

2009 ANNUAL REPORT

Steel is one of the most attractive, most robust and most sustainable materials in the world. Thousands of different types of steel facilitate and improve our daily lives in innumerable applications. Steel sets trends in lifestyle: it is the material of design and innovation in many aspects of our lives, for example in vehicles, buildings, machinery, household goods, medical devices and wind mills. Steel is also 100% recyclable and therefore contributes significantly to the long-term conservation of fundamental resources for future generations.

EUROFER, the European Confederation of Iron and Steel Industries, founded in 1976, and located in Brussels, represents 100% of steel production in the European Union. Its members are steel companies and national steel federations throughout the EU. The major steel companies and national steel federations in Switzerland and Turkey are associated members.

The objectives of EUROFER are the co-operation amongst the national federations and companies in all matters that contribute to the development of the European steel industry, and the representation of the common interests of its members vis-à-vis third parties, notably the European institutions and other international organisations.

The European steel industry is a world leader in its sector with a turnover of about EUR 190 billion and direct employment of 420 thousand highly skilled people, producing 200 million tonnes of steel per year. More than 500 steel production sites in 23 EU Member States provide direct and indirect employment and a living for millions of European citizens.

For more information, please consult our website:

<u>www.eurofer.eu</u>



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Introduction

2009 was a dramatic year for the European steel industry: the economic crisis led to an unprecedented collapse of steel demand everywhere in the world but with Europe and the United States hardest hit.

What was also unprecedented were the efforts made by the steel producers to tackle the crisis through massive cuts in production, yet without significant permanent job losses which had been a feature of previous downturns. This responsiveness to market conditions demonstrates that the efforts to restructure and consolidate, at least in Europe, have borne fruit.

This crisis also served to underline the changing fundamentals of the industry worldwide. The emerging economies were hardly touched by the economic downturn. Most growth in the steel industry is now coming from the very large steel industries developed in these economies, particularly in China. While these economies represent an opportunity for us all in terms of growth, their development does not come without the risks associated with the over-capacities driven by subsidisation and unregulated development of the industry. These are problems which will have to be tackled by policy makers at some point if we are to avoid trade tensions developing once underlying demand returns to the European market.

The boom in steel in recent years has driven tensions in raw material supply. It also camouflaged

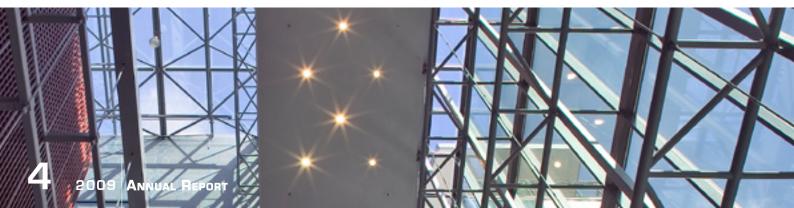
a dangerous concentration in the iron ore market. EUROFER in 2009 made a formal complaint to the European Commission regarding a second attempt by BHP to combine its iron ore operations in Australia with those of Rio Tinto. Competition in the seaborne iron ore market is already dominated by just three companies. Europe has an almost total reliance on imports of raw materials. Our view is that the proposed joint venture cannot be allowed to proceed. The price hikes imposed by the three miners in 2010 have underscored just how potentially damaging such concentration of competition can be for the European economy.

European climate change policy remains a huge cost factor and is creating enormous uncertainty for the European steel industry. Ensuring the correct implementation of the emissions trading directive has required enormous resources of EUROFER and its members, struggling against attempts to go against the letter and spirit of the directive by reducing artificially the level of free allowances and compensation that the industry was promised in order to preserve its competitiveness. Copenhagen failed to provide the level playing field in terms of international obligations on all players that we had hoped. Until such time as a level playing field is achieved, the aim of European policy must be to preserve the competitiveness of our industry.



Wolfgang Eder President

Gordon Moffat Director General



General Economic Development

The early months of 2009 were characterised by a synchronised global economic downturn of unprecedented severity. The near-meltdown of the financial & banking system in the key economic regions resulted in extreme risk aversion and difficult financing conditions while sending corporate and private confidence into free fall. Through a simultaneous collapse of investment and a sharp drop in international trade, business activity across the world weakened dramatically.

The emerging Asian economies – led by China – were the first to reach the turning point in the economic downturn. Swift actions from the side of the Asian authorities in response to the global recession and the steep and sudden drop in international trade that followed in its trail resulted already during the second quarter in a rebound taking off.

Most advanced economies passed the trough during the third quarter. Since mid 2009, signals of improving economic conditions had become stronger, supported by government rescue packages and an improvement in international trade.

Final quarter data confirm that the recovery has taken hold in most economic regions. On balance, the global economy contracted by almost 1% in 2009.

The outlook for 2010 is that economic activity will recover further from the severest crisis that has hit the world since WWII, driven by the emerging markets. Nevertheless, the pace of recovery will remain relatively slow in the advanced economies and surrounded by uncertainties. However, compared with the situation one year ago, the risks are now much more balanced.

In 2009, the European Union has been one of the most

badly affected economic regions due to its exposure to global trade. Particularly the manufacturing sector in the EU has been dealt a major blow by the recession. In addition to sharply weakened exports, the reduction in domestic demand was exacerbated by value chain participants cutting back on their inventories since the start of the year, in a response to extremely uncertain business conditions.

Following the unprecedented drop in activity in the steel using sectors in the first half of 2009, the downturn in orders and production gradually eased in the remainder of the year supported by international trade picking up from a low level after the summer period and the severe destocking in the downstream processing chain coming to an end. Industrial confidence and other forward looking indicators signal a markedly better starting point for the business climate at the beginning of 2010.

In contrast, prospects for private households in the EU are more depressed due to the expected further rise in unemployment. Other risks for the EU economy stem from the financial markets. While stability appears to have returned, caution is still required. Rising concerns about deteriorating budgetary positions and fiscal sustainability could smother the recovery through higher risk premiums and cost of lending. Some countries face very complex fiscal challenges; the willingness and ability to act varies strongly from country to country. Structural policy changes could have far-reaching longer-term implications.

All in all, EU GDP is expected to rise by 1% in 2010. Activity in the steel using industries will also register a slight positive growth this year. This hides continued weakness in the construction-related sectors and a mild rebound in most other industries.



Crude Steel Production

In 2009, crude steel production in the EU fell 30% to 139 million tonnes coming from 198 million tonnes in 2008. Particularly in the first half of the year EU steel mills had to reduce output drastically in response to the massive drop in demand for steel products. In the remainder of the year, EU steel output and capacity utilisation rates gradually improved from their recent lows, while still remaining well below the levels registered in preceding years. The share of the EU in total global production was reduced to below 12%.

