

Open Letter – Call to remove obstacles for shipping battery black mass for intra-EU recycling under the last stages of the EU Waste Shipment Regulation trilogue negotiations

3rd November 2023

We, the undersigned European associations representing our members in the battery, their raw materials, battery recyclers and electromobility ecosystems, are calling on the legislators to address current barriers to the swift shipment of end-of-life Lithium-ion batteries and their intermediate waste streams, i.e black mass, under the last stages of trilogue negotiations for the EU Waste Shipment Regulation.

From the adoption of the EU Strategic Action Plan on Batteries in 2019 and the EU Batteries Regulation to the proposal for the Critical Raw Materials Regulation, the EU has paved the way for building a full battery and raw materials value chain, in particular by setting battery recycling and material recovery targets. This objective is critical to ensure that valuable battery materials stay in Europe and serve future products while making the continent less dependent on virgin material imports from the third countries.

Given the scarcity of critical raw materials used in net-zero technologies, we believe the EU should prioritise removing any barriers to the rapid and optimal recycling of Lithium-ion batteries and their intermediate waste streams within the Union in line with its objective to establish a true circular battery value chain.

Yet today, shipping end-of-life Lithium-ion batteries and their black mass within the EU is a cumbersome, lengthy and costly process that impedes true intra-EU competition for recycling services. The main reasons for this bottleneck are Member States' divergent interpretation of such batteries' waste codes as well as the unpredictable and rigid administrative procedures for receiving a green light to the shipment of battery black mass.

For the EU to start becoming resilient and competitive in the battery recycling, we need the EU policy-makers to harmonise the interpretation of waste batteries & battery black masses shipments across its territory and significantly simplify related shipment procedures, allowing for example for a fast track shipments to pre-consented facilities. Failing to do so will prevent the EU from meeting its own battery material recycling targets and addressing the high incoming volumes of end-of-life battery volumes expected by in the next decade.

We therefore call on you to add a new provision that would:

- **Secure an appropriate update of the EU List of Waste, with dedicated waste codes for lithium-ion batteries and their intermediate waste streams (“black masses”), including a hazardous waste classification for black masses**
- **Ensure that these codes are fully harmonised at EU level**
- **Define a simpler, faster and more predictable shipment procedure for such waste for recycling within the Union.**

Yours sincerely,

The co-signatories:

