

Extraordinary Meeting of the Expert Group on Waste (Directive 2006/66/EC on batteries and accumulators)

Subject: Minutes of workshop to present and discuss the initial results of the “Study in Support of the Evaluation of the Batteries Directive.”

Meeting details: The Meeting was hosted by the European Commission’s DG ENV and was attended by representatives of the European Commission, Member States, industry associations and other stakeholders, and the consultant to DG ENV.

The Extraordinary Meeting of the Expert Group on Waste (Batteries Directive) presented the initial results of the evaluation study of the Batteries Directive and collected additional information so far not addressed in previous consultation steps.

In preparation for the meeting, participants received the workshop presentations. The presentations given during this meeting are provided in the annex to these minutes.

The meeting was structured into nine different sessions based on the working areas. In each session, Oeko-Institut, representing the consultant, presented the initial results. Subsequently, Member States and stakeholders commented on these initial findings and shared their perspectives. Overall, the meeting successfully offered a good exchange of information, views and initial results on shortcomings, inconsistencies and problems related to the Batteries Directive.

The main content and feedback from the nine thematic sessions are summarized as follows.

1. Collection rate

Several participants expressed support for the initial finding that the calculation methodology for the collection rate (of portable batteries) does not accurately reflect the actual situation due to batteries’ longer life-times (respectively delayed return). The participants did not object to the general finding that alternative calculation methodologies for the collection rate should be assessed and compared to the current methodology.

2. Recycling efficiency

The participants did not object to the consultants’ statement that Member States count output fractions of the battery recycling processes (in particular slag) differently.

Data availability on recycling abroad and missing certifications represent other main challenges. The consultant’s analysis that the recycling efficiency is related to a process/ recycling plant and less represents the efficiency of the Member State was generally supported.

3. Distinction between industrial and portable batteries

The discussion on industrial and portable batteries revealed that the distinction across the EU is not coherent. As supported by examples from Member States, the distinction between “portable” and “industrial” batteries during collection is not always practically applicable.

Batteries used in applications like e-bikes, EV traction/ propulsion batteries, PV storage, which are owned by consumers, present a challenge in determining who is responsible for providing the collection infrastructure.

4. New developments

Li-ion batteries are considered the main new battery type since the implementation of the Batteries Directive. Other new developments, which were not known when the Batteries Directive came into effect in 2006, include resource efficiency and critical raw materials. Several different aspects were discussed and introduced by the participants, among them that quality of recycling outputs and the specific materials to be recovered are important, that current battery composition might change and that miniaturization (e.g. printed batteries) might present a challenge.

5. Consumer information

Consumer information does not only mean labeling. It might also include general public awareness, e.g. addressed by awareness campaigns. Overall, the participants did not raise any objections to the contractor's initial conclusion that information for consumers is not sufficiently available. Among other points, it was mentioned that information shall either serve a need of consumers or influence behavior. Regarding insufficient information, participants were reminded that collection rates are not reached by several Member States and thus consumers need to be encouraged and informed to contribute to proper collection.

6. Labelling

Participants confirmed that capacity labelling for primary batteries is not possible at the moment. Regarding labelling batteries with their battery chemistry, several attendees supported the position that this would improve sorting batteries and subsequently lead to better recycling results.

7. Battery removability

The participants did not object to the initial findings that, although data on battery removal is lacking, it is observed that non-removability is increasing. Other aspects related to removability were controversially discussed, principally differences between the WEEE Directive and Batteries Directive and whether to address removability in the Eco-design Directive and/or in the Batteries Directive.

8. Hazardous substances

Initial findings indicate that the Batteries Directive addresses mercury, cadmium and lead as hazardous substances without providing a definition or specification about what substances are considered hazardous. No objections were raised against developing or referring to other documents (e.g. REACH/CLP-Regulation) for criteria to define the hazardousness of substances present in batteries.

9. Second use – re-use / preparation for re-use

There was general agreement that current legislation is not sufficient to deal with the new situation of the re-use/ second use of batteries from electric vehicles. In this context, the 'innovation deal' – a new project in which the European Commission will work with partners, including companies and national and regional authorities, to tackle the problem of recycling and reusing electric vehicle batteries – was mentioned.

DG ENV concluded the meeting by stating that meeting participants could submit comments, which would be taken into consideration for the final report of the evaluation study. DG ENV stressed that only new knowledge and statements, not a repetition of the input to the stakeholder consultation process, should be submitted. The deadline for comments is 23 March 2018.