

EU Circular Economy Package: Action Plan

Five recommendations to make it work for indispensable metals

Introduction

The European metals industry welcomes the European Commission's Circular Economy proposals, which provide a strong basis to promote the circular management of Europe's materials. In particular, we are pleased that the Action Plan attempts to address all stages of the material lifecycle.

Recyclable again and again, metals are essential to move to a resource- and energy- efficient society. However, too much of Europe's metals and metals-containing products are still poorly collected and treated. In 2014, only 1/3 of EU electronic waste was properly recycled, while €4.3 billion of EU base metals scrap was exported without guarantee of quality treatment.

The Circular Economy package will begin to address this situation, and we call on the European Commission to implement its Action Plan strongly and swiftly, through due consideration of stakeholders. Several measures can help to ensure that valuable materials embedded in products are recovered and returned to the EU economy.

In this paper, Eurometaux provides 5 key recommendations for where the Action Plan can be further strengthened. These are supported by 10 concrete proposals for strengthening its implementation.

Our five recommendations

1. Facilitate the transboundary shipment of waste for recovery/recycling while ensuring due control.

A fast track procedure for waste shipments will incentivise recycling of waste, by-products and end-of-life products, while guaranteeing controls.

2. Foster greater cooperation between Member States

Stronger cooperation between Member States will help to ensure harmonised implementation of waste legislation and waste classifications, less burdensome intra-EU waste shipments, and more effective measures against illegal waste shipments. These are all pre-requisites to more recycling in Europe.

3. Establish mandatory certification schemes for recyclers of certain waste streams (WEEE and portable batteries)

Mandatory certification can help to promote quality recycling and level playing field conditions for the treatment of waste. This will ensure that waste and end-of-life products are treated under quality conditions with good yield and environmental impacts, while supporting the competitiveness of quality operators.

4. Ensure a sound interface between REACH and waste policy, and effective, proportionate, smart and stable legislative conditions

A coherent approach to regulating hazardous substances is needed, so as not to discourage the production/recycling of certain metals in Europe. Notably, this should include an identification of the most efficient risk management tool for regulating each substance, as applicable. This will help to ensure effective risk management, while avoiding unnecessary burdens or unjustified bans.

5. Foster the recovery of valuable & critical raw materials in electronic and other products

Valuable & critical raw materials are essential to the EU economy and yet their recovery from waste and end-of-life products is still often very low. The EU should work towards a deep understanding of the relevant value chains, through joint work with stakeholders.

Our 10 concrete proposals

Action Plan

PRODUCTION	
1. Mandate to CENELEC to develop standards on material efficiency for future ecodesign requirements on durability, reparability and recyclability	
<p><u>Issue</u></p> <p>Recycling and durability of products are important elements that need to be considered at the design stage, along with economic and technical viability, in order to anticipate for their sustainable end-of-life treatment.</p> <p>Eurometaux supports the definition of horizontal “material efficiency” standards.</p>	<p><u>Proposal</u></p> <p>Define realistic and suitable metrics to express recyclability, durability and re-usability and ensure that the new standards are aligned with existing and interrelated standards.</p> <p>Besides the mandate to Cenelec and the subsequent technical work, Eurometaux calls for harmonised implementation throughout Member States and for due control of products imported into the EU.</p>
PRODUCTION	
2. Improve knowledge base and support SMEs to substitute hazardous substances	
<p><u>Issue</u></p> <p>The drivers to substituting metals can be economic, technical or regulatory, but a metal-free environment is by nature, not possible.</p> <p>Substitution is not a panacea and its value should always compare alternatives on an equal footing, and be assessed on a comprehensive life-cycle basis and taking account of potential burden shifts (health and environment).</p>	<p><u>Proposal</u></p> <p>The value of substitution should always be assessed on a life-cycle basis and taking account of potential burden shifts (health and environment). Economic and technical aspects, as well as fitness for use (performance of the final product) should also be considered.</p>
CONSUMPTION	
3. Action on Green public procurement	
<p><u>Issue</u></p> <p>Eurometaux supports the inclusion of circular economy requirements in green public procurement, including durability, reparability and recyclability criteria.</p> <p>Thus, it would also strongly recommend that GPP criteria and requirements consider the fate of products at end-of-life.</p>	<p><u>Proposal</u></p> <p>GPP criteria at EU level should include durability, reparability and recyclability criteria and clear requirements for quality treatment of products at the end-of-life so as to ensure that the valuable materials embedded in these products are duly recovered.</p>
WASTE MANAGEMENT	
4. Improved cooperation with MS to better implement waste legislation and combat illicit shipment of waste of end-of-life vehicles	
<p><u>Issue</u></p> <p>Access to secondary raw materials for recycling is sometimes hampered through the lack of harmonised implementation of waste legislation.</p> <p>For example, waste codes are not always</p>	<p><u>Proposal</u></p> <p>ELVs – The correspondent’s Guidelines on shipments of end-of-life vehicles (ELVs) were adopted by all Member States. They should be made legally binding and mandatory as an Annex to the ELV Directive, and criteria should be</p>

<p>harmonised or classification of waste may vary from one MS to the other. Similarly, the fight against illegal shipments of waste is suffering from the lack of harmonised approaches.</p>	<p>developed for assessment of equivalent conditions for the treatment of ELVs exported outside of the EU (as for WEEE).</p> <p>Besides ELV keep the focus on WEEE illegal exports</p> <ul style="list-style-type: none"> • Harmonised definitions of waste and by-products across Member States • Uniform use of the EURAL waste codes in Europe (no national codes). • Strong enforcement and harmonised control of shipments at harbours to avoid “port hopping” • Identification of second hand goods in customs declarations so as to facilitate targeted controls • Introduce a risk matrix for controls at borders.
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WASTE MANAGEMENT

