

Van: [REDACTED]
Verzonden: vrijdag 15 oktober 2010 16:02
Aan: [REDACTED]@nl.steinweg.com
Onderwerp: Export of mercury.

Dear [REDACTED]

In reaction to your questions put forward during our telephone conversation today, concerning the storage and export of mercury, I inform you as follows.

Regulation EC no. 1102/2008 of 22 October 2008 (on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury) is binding EU legislation for the Member States of the EU. The regulation obtains the prohibition of export of metallic mercury, cinnabar ore, mercurychloride, mercuryoxide and mixtures of metallic mercury (when containing > 95%mercury) from 15 March 2011. This implies that the export of the mentioned from the Netherlands territory will be prohibited from March 15th. This provision will be enforced with regard of all (known) exporters of mercury in the Netherlands.

Moreover I draw the attention to article 1.3 of the Regulation, which states that mixing of metallic mercury with other substances for the sole purpose of export of metallic mercury shall be prohibited by 15 March 2011.

This implies the following:

- The export of metallic mercury is prohibited from March 15th 2011,
- Until now there is no import prohibition. Imported mercury which is stored where no clients could be found for will fall under the export prohibition from the mentioned date. These quantities could only be sold on the European market for use in products where the use of mercury is (still) allowed (f.i. in luminescent lamps). However there will be a large surplus of mercury in de EU and the situation could arise that no customers could be found. In that case the mercury will be regarded as waste.
- Storage of mercury as waste is regulated in article 3 of the Regulation. Temporarily storage of mercury-waste is, above ground, only allowed in dedicated facilities. The requirements for those facilities are at the moment subject to considerations in a committee of Member States and the Commission.
- Temporarily storage should be followed by permanent storage in underground salt mines or hard rock formations.

At this moment there has been no decision made about the facilities the Netherlands would need for temporarily storage of mercury as waste. The provisions of the Regulation implies that locations where mercury is stored temporarily now would need a specific permit and this could only be granted when those locations would meet requirements that are not clear at the moment.

Needless to say that the costs for storage, eventual repackaging, transport, temporarily storage and permanent storage in the saltmine or hard rock formation could be very high.
Moreover I draw your attention to the obligation in article. 5 of the regulation,

*" 3. By 1 July 2012, importers, exporters and operators of activities referred to in Article 2, as appropriate, shall send to the Commission and to the competent authorities the following data:
(a) volumes, prices, originating country and destination country as well as the intended use of metallic mercury entering the Community;
(b) volumes, originating country and destination country of metallic mercury considered as waste that is traded crossborder within the Community. "*

This all leads to the conclusion that it is wise to prevent a situation where mercury, not destined for "essential uses" within the EU, is still stored at March 15th 2011 at any location within the EU.

Best regards,

[Redacted]

Ministry of Infrastructure and the Environment
Department sustainable production

[Redacted]

[Redacted]

Document 2 wordt niet verstrekt.

[Redacted]

Van: [Redacted]
Verzonden: vrijdag 15 oktober 2010 17:23
Aan: [Redacted]@ec.europa.eu'
Onderwerp: FW: Export of mercury.

Hello [Redacted]

I think you remember we talked about the export of mercury from the Rotterdam harbor. Today I received a telephone call from the storage company in Rotterdam. They had a discussion with the guys in London, which were telling them not to worry because they had contacted "Brussels" and were informed that no import ban of mercury exists.

For that reason I made the following mail: [Redacted]

So this mail is also to alert you: [Redacted]

Best regards,
[Redacted]

Van: [Redacted]
Verzonden: vrijdag 15 oktober 2010 16:02
Aan: [Redacted]@nl.steinweg.com'
Onderwerp: Export of mercury.

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- Until now there is no import prohibition. Imported mercury which is stored where no clients could be found for will fall under the export prohibition from the mentioned date. These quantities could only be sold on the European market for use in products where the use of mercury is (still) allowed (f.i. in luminescent lamps). However there will be a large surplus of mercury in de EU and the situation could arise that no customers could be found. In that case the mercury will be regarded as waste.
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- Temporarily storage should be followed by permanent storage in underground salt mines or hard rock formations.

At this moment there has been no decision made about the facilities the Netherlands would need for temporarily storage of mercury as waste. The provisions of the Regulation implies that locations where mercury is stored

temporarily now would need a specific permit and this could only be granted when those locations would meet requirements that are not clear at the moment.

Needless to say that the costs for storage, eventual repackaging, transport, temporarily storage and permanent storage in the saltmine or hard rock formation could be very high.
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" 3. By 1 July 2012, importers, exporters and operators of activities referred to in Article 2, as appropriate, shall send to the Commission and to the competent authorities the following data:
(a) volumes, prices, originating country and destination country as well as the intended use of metallic mercury entering the Community;
(b) volumes, originating country and destination country of metallic mercury considered as waste that is traded crossborder within the Community. "

This all leads to the conclusion that it is wise to prevent a situation where mercury, not destined for "essential uses" within the EU, is still stored at March 15th 2011 at any location within the EU.

Best regards,

[Redacted Signature]

Ministry of Infrastructure and the Environment
Department sustainable production

[Redacted]

Van: [Redacted]
Verzonden: dinsdag 19 oktober 2010 16:13
Aan: [Redacted]; [Redacted]
Onderwerp: RE: Export of mercury.

Ha [Redacted]

Dank voor het bericht.
Ik zal het doorsturen naar onze programmamanagers maar neem aan dat jullie begrijpen dat wij er op dit moment niet zoveel mee kunnen / aan kunnen doen.
Misschien dat de lokale toezichthouder bedrijf hier ook nog eens op kan wijzen / ik zou dat via het regionaal account kunnen vragen te doen.

Laat maar even weten wat de bedoeling is.

Vriendelijke groet,
[Redacted]

.....
VROM-Inspectie
Directie Strategie & Beleid

Rijnstraat 8 | Den Haag | [Redacted]
Postbus 18191 | 2500 BD | Den Haag

.....
T [Redacted]
M [Redacted]
[Redacted]

Ik werk niet op maandagen

Van: [Redacted]
Verzonden: dinsdag 19 oktober 2010 9:52
Aan: [Redacted]
Onderwerp: FW: Export of mercury.

Hoi [Redacted]

In overleg met [Redacted] stuur ik je dit bericht door. Wil jij dit doorsturen aan degene binnen de VI die er over gaat?

Bij opslag Steinweg in Rotterdam ligt kwik opgeslagen. Een paar vanuit Londen opererende Indiërs zijn eigenaar. Mogelijk dat tzt als verbod ingaat, dat ze Steinweg met het kwik laten zitten.

