

## **EXPRESSION OF PRINCIPLES**

Between

**the Minister of Economic Affairs and Climate Policy of the Netherlands, acting as administrative body and as representative of the State of the Netherlands, represented by Mrs. M.A.M. Adriaansens;**

**the State Secretary of Infrastructure and Water Management of the Netherlands, acting as administrative body and as representative of the State of the Netherlands, represented by Mrs. V.L.W.A. Heijnen;**

and

**OCI N.V., with its registered office in The Netherlands, with offices at Honthorststraat 19, 1071 DC, in Amsterdam, represented in this matter by A. El-Hoshy (CEO)**

**and**

**M. de Vries (Chief Legal and Human Capital Officer).**

**With regard to cooperation to reduce greenhouse gas emissions in the Netherlands**

hereafter jointly referred to as the "Parties";

## **WHEREAS**

### **Legal and policy framework for CO<sub>2</sub> reduction**

1. Parties acknowledge that additional efforts for reduction of greenhouse gas emissions, hereafter referred to as "CO<sub>2</sub>", but meaning CO<sub>2</sub>-equivalents emissions, are required to achieve the goals of The Paris Agreement as also laid down in the European Climate Law, the Dutch Climate Law (in Dutch: Klimaatwet), and the Dutch Coalition Agreement (in Dutch: Coalitieakkoord);
2. In the Dutch Coalition Agreement as presented on December 15, 2021, CO<sub>2</sub> reduction targets are increased to 55% in 2030 (versus 1990), while the Government aims for 60% CO<sub>2</sub> reduction, and for climate neutrality in 2050 and for establishing a green economy that is climate neutral, fossil free and circular;
3. For the industry, the Dutch Coalition Agreement aims to increase the ambition within the obligations under the European 'Fit-for-55' package. In the letter regarding sustainability of the industry of April 5, 2022 (Parliamentary Paper: Kamerstukken II 2021/22, 29826, nr. 135) the Minister of Economic Affairs and Climate Policy expressed the intention to develop and implement fundamentally new sustainable technologies with the largest industrial emitter group, while at the same time agreeing on a program for faster and more ambitious additional CO<sub>2</sub> reduction;
4. In the coming months, the Minister of Economic Affairs and Climate Policy will present a national roadmap to accelerate the transition in the Dutch industry. Parties acknowledge that their mutual cooperation will take place in the context of the developing policy around accelerating the transition in the industry;

### **Tailor-Made Approach ("Maatwerk")**

5. The Government aims to facilitate the climate transition of the industry in the Netherlands with, amongst other measures, a tailor-made approach for the 10 - 20 largest industrial emitters. As set out in the letter informing Parliament on Tailor-Made agreements (in Dutch: *Zomerbrief Maatwerk Verduurzaming Industrie*), the aim of the tailor-made approach is to support these companies, based on mutual commitments, in achieving additional and accelerated CO<sub>2</sub> reductions and having a sustainable future in the Netherlands, and where possible, contribute to meeting other sustainability challenges in the Netherlands, also in the long term;
6. Where needed, the Government, as stipulated in the Dutch Climate Plan and [draft] Climate Policy Programme, intends to support amongst others OCI in its endeavors in order to contribute to additional CO<sub>2</sub> reduction, while taking into account European principles regarding state aid and a level playing field on the internal market. In doing so, the Government aims for a level playing field both within Europe and globally;
7. According to the "Zomerbrief" the structure of the discussions with the 10-20 largest emitters shall be along the following lines: first, discussions will be held to see whether parties can come to an Expression of Principles (EoP), in which they express their intention to further discuss the possibilities of further reducing CO<sub>2</sub> emissions, and of reducing the local environmental impact, by the companies and the possibilities of the Government to assist therewith; then, if the EoP appears to be a good basis for further discussions, parties will discuss and define the specific measures that could be taken and agree on those in a non-binding Joint Letter of Intent (JLoI), which shall be verified by an external commission; and third, the final and binding agreements will be made;
8. The current EoP therefore is only of an indicative nature, which means that neither the State nor OCI can be held to statements, facts or numbers in this EoP, among other things because in this stage, such statements, facts or numbers cannot and will not be fully verified;

