

SME – Greek Mining Enterprises Association
CONFEDEM – Spanish Mining Confederation
ANIET – Mining Association of Portugal
Austrian Mining and Steel Association
VKS - Association of the German Potash and Salt Industry
V-R-B – German Mining Association
Polish Copper Employers' Association
Hungarian Mining Association
FinnMin – Finnish Mining Association
Svemin – Swedish Mining Association

To:

Mr Joost Korte
Director-General

Directorate-General for Employment, Social Affairs and Inclusion
European Commission

– Sent by Email –

12 December 2022

Subject: Occupational Exposure Limits for Nitrogen Monoxide and Nitrogen Dioxide in Underground Mining

Dear Mr Korte,

We contact you with regard to the occupational exposure limits (OELs) for Nitrogen Monoxide and Nitrogen Dioxide and we would like to draw your attention to the current situation in underground mining.

We, the signing associations, represent European mining companies across Europe producing essential metals and minerals for the green and digital transition, for daily life, and indispensable industrial and food supply chains in Europe, i.a. iron ore, copper, magnesite, graphite, potash, salt, nickel, bauxite, bentonite, calcium carbonate, etc.

Health and safety of our employees is top priority in our sector, and we are constantly working on improving the working environment for our employees.

We are fully committed meeting the new OELs for Nitrogen Monoxide and Nitrogen Dioxide established on 31 January 2017 by the European Commission as part of the Chemical Agents Directive. Since then, our sector has heavily invested in research, development and implementation of new low emission machineries and underground vehicles, optimized ventilation systems, organisational measures, and innovative new explosives to reduce Nitrogen Oxides and Diesel engine exhaust emissions. In parallel, an accompanying independent health study – with more than 1.300 participating workers – was conducted to ensure health and safety of the underground workers during the transitional period.

Due to these far-reaching activities, the European mining sector has significantly reduced the exposition of workers towards Nitrogen Oxides and Diesel engine exhaust emissions in underground mines. Despite the substantial improvements achieved, many European mining companies will not be able to fully meet the new OELs before the end of the transitional period on 21 August 2023. The main reason for this is delay in the availability of specialized underground machineries and vehicles and the implementation of newly invented low-emission explosives, mainly caused by disrupted supply chains due to the Russian war against Ukraine and the Corona pandemic.

We therefore urgently ask you to assess the situation and to provide a timely solution to ensure the future operability of our mines. In our view, an extension of the transitional period of three years would be an appropriate and responsible way forward. This would allow us to successfully finalize the implementation of the remaining measures to comply with the new OELs in the future and to continue to ensure healthy working conditions for the supply of indispensable raw materials in Europe.

We kindly offer you to discuss this topic in detail and to provide further information.

We look forward to your reply.

Yours sincerely

Christos Kavalopoulos, Director General
SME – Greek Mining Enterprises Association

Vicente Gutiérrez Peinador, President
CONFEDEM - Spanish Mining Confederation

Hugo Albuquerque, Vice President
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