Met vriendelijke groet,

[Redacted]

.....
Infrastructuur en Milieu
Milieu
Afval & Ketens
Rijnstraat 8 | [Redacted] | Den Haag
Postbus 30945 | 2500 GX | Den Haag

.....
T [Redacted]
F [Redacted]
[Redacted]

Van: [Redacted]
Verzonden: vrijdag 15 oktober 2010 16:02
Aan: [Redacted]@nl.steinweg.com'
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This all leads to the conclusion that it is wise to prevent a situation where mercury, not destined for "essential uses" within the EU, is still stored at March 15th 2011 at any location within the EU.

Best regards,

[REDACTED]
Ministry of Infrastructure and the Environment
Department sustainable production

[REDACTED]

Van: [REDACTED]@lambert-metals.co.uk]
Verzonden: dinsdag 7 december 2010 16:48
Aan: [REDACTED]
Onderwerp: Mercury - Regulation (EC) No. 1102/2008
Bijlagen: image.pdf

To: Ministry of Infrastructure and the Environment
Attn: [REDACTED]

Dear [REDACTED] we have been given your contact details by C. Steinweg-Handelsveem BV, Rotterdam who act as our shipping and warehouse agents for metals in which we trade. One of these metals is Mercury, and in view of the EC directive banning the export of Mercury from March 2011 we requested certain clarifications as to the official implementation of these new rules in the Netherlands.

We understand that you gave them the new guidelines and we, in turn, have several questions which, we hope, you do not mind us raising with you. Enclosed is a copy of an email message which we sent to Steinweg with our questions and wonder whether you could review this and let us know your view

Thanks for your attention

Best Regards

[REDACTED]
Lambert Metals International Ltd

Howard Masters

From: [redacted]@lambert-metals.co.uk]
Sent: 19 November 2010 16:02
To: [redacted]@ni.steinweg.com

To: C. Steinweg (Handelsveem) B.V., Rotterdam
Attn: [redacted]
Date: 19th November 2010.

RE. REGULATION (EC) NO.1102/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 22ND OCTOBER 2008

I refer to your email of 4th November addressed to my colleague [redacted] regarding the above new EU regulation on the banning of exports of Metallic Mercury and certain Mercury compounds and mixtures and the safe storage of Metallic Mercury due to take effect from 15th March 2011. From our discussions with the relevant EU representatives in Brussels it is clear that each member state of the EU is obliged to comply with these new regulations and that each such member state can if they so wish impose additional or stricter regulations providing they comply with at least the minimum requirements of the new Act. From the copy of correspondence with your Ministry in The Netherlands that you have sent to us it would appear that they have correctly set out the wording of the new regulations but are not imposing any additional restrictions except to arrive at the conclusion "that it would be wise to prevent a situation where Mercury not destined for essential uses within the EU is still stored at March 15th 2011 at any location within the EU". This is far from a legal requirement and appears to be simply a suggestion, albeit possibly a wise one. It seems however that as a result of this suggestion from your Ministry that Steinweg are taking the decision to discontinue handling Mercury in any form. In our opinion this is an over reaction to the new regulations but obviously one which you are free to make if you so wish. We have requested from you details of the responsible contacts within your Ministry as we are planning further meetings with EU regulators in Brussels during end November/early December and would very much like to inform them of the Dutch Ministry and indeed Steinweg's position and request their comments. We would also wish to address this situation direct with the Dutch Ministry, but as you have not yet provided us with this information we can only correspond with yourselves and would ask that you pass on our comments to the relevant authority.

As your Ministry correctly points out the new regulation deals only with the export of Metallic Mercury containing more than 95% Hg and the safe storage thereafter of any such material which from then on will be regarded as waste. As of yet there is to be no ban on the importation of Mercury into the EU therefore enabling companies such as Gomensoro in Spain, who you know as one of our customers, to continue to purchase imported Mercury and produce their Mercuric Compounds which can be re-exported providing the Mercury content is less than 95%. There are also other arisings of Mercury within the EU not covered by the new regulation, such as Mercury arising from dental, batteries, switches, lighting, etc. Although these quantities are small it is our understanding from the EU that these materials will still be able to be treated by refiners in EU countries for the recovery of the Mercury content which can then be re-sold within the EU. Your Ministry's statement that any imported Mercury stored for which no clients can be found will fall under the export prohibition is indeed correct because once the Mercury has been imported into the EU market it will not then be allowed to be exported unless it has been converted into a product with less than 95% Mercury. However it is unlikely that anybody would wish to import Mercury Metal into the EU unless it was for a specific consumption. As there is no ban on the importation of Mercury it follows that it will still be possible to store and transport such imported goods. Further, as regulations only apply to Mercury arising within the EU there would appear to be no restrictions on Mercury being stored in European ports in transit. It was our clear understanding from our representations to Brussels that the intention was not to destroy any Mercury business within the EU but to restrict the exports of Mercury from the EU which has historically been a large exporter of Mercury. In this way the hope is that the EU will not be seen as increasing the amounts of Mercury available to the world markets and that after 15th

March 2011 any Mercury arising from the following shall be considered as waste and be disposed of in accordance with Directive 2006/12/EC of the European Parliament and of the Council of 5th April 2006 on waste in a way that is safe with human health and the environment:-

- a. Metallic Mercury that is no longer used in the chlor-alkali industry.
- b. Metallic Mercury gained from the cleaning of natural gas.
- c. Metallic Mercury gained from non-ferrous mining and smelting operations.
- d. Metallic Mercury extracted from cinnabar ore in the Community as from 15th March 2011. (There is as yet no clarification as to whether or not this affects Metallic Mercury extracted from cinnabar ore in the Community before 15th March 2011!).

From the above however it is clear that there will be other arisings of Mercury within the EU as mentioned above such as dental, switches, etc which are not to be treated as waste and will be free to be treated as before by the refiners who can then supply the recovered Mercury to approved consumers within the EU.

From the above it should be apparent that as is the EU's intention certain usage of Mercury will be able to continue within the EU and it is particularly surprising that with there being no import ban that Steinweg have taken the action to completely become uninvolved in Mercury. It is our understanding that we should still be able to store Mercury in transit and to import it subject to REACH qualification. The Act is quite clear however that we would not be able to export Metallic Mercury min 95% whether it arises in the EU or has been previously imported. We believe that your Ministry's understanding of the legislation is correct as a result of which they are making no more than a suggestion about future handling of Mercury to which Steinweg have responded with a complete ban. This may turn out to be the same in other EU countries but we are hopeful that this will not be the case and that there will still be the opportunity to import, store and transport Mercury through these other EU countries as otherwise certain industries such as the manufacture of Mercury compounds and salts as already mentioned will come to a halt, which we do not believe was ever the intention.

As you can imagine we are discussing these matters with various companies in different countries and I am gathering as much information as possible for my forthcoming meetings with EU representatives. In this connection should you have any comments re the above they will be most appreciated and in particular we would wish to be advised as to the correct contact details for your Ministry. If however Steinweg maintain their approach for this matter then it is regrettable that after many, many, years Lambert Metals will no longer be able to handle their Mercury business through Steinweg, Rotterdam, but hopefully it will still be possible through your other offices throughout the world if not in other EU countries.

