

Workshop DG Environment – BDI, 11 October 2018

10:30h - 15:00h

Room BU5 04/025

AGENDA

10h30 -11h00	Welcome and Introduction
	Daniel Calleja Crespo, Director General
	Holger Lösch, BDI

Welcome and Introduction

HL thanked DCC for this opportunity to explore in further details some of the activities of DG ENV that are important for BDI.

He indicated 3 main concepts that are key for BDI:

- Sustainable development must mean job creation
- BDI has doubts concerning the political feasibility of behaviour changes
- The need for technologies deployment at high scale

He also expressed the wish for more regular exchanges BDI/ENV like this one.

DCC brought to the attention of BDI the most important files that are occupying the scene at EU level and briefly elaborated on each of them:

- Brexit (upcoming EU Summit)
- MFF (cuts to CAP and Cohesion)
- Delivering on files before the EP election. ENV has 5 major initiatives in co-decision: SUP, Drinking Water, LIFE budget, Water re-use, Simplifying reporting and POPs. Sustainable finance (with recommendations from the Platform for Finance in support to CE) and SDGs (report by Dec 2018) are also two files where the COM is delivering.

11h00-11h30	Product Policy – the future of PEF
	[REDACTED], Policy Officers
	[REDACTED], Aurubis AG

Product Policy – the future of PEF

RD presented the main ideas that will feed into the last deliverable of the CEAP, namely the Sustainable Product Policy Framework. It will look into providing more coherence to existing product policy instruments (EU Ecolabel, GPP, Eco-design and Energy labelling directives, etc.) as well as presenting options for using the results of the PEF/OEF pilots. Public consultation upcoming, initiative foreseen for Feb 2019 together with the CE implementation report. IB provided few elements on PEF/OEF, highlighting how the "materiality approach" was guiding all the work: i.e. analysis of the impacts is at the core of the methodology.

KHP from Aurubis confirmed that the companies involved in the pilots have invested a lot of resources in the process. Although initially the idea of measuring all impacts with LCA appeared too complex, they acknowledge the good results. They confirmed that it is a good methodology to assess the impacts and therefore to plan future activities and position for a business. The element of comparison remains complex. In particular the weighting of some categories still presents challenges. They need clarity on the way forward and on the intention of the COM, hence they are eager to see what will be proposed in the PP initiative and in the PEF/OEF transition phase. BDI also questioned the impact of PEF/OEF at international level and the relations with ISOs and the difficulty to receive information along the value chain for activities that span beyond EU.

11h30 – 12h00	Review of the Water Framework Directive
	Bettina Doeser, Head of Unit
	██████████ Currenta GmbH & Co. OHG

BD presented the state of play in relation to the EU water legislation. Thanks to this legislation, there has been significant improvement in water quality in Europe, albeit a lot remains to be done. She provided the latest info concerning the Fitness check on Water Framework Directive, the Floods Directive and the evaluation on the Urban Waste Water Treatment Directive. We are currently gathering views on the Directives' performance to date as well as input in terms of the evidence base via a public consultation. As a follow up to this meeting, COM will provide the link to the public consultation.

BDI considers that main improvements to the WFD are to be found in the "good" chemicals. They also indicated that the chemical status of water in Germany is not good

12h00-12h30	Improvement of the BAT Procedures
	██████████ Policy Officer
	██████████ thyssenkrupp Steel Europe AG

BDI indicated that they were looking for improvements of the BAT procedures, namely to the process to include data, transparency and technology neutrality

IA explained that there is an on-going open discussion at the EU level about the technology neutrality. Also the review of the 2017 Report is planned for next year. For this, there is a need for an updated assessment and new data. The technical group is in charge of it.

BDI appreciate the process of the review. What they would wish is to have better, slim procedures. Also they see a need to regulate BAT procedure in industries of other countries

outside Europe as in Japan, China, the US, etc. to address/control industrial emissions at a global scale.

13h30-14h00	Interface between chemical, product and waste legislation
	██████████ Policy Officer
	██████████ Wirtschaftsvereinigung Stahl
14h00-14h15	Strategy Non-Toxic Environment
	██████████ Policy Officer
	██████████ Evonik Industries AG

JQ summarised the development of the Commission's work on the interface between chemicals, products and waste legislation, noting also the ongoing open public consultation. BDI raised concerns about the database that is currently being established as required under the recently amended Waste Framework Directive in order to collect information on substances of very high concern (SVHCs) in articles. BDI noted that no impact assessment had been performed regarding the database and that the tracking of SVHCs is very difficult in some cases (e.g. incidental contamination). In addition, BDI observed that the issue of incidental contamination would also have ramifications for the application of 'extended producer responsibility'. In relation to product design, BDI felt that more sophistication is needed in the EU. Regarding the registration exemption for recovered substances in Article 2(7)(d) of REACH, BDI noted that it will be important to ensure that recovered substances remain of a high quality.

