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DOCUMENT 1-686/81

Report

drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection

on the ~~pollution~~ of the Rhine by discharges of salt

Rapporteur: Mr S. JOHNSON

1.2.1

On 12 November 1979, a motion for a resolution on the pollution of the Rhine (Doc. 1-500/79/rev.) tabled by Mr SCHIELER and others pursuant to Rule 25 of the Rules of Procedure was referred to the Committee on the Environment, Public Health and Consumer Protection.

On 16 November 1979, a motion for a resolution on the pollution of the Rhine (Doc. 1-523/79) tabled by Mr BERKHOUWER pursuant to Rule 25 of the Rules of Procedure was referred to the Committee on the Environment, Public Health and Consumer Protection.

On 20 December 1979, the Committee on the Environment, Public Health and Consumer Protection appointed Mr JOHNSON rapporteur. At the same time, the committee decided, in the light of the European Parliament's resolutions on the pollution of the Rhine of 14 December 1979 (OJ C 4, 7 January 1980, p. 73 et seq), not to draw up a report in the first instance and to await the outcome of the deliberations in the Conference of Ministers and the International Commission for the Protection of the Rhine.

On 9 April 1981, a motion for a resolution on European cooperation on reducing pollution of the Rhine (Doc. 1-120/81) tabled by Mr OEHLER and others pursuant to Rule 14 of the Rules of Procedure was referred to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Economic and Monetary Affairs for its opinion.

At its meeting of 27 May 1981, the committee confirmed Mr JOHNSON's appointment as rapporteur.

At its meetings of 27 May 1981 and 28 October 1981, the committee considered a draft report and adopted the draft motion for a resolution at the latter meeting by 14 votes with one abstention.

Present: Mr COLLINS, chairman; Mr JOHNSON, vice-chairman and rapporteur; Mrs WEBER, vice-chairman; Mr COMBE, Mr GEURTSSEN (deputizing for Mrs SCRIVENER), Mr GHERGO, Mrs FUILLET (deputizing for Mr BOMBARD), Mrs KROUWEL-VLAM, Mrs LENTZ-CORNETTE, Mr MERTENS, Mr MUNTINGH, Mrs SCHLEICHER, Mrs SEIBEL-EMMERLING, Mrs SPAAK, Mr VERROKEN.

The opinion of the Committee of Economic and Monetary Affairs will be published separately.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on the pollution of the Rhine by discharges of salt.

The European Parliament,

- concerned at the continuing pollution of the Rhine by the discharge of chloride ions (discharges of salt) and at the detrimental effects of this on the supplies of drinking water and water for industrial purposes in the Rhine catchment area,
- having regard to the Convention on the protection of the Rhine against pollution by chlorides signed on 3 December 1976 (the 'salt treaty'), which has yet to enter into force, since it has not been ratified by France,
- having regard to the decisions taken on 26 January 1981 by the conference of Environment Ministers of the five signatory states to the salt treaty instructing the International Commission for the protection of the Rhine against pollution to examine the cost and feasibility of three alternative schemes for reducing the discharge of salt into the Rhine by the Alsatian potash mines (shipping the salt out on barges and dumping it off the coast of the Netherlands; injecting it into underground cavities on site; having the salt processed by the soda industry in Lorraine),
- concerned at the decision taken by the competent authority in France on 22 December 1980 to extend the permission granted to the Alsatian potash mines to discharge salt waste into the Rhine; concerned also at the fact that the years of delay in finding political solutions have induced the organizations which are affected in the Netherlands to take legal steps to secure the political decisions which still remain untaken,
- having regard to the answer given by the Commission of the European Communities to Written Question No. 358/80 by Mr Muntingh of 14 May 1980,¹

¹ OJ No. C 206, 11.8.1980, p. 19

- having regard to its resolutions of 14 December 1979,¹
 - having regard to the motion for a resolution tabled by Mr OEHLER and others (Doc. 1-120/81),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Economic and Monetary Affairs (Doc. 1-686/81),
1. Regrets that despite its appeal to the French Parliament to show both solidarity and a sense of responsibility for the protection of the environment in international terms, France has taken no steps whatsoever to ratify the salt treaty and thus to allow it to take effect;
 2. Is concerned at the fact that the Alsation potash mines have been granted renewed permission to discharge salt waste on a scale which is incompatible with the provisions of the salt treaty;
 3. Recalls its resolutions of 14 December 1979², which called on the Commission to propose additional measures to combat pollution of the Rhine, within the framework of the Community policy on the environment, and regrets to note that the Commission has so far not complied with these requests;
 4. Calls on the Commission to submit without delay the results of its investigation, carried out on the basis of Articles 85 and 86 of the EEC Treaty, into the possible existence of a cartel between European salt producers³;
 5. Regrets that the conference of Ministers of the five signatory states to the salt treaty decided on 10 June 1981 to postpone until November the decision they were to take in July on alternative schemes for reducing pollution, although all the technical requirements for a political decision had already been met;

¹ OJ No. C 4, 7.1.1980, p. 73 et seq.

² OJ No. C 4, 7.1.1980, p. 73 et seq.

³ see the answer given by the Commission to Written Question No. 358/80, OJ No. C206, 11.8.1980, p. 19

6. Expects the November conference of ministers, on the basis of the expert reports it has received, to reconsider the technical alternatives under discussion and also to consider the contribution to a solution which could be made by (a) extending the period of exploitation of the potash resources in Alsace with a view to reducing the annual rate of salt discharges, and (b) the possible reduction of all other salt discharges into the Rhine, including those in the Federal Republic of Germany;
7. Recommends that, in the light of the foregoing investigations, a revised salt treaty should be drawn up, with a view to the earliest possible ratification by all signatory states;
8. Recommends, moreover, that the European Communities become a party to such a revised salt treaty and that they should use their good offices to prompt the governments of the signatory states to take a decision on those lines in the course of the coming months;
9. Believes, moreover, that the European Community should be prepared to make an appropriate contribution to the solution of the Rhine salt problem which has to be worked out within the framework of the revised salt treaty and that it should participate in the forthcoming discussion on that basis;
10. Instructs its President to forward this resolution to the Council and the Commission, and to the governments of the Federal Republic of Germany, France, Luxembourg, the Netherlands and Switzerland.

B

EXPLANATORY STATEMENT

I. THE SALT LOAD OF THE RHINE

1. Since 1945 the Rhine's artificial¹ salt load, which varied between 100 and 150 kg/second in the first half of the 20th century, has risen sharply to about 330 kg/sec. (= 15 million tons of salt). In recent years this figure has stabilized, peak concentration as depending on rate of flow².

2. The sources of this artificial salt load are as follows³:

(a) FRANCE	168.0 kg/s
(i) Alsatian potash industry	130 kg/s
(ii) Various other sources	38 kg/s
(b) GERMANY	155.3 kg/s
(c) SWITZERLAND	10.0 kg/s

3. It is therefore clear that:

- (a) The salt load of the Rhine is heavily influenced initially by the salt discharged from Alsace, from a single, easily isolated source (the potash industry).
- (b) Germany then adds the same amount again to the Rhine's already high salt load, albeit from a large number of widely varying sources (the soda industry, coal mining, etc.).

¹The natural salt load, of 15 - 75 kg/s depending on flow, will not be considered further here.

²Third special report by the Committee of Experts on Environmental matters, March 1976 - published by Federal Ministry of Internal Affairs, Bonn p. 62.

³Figures from: Convention on the protection of the Rhine against pollution by chlorides, Annex II. These figures are averages over periods of several years, on the basis of measurements taken at the points of discharge.

4. This high salt load affects the lower Rhine regions of Germany and, in particular, the Netherlands as the downstream country. They are obliged to obtain their drinking water supplies from inland waterways, and to supply their highly developed farming industry, especially their hot-house horticultural industry, with fresh water.

II. THE ALSATIAN POTASH MINING INDUSTRY

5. The Alsatian potash mining industry (in the Mulhouse area) brings about 12 million tons of material to the surface. Less than 20% is used by industry (as potash, and road and industrial salt). The remaining approximately 9.5 million tons are waste, mainly salt in dry form which is discharged into the Rhine.

6. The Alsatian potash deposits are not inexhaustible. Out of an original 8 pits only 3 are still working. They are expected to close by the end of the century. At present the industry employs about 6,400 workers.

7. On 22 December 1980 the French authorities extended the Alsace potash industry's permits to discharge salt waste at the existing rate. The Dutch waterworks companies have appealed against this decision in the French court on the grounds that the extension was incompatible with the 1976 salt treaty.

III. ATTEMPTED POLITICAL SOLUTIONS

8. On 3 December 1976 the Governments of Germany, France, Luxembourg, the Netherlands and Switzerland signed a Convention on the protection of the Rhine against pollution by chlorides (the salt treaty), which says in its preamble that it would be desirable to improve the quality of Rhine water progressively to a point where, at the border between Germany and the Netherlands, the chlorine ion content should not exceed 200 mg/l.

9. In their negotiations the contracting parties assumed that the quickest and cheapest way of achieving an early reduction in salt load would be if the major individual polluter, the Alsace potash mines, were to cut down their discharge of waste. The fact that, unlike the other sources of pollution, the waste here occurs in dry rather than liquid form further improves the prospects of success.

10. Article 2 (1) and (2) of the salt treaty therefore provide that:

- '1. The discharge of chloride ions into the Rhine shall be reduced by not less than 60 kg/s (mean annual figure). This target shall be achieved by stages in French territory.
2. In order to meet its obligation specified in para. 1, the French Government shall, as laid down in Annex 1 to this Convention, have installed a plant for injecting waste into underground cavities in Alsace, in order to reduce the discharge from the Alsace potash mines by an initial amount of 20 kg/s chloride ions for a period of 10 years. The plant shall be installed as soon as possible, but at the latest 18 months after this Convention comes into force

Moreover, Article 3 (1) of the salt treaty enjoins all contracting parties not to increase salt discharges from their territories.

11. Article 7 (1) of the salt treaty, requires France to bear the cost of injecting the waste salt into underground cavities in Alsace. Pursuant to Article 7 (2), the Netherlands, Germany and Switzerland would make a lump sum contribution of FF 142 million.

12. The salt treaty has not yet come into force as France, alone, has not yet ratified it, justifying its attitude by claiming that the Alsatian population, especially environmental protection groups, rejected the method proposed in the salt treaty of injecting salt waste into underground cavities.

13. Although it has not yet come into force, all signatory states other than France have met their obligations under the salt treaty. Switzerland and Germany in particular have observed the 'freeze' clause in Article 3 (1) and not increased their salt discharges above 1976 levels.

14. For a long time after the conclusion of the salt treaty in 1976 the follow-up negotiations came to nought, as France declined to put the treaty into force, and instead proposed the establishment of a salt factory with a capacity of 1 million tons per year. However, since the fifth conference of ministers of the riparian states held on 26.1.1981 there have been signs of movement in the negotiations. France has agreed that the feasibility and cost of three alternative methods of reducing pollution should be considered:

15. (a) Shipping the waste salt to the North Sea by barge and dumping it off the Dutch coast;

- (b) Transporting the waste salt from Alsace to Lorraine and recycling it in the soda industry there;
- (c) Injecting it in underground cavities in Alsace itself (as provided for in the salt treaty).

16. The International Commission for the Protection of the Rhine was entrusted with these investigations. It was originally to submit its results in June 1981, so that the sixth conference of ministers could reach decisions in July. Surprisingly, a conference of ministers decided on political grounds on 10 June 1981, at the request of the French, to postpone its decision until November 1981.

IV. CONCLUSIONS

17. The following comments may be made on the solutions currently under discussion:

SOLUTIONS ENVISAGED BY THE CONFERENCE OF MINISTERS OF 26 JANUARY 1981

(a) Shipping the waste salt to the North Sea:

Ecologically effective - technically difficult as the salt must not be allowed to agglomerate in the barges; furthermore, a pipeline would have to be built from Dutch ports onwards, as the barges would not be able to go out into the open sea. Planned capacity: 60 kg/s.
Cost: very high - the estimates assume that capital and ten years operation would involve costs ten times as high as those for alternative (c).

(b) Recycling waste salts in the Lorraine soda industry:

Ecologically effective, although the population would probably object to the construction of the pipeline; The soda industry in Lorraine would only be able to accept a limited amount (30 - 40 kg/s).
Cost: one-third of alternative (a), or 3½ times the cost of alternative (c).

(c) Injection of waste salts into underground cavities in Alsace:

Known to be opposed by environmental protection groups in Alsace. Some cause for concern on environmental grounds.
Cost: cheap by comparison with the first two alternatives. In 1976 the salt treaty assumed an initial phase costing FF 142 million.