Kind regards,


Lambert Metals International Limited

7.

[REDACTED]

Van: [REDACTED]
Verzonden: dinsdag 7 december 2010 17:45
Aan: [REDACTED]
Onderwerp: RE: Mercury - Regulation (EC) No. 1102/2008

Dear [REDACTED]

Thank you for your e-mail. I have to study the attached document with questions thoroughly. Due to other obligations this will be done no sooner than December 17th.

Best regards,
[REDACTED]

Van: [REDACTED]@lambert-metals.co.uk]
Verzonden: dinsdag 7 december 2010 16:48
Aan: [REDACTED]
Onderwerp: Mercury - Regulation (EC) No. 1102/2008

To: Ministry of Infrastructure and the Environment
Attn: [REDACTED]

Dear [REDACTED], we have been given your contact details by C. Steinweg-Handelsveem BV, Rotterdam who act as our shipping and warehouse agents for metals in which we trade. One of these metals is Mercury, and in view of the EC directive banning the export of Mercury from March 2011 we requested certain clarifications as to the official implementation of these new rules in the Netherlands.

We understand that you gave them the new guidelines and we, in turn, have several questions which, we hope, you do not mind us raising with you. Enclosed is a copy of an email message which we sent to Steinweg with our questions and wonder whether you could review this and let us know your view

Thanks for your attention

Best Regards

[REDACTED]
Lambert Metals International Ltd

8.

Van: [redacted]@ec.europa.eu
Verzonden: woensdag 8 december 2010 12:37
Aan: [redacted]
Onderwerp: RE: Mercury - Regulation (EC) No. 1102/2008

Dear [redacted]

Many thanks for this insight into some of the real-world issues we need to address. I have recently had an email from [redacted] regarding a meeting he wishes to schedule with Commission officials. So it is clear he is trying to clarify things from all angles.

As I may have mentioned, I was told previously by [redacted] that Lambert is getting out of the mercury business after the EU export ban takes effect, although this is not quite the impression given by his letter.

Kind regards,
[redacted]

From: [redacted]@minvrom.nl]
Sent: Tuesday, December 07, 2010 5:52 PM
To: [redacted]
Subject: FW: Mercury - Regulation (EC) No. 1102/2008

Dear [redacted]

I received the attached -mail from Lambert metals. These are detailed questions so I have to study this and consult a lawyer, which is not possible before 20 December. Clearly they don't give up their lines of trade so easily.

I thought you would be interested in our struggle with this firm, but keep it confidential. Maybe I come back to you or one of your colleagues at the Commission on these questions, because this concerns interpretations of legal texts.

Best regards,
[redacted]

Van: [redacted]@lambert-metals.co.uk]
Verzonden: dinsdag 7 december 2010 16:48
Aan: [redacted]
Onderwerp: Mercury - Regulation (EC) No. 1102/2008

To: Ministry of Infrastructure and the Environment
Attn: [redacted]

Dear [redacted], we have been given your contact details by C. Steinweg-Handelsveem BV, Rotterdam who act as our shipping and warehouse agents for metals in which we trade. One of these metals is Mercury, and in view of the EC directive banning the export of Mercury from March 2011 we requested certain clarifications as to the official implementation of these new rules in the Netherlands.

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Thanks for your attention

Best Regards

[Redacted]

Van: [Redacted]@lambert-metals.co.uk]
Verzonden: woensdag 5 januari 2011 9:21
Aan: [Redacted]
Onderwerp: RE: Mercury - Regulation (EC) No. 1102/2008

Dear [Redacted], Happy New Year !

Further to our exchanges below we are wondering whether you have had the time to study the response from C. Steinweg, Rotterdam and can give us your comments

Best Regards
[Redacted]

From: [Redacted]@minvrom.nl]
Sent: 07 December 2010 16:45
To: [Redacted]
Subject: RE: Mercury - Regulation (EC) No. 1102/2008

Dear [Redacted]

Thank you for your e-mail. I have to study the attached document with questions thoroughly. Due to other obligations this will be done no sooner than December 17th.

Best regards,
[Redacted]

Van: [Redacted]@lambert-metals.co.uk]
Verzonden: dinsdag 7 december 2010 16:48
Aan: [Redacted]
Onderwerp: Mercury - Regulation (EC) No. 1102/2008

To: Ministry of Infrastructure and the Environment
Attn: [Redacted]

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Thanks for your attention

Best Regards
[Redacted]

Lambert Metals International Ltd

Van: ✓ BMT Services [bmtservices@mac.com]
Verzonden: maandag 7 februari 2011 11:21
Aan: [REDACTED]
Onderwerp: Vraag over Regulation (EC) No 1108/2008 22/10/2008
Bijlagen: Regulation_1102_2008.pdf; ATT00001.htm

Beste [REDACTED]

Na ons gesprek (een jaar geleden) over permanente opslag van kwik (waarvoor overigens nog steeds geen mogelijkheid bestaat...), hierbij een vraag van een andere aard.

In bovenstaande verordening (zie ook bijlage) staat in Artikel 1.2 dat kwik wel geëxporteerd mag worden als het om een 'medical purpose' gaat. Wij exporteren -naar buiten de EU- wel eens kwik voor het produceren van amalgaam.

Zou je kunnen aangeven of deze export vanaf 15 maart 2011 onder deze noemer valt?

REGULATION (EC) No 1102/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2008
on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury

Article 1

1. The export of metallic mercury (Hg, CAS RN 7439-97-6), cinnabar ore, mercury (I) chloride (Hg₂Cl₂, CAS RN 10112-91-1), mercury (II) oxide (HgO, CAS RN 21908-53-2) and mixtures of metallic mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 % weight by weight from the Community shall be prohibited from 15 March 2011.
2. The prohibition shall not apply to exports of compounds referred to in paragraph 1 for research and development, medical or analysis purposes.

Graag horen wij wat wel en niet mogelijk is.

Met vriendelijke groeten,
[REDACTED]

BMT Services bv
Adriaan Pauwlaan 2
2101 AK Heemstede

BMT Services is sponsor of Raleigh; the leading youth and education charity

mob: [REDACTED]
fax: [REDACTED]

www.bmtservices.nl
bmtservices@mac.com

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Please delete if obtained in error and email confirmation to the sender.

Van: ✓ BMT Services [bmtservices@mac.com]
Verzonden: maandag 14 februari 2011 9:09
Aan: [REDACTED]
Onderwerp: Fwd: Vraag over Regulation (EC) No 1108/2008 22/10/2008
Bijlagen: Regulation_1102_2008.pdf; ATT00001.htm

Beste [REDACTED]

We waren even benieuwd of het onderstaande bericht in goede orde aangekomen is/was..

