

Decision IG.20/8.1

Regional Plan on the reduction of inputs of Mercury in the framework of the implementation of Article 15 of the LBS Protocol

The 17th Meeting of the Contracting Parties,

Recalling Article 8 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona 1995, concerning the obligations of the Parties to prevent, abate, combat and to the fullest possible extent to eliminate pollution from land based sources,

Recalling also Article 5 of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities, hereinafter referred to as the LBS Protocol, concerning the phasing out of inputs of the substances as presented in its Annex 1.C, that are toxic, persistent and liable to bio-accumulate,

Having regard to Decision 17/8 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) entitled "Implementation of NAPs and the preparation of legally binding measures and timetables required by Art.15 of the LBS Protocol",

Acknowledging the widespread concerns over the serious adverse effects of mercury on human health and the environment,

Taking into account the work carried out within the framework of United Nations Environment Programme and in particular of the Global Negotiation Process on Mercury as well as the pertinent provisions of the relevant international environmental agreements and other regional agreements of relevance,

Having considered the results of the Assessment on Mercury in the Mediterranean prepared by CP/RAC, recognizing that the current efforts to reduce risks from mercury are not sufficient to tackle the challenges posed by mercury and the need for coordinated action to prevent further environmental contamination by Mercury of the Mediterranean sea and its coastal zone due to its special hydrographical and ecological characteristics as a semi closed sea particularly vulnerable to pollution, including bio accumulation of Mercury,

Noting the different capabilities of the Parties to undertake measures, as well as their common but differentiated responsibilities,

Committed to increased efforts to tackle the global and regional challenges to reduce risks from releases of mercury and the need to manage chemicals of global and regional concern in an efficient, effective and harmonized manner;

Fully aware of the obligation to comply with requirements of the Barcelona Convention and the LBS protocol as per Article 27 of the Convention and Decision IG 17/2 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) on compliance procedures and mechanisms,

Having considered the report of MED POL Focal Points meeting held in Rhodes, Greece, in May 2011,

Decides to adopt the Regional Plan on the reduction of Mercury in the framework of the implementation of Article 15 of the LBS Protocol together with its Appendices hereinafter referred to as the Regional Plan, which are contained in Annex to this decision;

Urges the Contracting Parties to take the necessary legal, administrative and other measures to ensure the implementation of this Regional Plan and to report on their progress to the Secretariat in accordance with its Article VI.

Urges the Contracting Parties, intergovernmental organizations, industry, non-governmental organizations and academic institutions to continue and enhance their support to the implementation of the regional Plan through the provision of technical and financial resources, such as by supporting the implementation of country-based projects that tackle mercury risk reduction and risk management;

Requests the Secretariat (MED POL and CP/RAC) to provide, upon request and subject to availability of funds, the necessary assistance to, and organize capacity building programmes for, the Contracting Parties for the implementation of the Regional Plan.

ANNEX

Regional Plan on the reduction of inputs of Mercury in the framework of the implementation of Article 15 of the LBS Protocol

ARTICLE I

Definitions of Terms

For the purpose of this Action Plan:

- (a) "Emission Limit Values (ELVs)" means the maximum allowable concentration measured as a daily average as a "composite" sample, of a pollutant in an effluent discharged to the environment.
- (b) "Best Available Techniques (BAT)" means the latest stage of development (state of the art) of processes, of facilities, or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste (reference to Annex IV of the LBS Protocol).
- (c) "Best Environmental Practices (BEP)" means the application of the most appropriate combination of environmental control measures and strategies.
- (d) "Secretariat" means the body referred to in article 17 of the Barcelona Convention, as amended in 1995.
- (e) LBS Protocol refers to the amended version of 1996 of the LBS Protocol.

ARTICLE II

Scope and Objective:

1. The area to which this Regional Plan applies is the area defined in accordance with Art. 3 of the LBS Protocol. This is intended for all the anthropogenic releases in accordance with the requirements of article 4 of the LBS Protocol.
2. The objective of this Regional Plan is to protect the coastal and marine environment and human health from the adverse effects of Mercury

ARTICLE III

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the levels of mercury contained in other existing or future national, regional or international instruments or programmes.

ARTICLE IV

Measures

A Chlor alkali industry

- 1- The parties shall prohibit the installation of new Chlor alkali plants using mercury cells with immediate effect.