9. Parties therefore confirm explicitly that when further discussing the JLoI, they shall have full discretion in agreeing on a JLoI or not, and in modifying, removing or completing any statements, facts or numbers mentioned in this EoP;

### **OCI's role in the Netherlands**

- 10 OCI N.V., listed on Euronext and headquartered in Amsterdam, is a major producer, importer and exporter of ammonia, (bio) methanol, fertilizers, and melamine in the Netherlands. Worldwide OCI is a major producer of ammonia, nitrogen-based fertilizers methanol and bio-methanol. As such, OCI provides, amongst others, the Netherlands and the EU with essential nutrients for agriculture (Food), fuel for transport and power generation (Fuel), and key building blocks for a broad variety of products used in daily life (Feedstock);
- 11 In the Netherlands OCI has three production, import- and distribution sites: BioMCN B.V. (BioMCN) in Delfzijl, OCI Terminal Europoort B.V. (OTE) in Rotterdam and OCI Nitrogen B.V. (OCIN), at Chemelot Geleen of which OTE and OCIN are wholly owned subsidiaries of OCI and BioMCN 85%;
- 12 In the Chemelot cluster in Geleen, OCI owns and operates a cornerstone facility (OCIN) for ammonia, fertilizer and melamine production, also serving 3rd parties on-site as a critical supplier, with mutual dependencies and synergies with other site users. The first ammonia production was established on the site in the early 1930's;
- 13 In the Rotterdam-Rijnmond cluster OCI owns and operates the only existing ammonia import terminal (OTE) in the Port of Rotterdam. The first ammonia activity was established on the site in 1969. OTE is uniquely connected to the European backland via inland waterways and dedicated railroads, and as such OCI is providing the European market access to ammonia produced by OCI and 3rd parties in the Middle East, North Africa, USA and other regions. OCI has recently taken a Final Investment Decision (FID) to expand OTE's import capacity to meet the growing demand in the EU for low carbon, circular and renewable Ammonia and Hydrogen, and OCI is considering a second phase expansion. In addition OCI has recently taken a FID on a 1.1 Million ton per Annum low carbon ammonia project in Beaumont, Texas, USA;
- 14 In the Noord-Nederland cluster, in Delfzijl, OCI owns and operates a major methanol production facility, with a central location in the future Groningen Clean Hydrogen valley. The first methanol production was established on the site in 1974;
- 15 As such, OCI is a major producer and consumer of hydrogen in the Netherlands, and OCI can play an important role in kickstarting the Dutch low carbon, circular and renewable hydrogen economy and in meeting the related hydrogen production and import targets set by the EU in the RePowerEU plan;
- 16 OCI is of importance to the Netherlands as a driver of economic activity and employment especially in the Geleen, Delfzijl and Rotterdam region, and as a producer, importer and exporter of important products in food, fuel and feedstock;
- 17 OCI has over 750 employees in the Netherlands and more than 3.300 worldwide. In addition, OCI estimates that in the Netherlands its activities contribute to an indirect employment of around 4.000 – 5.000 workers;
- 18 OCI has set out to, and is currently in the process of, transitioning its Dutch and global production and distribution platform to become a provider of low carbon, circular and renewable fertilizers, fuel, and feedstock to customers around the world;
- 19 Parties believe OCI can play an important role for the energy and sustainability transition in The Netherlands as OCI; i) has expertise in production, import, storage, transport and distribution of ammonia and methanol, ii) has expertise in the large scale production and use of hydrogen, and iii) has production facilities and new investments overseas, located in areas abundant in low carbon feedstocks and renewables, from where OCI imports into the Netherlands. Both low carbon, circular and renewable ammonia and methanol are key enabling molecules for the energy transition, and a feedstock for sustainable products;

- 20 Parties acknowledge that by producing and importing ammonia and (bio)methanol, OCI provides indispensable products for the manufacturing of essential materials for daily life, which are also needed for the transition to a sustainable economy, including amongst others plant nutrients, animal nutrition, medicines (a.o. antibiotics), surgical gloves, mobile phones, automotive parts, kitchen appliances, medical equipment and windmill blades;

