



EEB brief comment on the stakeholder consultation process on the review of the 2015 targets on reuse, recovery and recycling of end-of-life vehicles in Directive 2000/53/EC and the final report of 4 November 2005.

15 November 2005

The EEB was the only environmental NGO representative involved in the *stakeholder consultation process on the review of the 2015 targets on reuse, recovery and recycling of ELV* that resulted in the final stakeholder consultation final report, dated 4 November. We would like to offer some brief comments on the report and the process to the members of the TAC before their discussion of the report.

1) we would like to stress that we were NOT ABLE to ensure that the EEB comments and arguments were sufficiently considered in the stakeholder consultation and thus reflected in the background documents (in particular the slides describing the “Current EU 2015 Recycling and Resource Recovery Targets and Potential Alternatives” linked to page 26 of the stakeholder consultation final report). The data synthesis and the comments made still do not reflect most of the EEBs critical input into the process. Thus we conclude the report, and in particular the General Conclusions represent a fundamentally one sided perspective, in our opinion, predominantly that of the car industry.

2) the EEB is convinced that the data and the synthesis of data made during the consultation fails to substantiate the policy recommendations made concerning the adjustment of the 2015 reuse and recycling targets. The General Conclusions given on pages 35 and 36 of the final stakeholder consultation report contain some fundamentally misleading elements, for example:

a) **Adjusting the reuse and recycling targets to 80 % in 2015 (bullet 9) or repealing them totally (bullet 12) is not justified using properly substantiated environmental evidence.** The summarised compared effects of the ‘alternative’ scenarios presented (table on slide 9 of the file linked to page 26 of the report) do not admit that the underlying ‘assessments’ are based more or less in a large part on assumptions. **There is therefore no evidence provided that the adjusted targets can be assumed to deliver a similar or better level of environmental performance compared to the existing 2015 targets** despite the claims in the background slides. We also note that the dismissal of the targets as ‘unrealistically high’ does not reflect, among others, the information (stated in this same report p15) that the reuse and recycling levels of the Dutch system ARN is already achieving levels of reuse and recycling of 83,4 %.

b) The underlying information has a **static approach** to the **future availability** of (material) recycling and (energy) recovery technologies and markets for their products. Concerning the predicted future availability of both technologies and markets there were no transparent estimations and projections made and assessed of their potential evolution up to 2015 during the consultation process. So the General Conclusions reports insufficient availability of post-shredder treatment as well as non-developed markets for post shredder residues (bullets 7,8) on the one hand and on the other urging to reduce recycling targets because of missing

markets despite no estimations or analysis for future evolution of capacities and markets actually having been assessed. At the same time we note that it is not recognised that post shredder technologies can potentially deliver both material recycling as well as (energy) recovery eg the VW SiCon process.

c) The **policy conclusions show a fatalistic circular argumentation**. As far as we are aware the main issue for recyclates remains the availability of sufficient supplies. The 2015 targets are based on the approach that, *inter alia*, recycling targets will help create critical mass (ie minimum supply of marketable quantities of recyclate) that will allow a recyclate market to establish itself and thus lead to de-facto recycling. The approach advocated by the report suggests that if there is insufficient critical demand today, that making such critical mass available via targets will not change anything, so the targets should be in effect simply adjusted to the existing demand. We do not believe this to be a correct or useful approach. Furthermore, we are not convinced that the figures used for the economics of recycling have been updated to current day oil and plastic prices.

d) There is an **underlying assumption that post shredder energy recovery is a more flexible** (see bullet point 12) and 'available' treatment pathway. However this does not take account of various factors, including for example – a) that the energy recovery 'capacity' is limited to a certain extent, existing capacities may simply shift from current use of residues to automobile residues leaving the waste problem of the substituted residues unsolved elsewhere, or b) the possibility that the requirements of the energy recovery clients of the residues could also change (especially concerning hazardous substance controls) and that the post shredder technologies may not be able to accompany these changing demands.

In conclusion the EEB would like to emphasise that as far as we can observe, no conclusive and well substantiated case – environmental, technical or economical - has been made in the stakeholder consultation process and final report to amend the 2015 targets in Directive 2000/53/EC.

We would like to recognise however that the lack of future projections behind the syntheses presented during the working groups is maybe not surprising as National authorities have not yet implemented the 2006 targets and subsequently reported on their achievements and thus much of the data that could be used as a basis for projection is still uncertain. It would seem sensible, at the very least, to **first allow for the implementation of the 2006 objectives**, the collection of the subsequent reports and experience and, on the basis of the National Authorities preliminary strategic planning for achieving the 2015 targets, attempt to make transparent projections and an assessment of the likelihood of achieving these objectives.

The consultation process has however generated useful insights and information of the potential barriers to achieving the objectives of the Directive – in particular the elements identified on pages 8 and 9 of the final stakeholder consultation report regarding inefficient capture and, elsewhere in the report, the importance of the lack of harmonisation in definitions (such as the definition of recycling) on the feasibility of harmonised implementation.

END