



“The impact of the WEEE and ROHS Directives on the collection of spent rechargeable batteries”

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*Waste electrical and electronic equipment

**Restriction of the use of certain hazardous substances in electrical and electronic equipment

Contents of the WEEE and RoHS Directives

On 13.02.2003, two new EU Directives entered into force:

“WEEE” Directive 2002/96/EC on waste electrical and electronic equipment

“RoHS” Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment

Contents of the WEEE Directive

- An Individual Producer Responsibility Directive aimed at:
 - Reducing Electrical Waste
 - Increasing materials recovery
 - Recycling materials content of WEEE
 - Minimizing environmental impact
 - Improving environmental performance of all operators involved in the life cycle of EEE

- Article 3 (i): 'Producer' means any person who, irrespective of the selling technique used, including by means of distance communication [...]:
 - (i) manufactures and sells EEE under his own brand,
 - (ii) resells under his own brand [...],
 - (iii) imports or exports [...].

- Scope: 10 product categories, Art. 2 (1), Annex I
- Collection target: 4kg/inhabitant by 31/12/06, Art. 5 (5)
- Collection responsibility: In principle industry is only responsible from public collection centers onwards, but – as the WEEE is based on Article 175 (non-harmonized standards) – Member States can increase this responsibility.

- MS shall ensure that final holders and distributors can return WEEE free of charge to collection facilities, Art. 5 (2) (a)
- When selling a new product retailers shall take back free of charge a similar old equipment, Art. 5 (2) (b)

- Selective treatment of materials and components,
Art. 6 (1), Annex II
- Recycling targets of 50% to 80% according to the
category by *31/12/06*, Art. 7 (2)
- Financial responsibility for producers to finance the
take back of WEEE by *13/8/05*, Art. 5 (2)

- For products sold *after 13/8/05* producers are responsible only for their products (individual producers responsibility), Art. 8 (2)

Producers shall provide a financial guarantee* for the WEEE waste management financing** when putting product on the market, Art. 8 (2)

*Producer's participation in WEEE management schemes/recycling insurance/blocked bank account, Art. 8 (2)

**Financing of the collection, treatment, recovery and environmental sound disposal of WEEE from private households deposited at collection facilities, Art. 8 (1)

- For products sold *before 13/8/05* (historical waste) producers are **collectively** responsible by contributing proportionally to their respective share of the market by type of equipment when the respective costs occur, Art. 8 (3)

Visible fee for 8 years from 13/2/03, which shall not exceed the actual costs incurred, Art. 8 (3)

- Marking for EEE put on the market after 13/8/05:
 - crossed out dustbin, Art.10 (3)
 - producer's name, Art. 11 (2)
 - mark, that EEE was put on the market after 13/8/05, Art. 11 (2)

- Producers of EEE shall provide treatment information for each type of new EEE within one year after the EEE is put on the market to recycling facilities in the form of manuals or electronic media (e.g. CD-ROM, online services), Art. 11 (1).

- MS shall draw up a register (*National Register*) of producers and provide to the Commission information on an annual basis on:
 - Quantities and categories of EEE put on their market
 - EEE collected through all routes
 - EEE reused, recycled and recovered within the MS
 - Collected waste exported

Information by weight or, if this is not possible, by numbers, Art. 12 (1).

Annex I of WEEE indicates the EEE to be collected:

1. *Large household appliances*
2. Small household appliances
3. *IT and telecommunications equipment*
4. Consumer equipment
5. *Lighting equipment*
6. *Electrical and electronic tools* (with the exception of large-scale stationary industrial tools)
7. Toys, leisure and sports equipment
8. Medical devices (with the exception of all implanted and infected products)
9. Monitoring and control instruments
10. Automatic dispensers

Contents of the RoHS Directive

The RoHS Directive provides for a restriction on the use of certain hazardous substances in EEE.

Under its Article 4 (1), Member States must ensure that

- from 1/7/2006 new equipment placed on the market
- does not contain lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBB) or polybrominated diphenyl ethers (PBDE).

- Exemptions to Art. 4 (1) are laid down in Art. 4 (2) and the Annex.
- New maximum concentration values, further exemptions and further new substances can be defined following a Technical Adaptation Committee (TAC) procedure, Art. 5, 7.

- MS shall transpose the **WEEE and RoHS** Directives into national legislation before 13/8/2004, Art. 17 (1) WEEE, 9 (1) RoHS.

Scope of the WEEE and RoHS Directives
with regard to rechargeable batteries

WEEE Directive

The WEEE Directive covers spent rechargeable batteries,
provided that they are part of separately collected WEEE.

Article 3 (a) and Annex IA define the types of electrical and electronic equipment (EEE) that are covered by the Directive's provisions and which cover a wide range of equipment that will typically contain or require the use of batteries.

