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FEAD feedback on the ‘Available for Collection’ calculation method for battery waste

**FEAD, the European Waste Management Association, representing the private waste and resource management industry across Europe**, welcomes the objective of improving the accuracy of battery collection rate calculations under the Batteries Regulation and acknowledges the Commission’s mandate to adapt the methodology in light of evolving battery markets and longer battery lifetimes. However, FEAD has **serious concerns regarding the proposed Available for Collection (AfC) methodology** as developed in the Oeko-Institut / Fraunhofer study.

The AfC methodology replaces the current approach based on batteries placed on the market with a model that estimates the quantity of waste batteries generated in a given year and then subtracts several complementary flows assumed not to be available for collection, such as batteries ending up in mixed municipal waste, remaining in WEEE, being repurposed, or exported. Default values are set at the European level to determine the quantities represented by these additional flows, and Member States have the option to deviate from these default values. The volume of batteries ‘available for collection’ is calculated by subtracting the complementary flows from the waste batteries generated, and this figure is used to set future collection targets.

FEAD is concerned that this approach relies heavily on assumptions and modelling choices that risk redefining the scope of collectable batteries compared to the current obligations of EPR schemes, while **introducing significant complexity and risks of uneven implementation among Member States**, thereby undermining comparability of collection rates. Moreover, in its current form, the proposed methodology risks lowering collection ambition, weakening safety incentives and undermining legal certainty, without demonstrably improving the accuracy or effectiveness of battery collection. In particular, FEAD has **serious concerns regarding the assessment of so-called ‘complementary flows’**, which are deducted from the amount of waste batteries considered available for collection, thereby sending the wrong political signal about the ‘non-prioritisation’ of these streams.

Deviation from default values by Member States

As a general rule, FEAD **opposes allowing Member States to deviate from default values** within the AfC methodology. Allowing national deviations risks uneven implementation of the Batteries Regulation.

Such flexibility introduces complexity, reduces harmonisation, and undermines transparency and comparability across the EU. It also creates opportunities for strategic use of assumptions to artificially reduce collection obligations, with direct implications for overall recovery performance and safety of waste management installations.

A harmonised EU-wide methodology requires fixed default values, with very limited deviation possibilities when required and duly justified with verifiable evidence.

Review of the Complementary Flows default values

Batteries in Mixed Municipal Waste (MMW)

FEAD strongly **disagrees with batteries in mixed municipal waste being treated as a complementary flow** and deducted from the calculation of batteries available for collection.

Batteries ending up in residual waste are not an unavoidable loss but the result of system failures, including insufficient collection infrastructure, inadequate consumer information, poor product design, and weak enforcement. Treating this stream as a legitimate deduction normalises non-compliance and directly **undermines efforts to prevent battery-related fires, which are one of the most significant safety risks faced by waste management facilities**[[1]](#footnote-1).

Responsibility for minimising batteries in MMW lies with the battery EPR system. Excluding these batteries from collection targets reduces incentives to invest in prevention measures and implicitly accepts a level of failure that should instead be actively addressed. For these reasons, the **default value for batteries in MMW should be set at zero with no possibility to deviate from it**, or this complementary flow should be removed entirely from the methodology.

Batteries from Waste Electric and Electronic Equipment (WEEE)

FEAD supports a **default value of zero for batteries from WEEE, without the possibility of deviation**.

EU legislation already requires the removal of all batteries during WEEE treatment. Allowing a **non-zero default value effectively legitimises non-compliance with the WEEE Directive** and weakens enforcement of existing legal obligations. Any approach that allows batteries remaining in WEEE to be deducted from collection targets rewards poor treatment practices and undermines legal certainty for compliant operators.

Remanufactured and repurposed batteries

FEAD finds more acceptable the approach under Option 1 for remanufactured and repurposed batteries, with a default value of 0 and a possible deviation for LMT batteries only, if duly justified. However, it is important to recognise that the extension of battery lifetime through remanufacturing and repurposing will already be **reflected in the average lifetime assumptions used to calculate waste generated**. Introducing a separate complementary flow for remanufactured or repurposed batteries **risks double counting lifetime extension** effects and artificially reducing the amount of batteries deemed available for collection, without reflecting real losses from the system.

Imports / Exports

FEAD strongly disagrees with the treatment of exports as a positive complementary flow, therefore reducing collection obligations.

Exports of used batteries should have a **default value of zero, with deviations allowed only in strictly justified and exceptional cases**. First, there is a **natural compensation between used batteries imported and exported** across borders. Systematically deducting exports distorts this balance and risks misrepresenting actual waste flows.