UB provided a brief background to the non-toxic environment strategy of the EU 7th Environment Action Program, as well as a summary on the current state of play of preparations, including a comprehensive study. Further, a brief update on the state of play of some related policy processes including the 2018 REACH Review, the Fitness Check of chemicals legislation except REACH and the Chemicals-Products-Waste interface assessment was provided. BDI remarked that e.g. the Commissions REACH Review had concluded that the legislation largely works well and wondered what the Commission/DG ENV wants to achieve with a strategy. Further, BDI did not agree with a conclusion in the study on the need for further legislation in the chemicals area. UB replied that even though REACH and some other pieces of legislation represents a major improvement of chemicals management and has delivered on many aspects, there are still prevailing gaps and room for further improvement. Such improvement might include not first and only new legislation, but a range of measures including e.g. knowledge building, awareness raising, methodological development, measures to support substitution etc. Regarding legislation, it might involve improved implementation of current legislation and occasionally changes in annexes of guidance. Currently, new legislation is not the immediate priority, although could be considered in the longer perspective. One area that needs further considerations is chemicals in articles, where legislation is scattered and inconsistent and in some areas insufficient. BDI was of the opinion that use of chemicals in articles is addressed in REACH risk assessment regarding production in the EU, but agreed that imported articles are insufficiently managed. UB stressed that the great majority of at least consumer articles in the EU are actually imported from third countries.

14h15-14h45	Plastics Strategy/SUP	
	Team Leader,	Policy Officer
	Merck KGaA	

Plastics Strategy/SUP (exchange lasted less than 10 min – no real time to discuss)

PM/BG presented the latest interinstitutional development on the SUP. BDI indicated concern over the possibility to have what they considered an "Extended Extended Producer Responsibility" and wondered how far businesses need to be held responsible for consumers' behaviour. They also raised questions about the pledging campaign and expressed concern at the requested % for minimum recycled content proposed by EP. BG provided information as agreed with GROW and informed that we will need to assess first the results of the campaign before looking into what measures to propose. As for the aim to have by 2030 all packaging recyclable or recycled, BDI indicated that sometime it is more expensive to recycle and that options like waste-to-energy are more valuable. They are not in favour of changing the status-quo. PM reminded that waste-to-energy has a specific place in the waste hierarchy and that it should be respected. As for opportunity of investments in different waste management options, it is important to look at the cost for society (example of BE: 1 incinerator=5 hospitals).

BDI also wished to have more info on definitions regarding microplastics non-intentionally added and was wondering what will happen to microplastics from tyres, pellets, paints, etc. It was agreed that we will keep them posted on these issues.

14h45-15h00	Closing remarks

It was agreed that:

COM will provide BDI with the links to public consultation on Water, and Product Policy (when available), plus additional documents in relations to the different topics as identified in the discussions.

BDI sends COM their position papers on issues as discussed.

Both parties will consider to hold such an exchange more regularly (once a year), based on availabilities and topics.

Participants list

	Name	Verband/Unternehmen	Funktion
1.	██████████	Wirtschaftsvereinigung Stahl	Leiter Geschäftsfeld Politik u. Leiter Abt. Umwelt, Verkehr, Bildung
2.	██████████	RWE Power AG	Leiter Sparte Tagebauentwicklung
3.	██████████	BDI	Stellv. Abteilungsleiterin
4.	██████████ ██████	Aurubis AG	Leiterin Abt. Umweltschutz
5.	██████████	Merck KGaA	Senior Vice-President
6.	██████████	Evonik Industries AG	Senior Vice President
7.	██████████	BDI	Referent
8.	██████████	Opel Automobile GmbH	Director Government & Industry Relations Europe
9.	██████████	BDI	Stellv. Hauptgeschäftsführer
10.	██████████	Currenta GmbH & Co.OHG	Umweltpolitik
11.	██████████	Evonik Industries AG	Leiter Chemical Environment, Safety, Health, Quality
12.	██████████	thyssenkrupp Steel Europe AG	Leiter Umwelt- und Klimaschutz, Nachhaltigkeit