

## EuRIC comments - Low POP content limit value for decaBDE in plastic waste

Ahead of the Open-ended working group of the Basel Convention (September 2018), EuRIC - the European Recycling Industry's Confederation – is pleased to share the following comments on the low POP content limit value for decaBDE in waste.

### EuRIC strongly supports a low POP content limit value of 1000 mg/kg for decaBDE in waste.

This limit is practical, pragmatic and environmentally sound. It will appropriately:

- ✓ protect human health and environment while at the same time
- ✓ be enforceable by the recycling industry and effectively monitored by competent authorities and, whenever relevant, auditors.

For the following reasons:

- The REACH restriction<sup>1</sup> for decaBDE adopted in 2017 also has a limit of 1000mg/kg for decaBDE in articles. If 1000mg/kg is an adequate concentration in articles put on the market to protect human health and the environment, it must be equally fit for purpose to safely recycle plastic waste containing up to 1000mg/kg. For consistency reasons and to simplify the regulatory framework for recyclers, we would strongly favor an alignment of the low POP content limit value with the value set in the REACH Regulation. In addition, this would be fully in line with the need to streamline the interface between waste and chemicals, which is instrumental to move towards a more circular economy and provide legal certainty to recycling operators.

- The low POP content limit value of 1000 mg/kg of decaBDE in waste can realistically be implemented at industrial scale.

Plastics containing brominated flame retardants (BFRs) are sorted based on the bromine content. A certain number of EU Member States and the CENELEC standards for WEEE Treatment are based on the fact that plastics containing a concentration of bromine below 2000 mg/kg can be recycled without further sorting, while complying with the concentration limits for POP-BDEs already set in the legislation. The low POP content limit value of 1000 mg/kg would avoid a complete disruption of the activity of the recycling companies operating according to those rules.

Moreover, the existing analytical methods cannot be deemed reliable under a certain concentration limit, which would hence directly impact the enforceability of a lower limit than 1000 mg/kg. The ability to measure the concentration of decaBDE in plastics in an accurate and cost-effective manner absolutely needs to be taken into consideration when setting the low POP content limit value.

- The low POP content limit value of 1000 mg/kg of decaBDE in waste would allow to safeguard the European plastics recycling industry. Setting a lower concentration limit would inevitably:
  - Disrupt the activity of the too few companies that have heavily invested in the development of highly technical recycling processes for mixed plastics from electrical and electronic waste (WEEE) and end-of-life vehicles (ELV),
  - Divert streams currently properly recycled towards incineration or landfill, with far more negative cross-media effects,
  - Directly impact the ability to reach current and forthcoming recycling targets set by the European waste legislation.

*Through its Member Recycling Federations and Companies from 20 EU and EFTA countries, EuRIC represents today over:*

- ✓ 5,500+ companies generating an aggregated annual turnover of about 95 billion €, including large companies and SMEs, involved in the recycling and trade of various resource streams;
- ✓ 300,000 local jobs which cannot be outsourced to third EU countries;
- ✓ An average of 150 million tons of waste recycled per year (metals, paper, plastics, glass and beyond).

*Recyclers play a key role in a circular economy. By turning wastes into resources, recycling is the link which reintroduces recycled materials into the value chains again and again.*

<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1487145528686&uri=CELEX:32017R0227>