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Navigating EU legislation on lead: The Battery Regulation and beyond

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Current key EU regulatory files for lead

EU Battery Regulation

EU ELV legislation

EU REACH Revision

EU Binding Occupational Exposure Limits

EU Industrial Emissions Directive

Details are being defined by implementing legislation

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Hazardous substance management
COM evaluation report (Art. 6) – restriction procedure (Art 86-88)

Carbon Footprint (Art. 7)
Methodology – Format – Classes – Market access

Recycled Content (Art. 8)
Methodology – Target re-assessment – Market access

Performance & Durability (Art. 10)
Methodology – Market access

BESS Safety (Art. 12)
Common specification

Labelling (Art. 13)
Harmonized specifications

Due Diligence Policies (Art. 47ff)
Application guideline – Substances – Risk categories

End-of-life Management (Art. 71ff)
Recycling efficiency – Material recovery – Equivalent conditions – Reuse & repurpose

Reporting (Art. 76)
Report to Commission

Battery Passport (Art. 77)
Format - Update content – Access level criteria

Plus... Extended Producer Responsibility (Article 61)

- **New Member State waste battery rules apply from 18 Aug 2025**
- **Costs of collection & recycling infrastructure applied to “producer”**
- **Enhanced Producer Responsibility Organisations (PRO) rules in many EU countries**

Timeline

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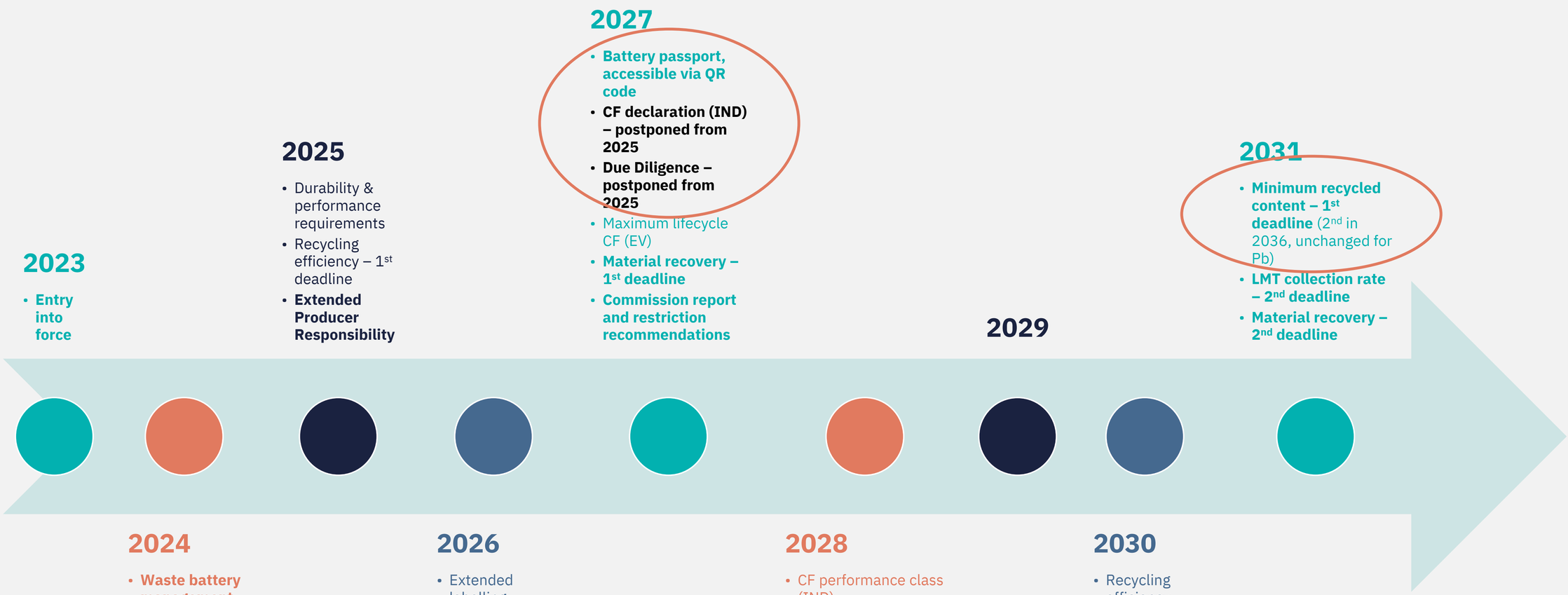
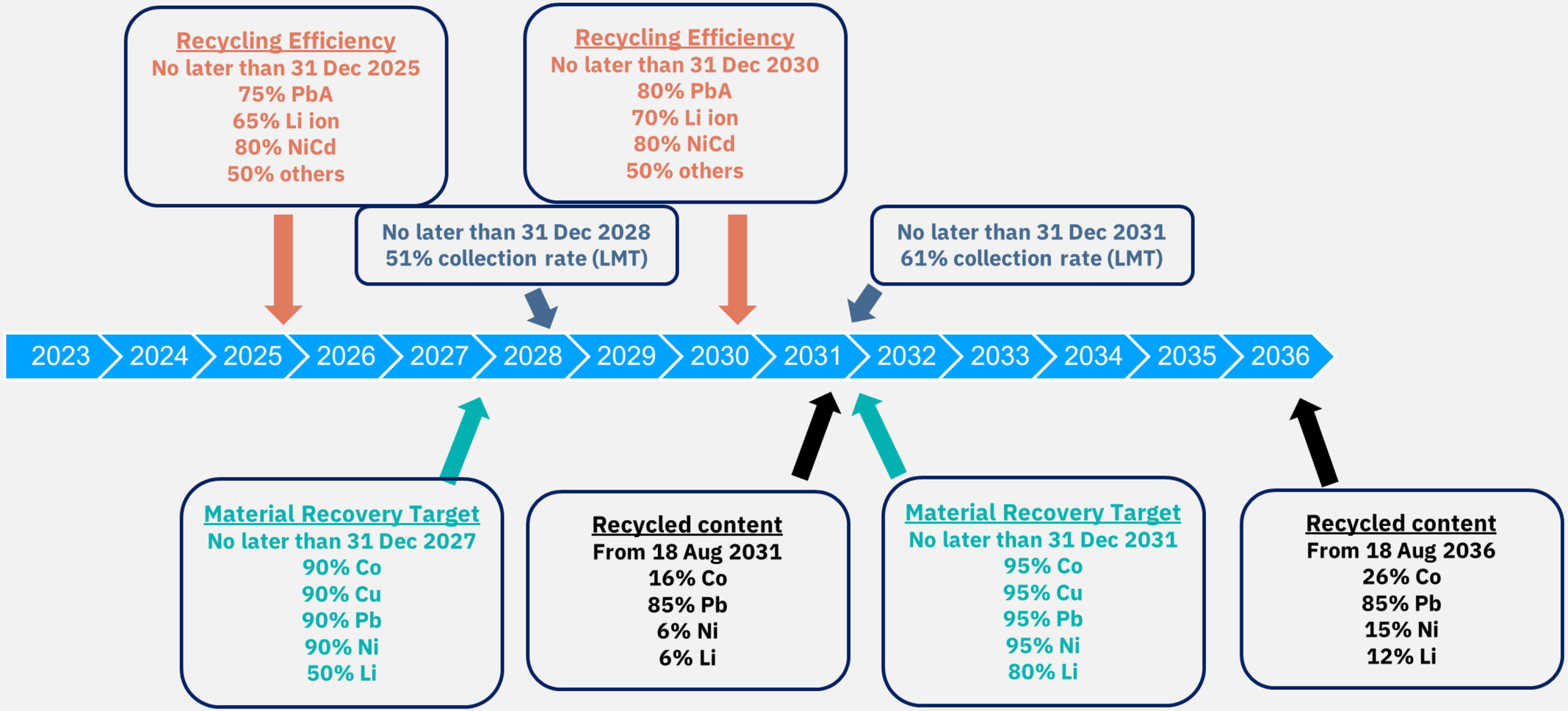