Crude steel pro Source: EUROFE		00 metric to	nnes)	
	2007	2008	2009	%
Austria	7578	7594	5662	4,1
Belgium	10692	10673	5635	4,1
Bulgaria	1909	1330	726	0,5
Czech Republic	7057	6387	4594	3,3
Finland	4431	4418	3078	2,2
France	19250	17879	12840	9,2
Germany	48550	45833	32670	23,5
Greece	2554	2477	2000	1,4
Hungary	2241	2097	1403	1,0
Italy	31553	30590	19714	14,2
Latvia	696	635	692	0,5
Luxembourg	2858	2582	2141	1,5
Netherlands	7368	6853	5194	3,7
Poland	10632	9728	7129	5,1
Portugal	1400	1400	1400	1,0
Romania	6137	4917	2686	1,9
Slovakia	5089	4489	3747	2,7
Slovenia	638	641	430	0,3
Spain	18999	18640	14358	10,3
Sweden	5635	5164	2778	2,0
United Kingdom	14317	13520	10079	7,3
EU 27	209583	197846	138958	100

Supply-Demand Balance

Demand-side fundamentals have been extremely depressed in 2009. EU real steel consumption plummeted by close to 30% year-on-year in the first half of 2009 due to end-use activity falling off a cliff. Ongoing weak end-user activity in the steel using sectors resulted in EU real steel consumption falling by 23% in the 3^{rd} quarter and by 14% in the final quarter. All in all, the decline in real consumption amounted to more than 23% in 2009.

As far as the supply side evolution of the EU steel market is concerned, extremely weak activity in the steel using sectors and a very sharp de-stocking in the steel supply chain resulted in apparent steel consumption falling by 44% year-on-year in the first half of 2009. The downturn in the EU steel market bottomed out after summer as business conditions started to improve, supported by an upturn in international trade and stimulus measures from EU governments. Orders and deliveries started to bounce back from the depressed levels registered in the 1st half of 2009. Final quarter data confirmed the continuation of this trend. Year-end inventories were at stable low levels. Relatively low imports and reduced levels of domestic EU deliveries have resulted in the EU steel market supply being much better aligned with still significantly reduced demand levels. Apparent consumption fell by 35% in the whole of 2009.

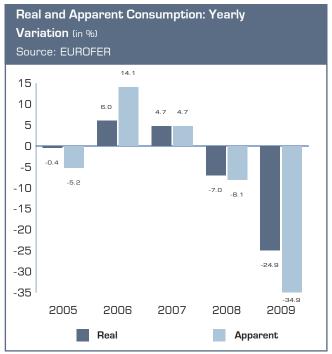
Trade

Strongly weakened demand in the EU and downward price pressure has reduced the attractiveness of the European market for most third country suppliers since the start of 2009. Moreover, while market prospects remained highly uncertain, steel buyers tended to ordering mainly hand-to-mouth. This led to reluctance to engage in more substantial deals with third country suppliers with potentially longer delivery times.

Particularly imports from China remained well below the levels registered in preceding years. However, other countries such as Russia, Ukraine, South Korea and others have kept their presence on the EU market or even increased imports for specific products during the year. Imports fell by 50% year-on-year in the first three quarters of 2009.

In the final quarter of 2009, the year-on-year reduction in imports eased to 36% with imports rising 23% quarter-on-quarter. This rise had already been signalled by the mild increase in import licenses applications during the 3^{rd} quarter. On balance, third country imports are expected to have fallen by 47% in the whole of 2009

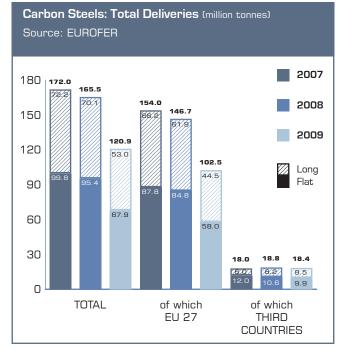
EU steel exports fell 18% year-on-year in the first half of 2009. Due to the synchronised downturn in global industrial production, global steel demand fundamentals worsened significantly with a negative effect on international steel trade. In addition, trade actions resulted in markets effectively being closed for some products and others becoming increasingly commercially unattractive. In the second half of 2009, exports by EU 27 mills to third countries stabilised at the level seen earlier in the year. All in all, EU exports declined by almost 9% in 2009.



In 2009, the EU registered for the first time since 2005 a trade surplus. This rather reflects the downward trend in imports in 2009 than a significant rise in EU exports, which have been remarkably stable over the past years. The surplus was basically in long products. Robust demand for construction related steel products such as rebar in North Africa and the Middle East offered steel mills in Europe the opportunity to offset weakened demand in the domestic market. Particularly Algeria has been a major export destination for EU long products producers, absorbing 35% of total exports of longs.

Deliveries of Steel (all qualities except stainless steel)

Due to extremely weak demand conditions, in the domestic market as well as in markets outside the EU, deliveries from domestic producers to the EU declined very sharply in 2009, in particular in the first half of the year. Volatile market fundamentals due to continued weak final demand slowing down the necessary process of inventory correction, difficult financing conditions and risk aversion left customers effectively sitting on their hands, with the shortened lead times enabling them to order selectively only the volumes and qualities they required.



During the second half of the year, the process of stock correction coming to an end, improving activity in the EU automotive sector and still relatively favourable market conditions for constructions-related steel



products such as rebar in North Africa and the Middle East resulted in a moderation of the downward trend in total EU steel deliveries.

Total Steel Deliveries	- 27.0%
of which to the EU 27 market	- 30.2%
of which to export markets	- 2.2%

In 2009, total flat deliveries fell by 28.8%. Deliveries by EU mills to the domestic market were 31.6% down on 2008 volumes. There was also a marked drop in deliveries of flat products to export markets outside the EU 27.

While all flat products deliveries registered very sharp declines during 2009, shipments of hot-rolled coils and quarto plates were particularly affected.

Total Flat Product Deliveries	- 28.8%
of which to the EU 27 market	- 31.6%
of which to export markets	- 6.6%

Long product deliveries performed marginally less negative than those of flat products: total deliveries fell by 24.4% compared to 2008, with domestic deliveries 28.1% down and export deliveries rising by 3.7% compared with 2008. Most EU mills were forced to step up exports to overseas markets during the year as demand from the EU construction sector was increasingly affected by the negative impact of the economic and financial crisis on construction spending.

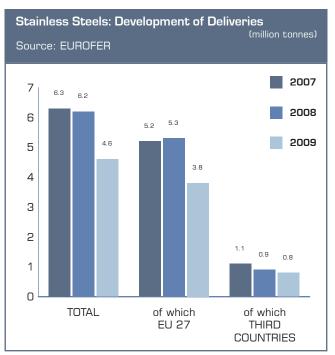
Total Long Product Deliveries	- 24.4%
of which to the EU 27 market	- 28.1%
of which to export markets	+ 3.7%

Stainless Steels

Consequent to the global recession, to the reduction of activity in a majority of end-user sectors, and to credit difficulties encountered by consumers and distributors alike, real consumption of stainless steels in Europe collapsed by about 26% in 2009. Apparent supply decreased by 1.5 million tonnes due to this drop in real demand and the continued inventory corrections performed in distribution and throughout the supply chain.

