



Battery industry voting recommendation on the Circular Economy Package

Brussels, 18 January 2017

To: Members of the European Parliament Environment Committee

The undersigned associations representing the battery industry in Europe are strongly calling Members of the European Parliament to carefully consider the following elements before voting on the Bonafé report on 24 January 2017:

WASTE FRAMEWORK DIRECTIVE

Extended Producer Responsibility: yes to general minimum EPR requirements but don't make them too detailed in the WFD (compromise amendments 15, 19, 21, 22)

A strengthened EU regulatory framework for EPR will be beneficial to help reach national and EU collection targets for portable batteries in an efficient way. However, it will have to be complemented by detailed criteria taking into account product specific aspects.

Circular Economy principles: beware of enacting unrealistic policies (compromise amendment 11 annex IVa)

The battery industry has already been implementing circular economy principles by developing rechargeable batteries, extending battery lifetime, investing in the continuous search for more efficient use of resources & product design, as well as battery recycling. However, circular economy thinking cannot be applied to all products in a similar manner. The success of the Circular Economy will depend greatly on its ability to recognise differences across materials and products.

Municipal waste definition: avoid creating confusion with existing battery categories

Waste batteries are already governed by vertical EU legislation i.e. the 2006/66/EC Directive which defines specific battery categories (portable, industrial, automotive) and requirements. Including waste batteries in the municipal waste definition must not lead to complicating enforcement and implementation of specific battery legislation. In particular, it must not result in a duplication of reporting requirements for battery collectors and recyclers, who already report on the specific collection targets and recycling efficiencies laid down in the Batteries Directive.

Substance bans: preserve the EU Internal Market

The revised Waste Framework Directive should not allow individual Member States to adopt new substance bans: it would result in a fragmentation of EU product policy & internal market. Chemical substances management in general is governed by the REACH Regulation and some specific substance bans have been included in product legislation (e.g. in the WEEE, ELV and

Batteries Directives), in both cases after an extensive consultation and assessment exercise. When regulating substitution of substances or battery technologies, impacts on markets and value-chains as well as wider socio-economic considerations, such as jobs, should under any circumstances also be studied. The WFD is not the right place to include new substance bans on articles or products.

Environmental impacts assessment, and further consumer information: don't impose a requirement which is not technically feasible! (compromise amendment 16)

In practice, it is not feasible to inform end-users about the global environmental performance of each type of batteries and accumulator throughout their entire life cycle including average useful life, potential for repair, reuse and concrete presence of hazardous substances. Such a requirement would first need in-depth scientific assessments and approved communication methodology, as currently under progress in the Commission PEF pilot study.

BATTERY DIRECTIVE

Revision of the Battery Directive: the European Commission review process is launched, no need to anticipate deadlines

The European Commission has formally started the process of having a comprehensive evaluation of the Batteries Directive. A dedicated roadmap was published in August 2016 and a public consultation is planned for March/April 2017. Therefore, there is no point for the European Parliament to call for a revision by 31 December 2018 as some amendments suggest.

Removing metals and hazardous substances from batteries: look at available science and applicable technologies

One specific amendment (AM 66 - EPP/ Karl-Heinz Florenz, Matthias Groote, Susanne Melior, Jo Leinen) calls for removing heavy metals or other metals in the technical development of new types of batteries. All batteries contain metals, there is currently no battery technology substituting metals. Therefore, the objective to remove metals or metal ions is not sounded and unrealistic at short or medium term. Any discussion on substituting substances should refer to advanced research objectives rather than a circular economy directive in 2018. In addition, the usage of metals is suitable for a circular economy as they are infinitely recyclable. Therefore, the Circular Economy approach for batteries should not promote their elimination.

The incentive for substitution of hazardous substances is already part of the REACH Regulation, which is the main legislation for substances management. Any additional proposal for incentives should avoid redundancy or incoherence with this legislation.

Other amendments call for the substitution of hazardous substances in electrical and electronic equipment: this is already covered in the RoHS Directive which has a review mechanism in place (including public consultation and risk assessment).

List of technical and fiscal instruments to promote the Circular Economy: Impact on other EU rules to be considered

Rapporteur Simona Bonafé together with other ENVI committee members is putting forward a list of measures including tax rebates and other technical incentives for Member States to promote a shift to the circular economy. Past experiences in other EU policy areas show that such measures can create significant distortions to the internal market as well as state aid and competition issues.

The implementation of the Batteries Directive in 2006 as set the basis of a circular economy for batteries. Since that time, a lot of experience has been accumulated by the industry and the specific aspects relevant for the improvement of the Batteries Directive will be analysed during the revision process starting in 2017. Therefore, we consider that the proposed generic list of instruments in Annex IIIa should belong to the Waste Framework Directive, but not to the Batteries Directive, as there is the risk that it introduces confusion and non-harmonized initiatives among the Member-states.

About EBRA

EBRA, the European Battery Recycling Association, represents the interests of actors involved with sorting, treating and recycling consumer, industrial or automotive spent batteries (at the exception of Lead-Acid automotive batteries).

About EPBA

The European Portable Battery Association is the authoritative voice of the portable power industry. It supports the common interests of its members regarding portable batteries and battery chargers with European institutions and other leading international bodies to provide consumers with complete power solutions which are sustainable across their life-cycle.

About EUROBAT

EUROBAT is the association for the European manufacturers automotive, industrial and energy storage batteries. EUROBAT has 52 members from across the continent comprising more than 90% of the battery industry in Europe. The members and staff work with all stakeholders, such as battery users, governmental organisations and media, to develop new battery solutions in areas of hybrid and electro-mobility as well as grid flexibility and renewable energy storage.

About RECHARGE

RECHARGE aisbl is the Advanced Rechargeable and Lithium Battery Association. RECHARGE is representing the specific interests of the Rechargeable Battery Industry in Europe. RECHARGE's mission is to promote the value of rechargeable batteries through their life cycle. RECHARGE's Membership includes Rechargeable Battery Manufacturers, Original Equipment Manufacturers, Rechargeable Batteries Recyclers and Raw materials suppliers to the Battery Industry.