



EPMF CONCLUSIONS

The EPMF event : *Conflict and Opportunity: Chemical Management, the Circular Economy and Precious Metals* took place in Brussels on the 5th of December 2018.

A broad spectrum of speakers and panelists contributed to the success of the event bringing their unique perspectives on potential conflicts and opportunities: Heinz-Günter Schenzel (President of EPMF, C.Hafner); Hugo Waeterschoot (REACH Advisor, Eurometaux); Tim Becker, (Legal advisor on REACH and related EU legislation, REACHLaw); Jean-Marc Brignon, (Senior Expert, INERIS); Egbert Lox (Senior Vice-President Government Affairs, Umicore); Simon Cogen (Attaché REACH, Ministry of Economy, Belgium); Enrique Garcia-John (Policy Officer, REACH Unit, DG Grow); Matti Vainio (Head of Unit Risk Management); Geert Dancet (former ECHA Executive Director, Independent consultant) and Guy Ethier (Precious Metals Consortium, Chair, Umicore).

All speakers agreed that major steps are necessary in order to address potential conflicts (which are in reality better described as trade-offs)

1. UNDERSTANDING

Heinz-Günter Schenzel clearly set the scene in his introduction touching on the history of precious metals, the demand, the offer and the key role of recycling within this context. He highlighted the need for understanding: understanding the processes, the legal and regulatory context and understanding the hurdles when recycling precious metals (such as the collection of electronic waste)

This message was further reinforced by Hugo Waeterschoot, Tim Becker and Jean-Marc Brignon. They highlighted key questions relating to the potential societal, legal and regulatory trade-offs and most importantly how they could potentially be addressed. Indeed, the Impact Assessment of the benefits of recycling substances containing SVHCs and of the related costs of keeping these substances in the economy without jeopardizing health and safety is a very important tool in evaluating these questions. It is also paramount to have a dedicated approach to address potential concerns through a targeted Risk Management Option Analysis (RMOAs) which may also consider the impurities or substance in substance issue as well as how this can be best managed within the overall process.

During the panel discussion, Egbert Lox highlighted another important aspect: the understanding of barriers relating to transport and logistics. These barriers are linked to the interpretation when defining the waste as well as to the implementation in general of the Waste directive (including the definition of hazardous waste). The lack of harmonization of secondary materials status, even between regions within the same EU Members State, creates 'Kafkaesque' situations on a daily basis, impacting drastically on Circular Economy targets.

Simon Cogen contested the fact that most of the discussions are focused on recycling whilst the Circular Economy

is far more than this: it is again important to understand that the Circular Economy is also about questioning the need for certain substances (and especially those under scrutiny), thinking 'safe by design' and working with front runners to encourage this. It is also critical to remember that sustainability is a shared responsibility stretching from producers to consumers.

Matti Vainio quoted a former Finish President "Wisdom starts from facing the facts" inferring that we need a fundamentally better understanding of the trade-offs, in a concrete fashion to ensure that adequate solutions can be found. ECHA actively promotes this approach and implements it through for increasing understanding between trade offs but also between industry and the authorities.

Enrique Garcia-John confirmed that understanding the issues related to end-of-waste interpretation is critical and will be at the centre of a study conducted by DG Environment in 2019. The interface between waste and Chemical Management is paramount in achieving a broader view of the situation. Another important conclusion is that the boundaries between waste and product (or resources) becomes constantly more blurred. It is indeed time, as mentioned by Guy Ethier in his conclusions, that everybody (industry, authorities and consumers) understands that there is no longer any waste but simply resource in different forms.

The different contributors to the debate also highlighted that the understanding of mass flows and of the potential exposure and release in this context is a cornerstone when taking informed decisions on the Circular Economy and Chemical Management.

2. COMMUNICATE

Communication has been clearly identified by all the speakers as another important step in turning potential conflicts/trade-offs into opportunities. This concerns communication within the industry and the authorities dismantling the silos between Circular Economy and Chemicals Management. Enrique Garcia John noted that during the consultation phase on Interface between

Chemicals Waste Products, it was the first time (at Commission and Member State level) that the various stakeholders from the different units had common discussions on the matter. MISA is a good starting point for communication with ECHA, but the same open and transparent dialogue must also happen with the various relevant units of the Commission.

3. ACTION

A series of actions were identified by the contributors. Firstly, it is critical to increase the collection of small electronic devices to ensure we reach both Circular Economy and Chemicals Management targets (to avoid the leakage of undesirable substances into nature / improve facilities in the EU where state of the art recycling is not always currently in place).

It is advisable to set up a sustainability regulation framework allowing the creation of synergies between the different EU legislations.

It is important to exercise harmonization in both interpretation and enforcement to ensure a level-playing field in the EU.

The industry must generate the data needed to understand mass flows as potential exposure occurs throughout the supply chain. This will allow for optimal risk management and the enactment of detailed impact assessments allowing for informed decisions to be taken regarding to Circular Economy. This will help to identify the real issues, their impact and the solutions.

Finally, to solve the trade offs, we need clear priorities in order to know which directions to take at a political level.

REFERENCES

Presentations and the concluding video are available on: www.epmf.be/event

A special report is available at: www.euractiv.com/topics/precious-metals

Outcome of the interactive event survey: www.epmf.be/event-poll-results