The producers' reaction to the depressed situation was to cut output severely. Stainless steel melting

in the EU dropped by 41.7% year-on-year in the first half-year 2009 and by 23.6% for the whole year, being just below 6 million tonnes.



As summer approached, signals of improvement in demand appeared with a re-activation on the Asian markets and the need for European customers to rebuild their inventories. As input costs started to rise - especially nickel on the London Metal Exchange (LME) - new order bookings picked-up as a result of purchasers' anticipation of rising market prices later in the year. Apparent consumption and stainless steel production were, therefore, better oriented in the 2nd half-year 2009 but the sustainability of this improvement still remains a key question as the internal EU dynamics do not appear to have gained, as yet, sufficient strength to fuel a lasting growth in demand from most stainless steel using sectors.

Finding some compensation for the sharp decline in demand from the EU market in other regions of the world was hampered by the global recession as well as by the growing global overcapacity that is mainly driven by huge capacity expansions in China which exceed, by far, the most optimistic scenario of potential growth in local demand.



In 2010, real consumption of stainless steels in the EU is forecast to grow by a modest 1.5 % which reflects the weak momentum in recovery of underlying final demand.

Alloy Special Steels (other than stainless)

The decline in demand for alloy engineering special steels continued at the start of 2009 as the contraction of real consumption noticed after the summer 2008 deepened and the adjustment of inventories intensified in the whole supply chain.

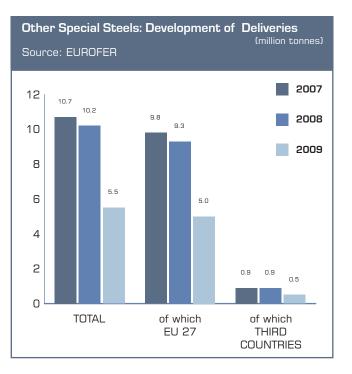
In the 1st half-year 2009, domestic deliveries to the Community market dropped by 55% year-on-year and exports to non-EU markets decreased by a similar rate. Consequently, EU producers were forced to implement a massive reduction of output through temporary or partial capacity shutdowns. Imports from third countries in the same period fell by 63% due to poor demand and credit difficulties limiting the importers' ability to maintain speculative stocks. Market supply in the EU dropped by 56% year-on-year.

In the 2nd half-year 2009, the decline of apparent supply in the EU eased to - 40% as the stimulation of passenger car sales through scrapping premiums and other incentives had a positive knock-on effect on alloy engineering steels supplies to the automotive sector. The decrease of demand from the mechanical engineering sector during the 2nd half-year 2009 was also less pronounced than in January-June 2009 whilst activity in the commercial and heavy trucks segment as well as in the energy-related markets remained definitely poor.

A recovery of output in these important alloy special steels consuming industries was not forecast until

well into 2010 at the earliest. All in all, the EU market supply in 2009 decreased by 48% and exports to third countries followed a comparable trend. The EU producers' total shipments of tool and high speed steels fell by 42% in 2009, a sharp deterioration which was mainly due to the drop of domestic deliveries in the Community (- 46%) whereas better export opportunities in the growing Chinese market mitigated the drop of global export sales to - 31.5%.

At the start of 2010, the market outlook for alloys special steels is indicative of a stabilisation followed by a slow recovery in line with the trend of the leading market fundamentals. However, any prediction is surrounded by high levels of uncertainty be it only due to the poor visibility on business prospects in the 2nd half-year 2010 for most consuming industries.





Trade Policy

EU Trade Cases

Following the initiation in 2008 of the anti-dumping investigation against imports of wire rod based on a complaint filed by EUROFER, the EU imposed a final duty of 24% on imports of wire rod from China applicable for five years as from August 2009.

In 2009, EUROFER further developed its EU steel import monitoring system broadening the scope of the analysis and products covered. The monitoring focuses on steel import conditions and aggregate market data, and follows the technical requirements set out by EU trade defence rules. The improved monitoring system comes against the backdrop of an increasingly changing steel market in the EU and globally.

Trade Cases against the EU

On 24th November 2009, India imposed final antidumping measures up to 1646 US\$ per tonne on imports of cold-rolled stainless flat steel products from certain EU countries (Belgium, Finland, France and Spain) and seven other (non-EU) countries. Representations by the Commission and EUROFER members led to a reduction of the level of final measures compared with the provisional measures and an extension of the product exclusion scope.

The outbreak of the economic crisis in the fourth quarter 2008 triggered a trend of increasing initiations of steel safeguard procedures by emerging economies in particular (India - hot-rolled carbon flat, Israel - rebar and Gulf Cooperation Council medium sections). In this context, there is a concern of seeing this exceptional instrument being used for purpose of protecting running domestic steel investments by supporting replacement of import supply by domestic supply from increased steelmaking capacities (GCC - medium section). Scrutiny of the material and procedural correctness of these cases by the Commission has been effective as illustrated by the decision of India to terminate the safeguard investigation on hot-rolled carbon flat products without imposition of measures (August 2009).

Bilateral Agreements with Russia and Kazakhstan

The 2009 steel quota for Russia was 3.29 million tonnes including upward adjustment following the conditions of the bilateral steel agreement. For 2010, the overall quota is 3.18 million tonnes (+2.5% on non-adjusted 2009 quota). For Kazakhstan, autonomous measures in the form of unchanged quantitative quota (205 000 tonnes) applied in 2009 and continues in 2010.

Proliferation of Third Country Steel Trade and Market Distortions

Protectionism has been intensifying in most major steel markets outside the EU as governments quickly intervened in the market at the outbreak of the economic crisis. Both developed (USA) and developing (Russia, India, China, Brazil, ...) economies have now put in place one or another type of measure creating a barrier to steel imports or an input cost advantage for the domestic steel industry (import tariff increase, restrictive import licensing, raw material export restrictions, 'buy national' policies, ...). These measures currently cover geographical markets harbouring around 65% of global steel production. EUROFER repeatedly called on the EU to vigorously pursue undistorted third country market access for steel and metallurgic raw materials through unilateral legal and diplomatic action and ambitious market liberalization through free trade agreements.

Prior Community Surveillance System

As requested by EUROFER, the EU prolonged the import surveillance system covering trade in steel products beyond 2009 until 31st December 2012. The product coverage has been broadened now also including stainless steel flat products. The system provides early trade statistical information allowing the EU to monitor sudden changes in the world steel market and deal with the increasing volatility of the trade situation.



