



EASE Reply to the European Commission's Public Consultation – Batteries Regulation Proposal

March 2021



INTRODUCTION

The Commission proposed a new Batteries Regulation (with Annexes) on 10 December 2020. This Regulation aims to ensure that batteries placed in the EU market are sustainable and safe throughout their entire life cycle.

EU law aims to minimise batteries' harmful effects on the environment. The rules cover their full life cycle, from design & production to reuse & recycling.

In line with the Green Deal and other sustainability-related policies, this initiative would update EU rules to ensure:

- all batteries are produced sustainably (i.e. with low resource consumption and little waste generated) and can be easily recycled
- any batteries used in the growing market for electric vehicles are sustainable

The Commission opened a feedback period on modernising the legislation for Batteries.

EASE is preparing a reply to this consultation to further improve the Batteries Regulation in a way that is favourable to the energy storage sector.



Public Consultation

Give your feedback on: EU Battery regulation framework – Maximum 4000 Characters

EASE welcomes the proposal for the Batteries Regulation: although several criticalities are present, it is a step forward to tackle several of the barriers that currently hinder the battery market.

First, EASE would like to underline that the current **classifications and definitions**, especially in the context of stationary storage, may need further clarification. For example, there seems to be a weight limit of 5 kg to differentiate portable from industrial batteries. EASE suggests a clear note and further details as several industrial batteries can be well below 5 kg

The **carbon footprint calculation** is a complex topic that needs appropriate discussion between policymakers and industry. It is hard to assess to what extent the Carbon Footprint calculation provisions will have a positive effect: without a proper methodology, it may be ineffective at delivering a correct picture of batteries environmental sustainability.

On the topic of **performance and durability**, EASE does not see the need to tackle the issue through a Regulation. The introduction of specific provisions through a regulation may hamper innovation and fragment knowledge. Specific customers have specific requests for specific battery solutions.

Another provision that may lead to negative consequences is mandatory minimum shares of **recovered material**. Such provision would *not* improve the efficient use of raw and recycled materials. Not only there would be considerable difficulties related to determining the percentages of materials coming from batteries vis-à-vis the share of newly produced materials; it would also make the recycling process more burdensome.

EASE welcomes the introduction of ambitious **recycling efficiency and collection targets**. Still, it may be important to underline some challenges for manufacturers: if materials are cheap, abundant and environmentally friendly, recycled batteries have no value and therefore recycling is a pure cost. This hinders competition and innovation. Policymakers should support the development of full recycling supply chains for different battery technologies.

EASE also welcomes provisions related to **repurposing of batteries /second life** – but would like to suggest that additional relevant data to realise a prognosis on its second-



life purpose, e.g. the chronic of first life utilisation is compulsory, may be needed. Regarding provisions on **critical raw materials**, such as due diligence, they are key to ensure environmental and social sustainability across the battery value chain.

The legislation would also require batteries to rely on a **battery management system**; but this is not needed for all battery technologies. The current proposal would lead to an unnecessary expenditure of materials and resources, leading to waste.

Regarding **labelling**, the Regulation proposal requires a significant amount of information, while also relying on different systems (QR Code, battery passport, printings). This appears to lead to overlapping. On the **battery passport**, the administrative burden required for batteries information seems to be excessive.

Unfortunately, EASE believes that the norms on **hazardous substances** in the proposed Batteries Regulation may overlap with the existing norms of the REACH Regulation. Hazardous substances should be regulated only in the latter piece of legislation.

Finally, for standards, it is paramount that **standardisation** organisations play a key role in their development. Importantly, EASE would like to highlight the persistence of a mismatch between the proposed regulation and the related Request for Standardisation.

To conclude, EASE believes creating a **level-playing field is key**. Some of the Proposal provisions go in this sense – e.g., the recognition that different types of batteries are needed. In other articles, vice versa, the focus seemed to lie on specific battery solutions, e.g. the ones currently leading the market, therefore not adopting a technology-neutral approach, with the risk of hampering innovation and competition.



About EASE

The European Association for Storage of Energy (EASE) is the voice of the energy storage community, actively promoting the use of energy storage in Europe and worldwide. It supports the deployment of energy storage as an indispensable instrument within the framework of the European energy and climate policy to deliver services to, and improve the flexibility of, the European energy system. EASE seeks to build a European platform for sharing and disseminating energy storage-related information and supports the transition towards a sustainable, flexible and stable energy system in Europe.

For more information please visit www.ease-storage.eu

Disclaimer

This response was elaborated by EASE and reflects a consolidated view of its members from an energy storage point of view. Individual EASE members may adopt different positions on certain topics from their corporate standpoint.

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