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## Chemicals Strategy for Sustainability: Managing chemicals sustainably based on effective risk management that supports the EU Green Deal and Recovery

Metals and other inorganics make up for among the highest volume of registered chemicals used in Europe every year. Non-ferrous metals enable numerous critical-path value chains required in Europe's green and digital transitions – including batteries, microelectronics, and renewable energy technologies – and are permanent materials which can be recycled over and over again with, therefore, a central role in the Circular Economy.

The ability of Europe to continue producing and safely using these – sometimes hazardous – substances within its borders is key to delivering on the EU's 2050 climate neutrality ambition and circular economy goals.

Eurometaux, the voice of the collective European non-ferrous metals industry, strongly believes that the Chemicals Strategy for Sustainability should introduce a **Sustainable Chemicals Management approach** that reinforces Green Deal value chain partnerships by:

- (1) bringing together industry and regulators to further understand and minimise the exposure to hazardous substances throughout their lifecycle, and
- (2) introducing an integrated approach to risk management that selects the most effective, proportionate, and sustainable measures for chemicals management, climate and circularity, combined, strengthening each other.

Non-ferrous metals are found naturally with their unique chemical and physical properties, and are fundamental components of the many clean and low-carbon energy technologies, from cobalt/nickel/lead in batteries to silver/silicon in solar panels, copper/zinc/lead in wind turbine cables, aluminium in energy efficient buildings, and many more metals and alloys containing them. There is no doubt these – sometimes hazardous – chemicals are essential to achieve the overarching sustainability objectives of the European Green Deal.

Indeed, both the World Bank<sup>i</sup> and the International Energy Agency<sup>ii</sup> concluded that significantly higher volumes of non-ferrous metals will be required over the next three decades to enable the clean energy transition. Europe's "Next Generation EU" COVID19 recovery plan aims to establish "open strategic autonomy" for these materials, through advancing Europe's recycling capabilities and boosting primary supply within a continued global approach.

The upcoming Chemicals Strategy for Sustainability represents a key opportunity to achieve the objectives of "open strategic autonomy" of the Green Deal and of the post-COVID19 Green Recovery, by fostering the sustainable, safe and competitive European production, use and recycling of



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substances essential for clean energy technologies, while controlling exposure from their hazardous properties throughout the substance's lifecycle.

To harness this opportunity, Eurometaux recommends introducing a **Sustainable Chemicals Management approach** based on two pillars:

### 1. Bringing together regulators and industry to better understand and minimise exposure to hazardous substances throughout their lifecycle

REACH and other chemicals legislation have created a knowledge base on which we need to build in order to address the concerns of society while allowing industry to shape the strategic value chains for the future.

Building on the success of the Metals and Inorganics Sectoral Approach (MISA)<sup>iii</sup> with ECHA, Eurometaux believes continued and reinforced value chain partnerships between industry, authorities and stakeholders should seek to:

- *Support a one substance – one hazard assessment (OSOA) approach that increases efficiency, transparency, and predictability of assessments.* Using **one** hazard dataset using a common, appropriate, and accessible template will increase the coherence between different regulatory processes and avoid duplication of efforts. Consistency of hazard conclusions based on the same dataset, using transparent methodologies, is a first key step to ensure coherence across pieces of legislation and achieve their protection goals. In our view, a workable OSOA requires coordination across authorities supported by clear governance to guarantee enough expertise, resources and stakeholder participation. We propose to start applying OSOA in a stepwise way, starting with hazard data accessibility and harmonisation of methodologies, then evaluating the learnings of this first step. The following step, risk assessment, depends on exposures/emissions patterns and operational conditions, and may thus be better addressed in a use-specific context. Finally, risk management requires to explore several options to control risk and running an RMOA is the best solution to appropriately consider all pieces of legislation, competences, and use scenarios.
- *Increase our collection of data on emissions and exposure* to fully understand along the whole lifecycle of substances, materials and products where exposure/risk could occur and how we can minimise both efficiently.
- *Improve supply chain communication* to collect and make accessible relevant data in order to support adequate risk assessment and the selection of efficient regulatory measures.
- *Ensure that specificities of metals impacting risk assessment/management are taken into account*, e.g. when proposing grouping and defining regulatory approaches to tackle combined toxicity and endocrine disruptors.



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## 2. Introducing an integrated approach to risk management that selects the most effective and sustainable measures for chemicals management, climate and circularity

Building upon consistent hazard data and an increased knowledge of exposure throughout the value chains where metals play an essential role, the key to ensuring Sustainable Chemicals Management are improvements to existing legislation regarding risk management.

The following will enable metals to play their full and indispensable role in delivering on the climate neutrality ambition of the European Green Deal alongside its circular economy goals:

- *Call for strengthening the RMOA concept:* This can be done by further promoting and increasing the recognition of the value of the concept to ensure consistency and an EU level playing field, but also by improving transparency and consultation for RMOAs conducted by Member States in order to allow industry to be prepared, gather and provide the right set of data, therefore improving overall regulatory efficiency. We see also a clear added value to use the RMOA thinking to support the implementation of OSOA.
- *Integrate the wider sustainability impact* (e.g. climate, circularity) in the selection of risk management measures, taking into account the entire life cycle of products.
- *Select risk management measures based on efficiency and efficacy*, also including the possibility a retrospective evaluation.
- *Address “substances of concern”<sup>iv</sup> using the right tools:* To efficiently address “substances of concerns”, tools like OSOA, generic risk assessment approaches, CLP classifications, risk management systems – such as REACH Authorisations and Restrictions – should be further refined to consider the specificities of the metal productions, uses, and recycling.<sup>v</sup>
- *Ensure that the scope of risk management measures, including REACH Authorisations, is based on uses and the technical functionality of substances.*
- *Strengthening enforcement* to ensure compliance of products with EU chemicals legislation and consequently enhance appropriate safe end-of-life and recycling.

To achieve this, we stand ready to work in partnership with the European Commission, the supply chain and relevant stakeholders to identify key strategic value chains to meet the goals of the European Green Deal, the Industrial Strategy, and the Green Recovery. We would then identify which chemicals are used in these supply chains (and why they are used), further enhance our understanding of exposure/emissions through the whole life cycle, and suggest value chain approaches to minimise exposure to the safest levels.

We have more detailed actions and solutions available for some of the issues mentioned above and would be very pleased to further discuss these with the European Commission.



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For further information:

**Violaine Verougstraete**

Chemicals Management Director

verougstraete@eurometaux.be

Tel: +32 2 775 63 27

**Noam El Mrabet**

Chemicals Management Manager

noam@eurometaux.be

Tel: +32 2 775 63 84

<sup>i</sup> World Bank, 12 May 2020, *Minerals for Climate Action: The Mineral Intensity of the Clean Energy Transition*  
<https://www.worldbank.org/en/topic/extractiveindustries/brief/climate-smart-mining-minerals-for-climate-action>

<sup>ii</sup> International Energy Agency, 6 May 2020, *Clean energy progress after the Covid-19 crisis will need reliable supplies of critical minerals*  
<https://www.iea.org/articles/clean-energy-progress-after-the-covid-19-crisis-will-need-reliable-supplies-of-critical-minerals>

<sup>iii</sup> For more information: <https://echa.europa.eu/misa>

<sup>iv</sup> As per the new Circular Economy Action Plan, “substances of concern” have been identified as being of very high concern under REACH and CLP, and other relevant substances, in particular those with chronic effects, and substances posing technical problems for recovery.

<sup>v</sup> Specificities include for instance the need for recycled metals to meet the same quality and purity as primary metals, or the bioavailability of metal ions in complex materials.

