Batteries and accumulators and waste batteries and accumulators

2003/0282(COD) - 21/11/2003 - Legislative proposal

PURPOSE : to impose the collection and recycling of all batteries placed on the EU market. CONTENT : the main underlying drivers for this new EU initiative are the objectives set by the Sixth Community Environment Action Programme as well as Directive 2002/96/EC on waste electrical and electronic equipment which calls for the need to revise the current EU legislation on batteries and accumulators (Directive 91/157/EEC) as soon as possible. The Commission carried out an Extended Impact Assessment (ExIA) for the evaluation of the most sustainable policy options for this new proposal. The proposal introduces policy measures which should divert all spent batteries and accumulators from final disposal operations (landfill and incineration) and should ensure that Member States adopt environmentally sound waste management practices which will lead to an efficient collection and recycling of spent batteries and a proper functioning of the internal market. Additional measures are proposed with respect to batteries containing mercury, cadmium and lead since those batteries are qualified as hazardous waste and thus require additional risk management measures. In order to prevent batteries from entering the waste stream, the proposed Directive puts forward a number of different measures and targets: - Collection targets : experience with Directive 91/157/EEC confirmed that the most efficient way to collect portable batteries and accumulators from households is to apply an 'all batteries' collection scheme. It is thus important to encourage Member States to set up effective collection schemes for the collection of all portable batteries and accumulators by setting a minimum collection target at Community level. The Proposal establishes a uniform minimum target for the collection of all spent portable batteries and accumulators to ensure high and equivalent levels of collection in the different Member States. This would also allow monitoring at Community level. It is proposed to calculate this target on the basis grams per inhabitant. This is in line with the calculation of the collection target of the WEEE Directive. It is therefore not deemed necessary to adopt specific collection targets for these batteries and accumulators. Instead, the proposal imposes a legal obligation on manufacturers to take-back those batteries. The proposal also requires that automotive batteries and accumulators are collected separately, in so far as those batteries are not already collected on the basis of schemes set up under Directive 2000/53/EC. It is proposed to prohibit the landfilling and incineration of industrial and automotive batteries. Those are mainly lead-acid and nickel-cadmium batteries. As regards the portable nickel-cadmium batteries, such a ban would not appear to be enforceable. Therefore, it is proposed to set an additional collection target for those batteries. It is proposed to set this target at 80% of the total quantity of spent portable NiCd batteries and accumulators which arose annually. This is the quantity of portable NiCd batteries and accumulators which are being collected and disposed of together with the municipal solid waste. Member States should thus monitor the quantities of portable NiCdbatteries and accumulators found in the municipal solid waste stream and report this to the Commission. On the basis of this information as well as new scientific and technical progress, the Commission will evaluate the specific environmental risks related to the use of cadmium in batteries and accumulators on a regular basis. - Recycling of all spent batteries and accumulators : Directive 91/157/EEC does not specify recycling requirements for spent batteries and accumulators. These are left to the discretion of the Member State provided they comply with the internal market rules. The Directive does encourage Member States to promote research into recycling methods and allows them to introduce measures, such as economic instruments, to encourage recycling. This proposal establishes the principle that all batteries and accumulators collected should be processed for recycling. The proposal sets a minimum recycling efficiency level for the recycling of those batteries. From an environmental perspective, life-cycle assessments (LCAs) indicate that the optimum recycling rate for NiCd batteries and accumulators tends to be close to 100%. Studies show that NiCd battery recycling is energy-efficient even in cases where the processing facilities are some distance away. Excluding the use-phase of the battery, 65% of the primary energy used is in the battery manufacture while 32% is in the raw material production. Recycled cadmium and nickel require 46% and 75% less primary energy respectively, compared with

extracting and refining virgin metal. Recycling of cadmium, nickel, iron and other battery materials is relatively easy, so it is virtually possible to recycling all (99.9%) of the materials in a NiCd battery. The cadmium recovered should be used in the production of new batteries and accumulators or other products. Hence, for nickel-cadmium batteries, the minimum recycling efficiencies proposed are all the cadmium and a minimum of 75% by average weight. For other batteries and accumulators, the recycling efficiency proposed is an average of 55% by weight. This proposal also aims at contributing to the proper functioning of the internal market, thereby guaranteeing the free movement of goods and contributing to the creation of an internal market for the recycling of collected batteries. Another concern is the disparities between the scope of the national collection and recycling schemes. For instance, in some Member States the schemes cover collection and recycling of all batteries and accumulators, whereas in others they simply cover batteries and accumulators covered by Directive 91/157/EEC. The collection rates also vary considerably between Member States. As these different schemes can have a negative impact on the internal market and distort competition, it is important to ensure a level playing-field across the EU. Whilst Member States remain free to organise the collection and recycling schemes at their national territory, this proposal requires Member States to extend the scope of those schemes to all batteries and accumulators put on the market. The Commission estimates that the additional annual costs of the proposed collection and recycling rates per household will be between EUR 1 - 2.