### **OCI's ambitions towards further CO<sub>2</sub> reduction**

- 21 In 2021, OCI has set a minimal Green House Gas intensity reduction target for its worldwide operations of 20% in 2030 versus 2019, for its Scope 1 and 2 emissions, and in addition OCI is aiming to achieve carbon neutrality before 2050;
- 22 In addition, since 1990, OCIN (and its predecessor) has reduced its CO<sub>2</sub> emissions in the Netherlands by more than 60%, mostly by frontrunner and targeted N<sub>2</sub>O abatement investments in 2008. With these investments, OCIN has contributed towards the ambitions of the Paris Agreement and the overall EU reduction target of at least 55% in 2030, as well as towards the ambitions expressed in the Dutch Coalition Agreement;
- 23 Despite these significant improvements realized over the last decades, OCI belongs to the top 10 industrial CO<sub>2</sub> emitters in the Netherlands. OCI has identified multiple pathways for its Geleen and Delfzijl sites to transform into hubs for sustainable industrial products (described in the intentions with regard to Objective 2), with support of the tailor-made approach;

### **Local environmental impact**

- 24 Parties acknowledge that the Netherlands has to decrease its reactive nitrogen emissions in order to reduce the deposition thereof in Dutch Natura 2000 nature areas, and that each sector, including the industrial sector, is expected to contribute fairly to the necessary reduction of reactive nitrogen emissions, as explained in the Parliamentary Paper of November 25, 2022 (Parliamentary Paper: Kamerstukken II, 2022/23, 34682, nr.108);
- 25 The Government aims, in line with the European Zero Pollution Ambition for 2050, to reduce air-, water- and soil contamination by 2050 to levels that are no longer harmful to general health and natural ecosystems, thereby taking into account the limits of planet earth with the aim of realizing a toxin-free environment and has formulated emission reduction and health gain ambitions in several policy acts to this end;
- 26 The Government has formulated an emission policy that includes the legal obligation to minimise ZZS (in Dutch: *zeer zorgwekkende stoffen*) emissions and inform the authorities on achieved reduction and next steps every five years;
- 27 OCI recognizes the importance that the industry reduces its broader impact on the environment, and OCI recognizes the ambition of the Government to realize practically zero emissions in 2050. Therefore, OCI intends to continue to reduce its industrial emissions;
- 28 OCI continues to recognize that the internal and external safety for both its employees and surroundings are a key priority. OCI continues to work with the competent authorities to further optimize its operations and (external) safety performance, throughout the value chain to develop and share its knowledge concerning (external) safety with existing and new stakeholders;

## Other

- 29 Parties acknowledge that decarbonization projects by industry require the timely realisation of energy & CO<sub>2</sub> infrastructure and a clear industrial demand for such infrastructure. The Government has developed a national and regional infrastructure program (in Dutch: *Programma Infrastructuur voor een Duurzame Industrie, PIDI*) in which the Government, industry and grid operators work together to (i) take stock of all infrastructural needs for the industry, including for OCI, and (ii) enable acceleration of infrastructural projects admitted to the MIEK (in Dutch: *Meerjarenprogramma Infrastructuur en Klimaat*) where desirable and possible;
- 30 Parties have a joint understanding that investments in sustainable assets and infrastructure should fit in a long-term decarbonization pathway for the industry, which means net zero carbon operations towards 2050, for which transitional technologies such as Carbon Capture and Storage may be necessary. The application of these technologies should however not lead to a lock-in of the use of fossil energy;
- 31 Parties acknowledge the need to maximise efforts to substitute grey hydrogen with low carbon, circular and renewable hydrogen in existing processes;
- 32 Parties acknowledge the importance of the development of markets for sustainable products, as the use (application, consumption) of these products has the potential to reduce scope 1, 2 and 3 greenhouse gas emissions when replacing and phasing out conventional products. Market creation, for example through blending mandates and/or minimum uptake percentages in end markets for low carbon, circular and renewable methanol, ammonia or fertilizers as part of a coherent set of policies, are vital to stimulate investments necessary for the production of sustainable products (or: materials). Market creation depends on the necessary instrumentation, for example but not limited to, mass balancing methodology, sustainability criteria and methodology, and certification or MRV (monitoring reporting and verification).

