"8th Adaptation to scientific and technical progress of exemptions 2(c), 3 and 5 of Annex II to Directive 2000/53/EC (ELV) "

To: Öko-Institut e.V. – Institute for Applied Ecology,
Via Email: elv@oeko.de

CC: DG ENV: Ms Artemis Hatzi-Hull, Mr Julio Garcia Burgues, Ms Karolina D'Cunha

DG ENT: Mr Philippe Jean, Mr Nickolas Kakizis

Submission of ACEA, CLEPA, JAMA, KAMA et al. representing the affected automotive industry including the supply chain to the stakeholder consultation of 10th December 2014.

Foreword

This document provides the consolidated stakeholder submissions of the automotive industry associations ACEA, CLEPA, JAMA, KAMA, and associated industrial stakeholders to the "8. Adaptation to scientific and technical progress of exemptions 2(c), 3 and 5 of Annex II to Directive 2000/53/EC (ELV)". In the entry specific submissions the names of the participating associations are listed separately. The extension of exemptions 2c, 3, and 5 without expiry date and extending the exemption review time from four years to eight years is additionally supported by USCAR[1].

The consultation was announced on 24 September 2014 and concludes on 17 December 2014 and addresses the following entries (exemptions) to be reviewed:

Under category Lead as an alloying element

2(c) „Aluminium with a lead content up to 0.4 % by weight"
3 „Copper alloy containing up to 4% lead by weight "

Under category Lead and Lead compounds in components

5 „Batteries"

Introduction

The automobile industry actively supports environmental policy efforts to design products free of hazardous substances and as environmentally sound as possible. All car manufacturers and actors in the supply chain have set up internal goals and environmental guidelines relating to products as well as production processes.

The automotive industry and their associations accept their product responsibility in full, but emphasize the need for proportionate actions or initiatives. The represented industry stakeholders agree upon the minimization of negative environmental impacts during all phases of a vehicle life. In order to reach this common goal to manufacture, market, operate service and recover products with the lowest possible impact on environment or human health. The exact environmental impact, the relevance of certain substances and their technical and economic implications need to be understood prior mandating substance restrictions.

[1] http://www.uscar.org

As self-responsible partners of the manufacturers, the suppliers are affected in a special way, having to deal with their global supply chain, sometimes down to the raw material basis.

Achieved progress in heavy metals reduction

The automotive industry has been continuously reducing the amount of lead necessary for the production of vehicles since the year 2000. Two detailed studies mandated by the automotive industry have been conducted and confirm the achieved progress. The OEKO institute study from 2009 considered the reduction in lifetime related emissions in a cradle to grave scope. The recently finished study of ERA technologies scrutinized the achieved reductions per vehicle and concludes that – battery excluded because of being used in closed loop - the intentional use of lead per vehicle is now below the overall average background level of the raw materials used therein. Based on the fact that the potentials for lead reduction have been realized, any further measures with real benefits for environment are missing in our opinion.

Further comments to stakeholder contribution

The enclosed entry specific contributions reflect the work of our industry expert groups since 2010.With high effort we took the challenges addressed to our industry within the consultant report from 2010.

Where possible and necessary our search for lead-free alternative metal alloys was supported by external expertise but without public funding over the last few years. Certain R&D projects for batteries and copper alloys take benefit in parts from public funding.

Our working groups are supported by well-educated and excellent experts with external acknowledged expertise in the vehicle and material producing industry.

For all entries the following data for vehicles registered in EU 27 and the year 2013 were used as basis for quantity calculations[2]:

11,856,693 Passenger Cars (M1) and
1,435,319 light commercial vehicles (N1).

As communicated in previous stakeholder contributions, the development period for implementation of lab validated solutions into production is still 3 to 6 years if no failures occur. The average model cycle is typically around 8 years.

We would like to emphasize that vehicles and their components have to face harsh ambient conditions in Europe. Ambient temperatures from - 40 up to 50 °C outside and interior temperatures to above 100 °C have to be tolerated and operating temperatures e.g. of some engine components may exceed 800 °C. Components e.g. like electronic control units have to be robust against vibrations and acceleration figures above 70 g_0. During vehicle use all components undergo long termed high levels of mechanical and thermo-mechanical stress and dynamic load conditions. This is valid not only for a short period but over a use period of ten to fifteen years and sometimes longer. That is one of the reasons why development and validation of new components require such long development periods. This ensures that safety and reliability demands are fulfilled.

[2] http://www.acea.be/statistics/tag/category/by-country-registrations last assessed 28/10/2014

Furthermore, the continued improvement of the overall environmental performance of vehicles and their production processes requires that we also assess the environmental performance of substitute materials in order to allow long lasting decisions for optimised materials in each application.

The entire industry, however, needs a reliable planning basis for these substitute materials for at least one development cycle of a vehicle. This needs to be considered in any future phase out recommendation, plans and EU Commission decisions.

Attached you will find the submissions with technical justifications compiled by expertise of the entire automotive industry (together with the copper, lead, aluminum and battery producers and their organizations) regarding lead in copper and aluminum materials and lead in batteries, based on the current knowledge.

We ask to recommend a succeeding consultation or review not before a time period of eight years to reflect developments of one product cycle and to enable current research efforts to find their way in a future production.

The automotive industry would also like to remind all decision makers in this subject that the still ongoing economic downturn in many European countries is massively impacting our industry in particular.

The entire automotive industry would welcome the opportunity to continue open discussions with the Commission and the consultants during the assessment process of the consultation and is willing to answer to further possible questions on the subject.

