federal Revenue Service (Sei document no. 22957197), the company is registered in the following activities:

- I - 29.30-1-01 - Manufacture of truck cabs, bodies and trailers;
- II - 29.30-1-03 - Manufacture of cabins, bodies and trailers for other vehicles Motor vehicles, except trucks and buses;
- III - 33.14-7-13 - Maintenance and repair of machine tools;
- IV - 71.12-0-00- Engineering services;
- V - 71.19-7-03- Technical drawing services related to architecture and engineering;
- VI - 71.20-1-00 - Technical tests and analyses.

3.2. In order to request authorization from Ibama to purchase 5kg of metallic mercury. originating from the company Construvolts Materiais e Soluções Prediais e Industriais LTDA, Aethra Sistemas Automovos SA sent an official letter addressed to them (Sei document no. 22875228).

3.3. In the document sent to Ibama, the company presents the following statement:

Aethra Sistemas Automovos SA, registered under CNPJ number 41.757.527/0001-42, with headquarters at Carolina Street, No. 51, Morro Valente, Bem – Minas Gerais, Postal Code: 32.686-190, registered in this Brazilian Institute of Environment and Renewable Natural Resources - IBAMA under the number 62869, respectfully **requests this Institute to release the purchase module for Mercury for the purchase of 5 kg of mercury from the company CONSTRUVOLTS MATERIAIS E SOLUÇÕES PREDIAIS E INDUSTRIAIS LTDA (CNPJ: 02.214.123/0001-50)**, for the purpose of use specifically designed for application in seam welding machine heads for

manufacturing of fuel tanks for motor vehicles at this facility.

We would like to point out that, due to the product being unavailable at the company, there is an imminent risk of a work stoppage. production, therefore we request the attention of this Institute regarding the release of the link. to access the purchase module.

3.4. Additionally, a copy of the email sent by the company to the inbox was attached to the document. from mercuriometalico.sede@ibama.gov.br containing the same requests as in the document.

3.5. The first analysis to be carried out based on the documents submitted is that the The company did not follow the administrative procedure determined in Ibama Normative Instruction No. 26, of December 10, 2024. Firstly, according to the aforementioned normative document, the entity that The company that will sell the mercury must request authorization from Ibama, following the established guidelines. from Chapter IV, Section IV of IN No. 26/2024. The buyer must follow the guidelines in Chapter IV. IV, Section V, and both companies must be authorized by IBAMA, as per Article 5, item III and Chapter II.

3.6. In this regard, according to Ibama Normative Instruction No. 26, of December 10, 2024, the The order in which the activities will be carried out is:

- I - Qualification, as per article 5, item III and Chapter II **(both companies);**
- II - Procedure for authorizing the sale of metallic mercury, according to Chapter IV, Section IV **(company that will sell the mercury);**
- III - Procedure for authorization to purchase metallic mercury, as per Chapter IV, Section V **(company that will buy the mercury).**

3.7. It should be noted that the company was informed of the need to follow the guidelines. present in the normative instrument for commercializing metallic mercury through response institutional email forwarded to Ibama (Sei document no. 22970538).

3.8. In addition to the documents included in this process, the company also He initiated another process for his accreditation with Ibama.

3.9. Technical analysis of the application for qualification submitted by the applicant Aethra Sistemas Automovos SA was registered in Technical Note 30 (Sei document no. 23043557, present in (Case number: 02001.010336/2025-62) and the technical team presented the following conclusion:

In light of the above, it is concluded that the application for qualification of the company Aethra Sistemas Automovos SA cannot be granted the request, as the intended use for the mercury mentioned by company (use in welding machine heads for the manufacture of reservoirs of Fuel for motor vehicles is not covered by the provisions of Article 4. Products with added mercury not included in Annex A, Part I (Products subject to Argo) 4, paragraph 1) of the original text of the Convention (Decree No. 9470, of August 14, 2018), as well as it was not added to decision MC-5/4 (UNEP/MC/COP.5/Dec.4), which contains the amendments to Annexes A and B defined at the 4th and 5th Conferences of the Parties to the Minamata Convention on Mercury.

3.10. Therefore, the rejection of the company's registration prevents the continuation of the process. Analysis of authorization for the purchase of metallic mercury, since the intended use for the mercury is not... It is framed within the provisions of the Minamata Convention.

4. CONCLUSION

4.1. In light of the foregoing, and due to the rejection of the Aethra company's registration, Sistemas Automovos SA, as per Technical Note 30 (Sei document no. 23043557, present in the Process: 02001.010336/2025-62), the procedure for analyzing the authorization to purchase 5kg of mercury metallic materials originating from the company Construvolts Materiais e Soluções Prediais e Industriais LTDA do not It may continue and will be terminated due to incompatibility of the intended use with the dictates of... Minamata Convention.

4.2. For your consideration.

Yours sincerely,

(electronically signed)

CÂNDIDA MARIA DE OLIVEIRA VIRGENS PAIM

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This document was electronically signed by **CANDIDA MARIA DE OLIVEIRA VIRGENS PAIM, Environmental Analyst**, on April 14, 2025, at 3:38 PM, Brasília time, pursuant to Article 6, § 1, of [Decree No. 8,539, of October 8, 2015](#).



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