2- The parties shall prohibit the installation of vinyl chloride monomer production plants using mercury as a catalyst with immediate effect.

3- The parties shall ensure that the releases of mercury from the activity of Chlor alkali plants shall cease by 2020 at the latest and

i) that the environmentally sound management of metallic mercury from the decommissioned plants is achieved, including the prohibition of its re-entry into the market.

ii) that the total releases of mercury (to the air, the water and to the products) from existing Chlor alkali plants are progressively reduced until their final cessation with the view not to exceed 1.0g per metric tonne of installed chlorine production capacity in each plant. In doing so, the air emissions should not exceed 0.9g per metric tonne of installed chlorine production capacity in each plant.

B Non Chlor alkali industry

The Parties shall adopt by 2015 and 2019 National ELVs for Mercury emissions from other than Chlor Alkali industry as follows.

A. Chemical industries using Mercury catalysts:

	I ELV 2015	II ELV 2019*	Unit of Measurement
a) Use of mercury catalysts in the manufacture of polyurethane elastomers	50	5	µg/l effluent
b) Acetaldehyde production with mercury-sulphate (HgSO ₄) as catalyst	50	5	µg/l effluent
c) Vinyl acetate production with Hg catalysts	50	5	µg/l effluent
d) Production of the cube (1-amino anthrachion) colours/pigments with Hg catalyst	50	5	µg/l effluent
e) Use of mercury intermediates for production of other mercury compounds	50	5	µg/l effluent
f) Use of mercury intermediates in the pharmaceutical / chemical industry	50	5	µg/l effluent
g) Manufacture of mercury catalysts	50	5	µg/l effluent
h) Manufacture of organic and non-organic mercury compounds	50	5	µg/l effluent

B. Batteries industry

	ELV 2015	ELV 2019*	Unit of Measurement
Manufacture of batteries containing mercury	50	5	µg/l effluent

C. Non-ferrous metal industry

	ELV 2015	ELV 2019*	Unit of Measurement
a-Mercury recovery plants	50	5	µg/l effluent
b-Extraction and refining of non-ferrous metals	50	5	µg/l effluent

D. Waste Treatment

	ELV 2015	ELV 2019*	Unit of Measurement
Plants for the treatment of wastes	50	5	µg/l effluent

* The values of the column II in the above table are target values. These ELV will be considered for revision by 2015, with a view to establishing new ELVs in the framework of the implementation of Article 15 of LBS Protocol.

2. The Parties shall adopt National ELVs for Mercury emissions from incineration plants as follows:

Waste gas 0.05 mg/ Nm³

3. The Parties shall take the appropriate measures to reduce the inputs of Mercury emissions from other sectors and use alternatives as appropriate.

4. Mercury containing wastes

The Parties shall take the appropriate measures to isolate and contain the mercury containing wastes to avoid potential contamination of air, soil or water.

5. Contaminated sites

The Parties shall identify existing sites which have been historically contaminated with mercury including at least the old mines and decommissioned Chlor alkali plants, and take, with regard to these sites, environmentally sound management measures such as safety works, use restrictions or decontamination, as appropriate. To this end,

i the Parties shall report to the Secretariat by January 2013 on the identified sites

ii the Secretariat shall prepare guidelines on BEPs for the environmentally sound management of contaminated sites, for discussion and approval by the parties in 2013

iii. the Parties shall report in 2015 on the measures envisaged for the environmentally sound management of the identified sites by making use of the approved guidelines on BEPs.

6. The Parties shall neither open new mines nor re-open old mercury mining sites.

7. The Parties shall ensure that their competent authorities or appropriate bodies monitor releases of Mercury into water, air and soil to verify compliance with the requirements of the above table.

8. The Parties shall take the necessary steps to enforce the above measures.

ARTICLE V

Timetable for Implementation

The Parties shall implement the above measures according to the timetables indicated in the respective Articles. .

ARTICLE VI

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biennial basis on the implementation of the above measures, on their effectiveness and difficulties encountered. The Contracting Parties shall review the status of implementation of these measures in 2015.

ARTICLE VII

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building, including transfer of know-how and technology, shall be provided by the Parties and the Secretariat to the Contracting Parties in need of assistance. Priority shall be given upon request to Parties to the LBS Protocol.

ARTICLE VIII

Entry into Force

The present regional Action Plan shall enter into force and become binding on the 180 day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4 of the LBS Protocol.