## Now, therefore, the Parties have agreed to the following principles:

### I. DEFINITIONS

The following terms, if capitalized as indicated, shall have the following meanings:

- a. "Carbon Capture and Storage" is the process of capturing, transporting and permanent storing of carbon dioxide to prevent it from entering the atmosphere;
- b. "CO<sub>2</sub>" is to be understood as all greenhouse gases in CO<sub>2</sub> equivalent terms, unless stated otherwise;
- c. "climate neutrality" is to be understood as net-zero greenhouse gas emissions in CO<sub>2</sub> equivalent terms;
- d. "Dutch Climate Law" means the law enacted on March 2, 2022, also known as the *Klimaatwet*.
- e. "Dutch Coalition Agreement" means coalition agreement (in Dutch: *Coalitieakkoord*) of the Government dated December 15, 2021;
- f. "Dutch Climate Plan" means the Climate Plan 2021-2030 published on April 1, 2020, also known as "Klimaatplan 2021-2030";
- g. [draft] Climate Policy Programme refers to the policy programme published on June 6, 2022, also known as [ontwerp] Beleidsprogramma Klimaat;
- h. "Existing Subsidy Programs" means each currently existing subsidy program in the context of the Projects for which OCI is potentially eligible including, without limitation, SDE++;
- i. "Government" means the government of the Kingdom of the Netherlands;
- j. "Greenhouse gas emissions" mean the emissions of gases listed in Annex II to Directive 2003/87/EC of the European Parliament and of the Council of October 13, 2003 establishing a scheme for greenhouse gas emission allowance trading within the Union;
- k. "Industrial Emissions Directive" means Directive 2010/75/EU of the European Parliament and the Council on industrial emissions;

- l. "NIKI" means an aid scheme currently being developed by the Government aimed at, among others, the reduction of CO<sub>2</sub> in energy-intensive industrial sectors and the acceleration of the further upscaling of technologies from demonstration phase to commercial scale by supporting first-movers, which scheme in Dutch is named '*Nationale Investeringsregeling Klimaatprojecten Industrie*';
- m. "OCI" means OCI N.V. OCI N.V. is listed on Euronext in Amsterdam under the symbol "OCI";
- n. "Parties" means the Parties whose names appear on the first page of this Expression of Principles;
- o. "Pathway" means a possible route to make production processes of raw materials into more sustainable products, as described in paragraph II 2;
- p. "Permits" means any permits, licenses, exemptions, consents or other authorizations that OCI might require from the Government or any (local) governmental organization for the realization of the Projects;
- q. "Projects" means all projects related to "Pathways";
- r. "RCR" means the Dutch governmental coordination scheme (*Rijkscoördinatieregeling*) for the central coordination by the Government of decisions including spatial planning, permitting procedures, exemptions, and any other authorizations in relation to projects and programs deemed in the national interest;
- s. "SDE++" means the aid scheme 'Stimulation of sustainable energy production and climate transition' through which the Government can subsidize the unprofitable component of a project during the operational period of that project;
- t. "Site" means each of the sites at Chemelot, Delfzijl and The Port of Rotterdam.

## II. OBJECTIVES

### 1. Objective 1 – establish framework

- Parties aim to establish a cooperation framework to pursue the shared objectives, as stated below.

### 2. Objective 2 – reduction OCI's CO<sub>2</sub> emissions

- OCI intends, with support of the tailor-made approach, to reduce its scope 1 CO<sub>2</sub> emissions in the Netherlands by 0.8 - 1.7 Mton before 2030 (versus 2020) via various possible reduction pathways. The foregoing is based on OCI's 2020 production levels. This intended reduction goes beyond the estimated 0,6 Mton reduction resulting from the Dutch Climate Tax mechanism (based on OCI's 2020 production levels and the current EU-ETS benchmarks). This means a significant potential reduction, as OCI's total scope 1 CO<sub>2</sub> emissions were 2.2 Mton in 2020;
- The actual reduction will depend on choices between the different pathways, and possible combinations of pathways, and will be further elaborated upon. Hereby, the impact on scope 2 and scope 3 emission will be taken into account, as well as a possibility to simultaneously reduce OCI's natural gas consumption, depending on choices between the different pathways, and possible combinations of pathways;
- The Government is investigating how to best support the ambition through amongst others generic and tailor-made support instruments within the boundaries of the law and as far as in its control.

