

FEBRUARY 2019

Sustainability requirements for batteries – Position of the non-ferrous metals industry

Introduction

Eurometaux, representing European non-ferrous metals producers and recyclers, supports the European Commission’s initiative to improve the sustainability, energy and environmental performance of batteries placed on the EU market.

Our sector is actively involved in the EU’s Battery Alliance & Action Plan, sharing the objective to develop globally competitive value chains for batteries in Europe. Our companies produce and recycle strategic battery metals including cobalt, copper, lead, lithium, nickel and more. Europe has a significant potential to further develop this industrial base.

Europe’s global sustainable leadership can continue to be a differentiating factor to boost Europe’s future battery value chains on a global level. EU regulators and industry must work together to ensure that high sustainability standards are established at the same time as guaranteeing predictability and supportiveness for the required industry investments.

In this paper we provide our recommendations on the European Commission’s proposed measures for sustainable batteries, and how to get this environmental and economic balance right for battery raw materials.

Our initial feedback on the European Commission’s Roadmap

The European Commission’s Roadmap outlines several potential policy options for improving the sustainability performance of batteries in Europe.

Eurometaux endorses the feedback from battery associations RECHARGE and EUROBAT regarding the design requirements for batteries (energy performance, durability and recyclability).

In this paper we provide more specific recommendations on potential measures to ensure sustainability for battery raw materials, from both primary and secondary sources.

1. Criteria on ethical sourcing of battery raw materials from primary sources

Europe’s metals industry recognises the importance of ensuring that battery raw materials are sourced ethically. We are a contributor to the OECD’s ongoing work to develop a framework for responsible sourcing and due-diligence for raw materials.

Several of our sectors are also working to establish voluntary responsible sourcing schemes for their metal, in line with OECD requirements. A recent example relevant to the battery industry is the [Cobalt Industry’s Responsible Assessment Framework \(CIRAF\)](#).



1

Our recommendations:

- The EU should carefully evaluate the appropriateness and added value of introducing new sourcing measures that only focus on batteries. We would recommend that a more generic approach is also considered, which follows on from OECD work and evaluates the issue of ethical sourcing across applications and materials.
- Any EU action should build on the existing examples of industry best practice, including voluntary due diligence schemes and value chain platforms that aim to tackle responsible sourcing collaboratively. This will help to avoid an additional layer of regulatory burden for companies that already guarantee ethical sourcing.
- The EU must consider how to address imported downstream products before introducing new requirements. We have no control of whether batteries imported into Europe are based on ethically sourced raw materials. Ethical sourcing requirements only focussing on upstream European metals smelters will not address this gap.

2. Measures to improve the sustainable supply of battery raw materials from recycled sources

The efficient reuse and recycling of end-of-life batteries is fundamental to develop a sustainable domestic supply source for battery raw materials. We support in general the European Commission’s evaluation of recyclability requirements that could aid the recycling process for batteries.

We consider it an even higher priority for the European Commission to introduce measures that improve the flow of end-of-life batteries to high-quality recyclers within Europe. We recommend that these measures are included in the EU’s assessment of how to develop sustainable batteries, as they are the biggest barrier to accessing secondary materials.

- **Improved collection rates for portable batteries and electronics waste**

Recycling rates for portable batteries and electronics waste remain very low. For example, we approximate that the 15,000 tonnes of cobalt contained in the world’s 1.5bn mobile phones would be enough to supply 1.5 million electric vehicle batteries. However only 10% of these phones are properly recycled, meaning that a valuable source of secondary raw materials is almost entirely missed.

Our recommendation: The EU should focus on improving collection rates of spent mobile phones and other battery-containing electronics waste. This will be essential to increasing the supply of battery raw materials from secondary sources.

- **Less burdensome transport requirements within Europe**

Our industry faces high costs and delays when transporting waste batteries across borders within Europe. First, Member States are inconsistent when classifying waste battery shipments. Certain green-listed battery chemistries are frequently categorised under amber-listed hazardous waste codes, reducing predictability for operators.



Second, the notification procedure for shipping hazardous battery waste across Member States is complex and burdensome. Our companies pay an extra cost of several hundreds of euros for each shipment of hazardous waste. This is disproportionate, especially as end-of-life electric vehicle batteries are typically shipped individually rather than in large units, while volumes remain low.

These costs and delays disadvantage European battery metals recyclers on a global level and are contrary to the EU's Battery Action Plan and Circular Economy objectives.

Our recommendation: The EU should introduce a fast track procedure under the Waste Shipments Regulation, for shipping hazardous waste to high-quality recyclers who have been audited as 'pre-consented recovery facilities'.

- **Minimum standards for recyclers of certain battery types**

Certain battery types (i.e. portable and electric vehicle batteries) should only be treated by high-quality recyclers, who use state-of-the-art processes to maximise the recovery of valuable metals and ensure safe treatment of hazardous substances. Currently there is no requirement for recyclers of these batteries – in or out of Europe – to meet the minimum standards needed for effective recycling, increasing the likelihood of improper treatment.

Our recommendation: The EU should introduce requirements for certain end-of-life batteries (i.e. portable and electric vehicle batteries) to only be treated by compliant recyclers that meet minimum standards of efficiency and environmental performance.

3. A proportional approach to chemicals management objectives

Several metals are used to produce the precursor chemical and other materials used in batteries (including cobalt and cobalt salts/oxides/etc., nickel and nickel substances, lead and lead compounds, cadmium and cadmium compounds etc.) and these substances are subject to risk management under the EU REACH Regulation (EC 1907/2006) and OHS legislation (CMD) due to their hazardous properties. We are concerned that options to further restrict or even prohibit these substances may be disproportionate and therefore would disrupt Europe's battery value chains, without added environmental protection or sustainability benefits.

Most currently available battery chemistries require hazardous substances in some form that could ultimately be considered relevant for REACH (e.g. candidate listing as an SVHC, authorisation or restriction, etc.). However, we emphasise that these substances are handled safely in well-controlled occupational settings or contained in the battery article within sealed units, and are not intended to be released during normal or reasonably foreseeable conditions of use. EU industry also promotes world-leading standards of worker and environmental protection.



EU regulators must work with industry to assess and implement the best regulatory tools for controlling any risks of exposure from battery raw materials, while maintaining predictability and a supportive business environment. Disproportionate measures that stigmatise the use of hazardous battery raw materials by European companies could have the unwanted impact of discouraging new investments and further advantaging other areas of the world (without impacting on battery imports).

Our recommendation: The EU should balance its chemicals management and economic growth objectives. We share Europe’s two primary objectives to advance Europe’s industrial capacity for manufacturing battery cells and raw materials, and to ensure high standards of sustainability and environmental protection. These objectives can only be achieved through proportional regulation of hazardous battery materials, which includes a careful evaluation of the most appropriate option to manage risks.