Raw Materials

Iron Ore

In 2009, iron ore contract prices fell for the first time in seven years. From 2003 to 2008 continuously rising prices had resulted in a cumulative price rise of over 400%. Benchmark price talks dragged on for a long time last year, as mills in Europe, Japan and the USA which were operating at very low rates of capacity utilisation due to savage cuts in steel production were looking for significant price discounts compared with 2008. The first contract price settlements were reached in May between the leading iron ore suppliers and Asian mills. The outcome showed smaller than expected reductions in the price of fines, but more substantial cuts in the cost of lump ores and pellets. But even after the 2009 reduction, prices remained at historically high levels. Prices for 2009 were slightly higher than 2007 for both lump and fine ores.

Meanwhile, the combined effect of soaring steel production and lower domestic ore production in China had a major impact on seaborne trade, which held up well despite the global steel industry going through the deepest crisis in years.

Supply conditions tightened further towards the end of 2009 owing to a combination of improving demand, rising freight rates and exchange rate fluctuations.

On 5th June 2009, the mining companies BHP Billiton (BHPB) and Rio Tinto (RT) announced their plan to create an Australian iron ore joint venture (JV) combining all their iron ore assets and signed a Terms Sheet Agreement.

EUROFER considers that the current JV arrangement between BHPB and RT for iron ore will have the same material impact on competition as their previous contemplated merger, because the latter will eliminate all competition in relation to the main competition parameters between iron ore suppliers: namely price, quality and volume.

Consequently, EUROFER urged the Commission to exercise jurisdiction and carefully investigate its impact in the common market under the European Community Merger Regulation (ECMR) or – if jurisdiction was denied – within the framework of Article 81 EC Treaty (now Article 101 TFEU) proceedings.

On 25th January 2010, the European Commission announced the opening of an investigation according to Article 101 of the Treaty on the Functioning of the European Union (TFEU) on the impact on the common market by the proposed JV between mining companies BHP Billiton and Rio Tinto.

EUROFER welcomes the decision of the Commission, it maintains the view that the effect of the JV on the global iron ore market would not be materially different from the full merger which had been proposed in 2008. The anticompetitive effects of the JV will be quickly reflected on iron ore purchase prices and consequently, on the prices consumers in the EU pay for steel-containing products such as cars, household appliances, etc.

Coking Coal and Coke

At the start of the second quarter of 2009, an agreement was reached between Australian metallurgical coal suppliers and Japanese steel mills on the fiscal year 2009 price settlement. The 2009 price represented a 57% decline compared with 2008.

China has had also a major impact on the metallurgical coal market in 2009. While during the first half of the year European steel producers were still digesting the carry-over tonnage of coking coal and coke at their plants from 2008 contracts, China remained very active on the spot market to satisfy its rising raw material needs driven by the continued rise in steel production. Especially in the first half of the year, Chinese imports surged owing to domestic supply having been reduced by accidents, closures and high production costs. Weather-related reductions in Chinese domestic coal supply and demand elsewhere bouncing back from the lows reached earlier in the year have kept supply side fundamentals relatively tight up to the end of the year.



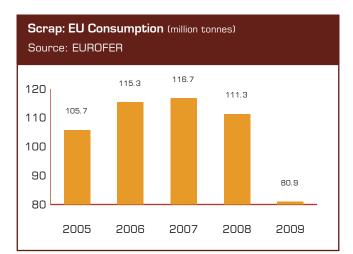
Raw Materials

Scrap

In the first months of 2009, the recovery in scrap prices from the lows reached late 2008 – 100 US\$ per tonne for E3 grade scrap fob Rotterdam compared with 650 US\$ per tonne six months earlier – quickly came to an end as dramatic production cuts in crude steel production resulted in extremely weak demand conditions for scrap.

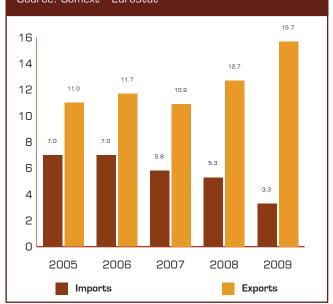
The price trend reversed in April 2009, driven by Chinese and Turkish buyers coming back to markets with spin-off effects on prices elsewhere. Domestic EU scrap prices gained \in 40-60 per tonne in the April-May period with long steel products prices improving as well.

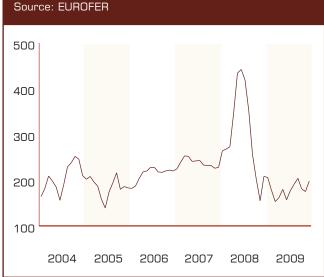
China continued to play a key role in the scrap price evolution over the year, outpacing Turkey as the largest scrap importer. Following the rise in scrap prices up to mid September, the trend reversed again in October and November as orders from China tailed off and Turkish buyers waited for strengthening demand for their steel products across the Middle East.



Improving demand conditions pushed December scrap prices upwards again.

Scrap: Imports and Exports (EU 27/million tonnes) Source: Comext - Eurostat





Scrap - Demolition Quality: Price Index EU Market

Index (2001 = 100) calculated on the basis of the average price in $\ensuremath{\varepsilon}/\ensuremath{\mathsf{tonne}}$ for the following countries: France, Germany, Italy, Spain, UK.



Climate Change

Emissions Trading Directive

EUROFER activities focused on the implementation of the revised Emissions Trading Directive. The Directive creates a significant number of implementation streams. Associated Commission activity commenced beginning 2009.

Already completed is the first of these implementation streams namely the first identification of a list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage. A Commission Decision was published on 24th December 2009.

The quantification of leakage risk was legally an entirely novel concept. The dossier was under the lead of DG Enterprise, which had to invest significant resources to establish a procedure to execute this task successfully. Both in the investigating phase and the actual assessment industry was consulted extensively and EUROFER was deeply involved in the discussion and preparation of the relevant methodological and technical questions. The assessment was conducted on sectors and subsectors as defined by NACE codification¹. Amongst the NACE codes to which leakage risk status has been assigned the following eleven are of importance to the steel industry: Manufacture of coke oven products, Manufacture of basic iron and steel and of ferro-alloys, Cold drawing, Manufacture of cast iron tubes, Mining of iron ores, Manufacture of steel tubes, Hydrogen, Nitrogen, Oxygen, Casting of iron, Manufacture of lime. Three NACE codes with relevance for the steel industry did not qualify. These are the casting of steel, foundries and forges. Since spring 2010, EUROFER is collaborating with the respective associations to compile cases for these sectors which could then be presented to the Commission for further scrutiny.