### **3. Objective 3: reduce the local environmental impact**

- Further to this CO<sub>2</sub> objective, OCI intends to reduce, with support of the tailor-made approach, the broader impact on the living environment of OCI's activities. More specifically OCI endeavors, where feasible, a further reduction of ammonia, SO<sub>2</sub> and NO<sub>x</sub> emissions, and a further mitigation of external safety risks of OCI's activities at their premises at Chemelot, Rotterdam and Delfzijl. This is without prejudice to the fact that the Government will continue to update the current permits in line with among others the Industrial Emissions Directive.

### **4. Objective 4: stimulate markets for sustainable products**

- OCI has identified several pathways to produce and/or import low carbon, circular and renewable ammonia and methanol. The development of low carbon, circular and renewable ammonia and methanol are important as a feedstock for sustainable products as well as an energy carrier. Parties have the objective to stimulate markets for low carbon, circular and renewable products as this will support the transition towards a sustainable chemical industry in the Netherlands.

## **III. INTENTIONS**

### **1. Parties' intentions related to Objective 1 – establish framework**

- Parties intend to cooperate towards the Objectives in this EoP by setting up and agreeing a non-binding Joint Letter of Intent (JLoI), with the joint aim to finalize the JLoI in the second half of 2023. Parties intend to elaborate in the JLoI on the intentions, goals and levels of commitment to be pursued in line with the shared Objectives, acknowledging, however, that since this EoP is non-binding and of a preliminary nature, they have full discretion to agree upon a JLoI or not, or to deviate from the intentions, including the Objectives, mentioned in this EoP;
- Parties acknowledge that their cooperation to reach agreement on the JLoI means among other things that they must inform the other Parties in a timely and appropriate manner about the steps they plan to take or have taken towards the intentions, goals and levels of commitment to be elaborated in the JLoI. If providing of information on the steps taken or to be taken meets with any legal issue, Parties will discuss in a timely manner how the requirement to provide information on the one hand and the legal issue on the other hand can be aligned, with the aim of providing as much and/or as detailed and complete information as possible;
- Parties intend to endeavor to align and engage relevant public and semi-public stakeholders when pursuing the shared Objectives;
- Parties intend to periodically discuss OCI's role as an important player at Chemelot and Delfzijl and the benefits of the projects towards developing Chemelot as well as Delfzijl towards future-proof CO<sub>2</sub> neutral and competitive sites;
- Parties intend to periodically evaluate progress towards the setting up and agreeing of the JLoI.

### **2. Parties' intentions related to Objective 2 – reduction OCI's CO<sub>2</sub> emissions**

- OCI intends to reduce CO<sub>2</sub> emissions of its activities under its operational control (OCI's emissions on its production sites) in The Netherlands. These CO<sub>2</sub> emissions are commonly referred to as scope 1 CO<sub>2</sub> emissions. In the further development of the pathways, the possible impact on scope 2 and scope 3 emissions will also be taken into account. OCI intends to spend resources to accelerate and mature (de-risk) a portfolio of carbon abatement projects related to the following pathways:
  - OCIN (Geleen) is a producer of ammonia, fertilizer and melamine. OCI's intention is to reduce the emissions related to the production of natural gas-based ammonia in the Netherlands, and to introduce other means for acquiring or producing ammonia and CO<sub>2</sub>. The possible pathways for ammonia are to produce ammonia from low carbon, circular and renewable hydrogen (e.g. hydrogen produced by circular waste-gasification or low carbon, circular and renewable

hydrogen delivered by pipe-line) and/or through import of low carbon, circular and renewable ammonia via OTE in the Port of Rotterdam. CCS can possibly function as a transition technology;