Met vriendelijke groeten,

BMT bv
 Warvenweg 20
 9936 TG Farmsum

mob: [REDACTED]
 fax: [REDACTED]

www.bmt-begemann.nl
bmtservices@mac.com

Begin doorgestuurd bericht:

Van: ✓ BMT Services <bmtservices@mac.com>
Datum: 7 februari 2011 11:21:14 GMT+01:00
Aan: [REDACTED]<[\[REDACTED\]@minvrom.nl](mailto:[REDACTED]@minvrom.nl)>
Onderwerp: Vraag over Regulation (EC) No 1108/2008 22/10/2008

Beste [REDACTED]

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 on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury

Article 1

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Met vriendelijke groeten,

BMT Services bv
Adriaan Pauwlaan 2
2101 AK Heemstede

BMT Services is sponsor of Raleigh; the leading youth and education charity

mob: [REDACTED]
fax: [REDACTED]

www.bmtservices.nl
bmtservices@mac.com

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Please delete if obtained in error and email confirmation to the sender.

Van: [REDACTED]
 Verzonden: dinsdag 22 februari 2011 16:02
 Aan: [REDACTED]
 Onderwerp: FW: from [REDACTED]

Bij deze!

[REDACTED]
 Directie Communicatie
 Afdeling Advies en Uitvoering
 Tel: [REDACTED]
 [REDACTED]@minvenw.nl

-----Oorspronkelijk bericht-----

Van: [REDACTED] - CEND-DCO [mailto:[REDACTED]@minvenw.nl]
 Verzonden: dinsdag 22 februari 2011 15:57
 Aan: [REDACTED]
 Onderwerp: Fw: from [REDACTED]

----- Oorspronkelijk bericht -----

Van: [REDACTED], BLOOMBERG/ NEWSROOM: [mailto:[REDACTED]@bloomberg.net]
 Verzonden: Tuesday, February 22, 2011 02:38 PM
 Aan: [REDACTED] - CEND-DCO
 Onderwerp: RE: from [REDACTED]

Hello [REDACTED] thanks for your email.

I just tried to phone you in the office and on your mobile.

I've provided a great deal of very specific information about the topics I wish to discuss with [REDACTED] in two emails, both of which I believe you have.

I'm happy to come to The Hague and sit down for a conversation with him -- as soon as possible -- or just speak with him by phone.

Please call me so we can discuss this. I have been trying for more than one month to find basic answers about these issues from the government, so I am anxious for a quick resolution.

Thank you so much, and all the very best,

 [REDACTED] -- Bloomberg News, Businessweek & Bloomberg Markets Magazine
 Europe, Middle East & Africa

[REDACTED] (London) [REDACTED] (mobile) [REDACTED]

----- Original Message -----

From: E. - CEND-DCO [mailto:[REDACTED]@minvenw.nl]
 To: [REDACTED] (BLOOMBERG/ NEWSROOM:)
 At: 2/22 11:13:24

Dear Mr. Simpson,

I have been forwarded your request to speak to mister [REDACTED] about the ban on mercury exports. Press contacts are handled by press officers thus the contact with mister [REDACTED] will be handled by me. Could you be so kind as to specify your questions and send a list of them to me? Upon receipt I will make sure they will be answered as soon as possible.

Thank you.

Kind regards,

[REDACTED]
 [REDACTED]

 Directie Communicatie
 Ministerie van Infrastructuur en Milieu
 Plesmanweg 1-6 | 2597 JG | Den Haag | [REDACTED]

Postbus 20901 | 2500 EX | Den Haag

T + [REDACTED]
M [REDACTED]
[REDACTED]@minvenw.nl

www.rijksoverheid.nl

-----Oorspronkelijk bericht-----

Van: [REDACTED]
Verzonden: dinsdag 22 februari 2011 11:49
Aan: [REDACTED] - CEND-DCO
Onderwerp: FW: from [REDACTED]

-----Oorspronkelijk bericht-----

Van: [REDACTED], BLOOMBERG/ NEWSROOM: [REDACTED]@bloomberg.net]
Verzonden: maandag 21 februari 2011 13:06
Aan: [REDACTED] - CEND-DCO
Onderwerp: RE: from [REDACTED]

Hi [REDACTED] I hope you had a good weekend. It was cold and rainy here in London, which is always the case! :) I wanted to give you some additional information about why it's important that I speak with [REDACTED]. On paper, the Netherlands has become the capital of the global mercury trade. In the last five years, 63% of all U.S. mercury exports went to your country -- a whopping 1,361,320 kilograms (2006-2010). And that's just from the U.S.

Mercury from other sources, including the Kyrgyz Republic, also was sent to the Netherlands in very substantial quantities.

On the other side of the trade, import records from nations where there is significant mercury contamination due to small-scale gold mining show the Netherlands as their largest source of mercury, including Colombia and beyond.

I believe this is a reputation that the Netherlands does not deserve.

The vast majority of the entire trade through your nation appears to boil down to one British company -- Lambert Metals, which operates out of the free trade zone in Rotterdam.

By using the free trade zone, 99.98% of the mercury sent from the U.S. to the Netherlands simply disappears on your side of the ledger. That is to say, your import statistics do not show this mercury coming into the country, since it stayed at the Steinweg warehouse at the port until it was shipped elsewhere; the same goes for mercury sent to Colombia and other countries -- those nations show it arriving from the Netherlands, even though your data does not show it being shipped from the Netherlands.

In order to show that this is NOT the Netherlands, and that there is not some kind of game being played with your statistics, AND to show that it's just one businessman operating from a free trade zone, I need your help.

Also, I know your department and [REDACTED] are working hard to make sure a loophole is not exploited through the free trade zone as a way of circumventing the upcoming EU ban. But in order to show all of these things, I need to speak with [REDACTED] or someone else who can definitively help me on these issues.

I hope that helps! Please let me know when I can speak with someone, as my deadline is looming.

Thanks so much, and all the very best,

[REDACTED] -- Bloomberg News, Businessweek & Bloomberg Markets Magazine
Europe, Middle East & Africa

[REDACTED] (London) [REDACTED] (mobile) [REDACTED] (fax)

----- Original Message -----

From: S. - CEND-DCO Overdijk [REDACTED]@minvenw.nl>
To: [REDACTED] (BLOOMBERG/ NEWSROOM:)
At: 2/18 15:18:45

Thank you, and also a fine weekend!