Also since the beginning of 2009 the Commission and Member States commenced working on the measures for allocation of allowances for free. The measures must be formally adopted by December 2010. Most important for this dossier is the definition of benchmarks and benchmark values. Within EUROFER a Benchmarking Working Group elaborated a proposal for a benchmarking system for the steel industry. In addition an external consultant was engaged with a data collection to populate the benchmarks with data and produce CO_{\circ} intensity curves. This work will continue until mid 2010. DG Environment, which has the lead on this dossier, engaged consultants to prepare a proposal for all sectors. These consultants and the Commission were in close contact with the EUROFER experts. The final steel sector report was published in November 2009. The EUROFER experts and the Commission's consultants came to an agreement on many important aspects of a steel industry benchmarking system. On the important aspect of the treatment of waste gases no agreement could be found and the debate therefore will continue on a technical and political level throughout 2010.

The revised emissions Trading Directive also allows Member States to compensate for CO_2 cost passed through in electricity prices. To make this possible DG Competition must prepare revised state aid rules. For EUROFER the most important aspect is to secure principal eligibility for such compensation of the EAF operators. In collaboration with other industries, EUROFER has elaborated legal advice and operational proposals. DG Competition plans a stakeholder consultation in spring 2010.

The progress of the international negotiations for a post-2010 International agreement was closely followed by EUROFER. In the run up to the Copenhagen conference EUROFER defined and advocated a position on sectoral agreements, commented on the negotiation text for the agreement and on behalf of the Alliance of Energy Intensive industries organised an evening event for Members of the European Parliament during the Copenhagen conference weeks.

Copenhagen did not deliver commitments by other countries comparable to those of the EU nor did it provide for a level playing field for globally traded goods as requested by EUROFER. Therefore, EUROFER strongly opposes any further unilateral commitment by the EU beyond its 20% CO₂ reduction target.

1 NACE = Nomenclature générale des activités économiques



Air

Industrial Emissions Directive (IED)

The revision of the Directive on Integrated Pollution Prevention and Control (IPPC) has been an important file during 2009 and continues to be so in 2010.

Plenary voting in first reading in the European Parliament (EP) took place in March 2009. The EP introduced the European Safety Net (ESN) for emissions (setting of EU minimum requirements) which under no circumstances shall be exceeded. Attempts of a large group of members of the EP to introduce Emission Limit Values (ELVs) for CO_2 for large combustion plants and a SO_2/NO_x emission trading system were rejected or declared inadmissible.

In June 2009, the Council adopted its Common Position and followed the principal request of EUROFER and other industry federations to keep the flexibility (no ESN) as well as the integrated approach of the existing IPPC Directive when setting ELVs for installations. The Council agreement - via suitable ELVs for NO, also recognises the unique profile of power plants in the steel industry where the combustion process is an integrated part of a specific production and where waste gas coming from the plants is used to produce electricity. Furthermore, the introduction by the EP of an ESN for dioxins and furans specifically for the iron and steel sector was rejected by the Council. In November 2009, the Council legal services raised concern on the adoption of the decisions on the Best Available Techniques (BAT) conclusions as the Comitology² process had been reviewed by the Lisbon Treaty, strengthening the Commission and weakening the Member States. As such, the Council started to review its Common Position at this point, coming to an adoption in February 2010. As a result, the whole timetable for 2nd reading was changed. The plenary vote in second reading in the EP is foreseen to take place in July 2010.

The main issues for EUROFER and its members the BAT Reference Document (BREF) information exchange, the setting of ELVs, permit conditions, no market-based instruments in IED, no ESN – were communicated well in advance to the Members of the EP and the Council. A huge controversy will have to be expected between EP and Council on the issue of flexibility in permit setting. Meanwhile, the Commission communicated that it is against the inclusion of ELVs for CO_2 in the IED. Moreover, the Council Common Position includes a recital, opening 'the door' for the establishment of market-based instruments to deal with emissions from SO_2/NO_v .

SO₂ and NO_x Trading

The Commission nominated in November 2008 Entec as the leading consultant to perform the study "Assessment of the possible development of an EU wide SO_2 and NO_x trading scheme for IPPC installations", foreseen to last one year. Large combustion plants (LCPs), integrated iron and steel, refineries, cement, pulp and paper and glass sectors were selected as part of the study.

The objective of the study was to assess whether a SO_2 and NO_x emission trading system for IPPC installations could be a potential alternative to the individual BAT-based permitting approach of the IPPC Directive and its future replacement, the Directive on industrial emissions (IED). Following the Commission request, EUROFER collaborated with Entec by providing it with information on emissions, activity data, stack characteristics.

However, EUROFER believes that the IPPC Directive is the preferable policy instrument to regulate industrial emissions of SO_2 and NO_x in Europe. Under the IPPC regime, costs can be measured and planned, a quality essential in industries that require high capital investments, a long-term view and certainty, which is the case of the iron and steel industry. Therefore, EUROFER is opposed to any emission trading scheme for SO_2 and NO_x because it does not provide the best possible environmental protection, given that the BAT concept is being undermined and because it will further jeopardise the competitiveness of the European industry, in particular SMEs.

The results of the Entec study have been presented by the Commission in beginning of 2010.



² Comitology is the procedure for implementing measures which have been delegated from the Council and the European Parliament to the European Commission (as the executive)

Convention on Long Range Transboundary Air Pollution (CLRTAP)

EUROFER engaged in 2009 in the revision of the Gothenburg and the Aarhus (POPs) Protocols. Amongst other provisions, these protocols set ELVs for the emissions of pollutants (PM, SO_2 , NO_x , PCDD/F) in the steel industry and also establish guidance documents which include the best available techniques.

The relevant EUROFER shadow working groups established for the revision of the Iron and Steel BREF were consulted and provided with technical comments to support EUROFER's position.

The revision of the POPs protocol was finalised at the end of 2009. The main change introduced was the inclusion of an ELV for PCDD/F at sinter plants and electric arc furnaces of 0.5 ng TEQ Nm³.

The process to revise the Gothenburg protocol continues during 2010.

Waste

Revision of the Waste Framework Directive

The revised Waste Framework Directive entered into force in December 2008 and Member States have to implement it by December 2010.

The Directive contains provisions to define end of waste criteria that provide a high level of environmental protection and an economic benefit. Requirements should be developed in accordance with the conditions described in the Directive to check if specific waste streams have reached an end of waste status after a recovery operation.

During 2009 the Commission via the JRC-IPTS³

worked on the development of general methodology as well as potential end of waste criteria for three pilot case studies, aggregates, compost, and aluminium and steel scrap. The final report from the JRC-IPTS on End of Waste Criteria for Iron and Steel Scrap was released in November 2009 and will be used as input for the Comitology procedure that will take place in 2010.

Whereas EUROFER is supportive of the development of waste criteria for iron and steel scrap, there are however some concerns on the possible negative effects that end of waste criteria could have:

- End of waste and end of recycling have to be decoupled. The steel industry status of recycler needs to be acknowledged,
- Risk of decrease of the availability of scrap in the EU,
- Risk of fragmentation of the scrap market.