SOLUTIONS NO LONGER UNDER DISCUSSION BY THE CONFERENCE OF MINISTERS:

(d) Building a salt factory, annual output 1 million tons:

Ecologically effective, but, in the view of the signatory states to the salt treaty, uneconomic.

The output resulting from the French proposal could not be sold on the European market. France therefore demanded sales guarantees from its partners and joint financing of surplus capacities.

Cost: no estimates or figures are available.

(e) Overground storage in spoil heaps in Alsace:

Environmentally undesirable - salinification of surface water, spoliation of landscape - objections can be expected from the local population.

Cost: as the salt waste is in dry form, this would be the cheapest method of eliminating the pollution.

(f) Slowing the rate of exploitation of the potash deposits:

Ecologically effective, if limited in scope, objections to be expected from the Alsace potash industry (loss of capacity, jobs etc.)

Cost: creation of new jobs, retraining of workers.

MOTION FOR A RESOLUTION

tabled by Mr OEHLER and others
on behalf of the Socialist Group

with a request for urgent debate
pursuant to Rule 14 of the Rules of Procedure

on European cooperation on reducing
pollution of the Rhine

The European Parliament,

- whereas the differences of opinion among the countries bordering the Rhine on reducing pollution of the Rhine by chlorides, far from being resolved, seem to have reached the point where any European solution would appear blocked,
- whereas the level of pollution of the Rhine by chemical substances and chlorides is unacceptable to all those who live along the banks of the Rhine and whereas this situation has unjustly set these people at loggerheads despite the fact that they are all interested in the quality and protection of the environment and in particular of the aquatic environment; whereas the discharge of salt into the Rhine is seen by workers in the Alsatian potassium mines and by the population of Alsace as an unprecedented waste which they deplore while calling on the public authorities to make use of this raw material by exploiting it industrially,
- noting the failure of the international conference held in The Hague on 26 January 1981 at which the Environment Ministers of France, Germany, Switzerland, the Netherlands and Luxembourg rejected the establishment of an international salt factory with a capacity of 1 million tonnes,
- having regard to the answer to Written Question No. 358/80 by Mr MUNTINGH in which the Commission of the European Communities admitted that the establishment of a salt factory with a capacity of 1 million tonnes in Alsace would make for a reduction of 20 kg/sec. of chlorine ions, the first objective of the Convention concluded in Bonn in 1976,
- noting that there is therefore a discrepancy between this objective as fixed and the political will of the Member States concerned to achieve this objective,
- recalling that production of salt in Europe is estimated at some 24 million tonnes and that the disposal on the European market of 1 million tonnes of residual salt can hardly be regarded as creating a surplus on a market which is in any case expanding,
- considering that the failure of the negotiations in this field can hardly be regarded as fortuitous since:
 - A. as far as France alone is concerned:
 - there has been a ban on using salt produced by the Alsatian Potassium Mines for domestic consumption since 1952 despite the opinions to the contrary of the National Academy of Medicine and the Food Hygiene Section of the High Council of Public Health, which have stated that salt extracted from the potassium mines in Alsace is perfectly suitable for domestic consumption;

- projects for building up new chemical processing industries or a salt factory remain blocked;

B. as far as France and Europe are concerned:

- noted authorities (in France, for instance, the Mergers and Monopolies Commission) have denounced an organization of the salt market - described by this body as a cartel - which infringes competition rules, as the market for salt is in any case dominated by a small number of firms which, it alleges, have divided up the market and distorted the rules governing price formation;
- the Commission of the European Communities itself has pointed out that the information it has received 'appears precise and consistent enough to warrant investigation at the firms concerned'.

1. Calls upon the Council of Ministers to explain why the Environmental Ministers meeting in The Hague rejected the plan for an international salt factory in Alsace;
2. Requests the Commission of the European Communities to inform the European Parliament of the conclusions of its enquiries so that the latter may have all the information necessary to identify the most appropriate measures for disposing of the waste currently discharged into the Rhine;
3. Instructs its President to forward this resolution to the Council and the Commission.

JUSTIFICATION FOR URGENT PROCEDURE

Given the serious level of pollution of the Rhine and the concerns and fears of those who live on the banks of the river, there is an urgent need to know why the Environment Ministers meeting in The Hague rejected the plan for an international salt factory in Alsace and to have information about the situation of the market for salt in Europe.