Chlor-alkali industry's voluntary agreement sufficient to implement mercury cell technology phase out by 2020

The European Commission, DG ENVI, is in the process of reviewing of the community strategy concerning mercury. This work is expected to be ready by end of 2010. The Commission has appointed the consultant BIOIS to conduct a study with the objective to review progress of the actions under the 2005 mercury strategy, identify areas where implementation is lagging behind and propose amendments, as needed, as well as additional actions.

BIOIS has identified two potential additional measures of importance to the chlor-alkali industry:
- define legally binding sunset date for existing chlor-alkali plants in the EU.
- define mandatory mercury emission limits for existing chlor-alkali plants ensuring a gradual decrease of emissions until complete phase out of the mercury cell technology with harmonised monitoring and reporting requirements.

Euro Chlor is of the firm position that additional legal measures are not necessary as the European chlor-alkali industry is continuously implementing its commitment to phase-out mercury cell technology by 2020 and the mercury emissions are minimised and well controlled.

- The industry voluntary agreement to phase out mercury cell technology by 2020 is being implemented and the progress is reported annually and is fully in line with the economic studies performed by independent consultants. This is a practical example of the better regulation initiative by the European Commission.
- Sufficient legal measures are already in place to regulate the individual plants i.e. each mercury plant needs to have an operating permit under the IPPC Directive from their local authorities.
- A legally binding phase out would not have any significant impact on the environment as the industry is committed to convert by 2020 and continuous emission reductions are being recorded. Overall European plant emissions in 2009 amounted to 0.93 g Hg/tonne chlorine capacity.
- The industry has a voluntary agreement in place on the safe storage of metallic mercury which has been officially recognised by the European Commission. This agreement stipulates data reporting to the Commission, which has also been reflected in the Regulation 1102/2008. Following data is reported annually to the European Commission:
  - best estimate of total amount of mercury still in use in chlor-alkali cell;
  - total amount of mercury stored in the facility;
  - amount of waste mercury sent to individual temporary or permanent storage facilities, location and contact details of these facilities.
This information does ensure transparency on the conversion progress by the industry.
- Since the draft BIOIS report is published, Euro Chlor’s 2009 data is available (see here). The amount of total mercury on site has further decreased with 900 tonnes (from 8500 to 7600 tonnes). Mercury cell capacity now correspond to 31% and membrane 52% of the total European capacity. This again underlines the continuous implementation of the industry voluntary agreement.

1 For the production of chlorine, alkalihydroxides and hydrogen