- BioMCN (Delfzijl) is a producer of (bio-)methanol. OCI's intention is to produce methanol by using hydrogen instead of natural gas. The pathways for acquiring hydrogen include a choice, or mix, between the production of hydrogen (and CO<sub>2</sub>) by circular waste-gasification or by locally produced or imported low carbon, circular and renewable hydrogen and captured (bio-)CO<sub>2</sub>.
- To the extent that OCI's possible pathways will result in substantial volumes of residual heat, OCI will take into account the possibility of future waste heat supply in line with the Energy Efficiency Directive (EED) and in anticipation of the proposed new Heat Act (in Dutch: *Wet Collectieve Warmtevoorziening*). OCI continues to engage with local authorities and stakeholders to provide insight in its expected long-term residual heat potential for collective sustainable heating plans;
- Parties intend to explore: (i) the potential to increase the share of flexible electricity consumption, in order to allow for the efficient integration of renewable electricity into the electricity grid in space and time, and (ii) the potential inclusion of future commitments in the JLoI regarding a certain share of flexible electricity consumption;
- Parties intend to explore the Pathways, their CO<sub>2</sub> reduction potential and future commitments as part of the JLoI, with the intention to pursue the upper range of the CO<sub>2</sub> abatement potential;
- OCI will, as part of the JLoI, (further) elaborate on its long-term strategic transition plan to reach climate neutrality, and provide insight into how the selected Pathways contribute to the goal of climate neutrality;
- Parties intend to explore the need for the Government to enable, help accelerate and/or mature (de-risk) OCI's projects, notably in relation to permits, infrastructure development, market development / demand incentives (see Objective 4), and financial support through subsidies, within the boundaries of the law and depending on among others political consent, and the availability of appropriate funds.
  - Parties intend to investigate how to facilitate timely decision-making on permit applications;
  - The Government intends to continue to coordinate the accelerated realization of MIEK projects, that is notably the 380kV electrical infrastructure at Chemelot & Delfzijl, the Delta Corridor and the national Hydrogen Transport Network, provided there is a clear demand by the industry amongst others OCI, such within the boundaries of the law;
  - Parties intend to (i) investigate the infrastructure and energy needs to supply Shore Power (walstroom) to vessels importing ammonia into OCI's terminal at Rotterdam, in order to reduce and/or prevent the occurring CO<sub>2</sub> and NO<sub>x</sub> emissions, and (ii) make arrangements to accelerate the realization of Shore Power (walstroom) including the necessary infrastructure;
  - Parties intend to investigate, on the basis of concrete projects, whether financial support is necessary and/or feasible, and if so, which are the possibilities for OCI to successfully apply for, or enjoy (partial) financing of projects under any of the following financing instruments:
    - a) Existing subsidy programmes;
    - b) NIKI;
    - c) other future subsidy programmes;
    - d) provision of subordinated loans;
    - e) other mechanisms for financial support.
- Parties intend to monitor and periodically evaluate OCI's (individual and combined) CO<sub>2</sub> emissions and its local environmental impact;
- Parties acknowledge that additional CO<sub>2</sub> reductions, realised by OCI under the tailor-made agreement, should not enable other companies to offset their emissions. Therefore, CO<sub>2</sub> dispensation rights, related to the Dutch Climate Tax mechanism, that directly ensue

from the CO<sub>2</sub> reduction realised by the tailor-made agreement should not be traded to other companies. The (financial) effects hereof will be discussed in the coming period and worked out in more detail in the JLoI.