Water

Water - Revision of the List of Priority Substances

During 2009 the Commission continued the works to revise the list of priority substances. A large list of more than 300 candidate substances was established based on monitoring data available, existing risk assessments, and concerns from Member States. The list of candidate substances included iron, zinc and a number of other metals. A prioritization exercise took place in order to select from this large list a reduced number of substances (around 40) to be further evaluated for the revision of the list of priority substances. Iron was excluded from that list, but zinc was not. The assessment continues during 2010 and a Commission proposal has to be adopted by January 2011 at the latest.



³ JRC = Joint Research Centre; IPTS = Institute for Prospective Technology Studies

Chemicals

REACH

In 2009, EUROFER became an associated member of the Iron Platform with a seat on both its Steering Committee and Technical Working Group. Actions were undertaken for the establishment of Substance Identification Exchange Fora for Iron and Iron Oxides whilst agreement was reached for the appointment of Lead Registrants. Based on the literature studies, it was concluded that iron/iron oxides are not recommended for classification for the environment or for human health. As a result, exposure scenarios do not need to be established. The approach for registration will essentially be read across from iron oxide dossiers and robust summaries, acquired from the Iron Oxide REACH Consortium. The joint submission of the registration dossiers for iron and iron oxides will take place at the latest in September 2010, which gives a further two months for the individual company registrations.

In the context of the Chemical Safety Report (CSR), EUROFER undertook the "mapping of uses" exercise. A EUROFER Expert Group was established to secure representative CSRs for the critical steel related substances. EUROFER, together with the European Welding Association and EUROMETAUX, developed a document on safe use information for welding that will be incorporated into the relevant CSRs.

EUROFER represents the Iron Platform in activities with the Commission and the European Chemicals Agency (ECHA). EUROFER REACH staff and some EUROFER members have been and are still involved in the development of new or the update of existing ECHA guidance documents for the implementation of REACH.

In 2010, EUROFER will amongst others be active in the development of the Letters of Access for iron and iron oxides, the establishment of some industry guidances, IUCLID 5⁴ training for its members (for their individual registrations) and the drafting of templates for Safety Data Sheets and Safety

4 IUCLID = International Uniform Chemical Information Database

Information Sheets. The EUROFER REACH Forum will also be restructured to further optimise the way of working in preparation for the registration of large volume substances.

Nickel

The 1^{st} Adaptation to Technical Progress (ATP) to Regulation (EC) No 1272/2008 entered into force on 25^{th} September 2009. It transferred the 30^{th} and 31^{st} ATPs of Directive 67/548/EEC to the Classification, Labelling and Packaging (CLP) Regulation (EC No 1272/2008).

Implementation is planned to take place before 1st December 2010, which is the deadline for registration of substances of high production volume and of high concern under REACH. However, the Nickel Institute launched a legal challenge in two courts concerning these hazard classifications and subsequently, both courts agreed to requests to extend the case to cover the 1st ATP of the CLP Regulation (which now groups together the 30th and 31st ATPs).

A SCOEL (EU Scientific Committee on Occupational Exposure Limits) report proposed to reduce the OEL for inhalable nickel from current levels to 0.01 mg/m³. This value for metallic nickel was based on the toxicity results of the nickel inhalation study and a public consultation on these proposals closed for comments on 30th November 2009. EUROFER Stainless sent a letter supporting the comments provided by the Nickel Producers Environmental Research Association (NiPERA). In preparation for the next round of consultation with industrial users of nickel, EUROFER Stainless members will be asked to participate in an update of the Nickel Institute's ERM Feasibility Study on reduced nickel OELs.

The final report for the inhalation carcinogenicity study of nickel metal powder in Wistar rats prompted discussions on the current EU classification of nickel metal at IARC (International Agency for Research on Cancer), the Danish Environmental Protection Agency (DEPA, rapporteurs for the EU Risk Assessment of nickel) and Germany's Subcommittee III of the AGS (formerly BKTox). Following its meeting in March



2009, IARC confirmed their intention to undertake a separate review of the data for nickel metal before making its recommendations. The DEPA is reasonably satisfied with the outcome of the inhalation study and there are no immediate plans to either increase or decrease the current Category III (suspect) carcinogenicity classification for nickel metal. In Germany, Subcommittee III discussed the outcome of the nickel inhalation and its chairman has been requested to report on the possible declassification of nickel metal.

EUROFER Stainless Health & Environment

Construction Products in Contact with Drinking Water (CPDW)

Although the European Commission proposed a European Acceptance Scheme (EAS) in order to promote a European-wide open market for CPDW as well as ensuring a high level of health protection for EU consumers through the supply of safe drinking water, the Commission is unable to provide the necessary legal basis for its introduction. Thus, each EU member state is responsible for applying its own criteria for the approval of CPDW.

Throughout 2009, a group of four member states (France, Germany, the Netherlands and the UK) continued to work towards mutual recognition of their acceptance schemes and, although there is no timetable for finalization of this project, they have developed a final draft proposal for acceptance of metallic materials in contact with drinking water.

In March 2009, EUROFER Stainless submitted a technical dossier and proposed a Composition List for austenitic, duplex and ferritic stainless as suitable materials for unrestricted use in CPDW systems. Subsequently, in conjunction with EU manufacturers of pumps and other ancillary CPDW products, the EUROFER Stainless worked on the development of a submission for martensitic, precipitation hardening and free-machining stainless steels in contact with drinking water for restricted use in CPDW systems (i.e. restricted to less than 10% and, in some cases, less than 1% of the system).

The draft standard prEN 16056 on the "Influence of metallic materials on water intended for human consumption – Part 5 : Method to evaluate the passive behaviour of stainless steels" (formerly prEN15664-5) was circulated by CEN to EU standards bodies for comment. This draft standard is based on the final report of the test programme on five representative grades of stainless steel sponsored by EUROFER Stainless.

Council of Europe Guidelines on Metals and Alloys for Food Contact

The Council of Europe is in the process of updating its Guidelines on Metals and Alloys intended for food contact (published 2002). EUROFER has previously responded to a draft revision in March 2009. Subsequently, the project was transferred from the Council of Europe's Consumer Health Protection Committee (CD-P-SC) to the European Pharmacopeia (under the direction of the European Directorate for the Quality of Medicines and Health Care – EDQM). Further developments are awaited.

Life Cycle Inventory (LCI) on Stainless Steel

The update of the existing stainless steel LCI data continued throughout 2009 with the consultant PE International acting as the contractor. The update of the stainless steel LCI database was completed and distributed to participating companies during November 2009. The final LCI report was circulated during December 2009. An electronic reporting system, "GaBi i-reports" (based on PE International's GaBI software) was also made available in December 2009. GaBi i-reports permit the use of variable recycling rates, where the benefit of stainless scrap recycling is reflected in the LCI data.