[REDACTED]
[REDACTED]
Woensdag afwezig

Directie Communicatie
Ministerie van Infrastructuur en Milieu
[REDACTED]
Postbus 20901 | 2500 EX | Den Haag

T

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[REDACTED]

Van: [REDACTED]@minvenw.nl
Verzonden: woensdag 23 februari 2011 10:29
Aan: [REDACTED]
Onderwerp: kwik transportverbod

Dag [REDACTED]

We hadden tijdens ons telefoongesprek gisteren afgesproken dat je me de pijnpunten van dit dossier en een mogelijke beantwoording van de vragen van Bloomberg zou doen toekomen. Zou je dat aub op deze e-mailadres willen doen? Ik kan ook op mijn VROM-mail, maar mijn bb is gelinkt naar mijn VenWmail. Dank!

Groet,

[REDACTED]
Algemeen Persvoorlichter

.....
Directie Communicatie
Ministerie van Infrastructuur en Milieu
Plesmanweg 1-6 | 2597 JG | Den Haag | [REDACTED]
Postbus 20901 | 2500 EX | Den Haag
.....

T [REDACTED]
M [REDACTED]
[REDACTED]@minvenw.nl
.....

www.rijksoverheid.nl

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Van: [REDACTED] - CEND-DCO [REDACTED]@minvenw.nl]
Verzonden: woensdag 23 februari 2011 13:50
Aan: [REDACTED]
Onderwerp: FW: from [REDACTED]

Hierbij nog de vragen van Bloomberg. Als er vragen zijn die je zonder problemen kan beantwoorden dan hoor ik dat graag. Alle haken en ogen graag vermelden zodat we hier bij woordvoering kunnen kijken wat we ermee kunnen doen.

Dank!

Gr.

.....
 Directie Communicatie
 Ministerie van Infrastructuur en Milieu
 Plesmanweg 1-6 | 2597 JG | Den Haag [REDACTED] Postbus 20901 | 2500 EX | Den Haag

.....
 T [REDACTED]
 M [REDACTED]
 [REDACTED]@minvenw.nl

.....
www.rijksoverheid.nl

-----Oorspronkelijk bericht-----

Van: [REDACTED] BLOOMBERG/ NEWSROOM: [REDACTED]@bloomberg.net]
Verzonden: woensdag 23 februari 2011 12:07
Aan: [REDACTED] - CEND-DCO
Onderwerp: from Cam Simpson

Dear [REDACTED], thank you so much once again for all of your help. It's greatly appreciated.

Just to clarify, my only concern about written questions is that it's harder to ask for elaboration and get a full understanding when we're doing this in writing, but I'm very thankful for your willingness to be flexible. Please don't worry about language nuances. I'm very keen to make certain that I use only correct information, so I'm happy to go back over answers as often as necessary to make sure I have the correct understanding.

As you know I am researching and writing about the implementation of EC no. 1102/2008, so some of my questions include background about the current situation regarding mercury in the Netherlands.

Thanks again for all of your help so far and in the days to come. Here are my questions (please confirm that you received this):

- 1.) From 2006-2010, the Netherlands received at least 1,300 tonnes of mercury from the U.S., according to US export statistics. But 99.98% of this does not show up in the import statistics of the Netherlands. I am told that these shipments are "invisible" because they went to the Port of Rotterdam, which is a free trade zone, and so they are not counted as "Imports" by the Netherlands since they are only "in transit" through your country. Is this the correct interpretation of these "invisible" mercury statistics? If not, could you please provide the correct answer?
- 2.) As you move to implement EC no. 1102/2008, is your department aware of any companies other than Lambert Metals of London that have been receiving, storing and shipping large quantities of mercury in this period to and from the Port of Rotterdam? If so, could you please provide some details?
- 3.) Will the implementation of EC no. 1102/2008 apply to the free trade zone at Rotterdam? In other words, will the export ban and storage requirements apply to the port as if it were any other area in the Netherlands/EU, or will there be an exception or loophole for the free-trade zone?
- 4.) [REDACTED] the director of Lambert Metals, has said that he believes his company will be allowed to continue storing mercury that is in transit at the Port of Rotterdam even after 15 March. Is that correct?
- 5.) Do you know how much -- even roughly speaking -- mercury is still being held for Lambert at the Steinweg warehouse in Rotterdam? In your department's communications with Steinweg, did they inform you how much was held there late last year?

6.) Has Lambert, Steinweg or anyone else in the Netherlands informed you that they intend to create a dedicated facility in the Netherlands for the temporary storage of mercury above ground? If so, could you please provide the details?

7.) If the mercury at Rotterdam harbor has been moved, did Steinweg or Lambert inform you where those stocks were relocated and when they were relocated?

8.) If they have told you they are planning to move them before 15 March, have they informed you where they will be moved and when?

9.) Are you aware of any legal or regulatory actions that have been taken by Lambert Metals or Steinweg regarding the implementation of EC no. 1102/2008? Have they asked for any legal interpretations or special relief? If so, could you please provide details?

That's all I can think of for now! Thank you so much once again.

[redacted] -- Bloomberg News, Businessweek & Bloomberg Markets Magazine
Europe, Middle East & Africa

[redacted] (London) [redacted] (mobile) [redacted]
+(fax)

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[REDACTED]

Van: [REDACTED]
Verzonden: donderdag 24 februari 2011 16:09
Aan: [REDACTED] CEND-DCO'
Onderwerp: RE: from [REDACTED]

[REDACTED]

Concerning the First mail (22nd February) of [REDACTED] the following.

It is correct that in a number of years mercury trade through the harbor of Rotterdam has been large. We were informed about that by the European Commission experts because, exactly as stated by Simpson, we were not aware of these imports (because they are legitimate).

I am not totally sure about the way or Statistics Bureau CBS makes its import and export statistic. As you will see below, over the years 2000 - 2010 the import as well as the export is a considerable amount. So I really doubt whether mercury transits were not in the statistics because that would mean that the total streams were even larger.

<http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=71744ned&D1=a&D2=33-34&D3=0&D4=4-9,22,35,48,61,65-71&HDR=T,G1&STB=G2,G3&VW=T>

As everyone knows (in the world of mercury and mercury policy) the large export from the EU and the possible increase because of the phasing out of the chlor-alkline mercury process was the reason for making the EU regulation 1102/2008.

By the way: the export from the USA was very large, and that is exactly the reason why the US has an exportban by 1-1-2013.

We are informed about the activities of Lambert Metals, and are in contact with the company and the storage location.

It is important to note that the EU regulation art. 1 clearly states that the export of mercury (and some mercury compounds) from the Community shall be prohibited from 15 March 2011. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:304:0075:0079:EN:PDF>

This means that export from the territory under the jurisdiction of a member state will be prohibited. So when mercury in a containment is physically stored on Dutch territory, the export is not allowed. It does not matter whether or not these goods are gone through the customs. That is only relevant for paying import-taxes or not.

The second mail is very specific.

1. this is correct. But please note the word transit: in this case it is physically stored on Dutch soil but not 'imported' in the Netherlands/EU.
2. Statistic mentioned above gives you the details about the import and export of mercury in our country in the period 2000-2010. These are official statistics of our Centraal Bureau voor de Statistiek.
3. see above.
4. There is not an import ban in the EU. So everyone that thinks it necessary to import mercury for further trading this within the EU, destined for allowed uses in products or processes, can do so. So: transit through the harbour of Rotterdam to an other harbor/destination inside the EU is not prohibited. Custom rules should be respected. Transit to harbors outside the EU is not allowed.
5. We do not give any details about companies.
6. 7. 8. 9. No comments for reason under 5.

We can inform you we are in contact with other competent authorities in west Europe concerning these issues.

Best regards,

[REDACTED]

-----Oorspronkelijk bericht-----

Van: [REDACTED] - CEND-DCO [mailto:[REDACTED]@minvenw.nl]
Verzonden: woensdag 23 februari 2011 13:50
Aan: [REDACTED]
Onderwerp: FW: from [REDACTED]

Hierbij nog de vragen van Bloomberg. Als er vragen zijn die je zonder problemen kan beantwoorden dan hoor ik dat graag. Alle haken en ogen graag vermelden zodat we hier bij woordvoering kunnen kijken wat we ermee kunnen doen.

Dank!

Gr.

[REDACTED]
Algemeen Persvoorlichter

.....
Directie Communicatie
Ministerie van Infrastructuur en Milieu
Plesmanweg 1-6 | 2597 JG | Den Haag | [REDACTED] Postbus 20901 | 2500 EX | Den Haag

.....
T [REDACTED]
M [REDACTED]
[REDACTED]@minvenw.nl

.....
www.rijksoverheid.nl

-----Oorspronkelijk bericht-----

Van: [REDACTED] BLOOMBERG/ NEWSROOM [mailto:[REDACTED]@bloomberg.net]
Verzonden: woensdag 23 februari 2011 12:07
Aan: [REDACTED] - CEND-DCO
Onderwerp: from [REDACTED]

Dear [REDACTED] thank you so much once again for all of your help. It's greatly appreciated.

Just to clarify, my only concern about written questions is that it's harder to ask for elaboration and get a full understanding when we're doing this in writing, but I'm very thankful for your willingness to be flexible. Please don't worry about language nuances. I'm very keen to make certain that I use only correct information, so I'm happy to go back over answers as often as necessary to make sure I have the correct understanding.

As you know I am researching and writing about the implementation of EC no. 1102/2008, so some of my questions include background about the current situation regarding mercury in the Netherlands.

Thanks again for all of your help so far and in the days to come. Here are my questions (please confirm that you received this):

- 1.) From 2006-2010, the Netherlands received at least 1,300 tonnes of mercury from the U.S., according to US export statistics. But 99.98% of this does not show up in the import statistics of the Netherlands. I am told that these shipments are "invisible" because they went to the Port of Rotterdam, which is a free trade zone, and so they are not counted as "imports" by the Netherlands since they are only "in transit" through your country. Is this the correct interpretation of these "invisible" mercury statistics? If not, could you please provide the correct answer?
- 2.) As you move to implement EC no. 1102/2008, is your department aware of any companies other than Lambert Metals of London that have been receiving, storing and shipping large quantities of mercury in this period to and from the Port of Rotterdam? If so, could you please provide some details?
- 3.) Will the implementation of EC no. 1102/2008 apply to the free trade zone at Rotterdam? In other words, will the export ban and storage requirements apply to the port as if it were any other area in the Netherlands/EU, or will there be an exception or loophole for the free-trade zone?
- 4.) [REDACTED] the director of Lambert Metals, has said that he believes his company will be allowed to continue storing mercury that is in transit at the Port of Rotterdam even after 15 March. Is that correct?
- 5.) Do you know how much -- even roughly speaking -- mercury is still being held for Lambert at the Steinweg warehouse in Rotterdam? In your department's communications with Steinweg, did they inform you how much was held there late last year?
- 6.) Has Lambert, Steinweg or anyone else in the Netherlands informed you that they intend to create a dedicated facility in the Netherlands for the temporary storage of mercury above ground? If so, could you please provide the details?

7.) If the mercury at Rotterdam harbor has been moved, did Steinweg or Lambert inform you where those stocks were relocated and when they were relocated?

8.) If they have told you they are planning to move them before 15 March, have they informed you where they will be moved and when?

9.) Are you aware of any legal or regulatory actions that have been taken by Lambert Metals or Steinweg regarding the implementation of EC no. 1102/2008? Have they asked for any legal interpretations or special relief? If so, could you please provide details?

That's all I can think of for now! Thank you so much once again.

[REDACTED] -- Bloomberg News, Businessweek & Bloomberg Markets Magazine
Europe, Middle East & Africa

[REDACTED] (London) [REDACTED] (mobile) [REDACTED]
+(fax)

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[REDACTED]

Van: [REDACTED]
Verzonden: donderdag 24 februari 2011 16:31
Aan: [REDACTED]
Onderwerp: Aanvraag juridisch advies over export verbod kwik

[REDACTED]

Zoals telefonisch toegelicht wil ik hierbij kort aangeven waarover ik advies nodig heb.

- Verordening 1102/2008 regelt onder andere een verbod op de export van metallisch kwik en bepaalde kwikverbindingen vanuit de Gemeenschap per 15 maart 2011.
- In Rotterdam is het Londense bedrijf Lambert Metals actief met invoer en uitvoer van kwik. Zij handelen in allerlei metalen waaronder in flessen kwik. Opslag vindt plaats bij Steinweg handelsveem. De goederen worden niet ingeklaard en dus ook niet uitgeklaard maar zijn in transit.
- Op verzoek van Steinweg heb ik op 15 oktober 2010 per mail uitleg gegeven van de regels van de verordening aan Steinweg. Daarop heeft Steinweg aangegeven aan Lambert dat zij geen kwik meer willen ontvangen. Steinweg, zo blijkt uit correspondentie, wil nog wel kwik invoeren omdat er een klant van hem zou zitten in Spanje die er een product van maakt.
- Al enige tijd probeert Lambert ons hierover een uitspraak te ontlokken. Door drukte (INC2 kwik, China, onderhandelingen raadsconclusies kwikverordening) is dat er nog niet van gekomen, maar de tijd dringt.
- Uit contacten met België, [REDACTED] komt naar voren dat er bij hen in de havens ook vragen zijn.
- Het is mij niet helemaal duidelijk of de vragen van Lambert metals te goedertrouw zijn, d.w.z. wil men alleen precies weten wat de regels zijn of zoekt men nu de mazen van de wet? Alles draait om het begrip Transit. Mijn stellingname is: als het is ingevoerd op NL grondgebied, ook al is het niet ingeklaard, dan valt het onder NL jurisdictie en moeten wij uitvoer naar buiten EU verbieden. Vraag is hoe om te gaan met transit naar andere locaties binnen de EU; hoe kunnen we zeker stellen dat het niet verdwijnt?
- Een bijkomende vraag kan zijn: als je deze goederen invoert in een container en die blijft op het schip, valt dat transport dan wel of niet onder dit verbod? Moeten we metallisch kwik dat van buiten de EU komt en afkomstig is van een mijn (Kyrgizië) al dan niet als afvalstof opvatten? Hiervoor moeten we ook naar IMO regelgeving kijken.

