POSITION STATEMENT

Lead REACH CONSORTIUM

Plans to impose further regulatory burdens on lead metal are not proportionate and risk damaging Europe's economic wellbeing.

A plan to propose the 'Candidate Listing' of lead metal as a Substance of Very High Concern by the Swedish Chemicals Agency would result in a high level of unnecessary bureaucracy and will impact Europe's economic wellbeing.

Lead is already highly regulated through substance-specific EU legislation, and any further attempt to remove lead from the value chain could have far reaching and damaging consequences for energy storage applications and for the circular economy in recycled metals and materials.

As well as being a vital component in over 250 million passenger cars, including in most hybrid and electric vehicles, lead-based batteries are also widely used for energy storage in solar, wind and other renewable energy systems, and support emergency power supplies and computer networks.

The production of lead-based batteries, which accounts for more than 85% of EU lead use, is managed in a closed-loop recycling process with 99% of batteries being fully recycled.

Lead is also a key enabler of the circular economy, and its unique properties make it an efficient and effective way to recover other valuable metals from complex end-of-life products.

The Lead REACH Consortium questions the proportionality and regulatory effectiveness of the use of the REACH Authorisation process to further regulate lead metal based on five key arguments.

1. Lead exposure is **already highly regulated** in the EU through substance-specific legislation covering all lifecycle stages including manufacture, use, and end-of-life/waste. Industry agrees that the EU binding occupational limit requires updating through existing EU occupational health and safety legislation. In the meantime, voluntary sectorial lead exposure management targets[1] go beyond legislation to protect workers in lead manufacturing and using industries.

2. The lead-based battery is **vital to day-to-day economic and social wellbeing** of Europe. It is utilised in a range of critical applications, including emergency power back-up systems, and renewable energy storage and is also a vital component in each of over 250 million cars on Europe's roads, including hybrid and electric vehicles. More than 85% of the lead metal placed on the EU market is used to produce lead-based batteries that are already regulated by existing EU legislation such as the End-of-Life Vehicles and Batteries Directives.

3. Lead metal is a **key enabler of the circular economy.** The carrier metal properties of lead make it an efficient and effective way to recover a broad range of non-ferrous metals from increasingly complex end-of-life products. The lead-based battery itself is managed through a highly efficient closed-loop recycling process at end-of-life, driven by the economic value of the recycled materials that are reused to manufacture new batteries.

4. Candidate Listing and Authorisation will have **significant impacts on SMEs** in Europe many of whom already operate in a challenging and highly competitive environment. A critical, but low volume, use of lead metal is in alloys; they have a multitude of end-uses, many already being subject to lead-specific requirements that encourage substitution (e.g. through WEEE,

Lead REACH CONSORTIUM

RoHS and ELV Directives) or define specific risk management measures. Candidate Listing of lead metal would result in significant bureaucratic obligations for all EU suppliers of fabricated components and complex articles containing lead metal above 0.1% by weight.

5. Importation of lead-containing articles will not be addressed by Annex XIV Listing, which will only impact EU producers. Recent REACH restrictions[2] on lead metal have highlighted risks attributed to imported lead-containing articles.

The Lead REACH Consortium has conducted a shadow risk management option analysis that clearly demonstrates that any residual risk related to current use of lead metal is better managed through targeted REACH Restrictions, which would also regulate lead in imported articles, in combination with **updating the existing binding occupational and biological exposure limits to protect workers.**

For further information, contact:
Hywel Jarman, Director of Communications, International Lead Association.

Email: jarman@ila-lead.org,
Tel: +44 (0)20 7833 8090

About the Lead REACH Consortium

The Lead REACH Consortium represents more than 90 legal entities involved in the mining, smelting, refining and recycling of lead, the manufacture of lead compounds, and the production of lead-based automotive and industrial batteries.

Managed by the International Lead Association (ILA), the Lead REACH Consortium advocates proportionate regulation which is based on sound science and is supportive of responsible, sustainable production and use of lead and its substances.

References

1 Lead and lead battery industries announce ambitious new targets to protect workers - 15 June 2017

http://eurobat.org/lead-and-lead-battery-industries-announce-ambitious-new-targets-protect-workers-15-june-2017

2 Restriction on the placing on the market of consumer articles containing Lead and its compounds

https://echa.europa.eu/previous-consultations-on-restriction-proposals/-/substance-rev/1896/term