### **3. Parties' intentions related to Objective 3 – reduce the local environmental impact**

- OCI intends to continuously aim for further reduction of ammonia, NO<sub>x</sub> and SO<sub>2</sub> emissions.
  - OCI intends to realize emission levels comparable to the lower end of the BAT Associated Emission Level bandwidth and will – as required by law – comply with Best Available Technique (BAT) standards;
  - OCI intends not to increase emissions when replacing existing production technologies by employing novel, more sustainable and circular production technologies such as – but not limited to – the use of recycled, sustainable, renewable and low carbon feed stock.
- OCI intends, by implementation of its selected decarbonization pathways, or a combination of pathways, with support of the tailor-made approach, to reduce NO<sub>x</sub> emissions by 2030 up to +/- 30% versus 2020. OCI also intends to examine if other reductions, not related to the pathways, can be accomplished. To that end, OCI will carry out a study to determine how the NO<sub>x</sub>, SO<sub>2</sub> and ammonia emissions (including emissions from low sources) can be further reduced in the future;
- OCI aims that the on-site and external safety exposure, will be managed following the As Low As Reasonably Achievable principle (ALARA). Parties acknowledge that external safety should not relatively diminish in comparison to the current production processes, storage capacities, handling, throughput and transport volumes, with due observance of applicable legal limits, and should where possible improve. In analyzing external safety risks of a novel sustainable product or production technology versus the current production and use of fossil products, societal costs and benefits should be taken into consideration, in order to assess these external safety risks and which mitigating measures should be taken; OCI intends to mitigate new risks and will examine the safety risks of the Projects to assess if and how (OCI's and industry) standards can be raised to improve external safety, including transport;
- OCI acknowledges that the transition towards sustainable, climate neutral and green production implies that further improvement towards sustainable waste water treatment and sustainable water supply is necessary. OCI supports the intentions of Chemelot to further reduce the emissions of priority substances via water treatment plant to the river Maas. OCI therefore intends to reduce its share by 50% compared to the 2021 emissions, but first will need to further study and identify reduction options and assess whether they are technical and economically feasible.

### **4. Parties' intentions related to Objective 4 – stimulate markets for sustainable products**

- OCI, where feasible, intends to produce, import and use low carbon, circular and renewable ammonia and methanol for the production and use of sustainable products and fuels in the broader value chain, and to contribute to supporting the development of those sustainable markets;
- The Government is currently exploring a range of instruments to stimulate the hydrogen value chain (production, import, use, markets), including the use of hydrogen produced from gasification of waste/biomass;
- The Government intends to maximize its efforts to ensure an ambitious sustainable products (or: materials) uptake scheme at the European level including the necessary instrumentation. The Government intends to further stimulate investments in sustainable products.

## **IV. COSTS**

Each Party will bear its own costs associated with the cooperative activities intended to be carried out under this document unless the Parties agree otherwise in writing. Activities under this Expression of Principles are subject to the availability of appropriate funds, in conformity with budgetary provisions and the relevant laws and regulations.

## **V. INTERPRETATION OF TERMS AND SUBSTANCE OF THIS DOCUMENT**

1. The terms of this document are solely meant to lay down the joint current understanding of, and the approach to and next steps to be undertaken jointly in an effort to realize the objectives as set out under paragraph 2 of this EoP.
2. The terms of this document are not legally binding and not legally enforceable upon the Parties hereto. The current EoP is only of an indicative and preliminary nature, and therefore neither the State nor OCI can be held to statements, facts or numbers in this EoP, among other things because in this stage, such statements, facts or numbers cannot and will not yet be verified; the EoP only serves the goal of affirming Parties' intention to engage in further discussions about the possibilities of further reducing CO<sub>2</sub> emissions;

Parties shall after signing of this EoP begin discussions to reach agreement on a JLoI, which will more specifically describe the plans of the State and OCI in this respect;

Parties confirm explicitly that when discussing the JLoI, they shall have full discretion in agreeing on a JLoI or not, or in modifying, removing or completing any statements, facts or numbers mentioned in this EoP.

3. This document is governed by and shall be construed in accordance with the laws of the Netherlands. Any dispute about the interpretation or implementation of this document will be resolved through consultations between the Parties.
4. The Provinces of Limburg and Zuid-Holland are co-signing this EoP to express their support of the objectives of this EoP and to express their intention to participate in the upcoming discussions about the JLoI and possibly becoming a party to that JLoI.

## **VI. OTHER**

This document comes into effect on the signature date.

**Signed in The Hague, five original copies, each in the English language.**

**Minister of Economic Affairs and Climate Policy**

By: Mrs. M.A.M. Adriaansens

Date:

**State Secretary of Infrastructure and Water Management**

By: Mrs. V.L.W.A. Heijnen

Date:

**OCI N.V.**

By: Mr. A. El-Hoshy

Date:

By Mrs. M. de Vries

Date:

**Gedeputeerde Staten, the Provincial Executives of the Dutch Province of Limburg**

By: Mr. S.H.M. Satijn

Date:

By: Mr. M.W.A. van Gaans-Gijbels

Date:

**Gedeputeerde Staten, the Provincial Executive of the Dutch Province of Zuid-Holland**

By: Mrs. J.N. Baljeu

Date: