

**Province of Antwerp
Environment Department
Environmental Permit Division**

MLAV1/0900000516/kh/ag.

DECISION OF THE PROVINCIAL COUNCIL OF THE PROVINCE OF ANTWERP

On the application for a permit from NV Umicore with regard to a plant for the production of non-ferrous metals, located in 2000 Antwerp – 2620 Hemiksem, Adolf Greinerstraat 14, and on the notification for class 3 plants.

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DECISION:

Article 1 – Object

To NV Umicore, located at Broekstraat 31 in 1000 Brussels, under the conditions set in the present decision a permit is granted to alter the Boven factory, part of a plant for the production of non-ferrous metals, located in 2000 Antwerp – 2620 Hemiksem, Adolf Greinerstraat 14, land register data (division – section – parcel number) 37-C-10r2, 37-C-242c14, 37-C-242g23, 37-C-242t22, 37-C-242t23, 37-C-243e3, 37-C-244/02, 37-C-244c5, 37-C-507p, 37-C-515/e, 37-C-516k, 37-C-516m, 37-C-517b, 37-C-520r, 37-C-521d, 37-C-524c, 37-C-525t, 37-C-526i, 37-C-526m, 37-C-526n, 37-C-552x2, 37-C-557d4, 37-C-557e4, 37-C-557f4, 37-C-582f, 37-C-583h, 37-C-584t, 37-C-584y, 37-C-593, 37-C-594, 37-C-595a, 37-C-596h, 37-C-597c, 37-C-599h, 37-C-600/e in Antwerp and 1-C-17v, 1-C-23c2, 1-C-23t2, 1-C-31a3, 1-C-31t3, 1-C-31c4 in Hemiksem by expanding it with a new furnace for melting Li-ion and NiMH batteries (DEMO UHT), covering the expansion of/with:

- the storage of max. 500 tonnes of batteries and scrape from batteries, zinciferous products and blast furnace charges (plumbiferous products) as furnace charges and the physical/chemical treatment of it up to a total storage of 2,500 tonnes for the Boven factory (2.2.5.e.2 – 2.2.5.f.2 – the storage of scrap from batteries, zinciferous products and lead charges is also classified under 17.3.8.3 – the permitted storage of 2,000 tonnes of electronic scrap in the Manutention department has also been classified under 17.3.3.3);
- a melting furnace for recycling metals from a battery charge, a charge of zinciferous products and a blast furnace charge with a capacity of max. 20 tonnes/day of batteries and scrap from batteries, 18 tonnes/day of zinciferous products and 30 tonnes/day of blast furnace charges, with the zinciferous products and blast furnace charges possibly supplemented with fluff and electronic scrap (2.2.7.R5 - also classified under 20.2.4.a.3 - 20.2.4.b.3 - 20.2.5);
- an emergency power generating set with an electric power of 300 kW and a nominal power of 300 kW up to, in all, plants with an installed total electric power of 1,024 kW and a total nominal power of 1,024 kW (12.1.2.a – 31.1.3);

- a transformer of 4,000 kVA up to a total of 23 transformers (10 x 2,000 kVA, 8 x 2,500 kVA, 1 x 4,000 kVA, 2 x 7,150 kVA, 2 x 45,000 kVA) (12.2.2);
- an air-conditioner of 5 kW up to cooling plants, air-conditioning systems and air compressors with a total installed driving force of 3,291 kW (16.3.1.2);
- the storage of 800 l of gases in mobile recipients, containing 200 l of acetylene, 200 l of oxygen, 200 l of argon and 200 l of nitrogen up to, in all, the storage of 44,240 l of gases in mobile recipients (16.7.3);
- a container for the storage of 12,700 l of liquid nitrogen up to, in all, the storage of 99,730 l of gases in fixed reservoirs (16.8.3);
- the production of 1,115 tonnes/year of fly ash and 2,500 tonnes/year of alloys up to a total annual capacity for the Boven factory of 29,115 tonnes (15,000 tonnes/year of ash cakes from water purification, 7,500 tonnes/year of sodium antimonate, 3,000 tonnes/year of calcium stannate, 1,115 tonnes/year of fly ash and 2,500 tonnes/year of alloys (17.3.1.2);
- the storage of 100 tonnes of fly ash, 250 tonnes of alloys and 0.1 tonne of water-treatment products up to a total storage of 1,496.1 tonnes of very toxic, toxic and explosive substances (17.3.2.3);
- the storage of 39,000 kg of NaOH, 50,000 kg of $Ca(OH)_2$ and 100 kg of water-treatment products up to a total storage of 9,113,435 kg of oxidative, damaging, corrosive and irritating substances for the Boven factory (17.3.3.3);
- the storage of 2,400 l of gas oil in an above-ground storage tank up to a total storage of 82,400 l of P3-products (17.3.6.2);
- the storage of 500 tonnes of batteries and scrap from batteries, zinciferous products and lead charges and 500 tonnes of slag up to a total storage of 2,500 tonnes of environmentally hazardous substances (17.3.8.3);
- a melting furnace for recycling metals from a battery charge, a charge of zinciferous products and a blast furnace charge with a melting capacity of max. 30 tonnes/day up to a total storage capacity of 30 tonnes/day for the DEMO UHT and 55 tonnes/day for the EMC and a production capacity of 125,000 tonnes/year for the lead refinery and 2,100 tonnes/year for the EMR (20.2.4.a.3 – 20.2.4.b.3 – 20.2.5);
- foundries using melting pots, with a capacity of 28.8 m³ (36 x 800 l) up to a total capacity of 33.907 m³ (29.4.1.b);
- a plasma burner of 1,500 kW and a top burner of 600 kW up to, in all, combustion plants without the production of electricity with a total heating power of 63,545 kW (43.1.3 - 43.4).