- Article 3 (b) defines waste from EEE as:

"[...] waste [...], including all components, sub-assemblies and consumables which are part of the product at the time of discarding [...]"

- The Directive's scope therefore goes beyond the equipment itself, covering also components and consumables, such as batteries.

- Article 5 of the WEEE Directive provides for the separate collection of WEEE.
- Article 6 and Annex II (1.3) of the WEEE Directive require the removal of batteries from any separately collected WEEE.

Relationship between the WEEE and the Battery Directive

- After removal, batteries will then continue to be governed by the provisions of the Battery Directive 91/157/EEC.
- The collection requirements contained in Battery Directive 91/157/EEC will remain in place.
- The WEEE Directive does not supersede but complement the Battery Directive (insofar as batteries are concerned).

Article 2 (2) of the WEEE Directive:

“This Directive shall apply without prejudice to [...] specific Community waste management legislation.”

[Emphasis added]

"Whereas" or Recital Clause Number 10 of the WEEE Directive:

"This Directive should cover all electrical and electronic equipment [...]."

This Directive should apply without prejudice to [...] specific Community waste management legislation, in particular Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators [...]." [Emphasis added]

"Whereas" or Recital Clause Number 11 of the WEEE Directive:

"Directive 91/157/EEC needs to be reviewed as soon as possible, particularly in the light of this Directive."

Conclusions:

- The WEEE Directive applies to all spent batteries collected together with WEEE.
- The WEEE Directive requires the removal and separate collection of spent batteries from any separately collected WEEE.
- Once removed from WEEE, spent batteries are governed by the Battery Directive 91/157/EEC.

RoHS Directive

The RoHS Directive could cover spent rechargeable batteries,
provided that the RoHS Directive refers to batteries.

According to its Article 2, the RoHS Directive covers the same types of EEE as the WEEE Directive.

However, it does not refer to components, sub-assemblies and consumables, such as batteries, which are, therefore, not covered by the RoHS Directive.

Relationship between the RoHS and the Battery Directive

- The RoHS Directive does not supersede the Batteries Directive, 91/157/EEC,
- and therefore does not introduce any further marketing restrictions on batteries other than those already included in the Battery Directive (i.e. on certain battery types containing Mercury defined in Directive 98/101/EC).

Article 2 (2) of the RoHS Directive:

“This Directive shall apply without prejudice to [...] specific Community waste management legislation.”
[Emphasis added]

“Whereas” or Recital Clause Number 9 of the RoHS Directive:

“This Directive should apply without prejudice to [...] specific Community waste management legislation, in particular Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators [...].”
[Emphasis added]

Article 9 of the Battery Directive 91/157/EEC:

“Member States may not impede, prohibit or restrict the marketing of batteries and accumulators covered by this Directive and conforming to the provisions laid down herein.”

Conclusions:

Under current legislation, rechargeable batteries containing lead or cadmium can be used in EEE after 1/7/2006.

Soldered Batteries



- The WEEE Directive applies to *all* spent batteries collected together with WEEE.

No differentiation is made between different types of batteries, i.e., soldered/welded or separate batteries.

- As soldered batteries are expressively regulated under the Battery Directive 91/157/EEC, they are excluded from the scope of the RoHS Directive due to Art. 2 (2) of the RoHS

Directive.

“This Directive shall apply without prejudice to [...] specific Community waste management legislation.”

- In addition, the RoHS Directive’s scope does not cover consumables such as batteries.

Final Conclusions:

- The **WEEE Directive** applies to all spent batteries collected together with WEEE and requires their removal and separate collection.

This applies to individual cells, battery packs and/or batteries soldered, welded or otherwise permanently attached to terminals.

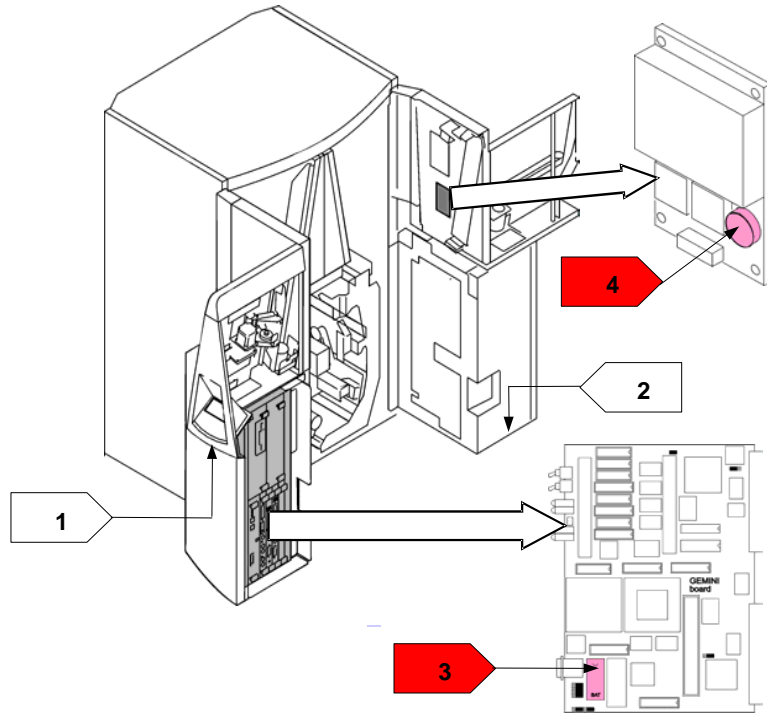
Final Conclusions:

