

**Group of Technical Experts on Mercury Waste Thresholds
Intersessional Work between COP 3 and 4**

First On-line Meeting
Tuesday 12 May 2020, 15h00-16h10 CEST

Summary

Members who participated

Ms. Hanitriniaina Liliane Randrianomenjanahary (Madagascar)
Ms. Oluwatoyin Olabanji (Nigeria)
Mr. Birane Niane (Senegal)
Mr. ZHENG Yang (China)
Ms. Ajeng Arum Sari (Indonesia)
Mr. Masaki Takaoka (Japan)
Mr. R.M.S.K. Rathnayake (Sri Lanka)
Mr. Rene Rajasalu (Estonia)
Mr. David Grimeaud (European Union)
Ms. Irina Talamoni (Argentina)
Mr. Cristián Enrique Brito Martínez (Chile)
Ms. Alejandra Fernandez Sánchez (Costa Rica)
Mr. Carlos Todd (Guyana)
Ms. Leslie Hoofung (Jamaica)
Mr. Luis Mauro Gómes Ferreira (Brazil)
Ms. Verónica Ruiz Solano (Colombia)
Mr. Pierre Hennebert (France)
Mr. Rafael Zubrzycki (Germany)
Mr. Erik Westin (Sweden)
Mr. Andreas Gössnitzer (Switzerland)
Mr. Greg Helms (United States)

1. Opening

Monika Stankiewicz, Executive Secretary of the Minamata Convention, welcomed the members and outlined the mandate of the group. Eisaku Toda explained that the group had agreed by email communication that Ms. Oluwatoyin Olabanji (Nigeria) and Mr. Andreas Gössnitzer (Switzerland) continue to co-chair the group, and that two future members from Latin America and the Caribbean (LAC) region be invited to the meeting. Co-chairs will take turns in chairing the on-line meetings, and Andreas chaired this meeting.

The group adopted the agenda as circulated in advance.

2. Schedule and modalities of work

The group considered how it will work on the five mandates from COP-3 decision. Firstly, regarding the **technical analysis of threshold options**, the co-chair reminded that this relates to waste contaminated with mercury or mercury compounds (category C waste), that the three options discussed were (1) total mercury concentration, (2) release potential (leaching test) and (3) qualitative determination (listing), and that the COP requested the group to substantiate its recommendations to use total mercury concentration. The group agreed that existing data should be collected to analyze the options, and requested the Secretariat to summarize the discussion at

the Osaka meeting and share the summary, together with available data, for the discussion at the next on-line meeting. The members were also invited to submit their views if any.

Secondly, regarding the **development of thresholds for category C waste**, the co-chair reminded about the 25ppm proposal, and a member referred to an existing literature about this proposal, based on GHS. Relevant information will be shared with the group for discussion.

Thirdly, on **ASGM tailings**, some members from the LAC region pointed out the need to consider the naturally occurring mercury concentration, and considered that ASGM tailings should be controlled under article 7. The co-chair invited the members to submit such views for the group to discuss further.

Fourthly, on **tailings from industrial-scale non-ferrous metal mining**, the co-chair reminded about the group's recommendation to use a two-tier approach, and the considerations¹ included in the report. He invited the members, especially those with expert knowledge on mining, to submit views if any.

Fifthly, on the **revision of the lists of mercury waste**, the co-chair reminded that this is described as a second priority and proposed to park this issue for now, to which the group agreed.

The group then considered the modality of work, and agreed to make its best effort to work electronically under this uncertain COVID-19 pandemic situation. It is too early to decide the possibility of a face-to-face meeting, and some members proposed to consider a meeting in 2021. Members pointed out that a rough road map up to COP-4 would be helpful.

The group agreed to continue to work in an inclusive manner, allowing observers and other experts to participate in on-line meetings. Regarding the list of 10 observers, the co-chair invited the members to submit their views if any.

3. Update on related work

Eisaku explained that, as a separate matter from the mandate of the group, the Secretariat is cooperating with the Global Mercury Partnership to update the ASGM National Action Plan guidance regarding the management of ASGM tailings. He also explained the progress of the work of the Small Intersessional Working Group under the Basel Convention to update the guidelines on environmentally sound management of mercury waste, noting that the draft revised guidelines will be available soon as a document for the Basel Convention Open-Ended Working Group to be held on-line starting on 22 June.

4. Any other business

The group agreed that there should be more frequent on-line meetings than in the previous intersessional period, and that one hour is too short for discussion. The group agreed that the next on-line meeting should take place in the week of 15 June. The Secretariat will do a Doodle poll to set up a date. Observers and other experts will also be invited.

¹ The group's report to COP-3 includes the following considerations:

- Sampling challenges posed by some wastes early in the process of developing an approach to threshold setting.
- The liquid-to-solid ratio in the assay (how many grams of waste per litre of leaching medium) and chemical composition of the leaching medium (acid, what type of acid, pH, distilled water), and how they relate to likely disposal conditions.
- The exposure scenario considered to establish the thresholds; e.g., protection of drinking water from contamination of groundwater sources.

Attenuation of safety factors included (e.g., dilution factor in migration from waste to groundwater, or uncertainty factor for a more conservative approach).