

Call for information on the effects of mining waste on Norwegian fjords and water bodies

The EFTA Surveillance Authority (ESA) is issuing a Call for Information requesting all stakeholders and individuals who may have information on the effects of mining waste on Norwegian water bodies, particularly scientific and technical data, to provide that information to ESA as soon as possible and before 1 March 2022.

The EFTA Surveillance Authority is currently examining the effects of mining waste (submarine tailings) on Norwegian fjords and water bodies. This investigation is being made in the context of the Water Framework Directive (Directive 2000/60/EC – ‘WFD’). It is being launched following a number of concerns raised regarding the disposal of mining waste and chemicals into Norwegian fjords.

The disposal of waste materials, including chemicals, from mines into Norwegian fjords and water bodies could pose a number of actual and potential risks to the environment and human health. In order to better understand the hazards and risks, ESA is collecting information and examining the effects of mining waste (submarine tailings) on Norwegian fjords and water bodies to ensure current disposal practices are in line with the Water Framework Directive and related EEA law.

Background

Norway has a number of fjords and water bodies within its geographical and jurisdictional scope. In the past, some of these fjords and water bodies have been used for the disposal of waste (submarine tailings), including chemicals, from mines. The mines include companies and facilities which have been engaged in the extraction of, amongst other things, ores, coal, minerals, marble, stone and other materials such as iron, quartz, copper, rutile, ilmenite, garnet, and rare earth minerals. Some Norwegian fjords and water bodies may be used for the disposal of mining waste at present and/or in the future.

Given the risks outlined, ESA is collecting data – in particular academic studies, research papers and other scientific and technical information – on the actual and potential effects of mining waste, including chemicals of possible concern, on Norwegian fjords and water bodies and their ecological and chemical status.

In this context, ESA invites stakeholders and individuals to provide all information relating to the effects of mining waste on Norwegian fjords and water bodies, including but not limited to the following information:

- Norwegian fjords/water bodies impacted;
- Information on the mining waste disposed of, including amounts, time periods and permits;
- Chemicals, including chemicals of potential concern, disposed of;

- Information on the impact of the mining waste on the water bodies including the presence of chemicals of potential concern in water bodies as compared to natural and/or background levels;
- The spread of mining waste in fjords and water bodies, including spread of chemicals of concern in bulk or nano forms;
- The impact of mining waste on the aquatic environment of the fjords and water bodies, including the chemical nature of the water bodies concerned, and;
- The possible uptake of mining waste, including possible chemicals of concern in nano/bulk forms, by benthic and aquatic organisms, and possible impact on ecology in the short and long term.

It should be noted that the ESA's investigation and assessment of this issue regarding disposal of mining waste and chemicals into Norwegian water bodies and compliance with the WFD and related EEA law, is separate to and independent from other ESA cases, including but not limited to Case 80563 concerning Directive 2006/21/EC on the management of waste from extractive industries, and that there is no intended overlap in their scope or development.

Deadline and contact information

This Call for Information ends on 18 March 2022. Information and data concerning this Call for Information should be sent to callforinformation86194@eftasurv.int before 18 March 2022.

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1. What is this Call for Information?

The Call for information is a public consultation in which ESA's Internal Market Affairs Directorate invites all interested parties to provide feedback and empirical evidence on the mining waste disposed of into Norwegian fjords and water bodies in the past, and their consequences and effects on the environment and human health, particularly the ecological and chemical status on the fjords and water bodies concerned.

2. Who is being consulted?

The aim of the Call for Information is to gather relevant data and feedback from all interested parties including: academic institutions and universities; research laboratories, organisations and institutions; charitable trusts and foundations; companies and those operating in the commercial sector including small and medium enterprises; non-governmental organisations; Norwegian regional and state authorities; other relevant governmental and political/administrative national/international institutions and organisations inside and outside Norway; and others who have technical, scientific and/or field data regarding the disposal of mining waste (including chemicals of potential concern) and the effects on the environment and human health.

By opening this Call for Information ESA intends to give parties who otherwise might not have been identified or consulted a chance to submit information.

3. Why this Call for information

EEA law aims to, amongst other things, preserve, protect and improve the quality of the environment and the to protect human health. The Water Framework Directive aims to achieve a high level of protection of the aquatic environment by establishing a long-term sustainable water management framework.

Article 4 of the Water Framework Directive sets out the environmental objective requirements concerning relevant water bodies. The disposal of mining waste into such water bodies is an activity which may call into question compliance with the requirements under Article 4 WFD, the Water Framework Directive more generally, and other related law.

ESA is calling for technical and scientific data and information on the chemical and ecological impact and effects of the disposal of mining waste (submarine tailings) to assess whether there is potential non-compliance with the Water Framework Directive requirements and related law. This Call for Information is intended to help ESA to make informed decisions when it comes to deciding what, if any, future action may be needed. Moreover, this Call for Information aims at collecting the newest and most up-to-date scientific evidence on actual and potential risks and hazards regarding mining waste and its disposal into Norwegian water bodies.

It should be noted ESA's investigation and assessment of this issue regarding disposal of mining waste and chemicals into Norwegian water bodies and compliance with the Water Framework Directive and related law, is separate to and independent from other ESA cases, including but not limited to Case 80563, and that there is no intended overlap in their scope or development.

4. When is the deadline?

This Call for Information was published on ESA's website on 18 February 2022. The Call for Information is open until 18 March 2022.

5. Where to send information?

Information and data concerning this Call for Information should be sent to callforinformation86194@eftasurv.int before 18 March 2022.

6. Confidentiality and public access to documents

All information received pursuant to this Call for Information is subject to ESA's Rules on Public Access to Documents.

When submitting data, the data submitter must indicate whether they wish their identity to remain confidential. Confidentiality of identity will be treated in line with ESA's [policy](#) on handling of Internal Market complaints.

Notwithstanding the above, ESA reserves its right to disclose all information received pursuant to this Call for Information to those entities and individuals employed and engaged by ESA to assist in the assessment and analysis of data under relevant confidentiality terms.

7. What are the next steps?

ESAs Internal Market Directorate will review the information received pursuant to this Call for Information, as well as other relevant information in the public domain and decide on appropriate follow-up.

8. Further information

For further information, please contact:

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