

# wdk POSITION

## Position on secondary raw materials from End-of-Life Tyres (ELT) - EU SCHEER Committee

To positively influence climate change, it is important to use raw materials more efficiently and to promote recycling. In the long run, as a rule, products should be returned to the material cycle. The use of secondary raw materials in all aspects of daily life is of great importance. For this reason, wdk and its members from the ELT sector have been campaigning for recycling and reuse of (used) tyres for several decades now - be this by prolonging the life of tyres through repair and retreading or through their use as secondary raw materials for a variety of applications.

We note that the SCHEER Committee has identified the potential presence of PAH and metals in end of life tyres as a potential unforeseen risk <sup>1</sup>:

**R7 Repurpose: substances of concern in (parts of) products and materials that will be re-used for another purpose than originally intended may present unforeseen risks. Examples: 1) heavy metals and PAHs in rubber crump from tyres, toys from e-waste plastics, 2) ticking and foam from mattresses containing flame retardants transformed into automotive textiles.**

The use of secondary raw materials like those derived of End of Life Tyres needs to be assessed for the relevant applications in its second life. This is paramount for the safe use of materials in the continuation of its life in the circular economy and the goals of the green deal. Our position has always been that only what migrates out of a product may be harmful or dangerous, i.e., bioavailable. PAHs and heavy metals can be clearly assessed with migration methods and their bioavailability is confirmed as harmless. Risk assessment here is key, not to hamper the circular economy by only looking at hazards. Consequently, the risks associated with the potential presence of PAH in rubber matrices, regardless of whether they are originating from ELT derived rubber or other rubbers, is addressed under entry 50 p 5 and 6., that limits the presence of PAH in rubber articles in contact with the skin:

- With regard to PAHs, entry 50 of Annex XVII to REACH paragraphs 5 and 6: Polycyclic aromatic hydrocarbons in articles supplied to the general public should be adapted accordingly, and **migration must be permitted**.
- The presence of metals in end-of-life rubber was deeply studied in the ERASSTRI study, which shows that there is **no risk for users of ELT material**. And specifically addresses heavy metals.

<sup>1</sup> SCHEER Committee document of 13 January 2022 - section (page 18) point 4.5 (page 19) R7:

- To secure that heavy metal migration is low, it is common practice after the granulation of ELTs to use the standard EN 71-3. A voluntary use of a method that contains limit values of migration of heavy metals.

wdk and its members from the ELT sector have greatly advanced the knowledge of these substances over the last decades and significantly expanded the knowledge base<sup>2</sup>. This knowledge has also been continuously shared with all authorities, nationally and European. There are many investigations and studies into the risks associated with the use of ELT derived materials.<sup>3)4)5)6)</sup>

The products manufactured and used today are safe and meet all legal normative requirements, whether in the field of artificial turf, floor coverings, building products, stable mats, sealants, or objects in the domestic environment.<sup>1)</sup>

When looking at sustainability, the movement that has been started must be stringently continued. Already today, more than 2/3 of the used tyres in Germany are recycled and only 1/3 are thermally treated. However, this ratio in favour of material recycling has been in jeopardy for years due to ever stricter requirements for products made from secondary raw materials. Since the efforts in this sector mainly come from SMEs, which create added value from ELT without much state support or funding, their existence is threatened by every additional over-regulatory requirement.

A uniform EU-wide harmonised end-of-waste status must also be implemented. A legal patchwork in Europe must be avoided in order to guarantee the material cycle for the future. And to make it clear that the material needs to comply with the REACH legislation, as REACH does not apply to waste products.

Material recycling must even be given more application possibilities. With this in mind, all discussions should always be based on scientific and factual arguments.

Products made from ELT in the intended areas of application are safe. They represent the highest form of circular economy, as they are durable and resource-saving and avoid additional CO<sub>2</sub> emissions and waste.

Our industry stands for sustainability, and further hurdles prevent a functioning circular economy. Therefore, we are always available for discussions and explanations and look forward to an open dialogue.

Frankfurt, March 2022

<sup>2</sup> <https://we.tl/t-JkiuEw5Wfy> - scientific evidence & industry positions

<sup>3</sup> <https://echa.europa.eu/-/recycled-rubber-infill-causes-a-very-low-level-of-concern>

<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R1199&from=EN>

<sup>5</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0045653518324391>

<sup>6</sup> <https://www.sciencedirect.com/science/article/pii/S0048969720306835>