ETRMA contribution to the RAC/SEAC Opinion on Annex XV proposing restrictions on intentionally-added microplastics

Brussels, 1st September 2020

Introduction

This document is an overview of ETRMA's responses to paragraphs: 4a, 4h, 5b, 5c, 7, 8 on page 6 of the RAC/SEAC Opinion, Annex XV proposing restrictions on intentionally added microplastics[1].

Rubber granules and rubber powders are made from the recycling of end-of-life tyres (ELT) and various other rubber goods. They are produced in a range of particle sizes from fine rubber powders and granulates to larger chips and shreds. These materials have different specifications and standards which are often critical to its use.

Only when produced in the size range of microplastics are rubber powders and granulates classified as free particles: as defined in Annex XV. The proposed restriction, as explained in this document, impede the recycling of rubber and interfere with the industry ´s ability to move towards a circular economy.

[1] RAC/SEAC Opinion on an Annex XV dossier proposing restrictions on intentionally-added microplastics, ECHA/RAC/RES-O-0000006790-71-01 SEAC reference number to be added after the consultation.

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Paragraph 4h:
'Granular infill used on synthetic sports surfaces'

The European Tyre and Rubber Manufacturers' Association is committed to contribute to a sustainable and healthy environment and welcomes the Commission's desire to address the issue of microplastic pollution.

ETRMA and its members support, develop and promote circular economy and the recycling of tyres, as long as practices respect environment and health. By reusing the resources, we can decouple the European economy from the need of new resources

- Though ELT infill is listed as a source of microplastic in the environment, the infill losses to the biosphere can be mitigated.

- The data that was provided to RAC/SEAC and upon which they based their opinions is not accurate. ELT infill is mistakenly listed as a large source of microplastics in the environment.

ELT infill contributes to sustainable development and the advancement of a Circular Economy for Europe.

The UK based consultancy firm, Eunomia recognised that their report was based on inadequate data and stated that their data quality was 'unacceptable'[2]. The RAC/SEAC have used this report as supportive evidence for widespread infill losses to the aquatic environment and as a general measure of widespread mismanagement of pitches across Europe.

1. In Annex XV, **figures of 500 kilos of infill losses to the aquatic environment per football pitch per year[3] are used. This is incorrect and is the result of a lack of technical understanding. The losses stated in the Eunomia report[4] are assumed and are not accurate.**

[2] Hann, et al. Investigating options for reducing releases in the aquatic environment of microplastics emitted by (but not intentionally added in) products. Eunomia, page 302
[3] RAC/SEAC Opinion on an Annex XV dossier proposing restrictions on intentionally-added microplastics, ECHA/RAC/RES-O-0000006790-71-01/F page 7 and page 40 respectively
[4] Hann, et al. Investigating options for reducing releases in the aquatic environment of microplastics emitted by (but not intentionally added in) products. Eunomia.

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2. Existing scientific **measurement-based investigations** [5,6,7] on 'direct sampling from pitches and a mass flow analysis of infill', **do not support** the reports assumptions:

   a) Assumption: Losses of ELT infill are substantial and '**migrate'** with wind, rain or ocean currents making them a transboundary irreversible 'pollutant'
   Fact: The potential losses would sediment locally and can be addressed, (if necessary, by the party responsible for 3littering). They are not dispersed widely across the aquatic environment.

   b) Assumption: The amount of top-up infill used is correlated to estimated losses to the natural environment. This is incorrect.

   Fact: Top-up is related to the extent to which the granules are de-compacted after use. Losses are related to how the pitches are constructed and managed. Losses to the aquatic environment are not related to the amount of infill being topped-up.

3. **There are several European and National industry standards that are being used for the construction of Synthetic sport fields** such as:
   - NF 90 112: Sports floors - Large synthetic turf playgrounds (2016)
   - EN 15330-1: Sports floors - Synthetic turf surfaces and needled textile surfaces mainly intended for outdoor use - Part 1 (2013)
   - EN 15330-2: Sports floors - Synthetic turf surfaces and needled textile surfaces mainly intended for outdoor use - Part 2 (2017)

   These standards also comply with FIFA regulations as well as the criteria for the implementation and maintenance of these types of sports fields.

