

Press Release

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Saline water disposal: Preliminary proceedings discontinued

The public prosecutor's office in Meiningen has closed an investigation against representatives of K+S as well as authorities and ministries due to lack of suspicion. K+S strongly rejects the allegations made by the Meiningen public prosecutor's office according to which the Company intimidated employees of the authorities and deliberately falsified measurements to obtain permits under water law for saline wastewater injection. Since the allegations are completely unjustified and in no way supported by the facts, the proceedings had to be discontinued due to a lack of suspicion.

The case concerns the discontinuation of an investigation in April 2021 that had been ongoing for many years. In these proceedings, representatives of authorities, ministries and K+S were falsely exposed to accusations of unlawful conduct in the disposal of saline wastewater from potash production. Among other things, the investigating public prosecutor makes the allegation in the discontinuation order that representatives of K+S had exerted pressure on authority employees and had deliberately falsified measured values to obtain water law permits for the disposal of saline wastewater from the approval authorities in Hesse and Thuringia.

In this regard, K+S clarifies:

In its business operations, K+S acts exclusively in accordance with the law. Both the alleged illegality of water law permits as well as the claimed intimidation of public authority employees lack any factual basis and arise solely from the imagination of the investigating public prosecutor.



After the initiation of main proceedings had already been rejected by the Meiningen Regional Court in 2016 and confirmed by the Jena Higher Regional Court, the unfounded investigations, which had been pursued by the Meiningen Public Prosecutor's Office at great expense for a total of twelve years, have now finally come to an end. **Therefore, it is still true that no public law procedure has ever established the illegality of the water law permits granted from Hesse and Thuringia!**

With regard to the incomprehensible investigative approach of the public prosecutor, the Thuringian Higher Regional Court of Jena had already stated that it "cannot avoid the impression that the present proceedings ... pursue purposes that are incompatible with criminal law." (Thuringian Higher Regional Court as per May 05, 2017; Ref.: 1 Ws 481/16)

The fact that the preliminary proceedings have now finally been discontinued due to lack of suspicion in accordance with Section 170 (2) of the German Code of Criminal Procedure (StPO) was therefore not only a dictate of legal common sense, but is also the admission of a failed and fundamentally incorrect assessment of facts.

Background information on the environmental policy of K+S

Water protection pays off

Since 2010, K+S has invested around 500 million euros in water protection in the area of the Werra plant alone. The construction of new production facilities at the Hattorf and Wintershall sites (both in Hesse) as well as Unterbreizbach (Thuringia) has reduced the volume of saline wastewater to around 5.5 million cubic meters/year (by comparison, 2007: 14 million cubic meters). This also significantly improved the ecological conditions for the Werra and Weser rivers.

Injection will end at the end of 2021

At the end of this year, K+S will finally discontinue the injection of saline wastewater into the plate dolomite. At the beginning of 2022, the underground storage of saline solutions in the Springen mine field will be used as a new local disposal route. K+S is working intensively to obtain the necessary permits in the course of the year after the



state parliaments of Hesse and Thuringia approved the amendment of the state treaty on the cross-border mining of potash salts with an overwhelming majority at the end of last year. This is an important prerequisite for the future disposal concept of the Werra plant.

Active dialog with environmental associations and site municipalities

As part of its environmental strategy, K+S is at the same time in active dialogue with local authorities and associations. Agreements have been signed, for instance, with BUND, the municipality of Gerstungen and the municipality of Herleshausen for the purpose of taking account of an intact environment and creating a solid basis for good coexistence.

These agreements also include the voluntary commitment to refrain, as far as possible, from fully utilizing the volume of the permit for injection still granted until the end of 2021 and confirm the implementation of the extensive concept of measures to further relieve the Werra river and joint nature conservation projects on the Werra or its tributaries.

About K+S

K+S considers itself a customer-focused, independent supplier of mineral products for the Agriculture, Industry, Consumers, and Communities segments. We enable farmers securing the world's food supply, provide solutions that keep industries running, enrich consumers' daily lives, and ensure safety in winter. From production sites in Europe, North America, as well as through a global distribution network, we serve the ever-increasing demand for mineral products. We strive for sustainability because we are deeply committed to our responsibilities towards people, the environment, communities, and the economy in the regions in which we operate. Learn more about K+S at www.kpluss.com.

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