We would like to ask you, to address your requests for further information to the listed contact partner below in written procedure and always to send a copy to the below listed associations representatives.

In conclusion, the automotive industry requests the extension of the exemptions as specified in the attached documents and to schedule a follow up assessment of granted exemptions not before a period of eight year.

Best regards,

Dr. Tobias Bahr, Reinhard S. Hoock

On behalf of the Joint Industry Associations and the associated industry stakeholders

Enclosures:

Submission for entry 2c (MIMITECH-Study will be sent separately**)**

Submission for entry 3 (21 files: main document (1 file), Statement JAMA & JAPIA (1 file), 19 source documents – divided into 2 emails due to file size)

Submission for entry 5 (main document, including referencing links to public available documents which are part of our contribution; on request ACEA can provide the documents separately)

Contact details of the representatives of the associations

Main contact – Dr. Tobias Bahr, ACEA, European Automobile Manufacturers Association, tb@acea.be, T +32 2 738 73 41

Please copy always in cc the following persons:

Louis-Sylvain Ayral, CLEPA, the European Association of Automotive Suppliers, Techsec@clepa.be, +32 2 743 91 31

Serge Verdee, JAMA Europe, Japan Automobile Manufacturers Association, tca@jama-e.be, T +32 2 639 14 30

Bernd Degen, Hyundai on behalf of KAMA, Korea Automobile Manufacturers Association, bdegen@hyundai-europe.com, T +49 6142-7899-640

Reinhard Hoock, Coordinator of joint associations industry expert working groups, Reinhard.Hoock@bmw.de, T +49 89 382 12254

Associations[3] **(**Registration ID number listed in EU transparency register can be found below)

The European Automobile Manufacturers Association (ACEA) Association des Constructeurs Européens d'Automobiles

Founded in 1991, ACEA represents the interests of the fifteen European car, truck and bus manufacturers at EU level. Its membership consists of the major international automobile companies, working together in an active association to ensure effective communication and negotiation with legislative, commercial, technical, consumer, environmental and other interests. ACEA is also linked to national Associations of the Automotive Industry.

Japan Automobile Manufacturers Association, Inc. European Office (JAMA)

JAMA is a non-profit industry association which comprises Japan's fourteen manufacturers of passenger cars, trucks, buses and motorcycles. JAMA works to support the sound development of Japan's automobile industry and to contribute to social and economic welfare.

Korea Automobile Manufacturers Association (KAMA)

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The associations are registered at the EU Transparency register as follows:

European Automobile Manufacturers Association (ACEA) Identification No. 0649790813-47

European Association of Automotive Suppliers (CLEPA) Identification No. 91408765797-03

Japan Automobile Manufacturers Association, Inc. (JAMA) Identification No. 47288759638-75

Korea Automobile Manufacturers Association (KAMA) Identification No. 438549614851-54

Association of European Automotive and Industrial Battery Manufacturers (EUROBAT) ID. No. 39573492614-61

International Lead Association (ILA) Identification No. 311414214793-82

European Copper Institute (ECI) Identification No. 04134171823-87

European Aluminium Association (EAA) Identification No. 9224280267-20

KAMA is a non-profit organization, representing the interests of automakers in Korea. KAMA is also dedicated to the sound growth of the automobile industry and the development of the national economy.

CLEPA

CLEPA represents the world's most prominent suppliers which have plants in all 28 EU member states. CLEPA's aim is to promote, in Europe and internationally, the general interests of the motor equipment and parts industry. by: supporting the EU decision making process and legislation affecting the automotive business; coordinating views and opinions regarding all the challenges facing the industry, both in the technical and the economic fields;

EUROBAT, the Association of European Automotive and Industrial Battery Manufacturers, acts as a unified voice in promoting the interests of the European automotive, industrial and special battery industries of all battery chemistries. With over 40 members comprising over 90% of the automotive and industrial battery industry in Europe, EUROBAT also works with stakeholders to help develop a vision of future battery solutions to issues of public interest in areas like e-Mobility and renewable energy storage.

International Lead Association (ILA)

The ILA is a membership body that supports companies involved in the mining, smelting, refining and recycling of lead. The ILA represents the producers of about 3 million tons of lead and almost two thirds of lead production in the western world. ILA’s work has a broad focus, covering all aspects of the industry’s safe production, use and recycling of lead.

EUROBAT

EUROBAT acts as a unified voice in promoting the interests of the European automotive, industrial and special battery industries to the EU institutions, national governments, customers and the media. With 47 members from across the continent comprising more than 90% of the battery industry in Europe, EUROBAT works with stakeholders to help develop new battery solutions to issues of common concern in areas like e-mobility and renewable energy storage.

European Copper Institute (ECI)

The European Copper Institute is a joint venture between the world's leading mining companies, custom smelters and semi-fabricators (represented by the International Copper Association, Ltd.) and the European Copper Industry. The European Copper Institute is part of an international network of industry associations - funded by the copper industry - whose common mission is to defend and grow markets for copper, based on its superior technical performance and contribution to a higher quality of life. This network is unified by a common brand and visual identity: Copper Alliance.

European Aluminium Association

The European Aluminium Association (EAA), founded in 1981, represents the whole value chain of the aluminium industry in Europe. We actively engage with decision-makers and the wider stakeholder community to promote the outstanding properties of aluminium, secure growth and optimise the contribution our metal can make to meeting Europe’s sustainability challenges. Through environmental and technical expertise, economic and statistical analysis, scientific research, education and sharing of best practices, public affairs and communication activities, EAA promotes the use of aluminium as a permanent material that is part of the solution to achieving sustainable goals.

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