4. **The suggested ban would stop the main recycling application for ELTs**. It should be noted that the SEAC figure for the amount of ELT infill surplus is also incorrect[8]. The SEAC/RAC opinion states that 100 000 tonnes of ELT infill will become surplus and that there are other applications that can absorb this volume. The actual surplus would be 400 000 tonnes of ELT infill per year. **This amount corresponds to 80% of the total infill placed on the market**[9]. The only other alternative that could attempt to absorb this volume is energy recovery. It is also likely that the **proposed ban would have an adverse effect on other recycling applications for ELT rubber, making the surplus amounts of ELTs even larger**.

[5] H Løkkegard, et al, 2019 Teknologisk Institut
[6] Møllhausen, et all 2017. Forskningskampanjen
[7] Regnell 2019; Dispersal of microplastic from a modern artificial turf pitch with preventive measures - Case study Bergaviks IP, Kalmar.
[8] ECHA/RAC/RES-O-0000006790-71-01/F '100 000 tonnes ELT infill material' page 52
[9] 400 000 tonnes of ELT infill correspond to 527 000 tonnes of ELT, including steel and textile. Source, ETRMA contribution to the public consultation on Annex XV dossier, dated 05/2019.

5. Alternative infills (not ELT) have not been subject to environmental assessments. Their **environmental benefit over ELT infill, as well as their availability** in sufficient quantities, is far from certain.

6. The environmental benefits from 400 000 tonnes of annually recycled ELT infill is **not insignificant** as inferred in the SEAC/RAC opinion[10].

7. The dispersion into the environment of alternative infills are **not likely** to be less than ELT, especially as many of these materials, such as cork, disperse easily with both wind and rain.

8. The implementation of Containment Measures such as filters in drains, barriers around fields, football boot and shoe cleaning brushes and appropriate snow storage areas - demonstrate that **the loss of infill could be virtually eliminated**[11]

9. **Artificial turf football pitches allow for intensive use** all year round and whatever the weather. This is especially relevant as it provides readily available sports opportunities in urban areas. Natural grass turf pitches only allow for 6 to 10 hours of play per week. Artificial turf football pitches do not have such a limit.

10. ELT infill out performs the alternatives. It does not freeze in winter and does not dry out in summer. It provides a constant level of playing conditions. Communities are able to maximise the availability of sporting activities which play a major role in the social integration of a community as well as personal development in sport. This also has a substantial benefit for physical and mental health.

11. Should the ban be implemented, it is estimated that the costs of discarding and replacing existing pitches in Europe alone, would be in excess of €1.5 billion. This financial burden would have an even more drastic impact on financially challenged communities' ability to provide opportunities for playing football. The result would be a **significant reduction in the possibility for citizens to participate in this highly beneficial team sport.**

Considering these points, ETRMA finds that a ban would not be proportional.

To address any remaining concerns, ETRMA supports the implementation of mandatory Containment Measures. These measures should follow the European Standardisation

[10] ECHA/RAC/RES-O-0000006790-71-01/F '100 000 tonnes ELT infill material' page 52
[11] Regnell 2019; Dispersal of microplastic from a modern artificial turf pitch with preventive measures - Case study Bergaviks IP, Kalmar.

Organisations (CEN) technical report CEN/TR 17519, as well as certifications such as ISO 14001, EMAS, CERUB.

Paragraph 4a, 5b, 5c 7 and 8: ‘Derogations applicable to the use of rubber meeting the definition of microplastics and reporting obligations’

ETRMA understands that derogations on paragraphs 4a, 5b and 5c apply to the following rubber products and therefore its use and production would not be restricted:

Paragraph 4a.: applies to the use of micronized rubber powder, crumb rubber, (at industrial sites), and masterbatches used in industrial workplaces

Paragraph 5b.: applies to recycled rubber material, such as micronized rubber powder, in rubber articles, for example, tyres or conveyor belts

Paragraph 5c.: applies to the use of rubber granules for playgrounds and moulded products as those articles contain granules are still visible, although strongly bonded and compacted into the matrix.

With reference to the proposed measure of the reporting obligations in paragraphs 7 and 8: ETRMA invites regulators to keep reporting as voluntary until a defined method to address microplastics released to the environment is available in such a way that it would not affect downstream users of articles derogated under provision 5b (by setting of a lower size limit for Microplastics of 0.1µm as supported by SEAC).

More details are provided in the annex.

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