Graag wil ik met jou en andere collega's de juridische aspecten hiervan bekijken. Het kan ook zijn dat wij hierover met de Commissie contact moeten zoeken.

Ik zou het op prijs stellen als wij hierover volgende week kunnen overleggen. Ik zal de correspondentie met Lambert z.s.m. sturen.

[REDACTED]

Van: [REDACTED]
Verzonden: donderdag 24 februari 2011 17:17
Aan: [REDACTED]
CC: [REDACTED]@ec.europa.eu
Onderwerp: FW: from [REDACTED]
Bijlagen: Lambertmetals.pdf

Hallo [REDACTED]

For your information my correspondence with the press, through our communication specialist so maybe they will filter it.

There is still a question pending put forward by Lambert metals. I was busy with all negotiations for mercury so there was no time left.
I will try to solve the questions next week with 2 lawyers of our ministry.

Basically Lambert says that he wants to continue to import (some) mercury for a client in Spain, so transit through Rotterdam. Import in the EU is not prohibited, so this should be possible. [REDACTED]

However, the letter of [REDACTED] seems quite reasonable to me.

It could be the case that, because Steinweg has said they do not want to receive any mercury anymore, Lambert is looking for another harbor for his transits to EU clients.

Maybe we could have contact end of next week ?

The publicity that could arise by [REDACTED] could be beneficial for us, because although the export from Rotterdam is large, that is exactly the reason why we have the EU regulation. [REDACTED]

[REDACTED] can you inform [REDACTED] about this ? Thank you.

[REDACTED]
 + [REDACTED]
 + [REDACTED]

-----Oorspronkelijk bericht-----

Van: [REDACTED]
Verzonden: donderdag 24 februari 2011 16:09
Aan: [REDACTED] CEND-DCO
Onderwerp: RE: from [REDACTED]

Concerning the First mail (22nd February) of [REDACTED] the following.

It is correct that in a number of years mercury trade through the harbor of Rotterdam has been large. We were informed about that by the European Commission experts because, exactly as stated by [REDACTED], we were not aware of these imports (because they are legitimate).

I am not totally sure about the way or Statistics Bureau CBS makes its import and export statistic. As you will see below, over the years 2000 - 2010 the import as well as the export is a considerable amount. So I really doubt whether mercury transits were not in the statistics because that would mean that the total streams were even larger.

<http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=71744ned&D1=a&D2=33-34&D3=0&D4=4-9,22,35,48,61,65-71&HDR=T,G1&STB=G2,G3&VW=T>

As everyone knows (in the world of mercury and mercury policy) the large export from the EU and the possible increase because of the phasing out of the chlor-alkline mercury process was the reason for making the EU regulation 1102/2008.

By the way: the export from the USA was very large, and that is exactly the reason why the US has an exportban by 1-1-2013.

We are informed about the activities of Lambert Metals, and are in contact with the company and the storage location.

It is important to note that the EU regulation art. 1 clearly states that the export of mercury (and some mercury compounds) from the Community shall be prohibited from 15 March 2011. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:304:0075:0079:EN:PDF>

This means that export from the territory under the jurisdiction of a member state will be prohibited. So when mercury in a containment is physically stored on Dutch territory, the export is not allowed. It does not matter whether or not these goods are gone through the customs. That is only relevant for paying import-taxes or not.

The second mail is very specific.

1. this is correct. But please note the word transit: in this case it is physically stored on Dutch soil but not 'imported' in the Netherlands/EU.
2. Statistic mentioned above gives you the details about the import and export of mercury in our country in the period 2000-2010. These are official statistics of our Centraal Bureau voor de Statistiek.
3. see above.
4. There is not an import ban in the EU. So everyone that thinks it necessary to import mercury for further trading this within the EU, destined for allowed uses in products or processes, can do so. So: transit through the harbour of Rotterdam to another harbor/destination inside the EU is not prohibited. Custom rules should be respected. Transit to harbors outside the EU is not allowed.
5. We do not give any details about companies.
6. 7. 8. 9. No comments for reason under 5.

We can inform you we are in contact with other competent authorities in west Europe concerning these issues.

Best regards,

[Redacted signature]

-----Oorspronkelijk bericht-----

Van: [Redacted] CEND-DCO [mailto:[Redacted]@minvenw.nl]

Verzonden: woensdag 23 februari 2011 13:50

Aan: [Redacted]

Onderwerp: FW: from [Redacted]

Hierbij nog de vragen van Bloomberg. Als er vragen zijn die je zonder problemen kan beantwoorden dan hoor ik dat graag. Alle haken en ogen graag vermelden zodat we hier bij woordvoering kunnen kijken wat we ermee kunnen doen.

Dank!

Gr.

[Redacted signature]

.....
Directie Communicatie
Ministerie van Infrastructuur en Milieu
Plesmanweg 1-6 | 2597 JG | Den Haag | [Redacted] Postbus 20901 | 2500 EX | Den Haag

.....
T 070 456 71 16
M 06 31 75 35 06
[Redacted]@minvenw.nl

.....
www.rijksoverheid.nl

-----Oorspronkelijk bericht-----

Van: [Redacted], BLOOMBERG/ NEWSROOM: [Redacted]@bloomberg.net]

Verzonden: woensdag 23 februari 2011 12:07

Aan: [REDACTED] - CEND-DCO

Onderwerp: from [REDACTED]

Dear [REDACTED] thank you so much once again for all of your help. It's greatly appreciated.

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- 1.) From 2006-2010, the Netherlands received at least 1,300 tonnes of mercury from the U.S., according to US export statistics. But 99.98% of this does not show up in the import statistics of the Netherlands. I am told that these shipments are "invisible" because they went to the Port of Rotterdam, which is a free trade zone, and so they are not counted as "Imports" by the Netherlands since they are only "In transit" through your country. Is this the correct interpretation of these "invisible" mercury statistics? If not, could you please provide the correct answer?
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- 4.) [REDACTED] the director of Lambert Metals, has said that he believes his company will be allowed to continue storing mercury that is in transit at the Port of Rotterdam even after 15 March. Is that correct?
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- 7.) If the mercury at Rotterdam harbor has been moved, did Steinweg or Lambert inform you where those stocks were relocated and when they were relocated?
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- 9.) Are you aware of any legal or regulatory actions that have been taken by Lambert Metals or Steinweg regarding the implementation of EC no. 1102/2008? Have they asked for any legal interpretations or special relief? If so, could you please provide details?

