

Your Voice In Europe: ROADMAP feedback for Analysis of the interface between chemicals, products and waste legislation and identification of policy options

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Related document: Analysis of the interface between chemicals, products and waste legislation and identification of policy options

Feedback:

1. Toxic free environment:

- *Promote eco-design: redesign and innovate; reuse; recycle.*
- *As long as hazardous substances can be placed on the market legally by manufacturers of virgin raw materials, recycling companies have to deal with them. The long term goal should be to achieve toxic-free material cycles but this should start at the initial design stage where products enter the material cycle for the first time.*
- *However, substances of very high concern should not stay in the environment any longer that is absolutely necessary.*
- *Better cooperation between manufacturers and the waste management sector. A manufacturer of the original product knows the content of the substances used in the product, this information is later needed also in the recycling stage. So it is essential that the information is efficiently shared with the actors in different stages of the value chain. Recyclers have to deal with heterogeneous input material. As well, manufacturers and product designers should have access to information the recyclability of different materials, so that this information can be used in the product design stage. The use of digital solutions for improved information flows should be applied in the first place.*

2. Strike the right balance between quality and quantity recycling/ coherent policies:

- *High quality recycling is crucial. At the same time we should make sure that treatment options respect the waste hierarchy.*
- *It should therefore be decided on a case-by-case basis whether it is more adequate*

to substitute problematic substances for recycling or to incinerate those wastes.

- *Set targets in waste policy should be coherent with targets set in other policy areas, e.g. energy, climate change. (E.g. incineration of virgin wood waste as biofuel vs. Construction and Demolition waste targets).*

- *Develop good practices and guidance where and how secondary materials can be safely used. The recycling industry needs accepted applications for secondary materials.*

Recycling industries must also take responsibility in ensuring non-toxic recycling, not only the manufacturers. The safety issues should in principle prevail recycling targets, but a risk based approach should be determining to decide whether a substance must be recovered or not.

2. Lead by a proper risk assessment:

- *The use for which a substance is recovered should be taken into account and under certain conditions, hazardous materials should be allowed as input material for recycling. For instance, waste containing substances of concern should be allowed as input if their presence maintains or enhances the specified functionality of the recycled material; provided that they are risk assessed to ensure that their bio-availability is such that they pose a minimal risk to the environment or human health.*

- *It is important to take into account a risk-based assessment when developing EU waste classification methodologies as they have a strong impact on the recyclability of waste.*

4. REACH procedure:

- *Compliance with REACH is more constraining for recyclers than for manufacturers of virgin substances/ articles. The EC needs to address the issue of REACH authorisation for recyclers.*

- *Main problems: legacy substances put on the market before restrictions were put into place. Even though, authorisation periods granted for SVHC's under Annex XIV may be sufficient for producers to find substitutes for these virgin materials, these periods are relatively short for recyclers. This is due to the long life-span of some products, which at the end of their useful life will find their way into materials intended for recycling long after the sunset date has expired and recyclers are not in a position to look for substitutes.*

- *With regards to recovered substances, it is crucial to take into account socio-economic and environmental factors when considering authorisations and restrictions for substances of concern found in recovered materials. This is because the environmental and economic benefits of recycling and recovery will in some cases outweigh those of using virgin materials.*

- *The EC could also facilitate the evaluation of substances under REACH, by allowing groups of substances to be assessed within the same timeframe. Indeed, recyclates containing substances of concern can contain several SVHCs, rather than just one. Similarly, it should be allowed for producers of recyclates to apply for authorisation for multiple substances in a single dossier and wait for renewal dates to include new substances that may be added on authorisation list in the meanwhile.*

5. Ensure a market for secondary raw materials:

- *Pull measures to incentivize the use of secondary raw materials.*

- *The external environmental cost of using primary raw materials needs to be*

internalised.

Feedback file: