

REACH

Registration | Authorization | Article 58.2 exemption

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- **REACH Regulation**

Battery producers under REACH | Registration | Substances in scope | SVHC | Public Consultation on Annex XIV

- **REACH Authorization**

Why we don't like it | Who would be affected? | Impacts | Why we asked for exemption

- **Exemption form REACH Authorization**

Article 58.2 | EU Legislation in place | Alternative RMO's | Occupational exposure | That's what we asked for

REACH Regulation

- **Battery producers registered the production of several Lead Compounds**
 - Lead Monoxide, Lead Tetroxide, Tetralead Trioxide Sulfate, Pentalead tetraoxide sulfate – Substances in preparations
- **Dossiers and Chemical Safety Reports developed by the Lead REACH Consortium - managed by the ILA**
- **Dossiers & CSR's delivered Nov. 2010**



REACH Regulation

- **“our” Lead compounds are classified SHVC**
 - Logical consequence of the CMR
 - CMR’s / SVHC are subject to candidate listing for authorization requirement
- **ECHA / EC public consultation on the 7th priority list for inclusion in Annex XIV**
 - Closed February 18, 2016
 - Report on Socio economic impact, applications of batteries, alternatives, sustainability considerations (EUROBAT)
 - Article 58.2 exemption request (Lead RACH Consortium)

REACH Authorization

Why we don't like it

- **Sunset Date**
 - After sunset date use of substance is allowed only if you have already obtain a REACH Authorization
- **Latest Application Date**
 - Authorization has to be submitted at least 18 month before sunset date
 - LAD is automatically defined as date of inclusion in Annex XIV plus 24 month
- **Authorization is granted for a limited period only**