Energy & Standardisation

Revision of the Energy Taxation Directive (ETD)

Throughout 2009, the European Commission was preparing a proposal for a revision of the Energy Taxation Directive (2003/96/EC), based in particular on the intention to bring the directive closely into line with the EU's energy and climate change objectives and linking it to the EU Emissions Trading Directive (EU ETS). With this respect, the Commission is advocating the introduction of CO_2 minimum taxation levels into the ETD for CO_2 emissions not covered by the EU ETS (small industrial installations, transport, services, etc.). The Commission also intends to remove the currently huge differences between the effective minimum rates per energy content.

EUROFER was fully engaged in the discussions and participated in stakeholder meetings held by the Commission in July and September 2009. In November, EUROFER had an extensive exchange of views on steel specific issues with the Commission services (DG Taxation and Customs Union).

Due to the energy intensity of steelmaking and exposure to international competition, the steel industry is generally sceptical towards any form of energy or CO₂ taxation. EUROFER advocated that installations covered by the EU ETS and small installations exempted from it by the directive or the member states must not be subjected to any CO_{2} taxation. Furthermore, the revised ETD should allow member states to continue existing exemptions from the energy tax for internationally competing industries to prevent disadvantages against producers from third countries. Also a crucial provision of the ETD on waste gases must be maintained, providing the possibility for the member states to apply under fiscal control total or partial exemptions or reductions in the level of taxation for coal gas, water gas, producer gas and similar gases used for heating purposes.

The proposal is expected to be adopted by the Commission before summer 2010. As it is concerning taxation, it will need unanimity in the Council. EUROFER will continue to follow the issue closely.

Revision of the Construction Products Directive

The European Parliament and the Council intensively discussed the Commission proposal for a "Regulation laying down harmonised conditions for the marketing of construction products". The proposal, which replaces the Construction Products Directive (89/106/EEC), intends to further promote the free circulation and use of construction products in the Internal Market. It aims in particular at introducing a "common technical language" for expressing the performance of construction products, thus simplifying and clarifying the present situation. A clarification of procedures leading to CE marking is also introduced to reduce costs for manufacturers as well as specific measures to reduce the burden on SMEs.

EUROFER asked the Parliament and the member states to clarify and improve the proposals' conditions for drawing up the declaration of performance of construction products and the procedures leading to harmonization and CE marking. EUROFER also asked to ensure effective market surveillance and sustainable use of natural resources.

When adopting its first reading position in April 2009, the Parliament addressed most of EUROFER's concerns: All products covered by a harmonised technical specification (a harmonised standard or a European Technical Assessment) should bear the CE marking. To avoid a two-speed CE marking procedure it should only be possible to request a European Technical Assessment (ETA) in cases in which the product is not covered by a harmonized standard. ETAs should be limited to innovative construction products whose performances cannot be assessed within the framework of a harmonised standard. In order to ensure effective market surveillance and a high level of consumer protection, simplified procedures, if at all, should only apply to manufacturing microenterprises.

The Council is not expected to adopt its first reading position before summer 2010. EUROFER will continue to follow this issue.



Research

RFCS call 2009

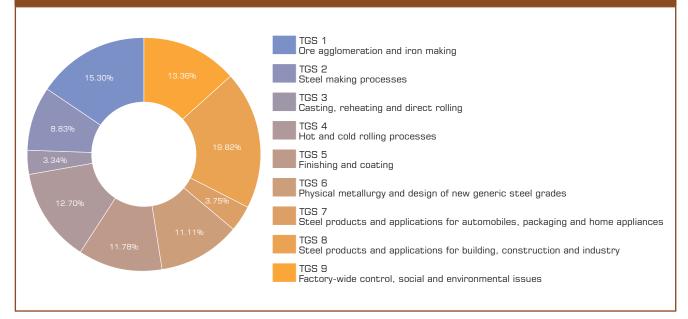
The 2009 call for proposals under the Research Fund for Coal and Steel (RFCS) resulted in the submission of 131 proposals. Eventually 38 proposals were found eligible for co-funding by the Research Fund for Coal and Steel. For these 38 proposals the co-funding will amount to 38.5 million Euros.

Administration of Research Programmes

Due to the revision of the legal base of the Research Fund for Coal and Steel, which was completed with the publication of the revised Technical Guidelines in April 2008, also a revision of the Model Grant Agreement was necessary. To prepare the revision, the Commission installed an expert working group in which experts from EUROFER members and EUROFER staff were actively engaged. The revision was finalised in spring 2009.

Throughout the research community irritation through constantly increasing administrative aspects of the EUs research programmes was felt and increasingly aired. The Commission reacted with a stakeholder consultation in advance of a Communication of administrative reform of the Framework Programmes and a stakeholder consultation preparing a revision of the Financial regulations (proposal expected for mid-2010). EUROFER installed a task group which contributed to both consultations and which is set to accompany the pending legislative procedures.







Statistics

In 2009, Eurostat, the Statistical Office of the European Communities, produced a report to the Council and the European Parliament suggesting the discontinuation of the official steel statistics collected pursuant to the EU Commission Regulation 84/2004 (annual enquiries on scrap consumption, fuel and energy consumption, investments and capacities in the steel industry). These enquiries were established after the expiry of the ECSC Treaty for a transitional period finishing in 2009. EUROFER challenged this proposal which was only driven by considerations regarding overall administrative simplification. Yet, the proposal was adopted and these official statistics will not be collected beyond the reference year 2009.

The other set of business statistics on steel that is managed by the EC and member states administrations is covered by the PRODCOM⁵ Regulation and refers to annual production of steel products. Despite partial success by Eurostat in achieving an improvement of the quality and timeliness of Prodcom data publication, legislative constraints continue to affect the results of Prodcom in terms of contents, quality and freshness of the data. These remain largely inadequate to cover the information needs for operational purposes in the steel industry. Due to extremely limited statistical information on steel available from official sources, an efficient private information system is essential. Therefore, in 2009 EUROFER devoted further efforts to the extension of the use of its Intranet and Extranet sites that are designed to serve its members' information needs more efficiently.

External trade statistics (Intrastat on intra-EU cross-border flows and Extrastat for imports/exports with third countries) remain an essential source of information for the steel industry. EUROFER is committed to the preservation and, wherever possible, improvement of these statistics.

In this field, the activity of EUROFER continued to focus on the following issues:

- Review of the modernisation proposal on the steel products chapter in the Harmonised System (HS) for submission in the next HS review cycle.
- Monitoring of the legislative proposals regarding the revision of the statistical system on trade with non-EU countries (Extrastat), and within the Union (Intrastat), implemented on 1st January 2010.



⁵ PRODCOM (PRODuction COMmunautaire) is a system for the collection and dissemination of statistics on the production of manufactured goods.

Social Affairs

Employment in the EU Steel Sector

The economic slowdown has prompted many steelmakers to reduce production significantly.

In this context, EUROFER observed a significant impact on the level of European steel workers. Ad hoc temporary crisis measures (temporary lay offs, short-time work) and announced redundancies have impacted approximately 40% of the total steel workforce, as at the end of June 2009, notably during the most difficult period of the crisis.