Second, there is a well-documented **risk that exported batteries are incorrectly labelled as ‘used’ when they are in fact waste**, thereby circumventing the Waste Shipment Regulation. Additionally, all battery waste will be classified by hazardous by September 2027, and its shipment is strictly regulated under the Waste Shipment Regulation. Treating battery exports as a routine complementary flow risks legitimising illegal shipments and undermining waste shipment enforcement.

**Default value shall be set at 0 for both portable and LMT batteries**, with possibility to deviate where robust, verifiable evidence is provided by the MS.

Impact on collection ambition

Shortcomings of the Available for Collection methodology

The scenario calculations presented in the report reveal that the **AfC methodology structurally lowers ambition compared to the current system**, even with adjustments of the targets.

In particular, AfC Option 2 should not be considered for either portable or LMT batteries, as the **resulting amount of batteries available for collection is lower than under current targets**. Indeed, even with a theoretical AfC target of 100%, the volume of batteries collected would be lower than what is required to collect under current targets.

The AfC Option 1 for LMT batteries also shows significantly lower volumes of batteries available for collection than those implied by the existing methodology, at least until 2028.

These results highlight concerning shortcomings in the proposed method, in addition to criticable assumptions regarding complementary flows, as they directly **contradict the Batteries Regulation requirement to maintain equivalent ambition** for collection targets.

Lack of ambition of the proposed revised targets

Throughout the report, the contractor proposes collection targets derived from the AfC methodology. Projection schemes clearly show that the **proposed targets are consistently below the current targets**, except in the long term where the theoretical assumptions become unverifiable. This is unacceptable, particularly given that battery fire risks are increasing, critical raw materials from waste batteries have been identified as a key source of European materials resilience and collection targets are a core environmental safeguard.

A **methodological change that systematically reduces ambition cannot be justified** as a technical adjustment.

Overcomplexity of the method

Redefinition of “Collectable Batteries” under the EPR

While the Article 59 and 60 on the collection of portable and LMT batteries establishes that producers ‘*shall ensure that waste portable and LMT batteries, regardless of their nature, chemical composition, condition, brand or origin, are collected separately in the territory of a Member State*’ the AfC methodology seems to contradict such approach.

Indeed, by arbitrarily excluding waste battery streams from the scope of the collection targets, the AfC methodology **redefines what constitutes 'collectable batteries' and, in effect, substantially modifies the EPR obligations** set out in Articles 59 and 60. This raises a serious legal concern as to whether the proposed approach exceeds the mandate of Articles 59(7) and 60(8), which empower the Commission to adapt the methodology and targets, not to fundamentally redesign EPR systems.

Unrealistic administrative burden for Member States

The methodology assumes that Member State authorities will be able to assess survey robustness, validate deviations from default values, cross-check PRO data, WEEE recycler data and customs data, and justify national assumptions to the Commission.

In practice, many Member States, particularly smaller or decentralised ones, do not have this analytical capacity. This creates a high **risk of uneven implementation, increased exposure to infringement procedures, and loss of confidence** in the credibility of reported data.

Loss of intelligibility and public trust

The **current collection rate methodology is simple, understandable and directly linked to operational action**. By contrast, AfC-based targets rely on complex and largely invisible calculations, vary by Member State and year, and are extremely difficult to communicate to stakeholders and citizens.

This **loss of transparency weakens accountability and risks undermining trust** in EU battery policy.

Conclusion

In light of the above, FEAD considers that the **proposed Available for Collection methodology, in its current form, does not meet the legal requirement to maintain equivalent ambition** for battery collection targets under the Batteries Regulation. The introduction of complementary flows, which are deducted from the amount of waste batteries considered available for collection, sends the wrong political signal and risks lowering collection ambition and weakening fire prevention incentives.

Moreover, the AfC methodology introduces disproportionate complexity, creates significant risks of uneven implementation across Member States, and raises serious legal concerns by effectively redefining the scope of ‘collectable batteries’ under EPR schemes. **FEAD therefore calls on the Commission to reconsider the proposed approach, prioritising a harmonised, enforceable methodology** that strengthens, rather than weakens, battery collection

**FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe**, including 21 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 500,000 local jobs, fuelling €5 billion of investments into the economy every year. For more information, please contact: [info@fead.be](mailto:president@fead.be)

1. Please find more information about battery-related fires in waste management sector, as well as possible solutions to put in place to mitigate both the risks and impacts of these fire here: [Battery-Fires-in-Waste-Management\_-Joint-Paper.pdf](https://fead.be/wp-content/uploads/2025/05/Battery-Fires-in-Waste-Management_-Joint-Paper.pdf) [↑](#footnote-ref-1)