EUROBAT
ASSOCIATION OF EUROPEAN AUTOMOTIVE AND INDUSTRIAL BATTERY MANUFACTURERS

Telephone: + 32 2 761 1653
Twitter: @eurobat_org
eurobat@eurobat.org
www.eurobat.org

EUROBAT Position on the Evaluation of the EU Battery Directive

- MAKING THE EU BATTERY REGULATORY FRAMEWORK FIT FOR THE NEXT DECADE –

EUROBAT welcomes the initiative of the European Commission to evaluate the Directive 2006/66 on batteries which is one of the central pieces of EU legislation for our sector.

Batteries fulfill important functions in multiple automotive and industrial applications, and there are currently four main battery families (lead, sodium, nickel, lithium). Automotive batteries are used in all types of vehicles (internal combustion engine, hybrid and electric vehicles). Industrial batteries are essential in a number of areas as a source of back-up power, contributing to the effective functioning of communications, IT, production & distribution of renewable energy, nuclear safety, oil and gas networks and for the storage of data in uninterruptible power supply as well as other industrial systems.

The objective of the evaluation and revision of the Directive must be to improve the regulatory level-playing field for all battery technologies. Such overall regulatory framework should provide business certainty for EU battery manufacturers, create new opportunities for all battery technologies and deliver jobs, growth and innovation in Europe.

General Observations

The electrochemical systems used for automotive and industrial batteries have remained unchanged since the current Directive was put into place in 2006. However, the performance of batteries has improved, and the market shares of different battery technologies have developed with a growing share of lithium ion batteries.

Different kinds of batteries and substances used in batteries are currently regulated by three different pieces of EU legislation: Battery Directive (applying to all batteries), End-of-Life Vehicles Directive (applying to automotive lead-based batteries) and REACH (applying to the substances relevant for the battery chemistries).

Against the background of better regulation, we are of the opinion that all aspects for placing batteries on the market customer information and end-of-life management should be regulated in the Battery Directive.

During use, as batteries are closed systems, there is no risk of exposure to active substances of consumers and the environment. Where existing specific community legislation ensures the protection of human health at the workplace, then active substances used in batteries should not have REACH obligations that go beyond substance registration.

In the specific case of automotive lead batteries, they are removed from the application at the end of life of their useful life and are managed via a separate, battery specific waste stream. One driver for the collection of lead batteries is also the easy recyclability of lead which results in the very high collection rate of 99%.

As a result, we believe that all end-of-life considerations of batteries should be addressed under the Battery Directive, which also means that batteries should be removed from the scope of reviews under the End-of-Life Vehicles Directive.

Specific Comments

Article 3 – Definitions

With an increasing use of Lithium ion batteries to power electric vehicles, 'second life use' of these propulsion batteries is expected as stationary batteries at the end of their first use life.

The 'second life' approach needs to be supported by a definition to clarify that the new producer should cover all responsibilities for the 'second life' product and application.

Article 4 – Prohibitions

We believe that Europe should move away from a regulatory system based on prohibitions towards highlighting the benefits of batteries in terms of sustainability, availability of resources, socio-economic aspects such as EU manufacturing footprint, recycling efficiency etc.

Article 5 – Increased environmental performance

To equate environmental performance with the restriction on selected heavy metals is a misleading concept. A more integrated approach of environmental sustainability has to be considered. All existing electrochemical systems contain or utilize hazardous substances - therefore this cannot be used as an equivalent of environmental performance or sustainability.

Environmental sustainability of batteries should include the consideration of:

- Replacing prohibition of substances by a risk based assessment
- Customer performance requirements
- Availability of resources
- Design for recyclability
- Collection infrastructure
- Recycling efficiency

Article 10 – Collection targets

Given the well-functioning Business-to-Consumer (B2C) and Business-to-Business (B2B) collection systems for automotive and industrial batteries, no changes should be made to the Directive regarding collection targets.

Industrial and automotive waste batteries are large batteries, used by professionals. Due to their economic value, they are also collected by professionals. As a result all industrial and automotive batteries are already collected and recycled.

Several Member States introduced a collection rate for automotive and industrial batteries. As there is absolutely no concern with the collection and recycling of these batteries, a national collection rate is challenging the common market principles.

Article 21 – Labelling

- *Include a reference in the Batteries Directive to the forthcoming IEC standard (IEC 62902) on labelling of batteries according to their chemistry*

With a growing market share of lithium ion batteries in certain segments of the automotive and industrial battery market, a proper separate collection of waste batteries of both battery technologies has become essential.

In order to further improve collection and recycling processes, and to guarantee the safety of these processes, we ask to include a reference in the Batteries Directive to the forthcoming IEC Standard (IEC 62902) on labelling of batteries according to the electrochemical system. The objective of this suggestion is not to replace the current labelling of automotive and industrial batteries with the crossed-out wheeled dust bin; but to add identification to facilitate collection, sorting and, ultimately, treatment of these batteries.

- *Labelling requirements for starter batteries*

The labelling requirements for starter batteries (Annex III in combination with Commission Regulation 1103/2010) is making a misleading statement. Annex III is asking for a label which has to indicate the capacity according to IEC with a accuracy of +/-10%. However, the IEC standard does not contain this level of accuracy and is stricter. Hence the labelling as described in the Directive is inconsistent with the IEC standard. Also that wide tolerance band is weakening the consumer information.

***