We take note of the following class 3 plant:

- expansion with heat exchangers with a water content of the secondary room of 263 l up to heat exchangers with a total water content of the secondary room of 2,332 l (39.4.1).

Vlarem¹ classes: 2.2.5.e.2 – 2.2.5.f.2 – 2.2.7.R5 – 12.1.2.a – 12.2.2 – 16.3.1.2 – 16.7.3 – 16.8.3 – 17.3.1.2 – 17.3.2.3 – 17.3.3.3 – 17.3.6.2 – 17.3.8.3 – 20.2.4.a.3 – 20.2.4.b.3 – 20.2.5 – 29.4.1.b – 31.1.3 – 39.4.1 – 43.1.3 – 43.4.

¹ Flemish Regulations regarding the Environment

Article 2 – Linking to the town planning permit

§ 1

This environmental permit is suspended if for the alteration that is the object of it also a town planning permit as provided for by article 4.2.1 and following of the Flemish Codex RO is required and this town planning permit has not been definitely issued.

This suspension lasts until the town planning permit has been definitely granted or refused in last instance. The permit holder must report the definitive acquiring of the town planning permit to the provincial council by registered mail.

§ 2

The suspended environmental permit elapses by law on the date on which the town planning permit has been definitely refused in last instance.

§ 3

The town planning permit that is obtained for the alteration that is the object of the above-mentioned application for an environmental permit is suspended for as long as the environmental permit has not been definitely issued.

§ 4

This suspended town planning permit elapses by law on the date on which the environmental permit has been definitely refused in last instance.

Article 3 – Conditions

The permit issued in article 1 is subject to the strict observance of the following conditions:

§ 1. General conditions:

- General: sections 4.1 (general provisions), 4.6 (light), 4.7 (control of asbestos) and 4.9 (energy planning)
- Air: sections 4.4 (control of air pollution) and 4.10 (emissions of greenhouse gases)
- Noise: section 4.5 (noise control).

§ 2. Industry-related conditions:

- Plants for processing waste substances – general provisions: section 5.2.1
- Plants for storing and treating certain non-hazardous solid waste substances: subsection 5.2.2.4
- Plants for storing and treating hazardous waste substances and industrial waste substances that are not mentioned elsewhere: subsection 5.2.2.5.
- Electricity: section 5.12
- Gases – common provisions: section 5.16.1
- Plants for the physical treatment of gases: section 5.16.3
- Gases – storage in mobile recipients: section 5.16.5

- Storage places for compressed or liquefied gases or for gases suspended in a solution, in fixed reservoirs: section 5.16.6
- Storage of hazardous products – general provisions: section 5.17.1
- Storage of hazardous liquids in above-ground containers: section 5.17.3
- Industrial plants that may cause air pollution – general provisions: section 5.20.1
- Metals: section 5.29
- Engines with internal combustion: section 5.31
- Steam plants: section 5.39
- Combustion plants not included in items 2 and 28 – general provisions and immission control procedures: sections 5.43.1 and 5.43.4
- Small burners: subsection 5.43.2.3

§ 3. Special conditions:

- The 2 cooling groups for the new plant may not exceed a sound level of max. 90.9 dB(A).
- The owner must keep a register in which the days on which the test runs with blast furnace charges and/or zinciferous products take place as well as the processed amounts and the composition of the charges are entered.
- For the processing of batteries and blast furnace charges the following emission threshold values apply:

Parameter	Concentration
Dust	5 mg/Nm ³
Sum of Cd and Ti	0.05 mg/Nm ³
Hg	0.05 mg/Nm ³
Sum of Sb, As, Pb, Cr, Co, Cu, Mn, Ni, V, Sn	1.4 mg/Nm ³
Sum of As, Ni and Se	1 mg/Nm ³
Te	1 mg/Nm ³
HCl	14 mg/Nm ³
HBr	5 mg/Nm ³
HF	2.6 mg/Nm ³
CO	100 mg/Nm ³
NOX	260 mg/Nm ³
SO ₂	200 mg/Nm ³ (processing of batteries) 800 mg/Nm ³ (processing of blast furnace charges)
Dioxins and furans	0.1 ng TEQ/Nm ³
TOC	18 mg/Nm ³

- The storage and treatment of waste substances that can fly about easily, such as fluff and EAF dust (in dust form) must be done in closed spaces.
- The owner must inform ToVo, VMM and AMI before the starting of a test period for the processing of blast furnace charges and zinciferous products.

The listed general and industry-related environmental conditions are mentioned in Vlarem II. However, these are merely indicative; in case of changes to Vlarem II, the owner is always considered to observe the most recent version of the applicable provisions. The whole and

consolidated text of Vlare II can be consulted on the website of the province of Antwerp, through the following link:

http://www.provant.be/leefomgeving/milieu/milieuvergunningen/reglementering/milieuvergunningende/recente_wijzigingen

Article 4 – Period of time prior to the commissioning

The alteration for which the permit in article 1 has been issued must be entered into service within 3 years as from the date of this permit, otherwise this permit will elapse by law.

Article 5 – Validity period of permit

The permit described in article 1 is issued for a period:

1. commencing on the date of this decision, except when:
 - a) this environmental permit is suspended because on the date of this environmental permit the town planning permit for the alteration has not been definitely issued; in this event, the validity period of the permit commences on the date on which the town planning permit is definitely issued; the owner must report this date to the provincial council by registered mail;
 - b) the present environmental permit elapses by law in accordance to the provision of article 2 § 2; in this event, the permit has no validity whatsoever.
2. ending on 20 November 2014, coinciding with the final date of the validity period of the formerly issued, ongoing permit of 10 March 1994.

Article 6 –

The present permit does not affect the rights of third parties.

Article 7 –

§ 1. For every alteration of the permitted plant, the provisions of section III-bis of Title I of Vlare II apply.

§ 2. Every transfer of the plant to another owner must be reported to the permitting authority prior to the entering into effect of this transfer, such in accordance with the provisions of article 42 of the Vlare II regulations.

§ 3. A renewal of the permit must be applied for in accordance with the Vlare II provisions between the 18th and 12th month prior to the elapsing of the validity period of the actual permit at the latest.

Article 8 –

Appeal against the decision regarding the permit application can be lodged with the Flemish Environment Minister, Graaf de Ferraris building, Koning Albert II-laan 20 box 8, 1000 Brussels, in accordance with article 51 of Vlare.

To support the admissibility of such appeal the enclosed service certificate and the payment exhibit of the imposed file tax must be added to the appeal letter.

Antwerp, in its session of 01 April 2010.

Present: Mrs. Cathy Berx, Governor – Chairwoman, Mr. L. Helsen, Mr. R. Röttger, Mr. K. Helsen, Mrs. I. Verhaert, Mr. B. De Nijn, members and Mr. D. Toelen, Provincial Clerk.

Report drawn up by: Rik Röttger

By order of:

The Provincial Clerk,
(signed)

D. Toelen

The Chairwoman,
(signed)

Cathy Berx

Certified true copy

For the Provincial Clerk
The Administrative Assistant
(signed)
Kristien Houhuys
(stamp province of Antwerp)

Certified true translation
The sworn translator
Michel Mathijs

Gezien door Ons, B. VAN CAUWENBERGH,
Voorzitter van de Rechtbank van Eerste Aanleg,
zitting houdend te TURNHOUT,
voor echtverklaring van de hierboven aangebrachte
handtekening van: **Mathijs Michel**



BEËDIGD VERTALER,
waarbij de legalisatie enkel en alleen de echtheid van de
handtekening op het document bevestigt.
De legalisatie is een eenvoudige administratieve formaliteit
die geen authenticiteit van het document garandeert.

Turnhout, **04 JUNI 2010**
Voor de Voorzitter,
De gemachtigde griffier,

S. Nietvelt
S. Nietvelt
Afggev. griffier