In December 2009, EUROFER estimated that the percentage had dropped to 17% of the total steel workforce that had been impacted by the effects of the economic crisis due to slow recovery.

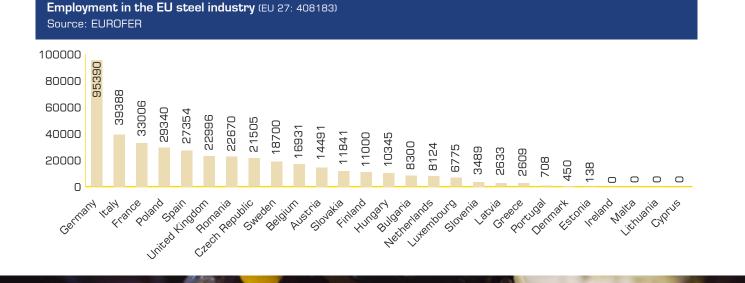
According to statistics compiled by EUROFER, 422516 people were directly employed in the steel sector in 2007 (EU 27); in 2008 the number fell to 408183.

Sectoral Social Dialogue Committee on Steel

Through formal sectoral dialogue, the European social partners EUROFER and EMF (European Metalworkers' Federation) aim at jointly contributing to the sustainability and competitiveness of the steel sector in Europe. In 2009, the dialogue produced improved exchange, analysis and discussion focusing on critical topics including the impact of the economic crisis on the European steel industry, the steel market outlook, climate change and EU Emission Trading System (EU ETS) and the need of new skills for new jobs. A joint EMF – EUROFER position on the EU ETS was developed. EUROFER has further developed data compilation on employment in the European steel industry including a view on the effect of the economic crisis on direct employment.

Both European social partners have agreed on an extensive 2009 - 2010 work program, including:

- Follow up on the economic and social effects of the economic crisis on the sector, close examination of implementation of the EU ETS, and more generally, in-depth analysis of the future competitiveness of the European steel industry,
- Set-up of a robust quantitative and qualitative framework supporting identification and anticipation of new skills needed for the new jobs in view of demographic and technological changes in the European steel sector,
- Identification and promotion of common health and safety guiding principles, based on an internal comparative analysis, through the establishment of a European charter for the steel sector.





<u>Transport</u>

The crisis which hit the steel industry during 2009 affected also transport. Steel is the first client of rail transport and saw a fall in traffic approaching and sometimes exceeding 25%.

EUROFER has been greatly involved in the big issues in rail freight working particularly with the Community of European Railways (CER) and the International Union of Railways (UIC) on the controversial issue of the single wagon which is heavily used by the steel industry and whose survival is threatened for economic reasons in certain European countries, for example France and Italy. This mode of transport is an integral part of the transport of steel since it represents approximately 50% of the flow transported by rail.

In addition, on 1st May 2009 EUROFER has taken on the chairmanship of the rail committee of the European Shippers Council (ESC), grouping together all the European loaders. EUROFER in this framework, has supported the actions towards the European Commission Proposal for a Regulation concerning a European rail network for competitive freight (COM/2008/0852).

EUROFER, through ESC, has also replied to the Commission communication for a 'sustainable future of transport: towards an integrated technology and user friendly system'. With regard to the direction taken by the European rail transport, EUROFER has supported the work plan established by the ESC on 'the role of rail freight and the needs of customers'.

In October 2009, EUROFER participated in the third Steel Logistics conference which took place in Rotterdam and whose themes covered the 'issue of wagon load traffic'.

EUROFER has been working with the ESC with regard to the follow-up of a proposal of the CER and the Commission on the subject of the quality of service in rail freight. This initiative on behalf of the CER and the Commission raises however certain concerns from some loaders and the steel industry, in so far as it appears necessary to avoid that all measures taken at the level of the Commission do not go against existing contracts between the rail operators and the affected industries.

EUROFER continues to defend the issue of the standardization of the 44t load on road transport in Europe, which would permit better organisation within transportation in our industry and reduce the impact on the environment significantly as two coils can be charged on the truck instead of one.



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National Associations

AUSTRIA	Fachverband der Bergwerke und Eisen erzeugenden Industrie
	http://www.wk.or.at/bergbau-stahl
BELGIUM	Groupement de la Sidérurgie - GSV
	http://www.steelbel.be
BULGARIA	Bulgarian Association of the Metallurgical Industr - BAMI
CZECH REPUBLIC	Hutnictvi Železa
	http://www.hz.cz
FINLAND	Metallinjalostajat
	http://www.teknologiateollisuus.fi/
FRANCE	Fédération Française de l'Acier
	http://www.ffa.fr
	Chambre Syndicale des Producteurs d'Aciers Fins et Spéciaux
	http://www.spas.fr
GERMANY	Wirtschaftsvereinigung Stahl
	http://www.wvstahl.de
	Edelstahl - Vereinigung
	http://www.stahl-online.de/stahl zentrum/edelstahl vereinigung e v.htm
GREECE	Hellenic Steelmakers' Union - ENXE
HUNGARY	Magyar Vas-és Acélipari Egyesülés
	http://www.mvae.hu
ITALY	Federacciai
	http://www.federacciai.it
POLAND	Hutnicza Izba Przemysłowo-Handlowa
	http://www.hiph.com.pl
ROMANIA	Uniunea Producatorilor de Otel din Romania - UniRomSider
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	http://www.unesid.org
SWEDEN	Jernkontoret
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UNITED KINGDOM	UK Steel
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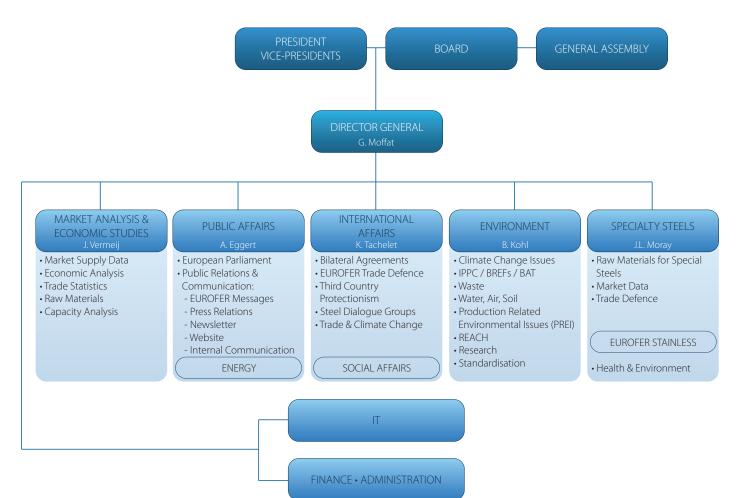


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Published by

EUROF ER

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Designed by

EUROFER (Gautier Hankenne)

Photography by

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European Confederation of Iron and Steel Industries

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