Key legal requirements for collection, recycling efficiency, and recycled content



Extended Producer Responsibility (EPR)

Applies from 18 Aug!

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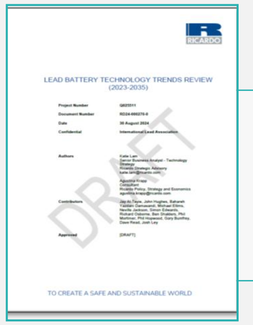
- Producers or, where appointed, appointed Responsibility Organisations (PRO) are:
  - **Responsible** for ensuring the collection, treatment, and recycling of their waste batteries
  - **Required** to take back SLI, EV and industrial batteries free of charge and without obligation
- **Implementation varies** across EU Member States
  - Situation in some Member States more advanced than others
  - Different PROs for different batteries…?
  - Some EU Member States mandate the use of PROs
  - Draft act available in DE but stalled due to elections
  - Legal act published in France – but implementation might be delayed till Jan 2026
    - *Mandatory to use PRO, must meet recycling targets, 1500km radius limit for waste battery management*

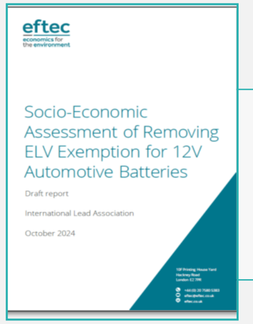
  --> Uncertainty for many on practicalities and cost implications, non-uniformity across the EU
- **Key message**: There is still time to engage with authorities in most Member States to ensure new processes do not create additional bureaucracy or limit opportunities for companies currently engaged in collection and recycling of lead-based batteries

End-of-Life Vehicles Directive

- ELV Directive review of Exemption 5(b) on lead batteries scheduled for 2025
- Uncertainty as to whether the review will proceed or be postponed and included in wider Battery Regulation substance restriction activities
- ELV Directive to be repealed and replaced by **new vehicle circularity Regulation Q1 2026**
- Three new Industry reports published to support arguments to continue exemption



Automotive technology trends



Socio-economic assessment

Contribution of lead to battery raw material demand

Revision of the EU REACH Regulation: Simplifying – but for whom?