5. Promotion of industry-led voluntary certification of treatment facilities for key waste/recyclate streams

<u>Issue</u>	<u>Proposal</u>
<p>EM calls for free and fair trade of raw materials, products and waste. To this end, level playing field conditions must be established for the treatment of waste and valuable materials embedded in products.</p> <p>If this is not the case, the valuable part of the EU’s waste will be exported, either legally or illegally, with no guarantee of quality treatment, no efficient recovery of materials, and no value creation in Europe. This would also impact on the capability of EU recycling companies to invest in new processes or expand.</p>	<p>EM recommends that the certification scheme be</p> <ul style="list-style-type: none"> • Mandatory as otherwise only the facilities that already met high standards will comply with the standards and bear the costs of it. A mandatory system also provides a useful tool for borders and exports controls • Applicable to some waste streams (e.g. WEEE, portable batteries) • Defined through a process treatment standard <p>Applicable in the EU and outside to ensure level playing field conditions but also quality treatment in Europe and outside Europe for the waste arising in the EU</p>

MARKET FOR SECONDARY RAW MATERIALS

6. Analysis of policy options to address the interface between chemicals products and waste legislation incl. how to reduce the presence and improve the tracking of chemicals of concern in products

<u>Issue</u>	<u>Proposal</u>
<p>Metals provide unique functionalities that are essential to building a more resource efficient and low carbon future. Many products and articles may contain hazardous substances which are integral to the required functionality. The production and use of hazardous materials in these products are strictly regulated (chemicals, workplace, environmental, products legislation) and do not pose any risk to either humans or the environment</p> <p>A metal free environment is by nature impossible. Banning hazardous substances in the</p>	<ul style="list-style-type: none"> • End-of life products containing hazardous substances should be properly treated i.e. in respect of the legislation on place and against quality criteria. But legislation should be effective, smart and proportionate. It should not unnecessarily discourage the use of secondary sources, especially within context of the EU Circular Economy and within a global competition context. Overlapping legislation should be avoided. • For example, when a risk is limited to the workplace (e.g. recycling facility), workplace-

<p>production/recycling cycles of metals would be almost impossible to implement, as the hazardous substances will continue entering the material loop both through the primary sources of metals, and through the end of life recycling of products which contain hazardous substances. It will also lead to less recycling in Europe, more exports of valuable materials to outside the EU and more goods imported into the EU.</p>	<p>specific legislation may offer the most effective and proportionate risk management option.</p> <ul style="list-style-type: none"> • Level playing field conditions need to be established for the recovery of valuable materials from waste and by-products, so as to secure a sound risk management and avoid penalizing EU recyclers, while importing goods with less guarantee of proper treatment • The benefits of substitution should always compare alternatives on an equal footing, and be assessed on a comprehensive life-cycle basis and taking account of potential burden shifts (health and environment). Economic and technical aspects, including reliability and availability, as well as fitness for use (performance of the final product) should also be considered before and when regulating the use of hazardous substances.
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MARKET FOR SECONDARY RAW MATERIALS

7. Measures to facilitate waste shipment across the EU incl. electronic data exchange

<u>Issue</u>	<u>Proposal</u>
<p>The shipment of waste for recycling and recovery of the materials faces a number of challenges in Europe, which is a hurdle to more recycling, incl.:</p> <ul style="list-style-type: none"> • The non-harmonised status of waste and by-products across MS • The use by some MS of national waste codes • The “pre-consented recovery facilities” status foreseen in the Waste Shipment Regulation does not in practice decrease the bureaucratic burden of waste shipments within the EU. Transit through some MS is very burdensome. 	<ul style="list-style-type: none"> • MS should implement harmonised definitions of waste & by-products • Use of the EURAL waste codes in Europe (no national codes). Add a new category for waste for which no waste codes exist to allow that non-hazardous waste with no appropriate waste code may be shipped under the “pre-consented recovery facilities” procedure. • The “pre-consented facilities” status should be improved which will also facilitate the issue of transit countries, while guaranteeing due control <p>The “pre-consented facilities” status should be improved through the following:</p> <ul style="list-style-type: none"> • Allow immediate shipments of waste from and to pre-consented recovery facilities once the competent authorities have been notified (the 7-day notice period does not work in practice). • Allocate a registration number to pre-consented facilities to approve and identify "fast-track" procedures during notification, even through transit countries, and easily track shipments <p>Implement an electronic system rather than "Written notification/consent supported through a web platform</p>

CRITICAL RAW MATERIALS

8. Improve exchange of information between manufacturers and recyclers on electronic products

<u>Issue</u>	<u>Proposal</u>
<p>Only 35% of EU e-waste is properly recycled, despite the potential for recovering valuable metals such as aluminium, copper, gold and cobalt. From</p>	<p>Information sharing between producers and recyclers can certainly facilitate the proper design and handling of e-waste for a proper recovery of the valuable materials embedded in these waste.</p>



the rest, 50% was recycled under non-compliant conditions and 25% was exported.	
INNOVATION AND INVESTMENTS 9. Innovation	
<u>Issue</u> Eurometaux strongly supports more support to the technological and non-technological challenges to more recycling through innovation funding.	<u>Proposal</u> Innovation and structural funding should focus on the EU strategic objectives and avoid support to e.g. over-capacity in incineration or landfilling.
MONITORING 10. Monitoring Framework	
<u>Issue</u> Eurometaux supports the monitoring of progress through indicators, but supported by a thorough analysis of the outcome to avoid simplistic conclusions.	<u>Proposal</u> Continue to monitor resource efficiency indicators, including carbon, water and energy, and complement his by material flow analysis.