

Stakeholder consultation on renewal of Exemptions 2(c), 3 and 5 of Annex II to Directive 2000/53/EC (ELV)

1 Introduction

EU Directive 2000/53/EC¹ on end-life-vehicles ("ELV" Directive hereafter referred to as "the Directive") bans the use of certain substances in vehicles. The Directive is updated according to scientific and technical progress. To date, Annex II to the Directive has been adapted six times (in 2002, 2005, 2008, 2010, 2011 and 2013), with a seventh adaptation underway in 2014. Directive 2000/53/EC is available under: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32000L0053>.

The European Commission has appointed the Oeko-Institut, within a framework contract², for the review of exemptions in Annex II of Directive 2000/53/EC (ELV Directive). The aim of this project is to evaluate whether, in light of scientific and technical progress, the above mentioned exemptions are still necessary and whether their continuation is still be justified according to Art. (4)(2)(b)(ii) of the ELV Directive.

This consultation is run by Oeko-Institut on behalf of the European Commission, with the purpose to collect stakeholder contributions, under: <http://elv.exemptions.oeko.info/index.php?id=58>. Please note that the role of Oeko-Institut is only to collect and evaluate the information provided by stakeholders with a goal to provide the Commission with a recommendation on an exemption's justification. Any decision making, however, is the sole responsibility of EU institutions.

Neither the fact that a stakeholder consultation is being launched, nor the results of this stakeholder consultation should be interpreted as a political or legal signal that the Commission intends to take a given action.

¹ OJ L 269, 21.10.2000, p. 34.

² Contract is implemented through Framework Contract No. ENV.C.2/FRA/2011/0020 led by Eunomia

2 Consultation scope

The scope of the current consultation concerns the renewal of 3 exemptions listed in Annex II of the ELV Directive, as shown in the table below.

Oeko-Institut – on behalf of the European Commission – have published the exemption formulations as they appear in Annex II.

Table 1: ELV exemptions covered by this stakeholder consultation

No.	Current wording
2(c)	Aluminium with a lead content up to 0.4 % by weight
3	Copper alloy containing up to 4 % lead by weight
5	Lead and lead compounds in Batteries

3 How to submit a stakeholder contribution

The following general guidelines should be taken into account:

- Refer to the exemption requests listed in Table 1 and have a clear reference as to the exemption number.
- Take the **questionnaires** on the exemption requests into account (see the sections for each request at:
 - <http://elv.exemptions.oeko.info/index.php?id=59>,
 - <http://elv.exemptions.oeko.info/index.php?id=60> and
 - <http://elv.exemptions.oeko.info/index.php?id=61>).
- Clearly state whether the exemption requests are supported or whether no justification is seen. To support your contribution, **relevant technical and scientific evidence must be provided** in accordance with the criteria listed in Article 4(2)(b). Explain the reasons why potential alternative materials, designs or processes are unsuitable with quantitative data wherever possible. If possible, **provide photographs or diagrams** to illustrate claims. Provision of third party data and information may be beneficial to further support your view. **Sources of information** should be referenced where possible.
- Provide your input to the consultation as early as possible in order to allow other stakeholders to comment.
- Exemptions to the ELV Directive cannot be justified on the basis of confidential information. Should you wish such information to be used as a justification for an exemption, you need to give explicit agreement to the Commission and the project team to disclose the relevant information on their website.

- Nevertheless, comments shall be clearly marked “**NOT FOR PUBLICATION**” if they are not to be posted as comments on the consultation website. Please also refrain from submitting confidential and non-confidential information mixed in one document!
- Please refrain from submitting several identical comments in order to support a position / comment. It is more useful and efficient to include a cover letter stating that a submission is supported by several parties.
- Submit **compact and comprehensive information** instead of very large and extensive documentation. It will facilitate formulating the need for further information.
- It shall be noted that generic comments, statements, position papers and any additional request for exemptions will not be taken into account.
- **Do not submit new exemption requests.** New exemption requests as well as questions or remarks concerning results of former evaluations have to be addressed to the European Commission directly.
- Please be aware that it might be necessary to give a negative recommendation if important information is missing.
- Always include **your contact details** (or of the person responsible for further contact with name, organisation, email and phone number). The evaluation procedure will normally lead to further questions which we need to address to you directly.
- If you submit documents in **PDF-formats**, please make sure that text can be marked and copied selectively from these documents in order to avoid retyping (which is a possible source of mistakes) when summarising your arguments for the review report.

Interested parties are invited to send their comments by e-mail, at the latest on **17 December 2014**, to elv@oeko.de or by post to:

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Responses submitted electronically will be posted on this web site as they are received, unless respondents specifically request that their contribution should not be published. In the latter case, responses should be clearly and visibly marked with the words “**Not for publication**”.