Comments on the proposed BEMPs for Electrical and Electronic Equipment

The EU Eco-Management and Audit Scheme (EMAS) is a management tool for companies and other organisations to evaluate, report and improve their environmental performance. To this end the JRC identifies, evaluates and documents best environmental management practices (BEMPs) for different sectors in close co-operation with the stakeholders concerned.

In view of the final drafting stage of the BEMPs on EEE manufacturing sector, which will feed the Sectoral Reference Documents, we would like to highlight some issues and remarks on the process and content of the proposed BEMPs following up the last stakeholder meeting.

We would like to stress that the very nature of the Sectoral Reference Documents on best environmental management practices should be process oriented, inspirational and not covered by current or emerging regulation. In this light, please find below specific comments related to individual proposed BEMPs:

BEMP 15- Increasing the content of recycled plastics in EEE

Certain existing technical and legal barriers would deserve to be included in the analysis of this BEMP.

From a technical point of view, it is not possible to physically differentiate recycled plastics from virgin plastics. No standard is available. Therefore, the evidence of the use of recycled plastics will have to be checked via written declarations from manufacturers or plastics suppliers. In some cases the use of recycled plastics is very difficult due to health and safety reasons, especially when considering products/materials that can enter into contact with food. Existing legislation, such as REACH or RoHS, may hamper the use of recycled plastics in certain cases.
Those two elements should be reflected in the analysis of the BEMP.

BEMP 16- Design for repair, refurbishment, reuse and recycling

This BEMP is new and therefore not assessed in the background report developed by Öko-Institute. Further analysis would be needed in our opinion. In addition, none of these criteria apply to the original proposed BEMP on “design for refurbishment, reuse and recycling.”

- This BEMP is product-oriented and does not adopt an organisational approach. Thus, the overall description of the BEMP, its example on batteries and the proposed indicators, are product and not process/organisational indicators. The example of a modulated phone as discussed during the stakeholder meeting is again product related and thus inappropriate for a BEMP focused on processes. In addition, this BEMP would promote a specific approach over another without an in-depth assessment of trade-offs.

- Under the recently published European Commission Standardisation Request M/534, CEN/CENELEC are already working on measurement standards focusing on non-energy aspects which will be used in the revised or future Ecodesign product regulations, which mainly cover all EEE products. Furthermore, the draft display ecodesign regulation is expected to already contain non-energy requirements.

A BEMP about design for refurbishment, reuse and recycling seems to overlap with these policy developments. Consequently, this BEMP seems superfluous.

- There are doubts that the BEMP is inspirational too. Manufacturers are legally required to repair equipment in the legal guarantee period (Directive 1999/44/EC). Procedures are in place and the necessary services to ensure the proper and safe repair of products are readily available on the market. Repair is part of brands after-sales strategies and a way for companies to compete to offer appropriate services to consumers. Additionally, new circular business models making use of the Internet of things (IoT) are already practiced in various shapes and forms.[1]

In addition, the proposed BEMP is very convoluted covering repair, refurbishment, reuse and recycling without considering trade-offs between these objectives. The chapters on economic driving forces lack substantiated conclusions. There is no clear basis for environmental indicators. For example, they do not take into account the current and future recycling technologies. Any BEMP should be technologically neutral and should not favour any business model or design strategy.

On the basis of the above considerations, we suggest stopping the BEMP on "design for refurbishment, reuse and recycling". Repair, refurbishment and reuse are already part of EEE business and currently being addressed by the existing policy developments mentioned above.

BEMPs 19 – improved sorting solutions for polymers from WEEE and BEMP 20 – Transportation of WEEE

BEMPs showcasing processes for recyclers are not appropriate in a guide addressing EEE manufacturers. The BEMPs risk to be elaborated without the relevant stakeholders and pass unnoticed by the sector that is to be inspired. Furthermore, on BEMP 20, it should be assessed if the standards EN 50625 series for collection, logistics and treatment of WEEE that are currently under development in CENELEC, are not already covering the transport of WEEE. If it was the case, the BEMP would be redundant. We encourage the JRC to have a closer look of the WEEELabex standards, already in place, as well as the EN standards currently developed to ensure consistency.

Finally, we would like to add that the existing ISO 14000 series of standards on environmental management systems (EMS) are internationally recognised and efficient tools. In this respect, EMAS and ISO standards should not intend to become competing systems.

[1] https://www.bitkom.org/Publikationen/2015/Sonstiges/Questions-and-Answers-ICT-Remanufacturing-in-the-European-B2B-market/20150817-BitkomRemanufacturingQA-and-best-practices.pdf

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http://www.ellenmacarthurfoundation.org/publications/intelligent-assets

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