- Once removed from WEEE, the **Battery Directive** governs spent rechargeable batteries, particularly the collection requirements contained in Battery Directive 91/157/EEC.

Final Conclusions:

- The marketing restriction, as provided for in the **RoHS Directive**, on new equipment containing e.g. mercury, lead and cadmium does not apply to batteries used with or incorporated in EEE (i.e. soldered to parts of the equipment).

Weight ratio EEE - Battery



<0,1%



20%



25%



30%

No.	Recycling/Material code	Important information
1		In order to open the left door the bolt under the user terminal has to be pulled down
2		In order to open the right door the bold on the bottom has to be pulled up
3	Lithium battery	Integrated in clock chip of gemini circuit board. Clock chip can be easy removed from the chip header. Complete Board can easy be removed from VME Rack after loosen two cross head
4	Lithium battery	Round cell battery plugged on circuit board. Easy withdrawal without too ls

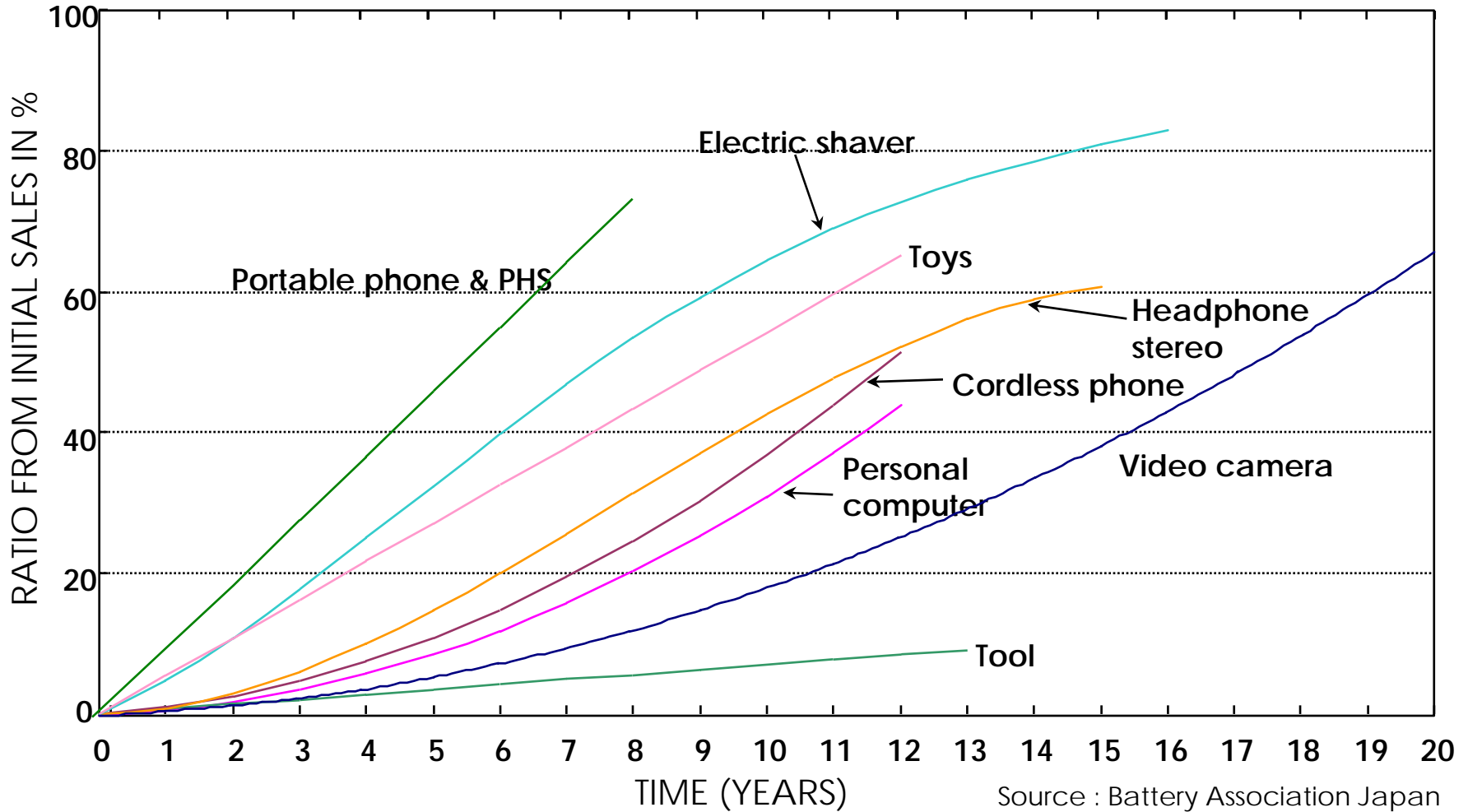


25%

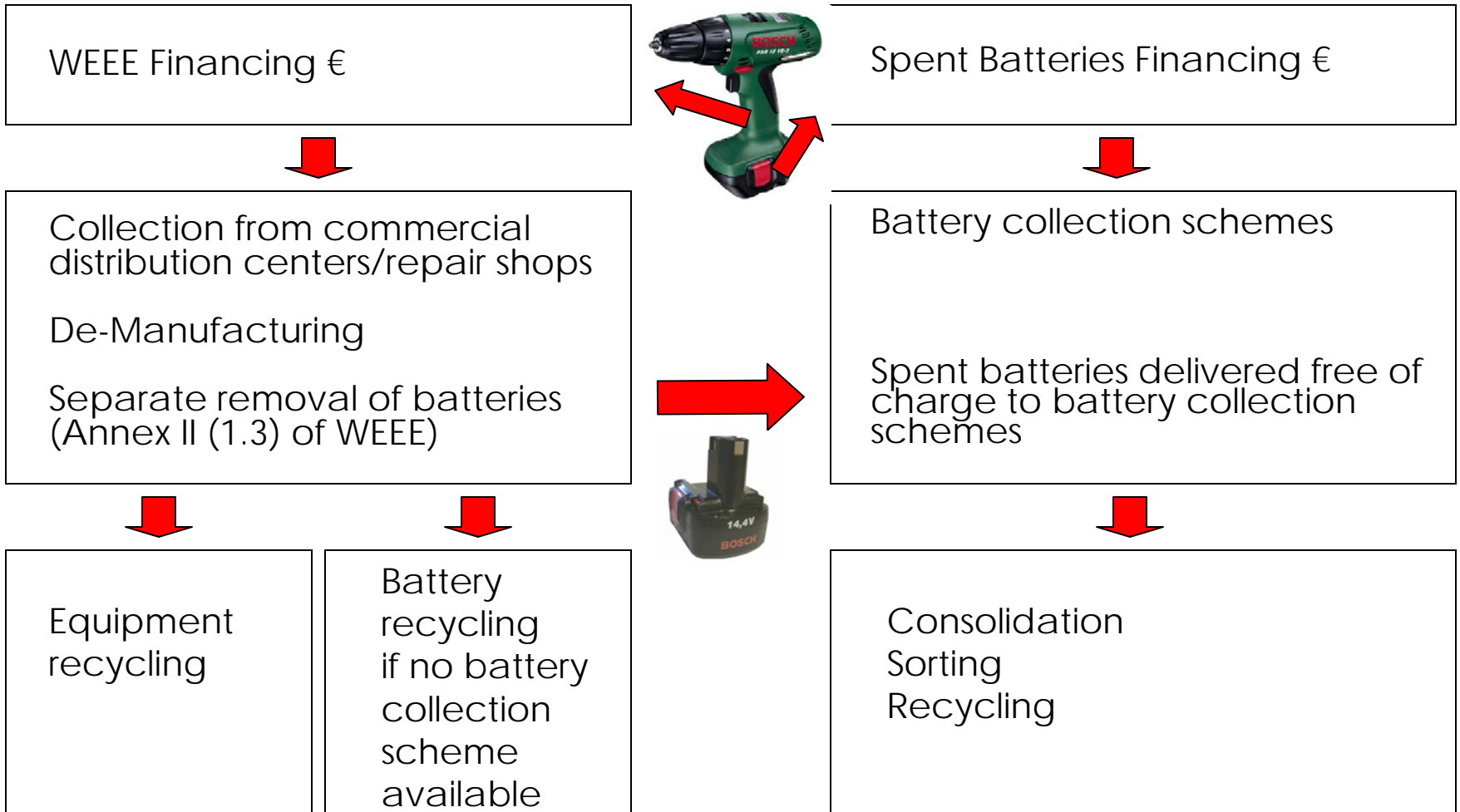


25%

Ratio of EEE available for collection



Financing of the Collection and Recycling



Interfaces