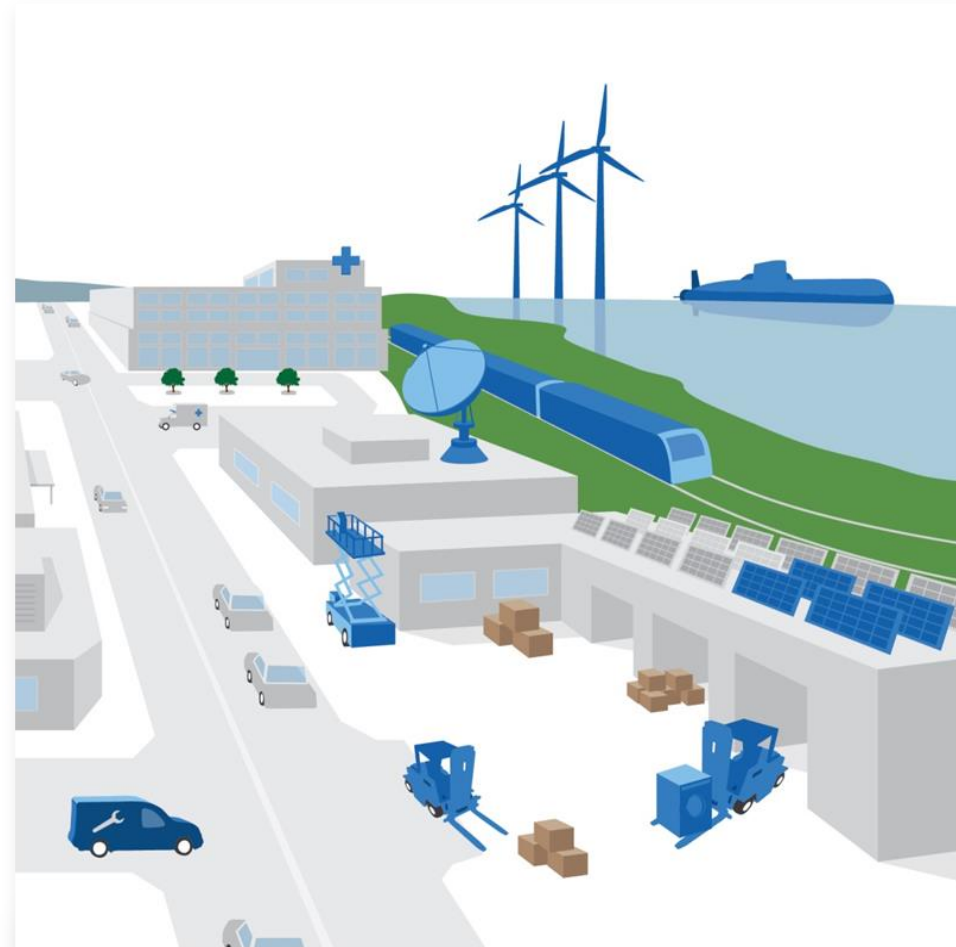
REACH Authorization

Why we don't like it

- **Authorization request must discuss alternatives and has to contain a phase out plan**
- **Authorization does not apply to the articles imported to EU**
- **Authorization is costs**
- **Authorization is not the most appropriate risk management option for “our” Lead compounds**
 - No risk to public health, consumer or the environment
 - Occupational exposure remains the only remaining concern
 - Industry initiative & Review of European OEL as the appropriate tool

REACH Authorization

Impacts



REACH Authorization

Why we asked for an exemption

- **Authorization is not the most appropriate risk management option for “our” Lead compounds**
- **Lead for the use in batteries is well regulated under existing EU regulation**
- **Socio Economic Considerations**
 - Substance ban = ban of a product ?
 - Sustainable product
 - International Competitiveness
 - EU Climate Protection Targets

Exemption from Authorization

REACH article 58.2

Article 58.2 reads as:

Uses or categories of uses may be exempted from the authorisation requirement provided that, on the basis of the existing specific Community legislation imposing minimum requirements relating to the protection of human health or the environment for the use of the substance, the risk is properly controlled. [...].

Exemption from Authorization

EU Legislation in place

<p>MANUFACTURING Protection of the environment (cross-industry)</p>	<ul style="list-style-type: none">• <i>Industrial Emissions Directive (Pb AEL)</i>• <i>Air Quality Directive (0.5µg/m³ ambient air limit)</i>• <i>Water Framework Directive (Pb EQS)</i>
<p>MANUFACTURING Protection of human health (cross-industry)</p>	<ul style="list-style-type: none">• <i>Chemical Agents Directive with specific rules for workers and pregnant women in relevant other Directives</i>• <i>Binding European OEL of 0.15mg/m³</i>• <i>Binding European biological exposure limit of 70µg/dl blood</i>• <i>REACH DNEL of 40µg/dl blood for all workers and 10µg/dl for women in reproductive capacity</i>
<p>DESIGN, USE & END of LIFE Battery industry-specific</p>	<ul style="list-style-type: none">• <i>Battery Directive</i>• <i>End of Vehicle Life Directive</i>• <i>Waste Framework Directive and Waste Shipment Regulations</i>

Exemption from Authorization

Alternative RMO

- **EU legislation & permitting scheme for manufacturing and recycling facilities**
- **EU legislation to control occupational exposure**
- **EU legislation on design & end-of-life management**
- **EU legislation already contains drivers for substitution in**
 - **Chemical Agents Directive – Art.6**
 - **Battery Directive – Art. 4 & 5**
 - **ELV Directive – Art. 4**

Exemption from Authorization

Occupational exposure

Occupational Exposure as the remaining concern of EC

- EU OEL at 70 $\mu\text{g}/\text{dl}$ | REACH DNEL at 40 $\mu\text{g}/\text{dl}$
- Industries voluntary program to have 0 > 30 $\mu\text{g}/\text{dl}$ by end 2016
- OEL legislation as a targeted approach to minimise the only existing risk!

Exemption from Authorization

That's what we asked for

- We urge the European Commission to use its discretion to grant a **REACH Article 58(2) to use of lead monoxide, lead tetroxide, tetralead trioxide sulphate and pentalead tetraoxide sulphate for the manufacture of automotive and industrial lead-based batteries**
 - All four compounds are essential and irreplaceable in the manufacture of lead batteries with no substitutes available
 - Use of the substances is restricted to the workplace during the manufacturing phase of the product lifecycle and batteries are sealed units that operate in a closed loop with almost 100% being collected and recycled at EoL.
 - Existing lead-specific legislation already provides binding and enforceable minimum requirements for the control of risks in the workplace
 - Pressure for substitution for workplace use of the compounds already exists through the Chemical Agents Directive and for use of lead batteries through the ELV and Batteries Directive

Thanks !