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- Commission aim: **Modernisation, strengthening enforcement, simplification, revision of info requirements**
- Anticipated timeline: **Adoption by Commission Q4 2025, published in EU law in H1 2026**
- Some of the draft proposals / changes relevant to Pb:

REACH Registration process

- **Increased information requirements**, including for metals, e.g. endocrine disruption
- **10-year REACH Registration validity**: ECHA may revoke if not updated in that time or are non-compliant
- Introduction of a **Mixture Assessment Factor (MAF)** to account for combined chemical exposure

REACH Authorisation and Restriction processes

- **Reduce the** number of applications for industrial and/or individual REACH Authorisations
- **Upfront analysis of regulatory options**
- Amended role of **candidate list: tool to prioritise regulatory action in general**, not just for REACH Authorisation
- Changes to **prioritisation criteria**
- Possibility for Commission to **include / exclude uses in REACH Authorisation list** – and therefore parallel Authorisation and Restriction processes
- **Use of Essential Use Concept** (EUC) and **Generic Risk Management Approach** (GRA)
- **Accelerated restrictions**, including grouped substances

Digital Safety Data Sheets (SDS)

Strengthen **compliance** and ensure **uniformity** across the EU, with the EU potentially defining **criteria for national enforcement** systems, and **conducting audits** across Member States

A brighter outlook than before

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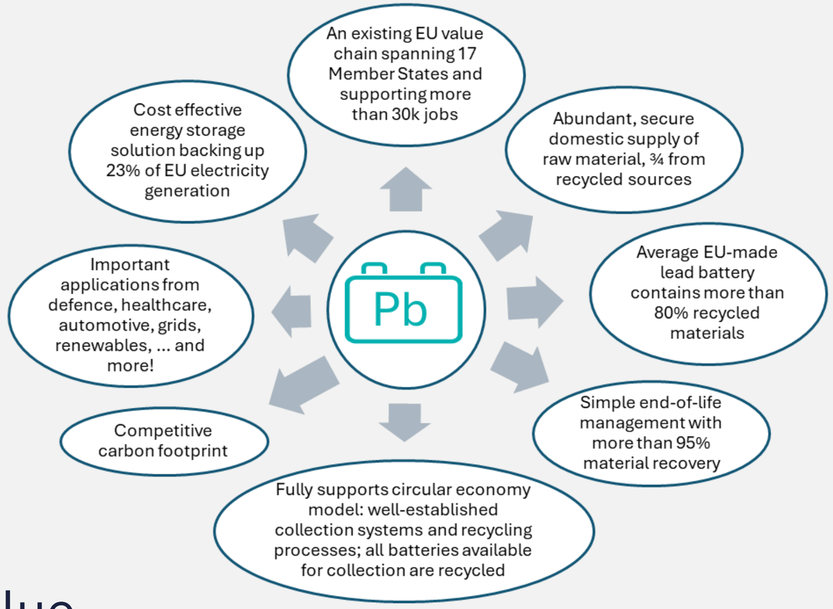
- **Regulatory pressure** for substitution of lead in Europe continues to present challenges
- **New political priorities** of competitiveness, industrial strength, strategic autonomy, security, and economic independence **give our industry a great opportunity**
- Europe has a **more receptive environment** to convince policymakers that continued use of lead and lead battery value chains are important for delivery of the "Clean Industrial Deal"



"In the middle of difficulty lies opportunity"

~ John Archibald Wheeler on the work of Albert Einstein

1. Lead batteries are an **economic and technical solution** to achieving EU electrification, battery energy storage and low carbon goals
2. Lead and lead batteries offer a **secure supply chain** and **domestic raw material security**
3. Lead and lead batteries are **essential for European security and defence**
4. Lead batteries provide a **sustainable and circular solution** to meet some of Europe's energy storage needs
5. Europe's lead and lead battery **domestic industrial base** is already **well established and competitive** on the world stage
6. Lead batteries support a wide range of applications that are **critical to the EU's industrial base and economic life**
7. Lead **supports strategic applications and essential industrial needs** from protection for undersea cables to enabling the efficient production and recycling of critical raw materials and other metals
8. Europe is at the **forefront of** advanced lead battery **innovation and research** supporting next generation energy storage solutions

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