That's all I can think of for now! Thank you so much once again.

[REDACTED] -- Bloomberg News, Businessweek & Bloomberg Markets Magazine
Europe, Middle East & Africa

[REDACTED] (London) [REDACTED] (mobile) [REDACTED]
+(fax)

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[Redacted]

Van: [Redacted]@ec.europa.eu
Verzonden: donderdag 24 februari 2011 18:23
Aan: [Redacted]@ec.europa.eu
CC: [Redacted]@health.fgov.be
Onderwerp: Journalist questions about the application of EC no. 1102/2008 in Nederland
Bijlagen: Lambertmetals.pdf

Hello [Redacted]

FYI, [Redacted] has had some discussion with a journalist from Bloomberg and wanted me to inform you of the status of discussions - in case you have some legal or other points to offer.

I'll take a closer look at the Dutch data, but I am surprised they do not have specific data on Dutch imports from the U.S. - if I understood the journalist's question properly.

Best wishes,
[Redacted]

-----Original Message-----

From: [Redacted] [mailto:[Redacted]@minvrom.nl]
Sent: Thursday, February 24, 2011 5:17 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: from [Redacted]

Hallo [Redacted]

For your information my correspondence with the press, through our communication specialist so maybe they will filter it.

There is still a question pending put forward by Lambert metals. I was busy with all negotiations for mercury so there was no time left.

I will try to solve the questions next week with 2 lawyers of our ministry.

Basically Lambert says that he wants to continue to import (some) mercury for a client in Spain, so transit through Rotterdam. Import in the EU is not prohibited, so this should be possible. But there should be some guarantee that these shipments will arrive in Spain, and not "lost" somewhere and continue to go to developing countries etc.

However, the letter of Howard Masters seems quite reasonable to me.

It could be the case that, because Steinweg has said they do not want to receive any mercury anymore, Lambert is looking for another harbor for his transits to EU clients.

Maybe we could have contact end of next week ?

The publicity that could arise by [Redacted] could be beneficial for us, because although the export from Rotterdam is large, that is exactly the reason why we have the EU regulation. On the other hand, maybe the NL Parliament may put questions forward making it necessary to investigate this specific "trade-niche" in detail. As you know: a question is easy to formulate, but the answers.....

[Redacted]: can you inform [Redacted] about this ? Thank you.

[Redacted]
[Redacted]
[Redacted]

-----Oorspronkelijk bericht-----

Van: [Redacted]
Verzonden: donderdag 24 februari 2011 16:09
Aan: [Redacted] CEND-DCO'
Onderwerp: RE: from [Redacted]

[Redacted]

Concerning the First mail (22nd February) of [REDACTED] the following.

It is correct that in a number of years mercury trade through the harbor of Rotterdam has been large. We were informed about that by the European Commission experts because, exactly as stated by Simpson, we were not aware of these imports (because they are legitimate).

I am not totally sure about the way or Statistics Bureau CBS makes its import and export statistic. As you will see below, over the years 2000 - 2010 the import as well as the export is a considerable amount. So I really doubt whether mercury transits were not in the statistics because that would mean that the total streams were even larger.

<http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=71744ned&D1=a&D2=33-34&D3=0&D4=4-9,22,35,48,61,65-71&HDR=T,G1&STB=G2,G3&VW=T>

As everyone knows (in the world of mercury and mercury policy) the large export from the EU and the possible increase because of the phasing out of the chlor-alkaline mercury process was the reason for making the EU regulation 1102/2008.

By the way: the export from the USA was very large, and that is exactly the reason why the US has an export ban by 1-1-2013.

We are informed about the activities of Lambert Metals, and are in contact with the company and the storage location.

It is important to note that the EU regulation art. 1 clearly states that the export of mercury (and some mercury compounds) from the Community shall be prohibited from 15 March 2011. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:304:0075:0079:EN:PDF>

This means that export from the territory under the jurisdiction of a member state will be prohibited. So when mercury in a containment is physically stored on Dutch territory, the export is not allowed. It does not matter whether or not these goods are gone through the customs. That is only relevant for paying import-taxes or not.

The second mail is very specific.

1. this is correct. But please note the word transit: in this case it is physically stored on Dutch soil but not 'imported' in the Netherlands/EU.
2. Statistic mentioned above gives you the details about the import and export of mercury in our country in the period 2000-2010. These are official statistics of our Centraal Bureau voor de Statistiek.
3. see above.
4. There is not an import ban in the EU. So everyone that thinks it necessary to import mercury for further trading this within the EU, destined for allowed uses in products or processes, can do so. So: transit through the harbour of Rotterdam to an other harbor/destination inside the EU is not prohibited. Custom rules should be respected. Transit to harbors outside the EU is not allowed.
5. We do not give any details about companies.
6. 7. 8. 9. No comments for reason under 5.

We can inform you we are in contact with other competent authorities in west Europe concerning these issues.

Best regards,

-----Oorspronkelijk bericht-----

Van: [REDACTED] - CEND-DCO [mailto:[REDACTED]@minvenw.nl]

Verzonden: woensdag 23 februari 2011 13:50

Aan: [REDACTED]

Onderwerp: FW: from [REDACTED]

Hierbij nog de vragen van Bloomberg. Als er vragen zijn die je zonder problemen kan beantwoorden dna hoor ik dat graag. Alle haken en ogen graag vermelden zodat we hier bij woordvoering kunnen kijken wat we ermee kunnen doen.

Dank!

Gr.

.....
Directie Communicatie
Ministerie van Infrastructuur en Milieu
Plesmanweg 1-6 | 2597 JG | Den Haag | [REDACTED] Postbus 20901 | 2500 EX | Den Haag
.....

T [REDACTED]
M [REDACTED]
[REDACTED]@minvenw.nl
.....

www.rijksoverheid.nl

-----Oorspronkelijk bericht-----

Van: [REDACTED] BLOOMBERG/ NEWSROOM: [REDACTED]@bloomberg.net]
Verzonden: woensdag 23 februari 2011 12:07
Aan: [REDACTED] - CEND-DCO
Onderwerp: from [REDACTED]

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[REDACTED]

Van: [REDACTED] - CEND-DBO [REDACTED]@minvenw.nl]
Verzonden: maandag 7 maart 2011 14:53
Aan: [REDACTED]
Onderwerp: E-mail met bijlage (attachment): [REDACTED] WOB
Bijlagen: [REDACTED]

Urgentie: Hoog

Goedemiddag,

1e en 2e zending mislukt door klein schrijffoutje Nu moet het goed gaan.

m.vr.gr. [REDACTED]

Het bericht kan nu met het volgende bijlagen of koppelingen worden verzonden:

[REDACTED] WOB

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